



JASPER COUNTY COUNCIL
VIRTUAL COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936

October 3, 2022
Minutes

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley
Councilman L. Martin Sauls (present for Regular Session only), Councilman Pastor Alvin Adkins
and Councilman John Kemp.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County
Attorney David Tedder, Kimberly Burgess, Russell Wells, Lisa Wagner, and Videographer Jonathan
Dunham.

Also Present:

Chairwoman Clark called the meeting to order at 4:30PM. Chairwoman Clark asked the Clerk to
Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to
Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In
compliance with the Freedom of Information Act, notice of meetings and agendas were posted and
furnished to all news media and persons requesting notification.*

The information below was read for the executive session.

Motion to go into executive session with the addition of adding personnel to the Executive

Session: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Executive Session SECTION 30-4-70.

**(a) A public body may hold a meeting closed to the public for one or more of the following
reasons:**

**(2) Discussion of negotiations incident to proposed contract arrangements and proposed
purchase or sale of property, the receipt of legal advice where the legal advice related to
pending, threatened, or potential claim or other matters covered by the attorney-client
privilege, settlement of legal claims, or the position of the public agency in other
adversary situations involving the assertion against the agency of a claim -
Election Matters; Exit 3; Cypress Ridge Spec Building Number 4; Beaufort-Jasper Housing
Trust Fund - Affordable Housing IGA; Stevenson Purchase Proposal Tax Map #**

091-00-01-029

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body – Prospect Update; Update on the Bailey Park PDD; Update on the Peninsula Tract Development Agreement; Project Silver Star; Project Ice

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS. PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM EXECUTIVE SESSION.

Return to Open Session:

Motion to approve: Councilman Kemp

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

There were no motions from Executive Session.

The Pledge of Allegiance was led by Councilman Kemp and the invocation was given by Councilman Adkins.

Approval of Agenda:

Motion to approve: Councilman Kemp

Second: Vice Chairman Dr. Brantley

It was questioned as to why item Ordinance Item H “*3rd reading of Ordinance #O-2022-18 to amend Chapter 27 of the County Code of Ordinances (Fees) to Authorize and Set Fees and Costs for the Coroner’s Office and Matters Related Thereto*” was placed back on the agenda. Mr. Tedder noted that the motion had previously died for a lack of a second at a previous meeting, that is was why it was back on the agenda.

Another motion was made to approve the agenda with the removal of Ordinance Item H:

Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Approval of the minutes of 06.27.2022:

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Proclamation and Presentations:

A: Chief Russell Wells – Proclamation for Fire Prevention Week

Chief Wells was present to address this request with Council and read the Proclamation for Fire Prevention Week.

Motion to adopt: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B: Chief Russell Wells – Pinning Ceremony for Battalion Chief Blake Jernigan

Chief Wells was present to address the Council with the Pinning Ceremony for Promotion of Battalion Chief Blake Jernigan. The Oath of Office was given and the Promotional Warrant was made by Deputy Chief Vaughn. The Pinning Ceremony was performed and photos were taken. Council congratulated Battalion Chief Jernigan on his promotion.

C: Chief Russell Wells – Pinning Ceremony for Lieutenant Allen Perry

Chief Wells noted that this ceremony would be held at a later date.

Open Floor to the Public per Ordinance 08-17– Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting’s 6PM start time on the Sign In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes. No comments.

Resolutions:

A: Brantley Strickland – A Resolution Authorizing, Under Certain Conditions, the Execution and Delivery By Jasper County, South Carolina Of A Fee In Lieu Of Tax Agreement With Project Ice With Respect To An Industrial Project In The County Whereby the Project Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, and Whereby Project Ice Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; and Providing For Related Matters.

Brantley Strickland was present to discuss and address this request with Council. He discussed the fact that this was a resolution request authorizing a Fee in Lieu of Tax Agreement with Project Ice. He noted that Project Ice would be in Hardeeville and would provide about 85 jobs.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B: Danny Lucas – Resolution #R-2022-23 Authorizing the County Administrator to Enter Into An Intergovernmental Agreement With Beaufort County, City Of Hardeeville, Town Of Hilton

M – 10.03.2022

Jasper County Council

Head Island, Town Of Bluffton, Town Of Port Royal, City Of Beaufort, And The Town Of Yemassee To Jointly Create, Fund, and Operate A Regional Housing Trust Fund.

Mr. Lucas was present to review and address the request for a resolution authorizing the County Administrator to enter into an Intergovernmental Agreement with Beaufort County, City of Hardeeville, Town of Hilton Head Island, Town of Bluffton, Town of Port Royal, City of Beaufort, and the Town of Yemassee to jointly create, fund, and operate a Regional Housing Trust Fund.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Ordinances:

A: Lisa Wagner - Public Hearing and 2nd reading of Ordinance [#O-2022-27](#) to amend the Official Zoning Map of Jasper County so as to transfer a property located at 5787 Lowcountry Drive, bearing Jasper County Tax Map Number 083-00-03-057 from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Chairwoman Clark turned the meeting over to Vice Chairman Dr. Brantley. Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Ms. Wagner was present to address and review this request with Council. She noted that the subject property consists of 4.08 acres and is located at 5787 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the properties designated as General Commercial. The subject property is currently zoned Community Commercial and is undeveloped. The applicant would like to have the property re-zoned to General Commercial to allow business and to rent out some flex space. The applicant believes General Commercial is a better fit for the area.

Ms. Wagner noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. The adjacent parcels are zoned Mixed Business and Community Commercial with Industrial, Residential, Rural Preservation and General Commercial nearby. Adjacent land uses are Commercial and vacant property. The subject property is accessed by Lowcountry Drive (Highway 462), which is a two lane state maintained highway unnamed, county maintained dirt road. Planning Commission recommends denial of the request to have the property designated as General Commercial.

The public hearing was opened. Ms. Wagner read comments from the following persons in opposition of this request: Lisa Collier, Kathleen DeCoursey, Russell Fredericks and David Sessler. The public hearing was then closed after comments were given. Councilman Kemp noted that the Planning Board declined this request because they saw no reason to go to General Commercial. They felt it should stay Community Commercial and he noted that he did not want to go against the advisement of the Planning Commission.

Motion to approve the ordinance to deny the zoning change: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Lisa Wagner - Consideration of the 1st reading of an ordinance to Amend Article 7:5, *Maximum Building Height*, of the Jasper County Zoning Ordinance, to allow increased building heights in certain areas where there is a public water distribution system and adequate fire-fighting equipment available in such areas, which is capable of fighting a structure fire safely.

Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Ms. Wagner was present to review this request with Council. She noted that the purpose and intent of this proposed ordinance is to amend Article 7:5 of the Jasper County Zoning Ordinance, *Maximum Height* requirement. Currently, the maximum building height is 35', measured from the average finished grade elevation at the building line to the mean roof height. Recently, the planning staff has received inquiries and a request for a variance to increase the building height. The proposed ordinance will provide guidelines to allow certain projects to ask for an increase in building height not to exceed 50' and in all cases, each request would be reviewed by the Fire Chief or their designee to determine if the project site is located in an area where EMS has the ability to adequately fight a structure fire based on public water and firefighting equipment

Ms. Wagner noted that the proposed ordinance would amend the Jasper County Zoning Ordinance as follows (new language in red):

Article 7:5, *Maximum Height*:

Maximum building height in all districts is 35 feet. Height measurement shall be made from the average finished grade elevation at the building line to the mean roof height.

The maximum building height may be increased to 50 feet, measured from the average finished grade elevation at the building line to the mean roof height, in areas where there is a public water distribution system and the Fire Chief or their appointed designee, confirms that there is adequate firefighting equipment capable of fighting a structure fire available in such areas to safely accommodate the increased height.

Non-Habitable structures such as towers and flagpoles shall not exceed 35 feet in height measured from the average finished grade except where flags are expressly permitted in Article 15, Sign Standards.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit.

She noted that the Planning Commission reviewed this ordinance at their September 13, 2022 Meeting and recommends approval of the ordinance as presented. There was some discussion on this item regarding the meaning of the ordinance language. Councilman Kemp asked why not move it to 40 ft which would be the same as the City of Hardeeville and Town of Ridgeland.

Motion to accept the amendment: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C: David Tedder – Consideration of the 1st reading of an Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By and Between A Company Known To The County As “Project Ice” (The “Company”) and Jasper County, Whereby Jasper County Will Enter Into A Fee-In-Lieu Of Tax Agreement With The Company and Providing For Payment By The Company Of Certain Fees-In-Lieu Of *Ad Valorem* Taxes; Providing For Special Source Revenue Credits In Connection With Such Agreement; Providing For The Allocation Of Fees-In-Lieu Of Taxes Payable Under The Agreement For The Establishment Of A Multi-County Industrial/Business Park; And Other Matters Relating Thereto.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this item with the Council. He noted that this was an ordinance to authorize a Fee in Lieu of Tax Agreement between Project Ice and Jasper County. He recommended approval of this ordinance on the first reading.

Motion to accept: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

D: Kimberly Burgess – Consideration of the 1st reading of an Ordinance amending the FY22/23 budget to provide for the expenditure not to exceed \$800,000.00 dollars from the Fund Balance for the purpose of renovations to the Jasper County Farmers’ Market.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Burgess was present to address this request. She discussed that the item before Council was a request for the first reading of an Ordinance to amend the Fiscal Year 2022 – 2023 Budget as it was originally adopted by Ordinance No. O-2022-17 on June 27, 2022 (in accordance with the Local Government Code of The State Of South Carolina and the Ordinances Jasper County. She noted that this request was to provide for the expenditure not to exceed \$800,000 from the Fund Balance for the purpose of renovations to the Jasper County Farmers’ Market. There was some discussion and Councilman Kemp asked if there were plans for this. Ms. Burgess noted that they were given to the Construction Manager. Councilman Kemp asked if the Chamber of Commerce was helping to pay for this as there were other projects in the County to consider. He said he would approve the item to move forward but wanted a workshop. Vice Chairman Dr. Brantley agreed with the workshop and wanted to see what would be done at the Farmer’s Market. Mr. Fulghum said they fully intended to have a workshop and provide plans.

Motion to approve the first reading: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

E: David Tedder – 2nd reading of an ordinance for Project Silverstar authorizing the sale of TMS 063-30-03-010, approximately 11 acres, to P & S Properties M, LLC and to authorize the Jasper County Administrator to execute such deeds and other documents as may be necessary and appropriate to effect the sale.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to review and address this request for the 2nd reading of an ordinance for Project Silverstar which authorized the sale of approximately 11 acres to P & S Properties M, LLC. He noted that the request included allowing the County Administrator to execute the deeds and documents on this sale.

Motion to approve the 2nd reading: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

F: David Tedder – Consideration of 1st reading by TITLE ONLY for Authorizing And Approving The Development Of A Jointly Owned And Operated Multi-County Industrial/Business Park In Conjunction With Hampton County (The “Park”), Such Industrial/Business Park To Be Geographically Located In Jasper County (The “County”) And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended (The “Act”); Providing For A Written Park Agreement With Hampton County To Provide For The Expenses And The Distribution Of Fees In Lieu Of Ad Valorem Taxes For The Park; Providing For The Establishment And/Or Expansion Of Certain Facilities By Project Silverstar, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The “Company”) In The County (The “Project”) To Be Included In The Park; Providing For The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; And Other Matters Relating Thereto.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this request with Council. He noted that this was a first reading only of this ordinance by Title Only and it authorized and approved the development of a Multi County Industrial Business Park to be jointly owned by Jasper County and Hampton County.

Motion to approve: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

G: David Tedder - Consideration of 1st reading by TITLE ONLY for Authorizing The Execution And Delivery Of An Infrastructure Credit Agreement To Provide For Infrastructure Credits To Project Silverstar; And Other Related Matters.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this request with Council. He noted that this was a first reading only of this ordinance by Title Only and it authorized the execution and delivery of an infrastructure credit agreement for Project Silverstar. Mr. Tedder noted that this ordinance would include the usual provisions.

Motion to approve by Title Only: Councilman Kemp
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

H: David Tedder – 3rd reading of Ordinance #0-2022-18 to amend Chapter 27 of the County Code of Ordinances (Fees) to Authorize and Set Fees and Costs for the Coroner’s Office and Matters Related Thereto. (There was no second to the motion on 07.18.2022)

This item was removed from the agenda during the approval of the agenda.

New Business:

A: Sebrena Graham – As requested by the Lowcountry Council of Governments a Ratification by Council to an Amendment to Creation Agreement -Article II Membership and Representation.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Graham was present to address this request with Council. She noted that this was a request by the Lowcountry Council of Governments for an amendment to the Creation Agreement for Article II Membership and Representation. She reviewed the letter and information provided to Council in the agenda e-packet.

Motion to approve: Councilman Kemp
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

B: Wanda Simmons – Request to amend the Jasper County Council Meeting Schedule for 2022.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Simmons was present to present and discuss this item with Council. When the 2022 County Council Meeting Schedule was approved there was an error made on the listing for the date for the December 2022 meeting. The list currently shows a December 6th meeting date which is a Tuesday. Staff would like to correct this and correct the date to reflect the normal Monday meeting date which would be December 5th. She noted that the staff recommendation was that the date change be made.

Motion to approve: Councilman Adkins
Second: Councilman Kemp

Vote: Unanimous
The motion passed.

C: Andrew Fulghum – Presentation of a proposal from Envisio Solutions Inc.- strategy execution, performance management and reporting software.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Fulghum reviewed and presented this request to Council for the proposal from Envisio Solutions Inc.- strategy execution, performance management and reporting software. Discussion was held on this item and Mr. Fulghum explained more about the software and its capabilities, noting it would be of great use to the County. Councilman Kemp asked if IT had looked into this, and Mr. Fulghum assured him that they had been involved in the process.

Motion to approve and accept the proposal option #2: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Old Business: There was no old business for this meeting.

Council Members Comments:

Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Councilman Adkins thanked God for all things and for safety from the storm. He urged everyone to stay safe and healthy.

Councilman Kemp noted that on October 26th there would be a minority small business event. He also noted that from October 24th thru November 5th during the hours of 8:30am to 5:00pm Early voting was available. He noted that the Planning Commission had discussed signs in relation to the differing colors. He also noted he was glad that everyone stayed safe from the storm.

Vice Chairman Dr. Brantley noted that from October 24th thru November 5th during the hours of 8:30am to 5:00pm Early voting was available, and he urged everyone to vote in the election.

Administrator's Report:

Mr. Fulghum provided his report in the agenda e-packet and noted he was available for any questions.

Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II.

There was no reason to return to executive session for this meeting.

Adjourn:

Motion to adjourn: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous
The motion passed.

The meeting adjourned at 7:10PM.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council



L. Martin Sauls IV,
Chairperson