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Pursuant to Ordinance #08-17, Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's Regular Meeting start time) on the **Public Comments 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. Written Public Comments may also be submitted by 1PM on the date of the Council Meeting by emailing your comment to: comments@jaspercountysc.gov.

To participate in a **Public Hearing for a specific agenda item**, you may either email written public comments to comments@jaspercountysc.gov by **1:00PM on Monday, March 20, 2023**; or you can speak in person at the Council Meeting by signing in on the **Public Hearing Sign In Sheet** located outside the Council Chambers Doors prior to the start of the meeting.

Instructions may also be found at the Jasper County website www.jaspercountysc.gov

FOR MORE INFORMATION, PLEASE CALL (843) 717-3696



JASPER COUNTY COUNCIL
COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.
358 3rd Avenue Ridgeland, SC 29936
Monday, March 20, 2023
AGENDA

5:30PM

1. Call to Order by Chairman Sauls

Clerk's Report of Compliance with the Freedom of Information Act.

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

2. 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 – **Aircraft Constructor Inc.; Election Matters; Opioid Litigation; Jasper County V. Western Surety**

(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; Jasper Ocean Terminal**

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 THE EXECUTIVE SESSION.

- 3: **Return to Open Session at 6:30PM**
 - **3.1 Action coming out of Executive Session**
4. **Pledge of Allegiance and Invocation:**
5. **Discussion of Consent Agenda and Agenda Items:**
6. **Approval of Agenda:**
7. **Approval of the Minutes 01.17.2023:**

PRESENTATIONS AND PROCLAMATIONS

8. **A: [Cornelius Hamilton of SC State 1890 Research and Extension](#) – Presentation regarding the great services we are providing to Jasper County.**
9. **Proclamations: None**

PUBLIC HEARINGS AND ACTION ITEMS

10. **[David Tedder](#) – Consideration of first reading of to extend the date by which certain property subject to a Development Agreement entered into by the County and Conduit Street Partners, LLC (CSP) must be conveyed by the property's current owner to the developer thereof, to allow for additional time for the developer to complete the full entitlement of the property, and matters related thereto.**

CITIZEN COMMENTS

11. **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 6:30PM 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.**

- 12: **Resolutions: None**

13. Administrator's Report

CONSENT AGENDA

14. **Lisa Wagner** – Consideration of the **3rd reading** of Ordinance **#O-2023-03** to Amend Article 8:8 of the Jasper County Zoning Ordinance, *Gateway Corridor Overlay District ("GCOD")*, to better define the location of the designated highway and amend the Official Zoning Map of Jasper County to expand the GCOD to include the property located on the southwest corner of the intersection of Alligator Alley and Off Ramp Road as depicted on the attached map (*1st reading 02.06.2023; 2nd reading 03.06.2023*)

15: **Kimberly Burgess** – Consideration of the **3rd reading** of Ordinance **#O-2023-04** of the County Of Jasper, amending the Fiscal Year 2022 – 2023 Budget as originally adopted by Ordinance No. 2022-17 adopted June 27, 2022, in accordance with The Local Government Code Of The State Of South Carolina and the Ordinances And Rules Of The County Of Jasper, South Carolina; Appropriating the various amounts thereof, to provide for the Expenditure of not to exceed \$635,000 from the Fund Balance for the Purchase of a Storage Array System and Repealing all Ordinances or parts of Ordinances in conflict therewith, and providing an effective date. (*1st reading 02.06.2023; 2nd reading 03.06.2023*)

16. **Kimberly Burgess** – Consideration of the rescission of Change Order #8 for Marsh Cove Fire Station (this was previously approved on the 02.06.2023 Meeting).

END OF CONSENT AGENDA

17. Council Members Comments

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

19. Adjournment:

*Council may act on any item appearing on the agenda including items discussed in executive session.

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the County Council Building at a publicly accessible place and on the county website at least 24 hours prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

Special Accommodations Available Upon Request to Individuals with Disabilities
(843) 717-3696

AGENDA ITEM:

#7

Minutes

AGENDA ITEM:

#7

Minutes



JASPER COUNTY COUNCIL WORKSHOP AND COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.
358 3rd Avenue Ridgeland, SC 29936
Tuesday, January 17, 2023
AGENDA

Chairman Sauls called the meeting to order at 5:03PM. Chairman Sauls asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to Council then 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.*

Officials Present at the Workshop:

Chairman L. Martin Sauls IV, Vice Chairwoman Barbara B. Clark, Councilman John Kemp and Councilman Coy Garbade.

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: Jennifer Tosky

Workshop Topics:

➤ **Jennifer Tosky - Bailey Park PDD Information**

Jennifer Tosky was present to give informational review and updates on the Bailey Park PDD. Chairman Sauls welcomed Ms. Tosky and thanked her for coming. Ms. Tosky discussed the fact there are two parcels which consisted of the Northern parcel and Southern parcel. She noted that the current zoning for the Northern parcel was community commercial and on the Southern parcel it is residential. She said that it appears that is not the best way to utilize the land in the zoning that it is in currently. She said she believes it would be best to rezone it and combine it because back combining it would make over 25 acres and Council could grant a PDD. She also noted that the problem with utilizing the parcels separately as they are currently zoned by the current guidelines would give ingress and egress issues. She reviewed the first request that they made of cancel and then she discussed their proposed request. Council discussed some questions they had, and Ms. Tosky provided answers for those questions. There was some further discussion of the previous request versus the current request versus the current zoning. Chairman Sauls thanked Ms. Tosky for coming to the meeting to provide this information for Council. For additional information on this item please visit https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA.

Minutes -
01.17.2023

➤ **Update Airport Commission Board**

Chairman Sauls noted that council had looked at two needed appointments one for Avery Cleveland and another for Canada Smith. Mr. Lucas noted that those were the only vacancies on the board. It was also noted that the name changed to the Airport Commission Board instead of the Aeronautics Commission. It was noted that in the packet council was given a copy of the new ordinance and the old regulations by Mr. Tedder. He also noted that they were asking for The first reading of this ordinance tonight and then they would set up a public hearing. There was some discussion about the two names that have been submitted and Mr. Tedder noted that the two appointment submissions don't qualify currently because they are not residents; however, under the new ordinance it will allow for nonresidents to be on the board. There were some other questions about the drafting of the proposed ordinance and also some discussion regarding the original appointment of the Aeronautics Commission Members as well as the current ordinance. The most recent appointments and the reason for the updated ordinance being requested was discussed. For more information visit https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCjIA.

Discussion of all Agenda Items: There was no other agenda item discussion.

Officials Present at the Council Meeting:

Chairman L. Martin Sauls IV, Vice Chairwoman Barbara B. Clark, Councilman Pastor Alvin Adkins, Councilman John Kemp and Councilman Coy Garbade.

The Council Meeting was called to order by Chairman Sauls. The Pledge of Allegiance was given, and Vice Chairwoman Barbara Clark gave the Invocation.

Approval of Agenda:

Councilman Kemp asked that the motion to approve the agenda include to amend the agenda and table Ordinance Item 10C.

Motion to approve as amended: Councilman Adkins

Second: Vice Chairwoman Barbara Clark

Vote: Unanimous

The motion passed.

Approval of the minutes of 10.03.2022; 10.12.2022; 10.17.2022; 10.21.2022:

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Barbara Clark

Vote: Unanimous

The motion passed.

Presentations and Proclamations:

Presentations:

A: Michael Burchstead, Esq. – Presentation regarding Case #2022-CP-27-000-82 Jasper County Election Case

Mr. Burchstead was present to discuss the redistricting in early 2022 and that as a result of that redistricting that Mr. Adkins did not reside in the district where he was elected. He noted that Council has 4 members at large with a residency requirement and 1 at large. He noted that this method had been utilized since 1969. He noted that they were retained in Feb 2022 for this item. He said that their belief at Burr & Foreman LLP., was that Council cannot be declared legal or illegal for office and that they just want to have the court say he was qualified or not qualified. He noted that if they said he was qualified under the declaration judgement act that it went no further. He said Council had still been under redistricting, so the Council drafted an ordinance to include his area in the redistricting. If they said he wasn't qualified; then the questions would become if the new election would be under old districts or the new districts as well as probable other questions. He noted since no judgement had been given, he can be allowed to serve in a de facto status. The drawing in and of his area was proper under the authority of the council; and he can serve and run in the next election. He noted that they just need a court to hear the case. He noted that they were just trying to do what is right for the County and that is pending in the Circuit Court System. He said they had tried to move it along but request was denied so Mr. Adkins' attorney tried to dismiss it and that was also denied. He said as of current, that nothing has been decided and it was simply still in the court system. He noted that in Richmond County it had taken almost 2 years to get an answer, and that the County was protected by the filing. He noted to the Council that he had to be careful not to waive any privilege. He noted that everything he had already said had been said out in the open and that he could not discuss strategy as it was privileged. For more in-depth information on this topic please feel free to go to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Proclamation:

A: [David Tedder](#) - Proclamation recognizing *February 19th - 25th, 2023 as Childhood Cancer Awareness Week in Jasper County*

Mr. Tedder read the proclamation on the floor that recognized the week of February 19th thru February 25th as Childhood Cancer Awareness Week in Jasper County.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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.

Steven Schmidt discussed the Ridgeland Claud Dean Airport.

David Pinegar discussed the airport.

Lee Logan discussed the airport.

Rev. Samuel Gregory discussed the prior election concerns.

Resolutions:

A: Kimberly Burgess - Resolution #R-2023-02 of Jasper County Council confirming the procurement of construction services to renovate the Coroner's office at 1504 Grays Highway Suites B and C per Cleland Building Solutions estimate #EST269 dated January 4, 2023 pursuant to Section 2-412 of the Jasper County Code of Ordinances to provide for emergency procurements.

Ms. Burgess was present to review resolution and address this item with Council confirming the procurement of construction services to renovate the Coroner's office at 1504 Grays Highway Suites B and C.

Motion to approve: Councilman Adkins
Second: Vice Chairwoman Barbara Clark
Vote: Unanimous
The motion passed.

Ordinances:

A: David Tedder - Public Hearing and 2nd reading of Ordinance #O-2022-39 Authorizing Certain Amendments, Modifications and Changes to the County's Code of Ordinances; Authorizing the Execution and Delivery of a Consolidated Fire Service Agreement Between Jasper County, South Carolina and Levy Volunteer Fire Department; Authorizing the Appropriation of County Funds Under the Terms of Such Agreement; and Other Matters Relating Thereto. (1st reading 12.05.2022).

Mr. Flynn was present to address this request for the ordinance regarding the consolidated Fire Service Agreement Between Jasper County, South Carolina and Levy Volunteer Fire Department. A public hearing was held but not public comments were given so the public hearing was closed.

Motion to approve the 2nd reading of Ordinance #O-2022-39 authorizing certain amendments, modifications and changes to the County's Code of Ordinances; authorizing the execution and delivery of a consolidated Fire Service Agreement between Jasper County, South Carolina and Levy Volunteer Fire Department: Councilman Kemp
Second: Vice Chairwoman Barbara Clark
Vote: Unanimous
The motion passed.

B: Lisa Wagner - Consideration of the 1st reading of an ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property located at 11421 Gillison Branch Road, bearing Jasper County Tax Map Number 050-00-04-011, consisting of 31.504 acres, from the Rural Preservation Zone to the Resource Extraction Zone on the Jasper County Official Zoning Map.

Ms. Wagner noted that the subject property consisted of 31.504 acres and is located at 11421 Gillison Branch Road. The Applicant has requested a Zoning Map Amendment to have the property designated as

Resource Extraction. The property is currently zoned Rural Preservation. The property is utilized as the applicant's primary residence. The applicant intends to apply for a SCDHEC mining permit in order to create a 5-acre recreational pond and remove the dirt from the site. In accordance with the Jasper County Zoning Ordinance, any mining or excavation activity is only allowed within the Resource Extraction Zone.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which are areas that seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Non-residential development may be appropriate if it is buffered correctly. The properties immediately adjacent to the site are zoned Rural Preservation and Residential. Within ½ mile radius there are 12-14 properties that are zoned Rural Preservation and approximately 40-43 properties that are zoned Residential. The adjacent land uses are single family residential and undeveloped properties. Within ½ mile radius of the property, there are approximately 20 properties that are developed with single family homes. The subject property is accessed by Gillison Branch Road, which is a two-lane state maintained road classified as a collector road. The intent of the Resource Extraction (RE) Zone as noted is:

To protect, preserve, sustain, and protect activities which specifically extract or harvest natural resources for commercial or industrial purposes, such as mining, excavations, excavation operations and activities, while concurrently ensuring protection of the health, safety, welfare of nearby residents and the value of nearby property. The Resource Extraction District will protect economically important mineral resources of the County for current and future use and will protect existing land uses adjacent to potential lands from undue harm that may result from mineral extraction activity.

Businesses extracting resources are essential activities that may present unique challenges when considering adjacent properties and protection of public health, safety and welfare. However, it is intended that this zoning classification only apply to those portions of the County where the potential for conflict between adjacent current and future land uses and the mineral extraction activities are minimal. Any zoning map amendment to designate a property as RE should be carefully considered by assessing the following factors, including but not limited to: impact on environmentally sensitive areas and critical natural resources; impact on health, safety and welfare of the Jasper County residents; impact on the character of existing communities; impact on adjacent land value; traffic generation and potential mitigation; and any other factors considered essential to address.

In accordance with the Jasper County Zoning Ordinance, the Resource Extraction Zone allows mining and excavation as a conditional use. She also noted Article 6:1, Use Regulations.

In addition to the provisions of Article 14 of the Jasper County Zoning Ordinance, *Excavation Regulations*, other important conditions include the following conditions for specific uses as noted in Article 11:7. She also noted that in 11:7.4, Sector 21: Mining and Mine Operation that:

1. Mining and Mine Operation must have all required state and federal permits and meet the requirements of all State and Federal Statutes and regulations.
2. Mining and Mine Operation must meet the following setbacks.

All excavation activities will be adequately buffered from nearby properties, because the subject property is surrounded on all sides by a larger parcel of land, which is zoned Rural Preservation, and owned by the applicant on all sides except for the property adjacent to the western boundary line.

The Planning Commission reviewed this application at their December 13, 2022 Planning Commission Meeting and recommends re-zoning the property to the Resource Extraction Zoning District.

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Barbara Clark

Vote: Unanimous

The motion passed.

C: David Tedder – 3rd reading of Ordinance #0-2022-38 Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Gopher Hill Holdings, LLC Or Its Assigns (The "Sponsor") 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 Sponsors Of Certain Fees-In-Lieu Of *Ad Valorem* Taxes; Providing For Special Source Revenue Credits In Connection With Such Agreement; Authorizing And Approving (1) Development Of A New Joint County Industrial And Business Park Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended, In Conjunction With Hampton County (The "Park") Such Park To Be Geographically Located In Jasper County; (2) The Execution And Delivery Of A Written Park Agreement With Hampton County As To The Requirement Of Payments Of Fee-In-Lieu Of *Ad Valorem* Taxes With Respect To Park Property And The Sharing Of The Revenues And Expenses Of The Park; And (3) The Distribution Of Revenues From The Park Within Jasper County; And To Authorize The Jasper County Council Chairman Or County Administrator, As Appropriate, To Execute Such Agreements And Other Documents As May Be Necessary And Appropriate To Effect The Fee-In-Lieu Of Tax Transaction And To Provide For Other Matters Relating Thereto. (1st reading 11.21.2022; 2nd reading 12.05.2022) (Project Refurb)

This item was tabled during the approval of the agenda.

D: David Tedder – Consideration of the 1st reading of an Ordinance To amend the Jasper County Code of Ordinances, including Article IV, *Boards and Commissions* of Chapter 2, *Administration*, so as to amend Division 7, *Jasper County Aeronautics Commission*, including provisions regarding the appointment, qualifications, duties, and responsibilities of the Aeronautics Commission; to amend certain provisions of Chapter 29 to the Jasper County Code of Ordinances, *Aviation*, so as to make clarifications and amendments to certain standards, rules and regulations; and providing for corrections and amendments to the Template Leases approved by County Council pursuant to Ordinance 19- and related matters regarding the aeronautical and other activities at the Ridgeland – Claude Dean Airport, and matters related to the foregoing.

Mr. Tedder was present to discuss the first reading of this ordinance to amend the Jasper County Code of Ordinances including Article IV, Boards and Commissions of Chapter 2, Administration, so as to amend Division 7, *Jasper County Aeronautics Commission*, including provisions regarding

the appointment, qualifications, duties, and responsibilities of the Aeronautics Commission; to amend certain provisions of Chapter 29 to the Jasper County Code of Ordinances, *Aviation*, so as to make clarifications and amendments to certain standards, rules and regulations; and providing for corrections and amendments to the Template Leases approved by County Council pursuant to Ordinance 19- and related matters regarding the aeronautical and other activities at the Ridgeland – Claude Dean Airport. For additional information on this item please refer to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Motion to approve: Vice Chairwoman Clark

Second: Councilman Adkins

Vote: There were four yes votes and Councilman Kemp voted no.
The motion passed.

New Business:

A: Kimberly Burgess – M.B. Kahn Capital Planning Agreement Extension

Motion to approve to extend the agreement: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Kimberly Burgess - Presentation of M.B. Kahn Construction Work Authorization # 003- Pratt Memorial Library Renovation with a Project Budget of \$3,000,000.00.

Motion to approve the M.B. Kahn Construction Work Authorization # 003-Pratt Memorial Library Renovation with a Project Budget of \$3,000,000.00: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion passed.

C: Kimberly Burgess – Change Order #4 in the amount of \$3,000 (credit) for Marsh Cove Fire Station - Billing Correction Decrease.

Motion to approve Change Order #4 in the amount of \$3,000 (credit) for Marsh Cove Fire Station - Billing Correction Decrease: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion passed.

D: Kimberly Burgess – Change Order #5 for Marsh Cove Fire Station for a cost increase in the amount of \$26364.00.

Motion to approve Change Order #5 for Marsh Cove Fire Station for a cost increase in the amount of \$26364.00 for additional management fees: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

E: Danny Lucas - Ridgeland – Claude Dean Airport USDA Cooperative Service Agreement.

Motion to approve the Ridgeland – Claude Dean Airport USDA Cooperative Service Agreement:

Vice Chairwoman Barbara Clark

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Old Business:

A: Danny Lucas – Ridgeland – Claude Dean Airport Update

Mr. Lucas provided an extensive update of the Ridgeland – Claude Dean Airport. He noted that the state aeronautics had done their yearly report and review and that they would be addressing the issues that have been brought up. He said a lot of trees have been taken down and they would still be taking out more trees. He discussed grant percentages, the FAA, We discussed the giant Live Oak tree and the fact that it appears to be a threat to helicopters and aircraft. He noted that is the tree was to be kept, Obstruction Lights would need to be placed on it. He said he had been doing a lot of marketing for the airport, the new fuel system was discussed, some rumors were talked about, staffing and lack thereof was also discussed. Council then discussed the current number of staff at the airport. Mr. Lucas noted they had done some repairs, noting there were some runway lights that need to be replaced and said he would check on that warranty. He noted that the AWOS Weather Station they hoped be up in the early Spring of 2023. The Gliders and the Glider Club were discussed noting that this was a Risk Management Issue Mr. Lucas noted. The ramp that is being built was also discussed as well as a discussion of asking the FAA for funding a longer runway. For additional information visit https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Council Members Comments: None

Administrator's Report

Mr. Fulghum noted that Council had his report in the packet.

Motion to go into executive session: Councilman Adkins

Second: Vice Chairwoman Clark

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:

(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body – Auditor; Treasurer

(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 - Consulting Services Proposal - Heather Rath Consulting

(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; Project Refurb

Motion to return to regular session: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motion from executive session:

Motion to move to authorize the administrator to execute the Consulting and lobbying proposal with Heather Rath consulting as discussed in Executive Session with ½ to be paid out of the Commercial Development Fund and the other 1/2 out of the Emergency Fund in the General Fund - Councilman Garbade

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA.

Adjourn:

Motion to adjourn: Vice Chairwoman Clark

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

The meeting adjourned at 9:00PM.

Respectfully submitted:

Wanda H. Simmons
Clerk to Council

L. Martin Sauls IV
Chairman

AGENDA ITEM:

#8

Presentation

No information provided for the packet

AGENDA ITEM:

#10

Ordinance

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

ORDINANCE #O-2023 - _____

**AN ORDINANCE OF
JASPER COUNTY COUNCIL**

To extend the date by which certain property subject to a Development Agreement entered into by the County and Conduit Street Partners, LLC (CSP) must be conveyed by the property's current owner to the developer thereof, to allow for additional time for the developer to complete the full entitlement of the property, and matters related thereto.

WHEREAS, Conduit Street Partners, LLC (the "Developer"), by virtue of a contract to purchase, has an equitable interest in certain lands suitable for development, consisting of 38.84 acres, more or less, bearing Jasper County Tax Map Number 041-00-03-030, located along Highway 278, approximately 2 miles east of I-95, Exit 8, and known as CSP Development PDD (the "Property");

WHEREAS, the County and the Developer negotiated the terms of a development agreement for a proposed residential development on the Property (the "Project");

WHEREAS, on June 27, 2022, the Jasper County Council passed Ordinance O-2022-14, recorded in Book 1107, Page 1678 of the Jasper County Register of Deeds, which ordinance approved the County's entry into and execution of the development agreement that had been negotiated between the County and the Developer (the "Development Agreement").

WHEREAS, Ordinance O-2022-14 further contained a provision (in Paragraph 2 thereof) that instituted a deadline of June 30, 2023, by which the Developer must acquire legal title to the Property (the "Acquisition Deadline"); otherwise, the Development Agreement would automatically be null and void. The phrase imposing the Acquisition Deadline read as follows:

"To the extent the Property is not conveyed to the Owner/Developer by the current legal owner by June 30, 2023, then the Development Agreement shall be void, regardless of any execution by the Council Chairman and delivery by the County Administrator on behalf of the County."

WHEREAS, the Developer has diligently pursued, at significant expense, all necessary permits and approvals required by the County in connection with the Project, including the preparation of master plans, site engineering drawings, grading, erosion/sediment control, water, sewer, roads, storm drainage conveyance systems, and stormwater management.

WHEREAS, the Developer has submitted its application for a nationwide jurisdictional wetlands delineation for the Property, which is currently pending with the U.S. Army Corps of Engineers.

WHEREAS, the Developer intends to acquire legal title to the Property only after all such entitlements for the Property can be obtained, since the obtainment of all such entitlements are a prerequisite for obtaining the financing necessary to fund the Developer's acquisition of the Property.

WHEREAS, Jasper County has accordingly received a request from the Developer to pass a new Ordinance to extend the Acquisition Deadline through **December 31, 2023**, to allow the Developer sufficient time to obtain all necessary entitlements for the Property and/or the Project.

WHEREAS, in order to extend the Acquisition Deadline, it is not necessary to amend the Development Agreement, since the Development Agreement does not contain a reference to the Acquisition Deadline, which was imposed only by Ordinance O-2022-14.

WHEREAS, after giving the matter consideration, the Jasper County Council has determined that it would be appropriate to pass a new ordinance to supersede Ordinance O-2022-14 (only to the extent of the Acquisition Deadline set forth therein) in order to extend the Development Agreement to **December 31, 2023**.

NOW, THEREFORE, BE IT ORDAINED, by the Jasper County Council, duly assembled and with authority of same, that the above premises be incorporated by reference; and:

1. The last sentence of Paragraph 2 of Ordinance O-2022-014, which references a deadline of June 30, 2023 in connection with the Development Agreement for the above-referenced Property and Project, is hereby nullified and superseded by the deadline in the paragraph below.
2. To the extent the Property is not conveyed to the Developer by the current legal owner by **December 31, 2023**, then the Development Agreement shall be void, regardless of any execution by the Council Chairman and delivery by the County Administrator on behalf of the County.
3. The extension of the Acquisition Deadline effected by this Ordinance shall not require any amendment or modification of the Development Agreement between the Developer and Jasper County. Accordingly, the terms of such

Development Agreement shall remain in effect, subject to the new deadline set forth above.

4. This ordinance shall take effect upon approval by Council.

Martin L. Sauls, IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # O-2023-__

First Reading: _____

Public Hearing: _____

Second Public Hearing: _____

Second Reading: _____

Third Reading: _____

Adopted: _____

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

AGENDA ITEM:

#11

Citizen Comments

AGENDA ITEM:

#13

Administrator's Report



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

358 Third Avenue - Courthouse Square - Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 - Fax: 843-726-7800

Andrew P. Fulghum
County Administrator
afulghum@jaspercountysc.gov

Administrator's Report March 20, 2023

1. **Public Notice of Draft Hazardous Waste Permit:**

I have received a notice from SCDHEC concerning a permit for the US Marine Corps Air Station in Beaufort County. The notice follows this report. A copy of the notice has been posted on the bulletin board in the lobby of the Jasper County Clementa C. Pinckney Government Building.

If the Council desires to make comment on the pending permit, please let me know.

2. **Waste Management Landfill Expansion:**

As part of an onsite expansion effort, a public hearing will be conducted. Ms. Dobson is working with Waste Management on this effort and the hearing is expected to take place in April.

3. **The Brookings Institution:**

Jasper County hosted Brookings Institution staff for a research project in Feb. 2022. The Institute has published two reports, *Jasper County: Erasing Stigmas Through Community Directed Change* and *Valuing Rural Minority Communities: Inclusive Growth, Broadband, and Leadership* which feature Jasper County.

I will distribute those items to County Council via email.

4. **Draft List of Major Decision Points for County Council in the Next Twelve Months:**
Draft list follows this report.

The County Administrator's Progress Report and any miscellaneous correspondence, agendas, and minutes follow this report.



March 9, 2023

Mr. Andrew Fulghum
Jasper County Administrator
PO Box 1149
Ridgeland, SC 29936

Re: Public Notice of a Draft Hazardous Waste Permit
United States Marine Corps Air Station
Beaufort, Beaufort County, South Carolina
Facility ID #SC1 750 216 169

Dear Mr. Fulghum:

The South Carolina Department of Health and Environmental Control (DHEC) would like to hear your comments on a proposed permit decision for the U.S. Marine Corps Air Station. A draft hazardous waste permit has been written by DHEC to regulate these proposed activities. **The permit application and draft permit are open for public comment from March 9, 2023, to April 24, 2023.** We encourage you to participate in this permitting process.

A copy of the public notice announcing the comment period is enclosed. The public notice and a fact sheet concerning the facility may be viewed on DHEC's website during the comment period at <https://scdhec.gov/permits-regulations/public-notices>. You may review the draft permit and other related information at the locations listed in the public notice.

Written comments or requests for a formal public hearing must be submitted no later than April 24, 2023. All written comments received by April 24, 2023 will be considered before a final permit decision is made. Instructions on where to submit written comments or requests for a formal public hearing can be found in the public notice. If a public hearing is requested and scheduled, notice will be given at least thirty (30) days in advance.

We welcome any comments you have to offer during the public comment period. Should you have any questions about the permit application or draft permit, please contact me at (803) 898-0256, or by email at picketnc@dhec.sc.gov.

Sincerely,

Christi Pickett, Project Manager
Bureau of Land and Waste Management
South Carolina Department of Health and Environmental Control

Enclosure

cc: Ashley Esposito, EA Lowcountry Beaufort Office
File #50500

PUBLIC NOTICE
South Carolina Department of Health and Environmental Control (DHEC)
Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29201

NOTICE OF A DRAFT HAZARDOUS WASTE PERMIT

**US Marine Corps Air Station
Beaufort, Beaufort County, South Carolina
FACILITY ID #SC1 750 216 169**

DHEC has received a permit application for hazardous waste activities at the US Marine Corps Air Station Beaufort. The permit application has been deemed complete and a draft hazardous waste permit has been written by DHEC to regulate hazardous waste activities. The draft permit has been written to comply with the South Carolina Hazardous Waste Management Regulations and the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments.

The draft permit contains changes and conditions for the following:

- Permitting a new Hazardous Waste Storage Facility

The permit application and draft permit are open for public comment from March 9, 2023 to April 24, 2023. DHEC encourages all interested persons to participate in this permitting process.

Written comments or requests for a formal public hearing must be submitted no later than April 24, 2023 and should be addressed to Stacey French at the above DHEC address or by e-mail at: FRENCHSL@dhec.sc.gov. All written comments received by April 24, 2023, will be considered before a final permit decision is made. If a public hearing is requested and scheduled, notice will be given at least thirty days in advance.

Requests to be placed on a facility mailing list for notification of future public notices by DHEC's Division of Waste Management should be made in writing to the attention of Norma West at the above DHEC address or by e-mail at: WESTNJ@dhec.sc.gov.

The draft permit and other related information are available for review through **April 24, 2023**, at the following location:

SCDHEC
Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29201

SCDHEC
EA Low Country Beaufort Regional Office
104 Parker Drive
Beaufort, SC 29906

This public notice and a fact sheet concerning the facility may be viewed through **April 24, 2023**, on DHEC's website at: <https://scdhec.gov/permits-regulations/public-notices>. Please share this notice with anyone you know who may be interested in this matter.



**UNITED STATES MARINE CORPS AIR STATION
(MCAS)**

**US Hwy 21
Beaufort, Beaufort County, South Carolina**

**Draft Hazardous Waste Permit
Facility ID SC1 750 216 169**

The South Carolina Department of Health and Environmental Control (DHEC) has written a draft Hazardous Waste Permit for the US Marine Corps Air Station (MCAS) located in Beaufort, South Carolina.

The draft permit has been written to comply with the South Carolina Hazardous Waste Management Regulations and the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments.

This fact sheet explains DHEC's hazardous waste permitting process and the conditions of the draft permit. DHEC welcomes any comments you may have concerning how this fact sheet can be improved.

I. Hazardous Waste Permitting Process

DHEC regulates hazardous waste activities at permitted facilities in South Carolina.

The permitting process enables DHEC and other government agencies the chance to evaluate the ability of a facility to comply with state and federal regulations.

After a hazardous waste permit application is received and determined to be complete, DHEC writes a draft permit containing all conditions that the facility must meet.

Interested citizens are given forty-five (45) days to review and comment on the facility's draft permit before DHEC makes a final permit decision.

Citizens may request a public hearing to learn more about the facility during the public comment period.

DHEC encourages all interested persons to participate in the permitting process.

II. Facility Description

The MCAS in Beaufort, South Carolina is located about 14 miles inland off the southern coast of South Carolina at the head of the Beaufort River, approximately 4 miles northwest of the central business district of the City of Beaufort within Beaufort County. The MCAS covers approximately 5,900 acres and is bordered on the south and east by salt marshes and saltwater creeks. The MCAS includes an airfield, operational facilities, and military housing areas and currently provides

operations and base support for air tactical units of the Fleet Marine Force.

The MCAS is responsible for cleaning up the contamination through a process called corrective action. The corrective action process is described in the facility's hazardous waste permit. DHEC oversees all cleanup activities at the site.

The objective of corrective action at a hazardous waste facility is to evaluate the nature and extent of contamination and, if needed, to put corrective measures in place that will protect human health and the environment.

III. Facility's Hazardous Waste Permit History

A RCRA Hazardous Waste Permit was issued to the MCAS on January 29, 2015.

RCRA hazardous waste permits issued by DHEC are effective for a ten-year period.

IV. Draft Permit Requirements

There will be no new hazardous waste management activities at the MCAS as a result of the draft permit.

A brief outline of the draft permit conditions are provided in the table below. These conditions include the following specific requirements:

1. Permitting New Hazardous Waste Storage Facility (HWSF)

Hazardous Waste is currently permitted to be stored for up to 1 year in the HWSF (SWMU 75). The MCAS has requested a permit modification to construct a new HWSF (SWMU 92) to replace the current facility. Once the new HWSF is operational and begins accepting waste, the former HWSF will be closed in accordance with the closure plan.

V. Public Participation

The draft permit is available for public review and comment from **March 9, 2023 through April 24, 2023**.

DHEC placed a public notice in The State and The Beaufort Gazette newspapers, announcing the beginning of the public comment period.

Citizens may request a public hearing to learn more about the facility, the permit application and the draft permit during the public comment period.

Written comments and/or requests for a formal public hearing must be submitted no later than **April 24, 2023**, and should be addressed to Stacey French at the following address:

SC DHEC
Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29201
E-Mail: FRENCHSL@dhec.sc.gov

The draft permit and other related information are available for review through **April 24, 2023**, at the DHEC Columbia Office listed above and at the following location:

SC DHEC
EA Low Country Beaufort Regional Office
104 Parker Drive
Beaufort, SC 29906
Phone: (843) 846-1030

This fact sheet and the public notice may be viewed on DHEC's Website at:

<https://scdhec.gov/permits-regulations/public-notices>.

Anyone, who would like to be placed on DHEC's mailing list to receive future hazardous waste public notices concerning this facility, should submit a written request to the attention of Ms. Norma West at the above DHEC address in Columbia or by e-mail at: WESTNJ@dhec.sc.gov.

VI. Procedure for Reaching a Final Permit Decision

All written comments received by April 24, 2023 will be considered before a final permit decision is made.

Once DHEC makes a final permit decision, notification will be provided to:

- The facility
- Each person who submitted written comments; and
- Anyone who has requested to receive notice of the final permit decision.

Any affected person who wishes to appeal a DHEC final permit decision may do so by filing a written request for final review with DHEC's Clerk of the Board within fifteen days after the notice of the decision has been mailed.

Additional information regarding appeal

procedures is available from DHEC's Clerk of the Board at the above DHEC address in Columbia or by calling (803) 898-3309.

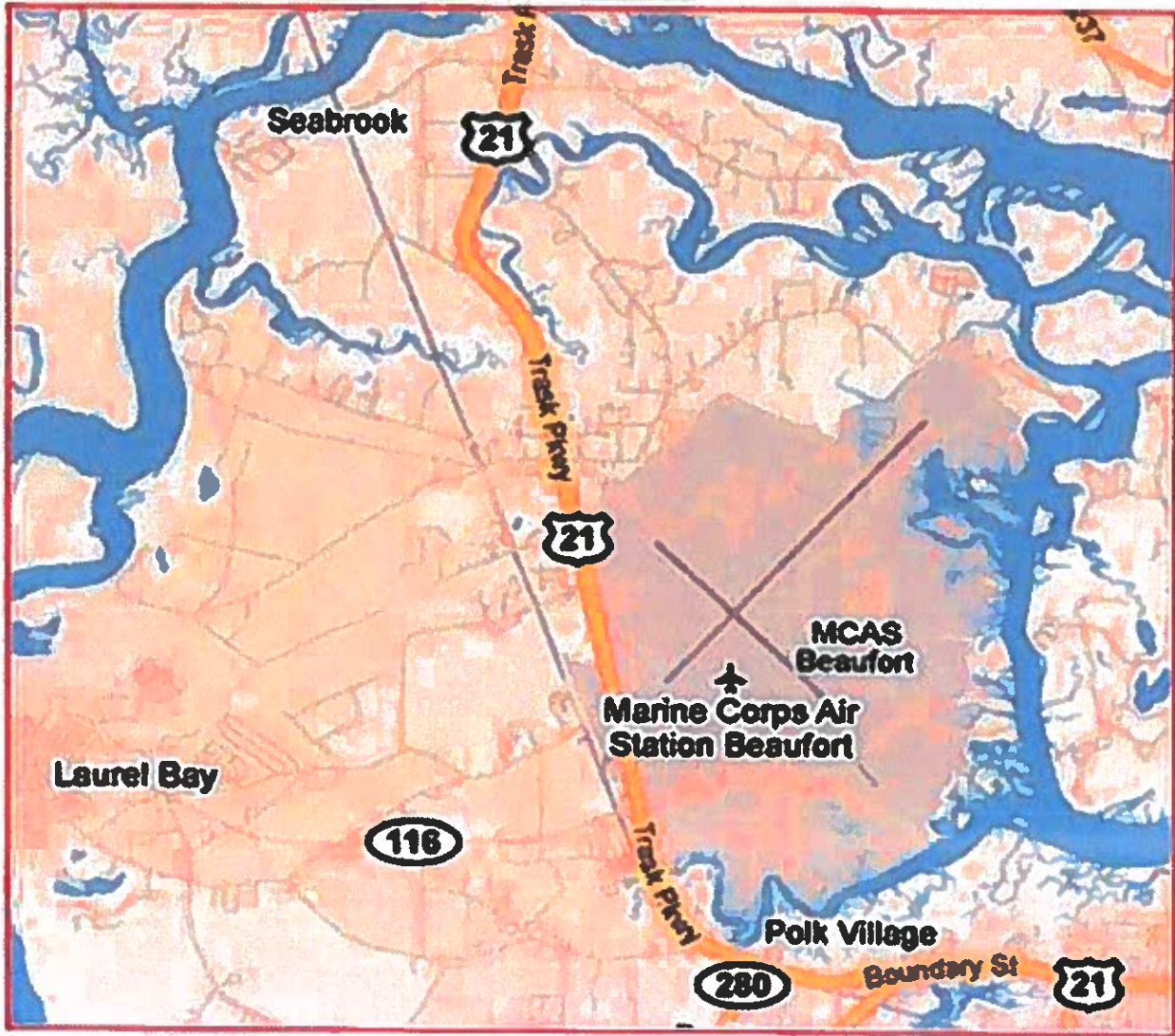
VII. Summary of Draft Permit Conditions

The draft permit is divided into 1 Appendix. Each module and a brief explanation of the permit conditions for that module are listed in the table below. The regulation that the condition(s) must comply with is also noted.

Module IV	Containers	This Module describes both the new Hazardous Waste Storage Facility (SWMU 92) to be permitted and the current Hazardous Waste Storage Facility (SWMU 75) being used at the MCAS.
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Additional information concerning all hazardous and solid waste units and activities at the site is included in the facility's permit application.

Location of US Marine Corp Air Station
US Hwy 21, Beaufort, SC





Jasper County, SC

Erasing Stigmas Through Community- Directed Change

B | Governance Studies
at BROOKINGS

**Makada Henry-Nickie
Regina Seo**



Valuing Rural Minority Communities

**Inclusive Growth, Broadband,
and Leadership**

B | Governance Studies
at BROOKINGS

**Makada Henry-Nickie
Regina Seo**

DRAFT

Major Decision Points for County Council in the Next Twelve Months

Establish Funding Request Priorities- It is that time of the year again. County staff must inform elected officials at the State and Federal level of the Council's funding requests and pursue grant funding opportunities. Projects on last year's list may need to change, and County staff need to be sure that requests match the County Council's priorities and expectations.

County-wide Impact Fees – A study is concluding which will identify proposed impact fees for emergency medical services, fire, parks & recreation, road improvements, and school infrastructure needs. Council will have to decide if they plan to adopt the fees to be assessed on all new development.

2024 Transportation Sales Tax Projects – Staff has prepared a list of over \$500 million worth of road improvement projects needed over the next twenty (20) years. Council will have to identify and prioritize projects to be included in the 2024 Transportation Sales Tax Referendum.

Levy Volunteer Fire Department (LVFD) - Transition LVFD volunteers to County volunteers. Transition LVFD owned property and equipment to County owned property and equipment. Council will have to ultimately agree on the final transition plan and supporting documents.

Tax Collection Agreement with the Municipalities – Currently, there are no written agreements between the County and the municipalities setting out the terms of how the County is collecting taxes for the municipalities. The County is required to have written agreements with the municipalities. Council will ultimately have to decide the level of service the County will provide in this area and what compensation the County will require to continue this practice.

Capital Improvement Plan for Facilities – The initial, "2023 Capital Improvement and Investment Plan" identifies 11 needed projects totaling \$85.8 million. Council will need to review, add, amend, subtract, and prioritize projects and agree on proposed funding scenario(s) to complete the projects.

Conservation Efforts – There has been much work of late from the conservation community to educate the public about the need to protect our waterways when considering new development proposals. Is it the Council's desire to endorse conservation efforts and/or develop a conservation program or strategy? If so, how so?

Jasper Ocean Terminal (JOT) - Staff will be seeking policy direction from Council on a new strategy now that the previously unsuccessful assignment/assumption effort has concluded and there appears to be no progress.

Exit 3-

Council will need to provide policy direction re: MID participation level, borrowing limits, and bid results.

Solid Waste Issues – Council will need to provide policy direction on potential outsourcing of hauling function, potential early renewal of Solid Waste Disposal Agreement with Waste Management, and the potential renewal of the County's Solid Waste Management Plan.

Ridgeland-Claude Dean Airport- Council will need to adopt another form of lease, provide policy direction to staff re: proposed turf runway, approve amendments to the existing ordinance defining the Jasper County Aeronautics Commission, and provide direction to staff as to how the Council's decisions should be communicated to airport tenants and the local pilot community.

Current County Owned and/or County Maintained Roads within Municipal Boundaries- Currently, there are a number of roads that are either County-owned or County-maintained and located within the municipal boundaries of the City of Hardeeville and the Town of Ridgeland. The County does not need to maintain the maintenance responsibility for those roads yet continues to provide current level maintenance in contrast to a 2016 Attorney General opinion. Council must develop County policy, adopt a policy, and communicate the policy to the municipalities.

Broad River Area Regional Planning Efforts with Neighboring Jurisdictions & Community Stakeholders- Council will need to frame the scope of the planning effort and ultimately approve a budget for this effort. Effort will need to involve intergovernmental agreement(s), identification of stakeholders, and selection of consulting resource(s).



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

358 Third Avenue - Courthouse Square - Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 - Fax: 843-726-7800

Andrew P. Fulghum
County Administrator

afulghum@jaspercountysc.gov

Progress Report March 7, 2023 - March 20, 2023

1. Washington D.C. trip with Southern Carolina Regional Development Alliance (SCA):
Attended March 7-8.
2. Waste Management:
Met with Engineering Services Director and Mr. Russ Hightower on March 10 re: long-term solid waste and recycling needs.
3. I-95 Widening Project:
Joined County staff in meeting with Mr. Phil Leazer of KCI on March 13 to review project details and work items to assist KCI.
4. Rivers Reach Project:
Met with County Attorney, Director of Planning & Building Services, developer, and developer's counsel on March 10 to discuss project status and potential close-out of special services contract.
5. Ohio Gratings:
Met on site with Development Services Director and representative from Ohio Gratings to tour property and discuss schedule of lease close-out.
6. Consulting, Lobbying, and Grant Writing Services:
Met with Ms. Rath in Washington, D.C. and participated in follow-up call on March 13. Next legislative update scheduled for County Council at April 3 County Council meeting.
7. Various Development Projects:
Attended meeting with County staff, SCA staff, and outside counsel on March 15 to discuss active economic development projects and Exit 3 status.

8. **Potential Jasper County 250 Committee:**
Scheduled to meet on March 20 with interested party and discuss with grantor. Will advise if there is sufficient interest in creating a committee.
9. **Exit 3 Project:**
Requested workshop date from Chairman Sauls.
10. **Staff Retreat:**
Attended one day staff planning retreat on March 16.
11. **Broad River Task Force Planning Efforts:**
Discussion with environmental organization representative on March 16 re: potential funding source for planning effort. Meeting with citizen group scheduled for March 20.
12. **Other Meetings/Events Attended or Scheduled to Attend:**
Funeral for Rev. Samuel Gregory on March 11.

AGENDA ITEMS:

#14 thru #16

Consent Agenda Items



Jasper County Planning and Building Services

358 Third Avenue - Post Office Box 1659
Ridgeland, South Carolina 29936
Phone (843) 717-3650 Fax (843) 726-7707

Lisa Wagner, CFM
Director of Planning and Building Services
lwagner@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	March 20, 2023
Project:	Zoning Text Amendment of Article 8:8, Gateway Corridor Overlay District and Amend the Jasper County
Applicant:	Staff Initiated
Submitted For:	Public Hearing and 2 nd Reading
Recommendation:	Planning Commission recommended approval at their January 10, 2023 Meeting

Description: The Planning Commission received an application to rezone a property located at the intersection of Alligator Alley and Off Ramp Road, which was reviewed at their November 2022 Meeting. After some discussion, it was decided that extending the Gateway Corridor Overlay District (GCOD) to include the subject property may be a better alternative than re-zoning the property. The GCOD allows additional uses that are found in the General Commercial District, while prohibiting uses that have been identified as inappropriate for the Gateway Corridor. The GCOD also requires additional design standards, which are intended to protect the character and appearance of the entrance into Jasper County.

Analysis: The proposed ordinance would adopt the GCOD Map (attached), amend Article 8:8.2, *Gateway Corridor Overlay District* of the Jasper County Zoning Ordinance, as outlined below, and amend the Official Zoning Map of Jasper County to expand the GCOD.

Article 8:8.2, Application:
(new language in red)

The GCOD shall apply to all land within five hundred feet (500') of the right-of-way of Highway 17, beginning at the intersection of Strain Place and ending at Alligator Aly as depicted on the GCOD Map ~~the designated highway~~. The regulations of this overlay shall apply to all new non-residential development and any existing development which meets the following criteria:

- *Any change of use of a non-residential property, and/or*
- *Any building expansion that increases the floor area of a non-residential use by 20 percent or more or any parking addition of ten (10) or more spaces.*

[Commentary: The overlay applies if a vacant property converts to any non-residential use; a change in non-residential use such as a restaurant to a hardware store. However, changes of similar uses (e.g., retail to retail) would not apply unless parking or floor area is increased by the thresholds listed.]

Unless a deviation from such restrictions are provided elsewhere in this Section 8:8, property within the GCOD shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district.

Recommendation: The Planning Commission recommends approval of the Zoning Text Amendment to include adoption of the GCOD Map and the amendment of the Official Jasper County Zoning Map to extend the GCOD.

Attachments:

1. Proposed Ordinance
2. GCOD Map showing the new delineation of the Gateway Corridor Overlay District

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #O-2023-03

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To Amend Article 8:8 of the Jasper County Zoning Ordinance, *Gateway Corridor Overlay District* (“GCOD”), to better define the location of the designated highway and amend the Official Zoning Map of Jasper County to expand the GCOD to include the property located on the southwest corner of the intersection of Alligator Alley and Off Ramp Road as depicted on the attached map.

WHEREAS, Jasper County created a Gateway Corridor Overlay District (“GCOD”) in May 2017, which was applied to Highway 17 from the intersection of Strain Place to the intersection of Alligator Alley; and

WHEREAS, the Gateway Corridor Overlay District was created to provide design standards that will enhance the entrance into Jasper County and discourage incompatible land uses that will detract from the image of this gateway, while allowing additional land uses; and

WHEREAS, the Jasper County Planning Commission received an application to amend the zoning designation of a property located at the southwest corner of Alligator Alley and Off Ramp Road, adjacent to the Gateway Corridor Overlay District; and

WHEREAS, after reviewing Jasper County’s Comprehensive Plan, and Official Zoning Map, the Planning Commission concurred with staff that expanding the Gateway Corridor Overlay District will be a better alternative than changing the zoning designation of the aforementioned property; and

WHEREAS, the Jasper County Planning Commission has recommended approval by County Council to amend Article 8:8, Gateway Corridor Overlay District, Section 8:8.2

to better define the physical area in which the Gateway Corridor Overlay District is applied and adopt the Gateway Corridor Overlay District Map; and

WHEREAS, this matter is now before the Jasper County Council for determination;

NOW THEREFORE, BE IT ORDAINED, by the Jasper County Council duly assembled and by the authority of same:

1. Section 8:8.2, *Application*, of Article 8:8, *Gateway Corridor Overlay District*, of the Jasper County Zoning Ordinance, is hereby amended to read as follows:

The GCOD shall apply to all land within five hundred feet (500') of the right-of-way of Highway 17, beginning at the intersection of Strain Place and ending at Alligator Alley as depicted on the GCOD Map ~~the designated highway~~. The regulations of this overlay shall apply to all new non-residential development and any existing development which meets the following criteria:

- *Any change of use of a non-residential property, and/or*
- *Any building expansion that increases the floor area of a non-residential use by 20 percent or more or any parking addition of ten (10) or more spaces.*

[Commentary: The overlay applies if a vacant property converts to any non-residential use; a change in non-residential use such as a restaurant to a hardware store. However, changes of similar uses (e.g., retail to retail) would not apply unless parking or floor area is increased by the thresholds listed.]

Unless a deviation from such restrictions are provided elsewhere in this Section 8:8, property within the GCOD shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district.

2. Article 8:8 Gateway Corridor Overlay District is amended to include the Gateway Corridor Overlay District Map (“GCOD Map”).

3. The Official Zoning Map of Jasper County, as amended, is further amended to depict the Gateway Corridor Overlay District as shown on the Gateway Corridor Overlay District Map attached hereto.
4. Provisions of ordinances previously adopted by County Council which are not consistent with the restrictions and requirements of this Ordinance O-2023-____ are deemed superseded.
5. If any section, clause, paragraph, sentence or phrase of this ordinance, or the application thereof to any person or circumstances shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence, phrase or application is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence, phrase or application shall in no way affect the remainder of this ordinance; and it is hereby declared to be the intention of the County Council that the remainder of this ordinance would have been passed notwithstanding the invalidity or unconstitutionality of any section, clause, paragraph, sentence or phrase thereof.
6. This ordinance shall take effect upon approval by Council.

L. Martin Sauls IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE O-2023-03

First Reading: February 6, 2023
Second Reading: March 6, 2023
Public hearing: March 6, 2023
Adopted: March 20, 2023

Considered by the Jasper County Planning Commission at its meeting on
January 10, 2023.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

Gateway Corridor Overlay District Map



**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
ORDINANCE O-2023-04
AN ORDINANCE
OF JASPER COUNTY COUNCIL**

AN ORDINANCE OF THE COUNTY OF JASPER, AMENDING THE FISCAL YEAR 2022 – 2023 BUDGET AS ORIGINALLY ADOPTED BY ORDINANCE NO. 2022-17 ADOPTED JUNE 27, 2022, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF SOUTH CAROLINA AND THE ORDINANCES AND RULES OF THE COUNTY OF JASPER, SOUTH CAROLINA; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, TO PROVIDE FOR THE EXPENDITURE OF NOT TO EXCEED \$635,000 FROM THE FUND BALANCE FOR THE PURCHASE OF A STORAGE ARRAY SYSTEM AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County Council of Jasper, South Carolina approved Budget Ordinance No. 2022-17 for the 2022 – 2023 Fiscal Year on June 27, 2022; and

WHEREAS, the County Council of Jasper, South Carolina accepted a proposal for the replacement of the current storage array system on January 3, 2023; and

WHEREAS, approximately one half of the replacement storage array will replace the storage array currently utilized in for Emergency Telecommunications (the “911 system”); and

WHEREAS, the County may be eligible for a reimbursement from the South Carolina 911 Fund for the portion of the storage array used for the Jasper County 911 system; and

WHEREAS, the County Council of Jasper, South Carolina wishes to accept reimbursement from the South Carolina 911 for the purchase of the storage array should the purchase be eligible for such reimbursement; and

WHEREAS, the County Administrator of the County of Jasper has submitted to the County Council, a proposed budget amendment of revenue and expenditures of the County of Jasper for the fiscal year ending June 30, 2023; and

WHEREAS, the County Council of the County of Jasper, South Carolina desires to amend the approved Budget Ordinance for the 2022 – 2023 Fiscal Year.

NOW THEREFORE, BE IT ORDAINED by the Jasper County Council in council duly assembled and by the authority of the same, that:

SECTION 1. Amendment to the Current Budget

That appropriations for the Fiscal Year beginning July 1, 2022, and ending June 30, 2023, for support of the general government of the County of Jasper, South Carolina be amended for said term in accordance with changes in revenues and expenditures shown in the Attached Exhibit A, attached hereto for the purposes stated herein.

SECTION 2. Approval of Amendment

That the budget amendment, as shown in words and figures in Exhibit A is hereby approved in all aspects and adopted as an amendment to the County budget for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023, so that Section 1 of the approved Budget Ordinance No. 2022-17 shall now read as shown in Exhibit B, which reflects an increase in "All Other Revenues" by \$635,000.00, and a corresponding increase by \$635,000.00 in the "All Others" line of Appropriations.

SECTION 3. Conflict

That all Ordinance or parts of Ordinance in conflict herewith are hereby repealed.

SECTION 4. Effective Date. This ordinance shall take effect from and after the date of its final passage and adoption in accordance with state law.

JASPER COUNTY COUNCIL

BY: _____
L. Martin Sauls IV, Chairman

ATTEST:

**Wanda Simmons,
Clerk to Council**

Ordinance #O-2023-04
First Reading: 2/6/2023
Second Reading: 3/6/2023
Public Hearings: 3/6/2023
Adopted: 03/20/2023

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
ORDINANCE O-2023-__
EXHIBIT A**

PURCHASE OF STORAGE ARRAY

REVENUE

Transfer-In from Fund Balance	010-048-1607	\$317,500
Transfer-In from Fund Balance	010-170-1607	<u>\$317,500</u>
		\$635,000

EXPENDITURES

Dispatch Equipment	010-048-2450	\$317,500
Computer Equipment	010-049-2460	<u>\$317,500</u>
		\$635,000

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
ORDINANCE O-2023-__
EXHIBIT B**

SECTION 1. Appropriation for Jasper County Capital and General Operations Budget. There is hereby appropriated from revenues to be collected from the stated sources the following sums for the Jasper County Capital and Operational needs and for the purposes set forth for fiscal year 2022 – 2023:

**JASPER COUNTY
CAPITAL AND GENERAL OPERATIONS BUDGET
FISCAL YEAR 2022-2023**

REVENUES		APPROPRIATIONS	
County Property Tax Levy	\$ 25,334,153	Emergency Service	\$ 14,927,193
L.O.S.T. (Sales Tax)	\$ 4,005,970	Sheriff	\$ 7,439,268
Fee in Lieu	\$ 2,100,000	Detention	\$ 3,899,391
State Aid	\$ 1,223,407	Engineering Services and Solid Waste	\$ 3,190,025
Cash Carry Forward	\$ 3,250,000	Agency Appropriations	\$ 2,106,347
All Other Revenues	\$ 8,895,211	All Others	\$ 13,246,517
	-----		-----
Total	\$ 44,808,741	Total	\$ 44,808,741
County Debt Tax Levy	<u>\$ 2,512,481</u>	County Debt	<u>\$ 2,512,481</u>
County Grand Total	\$ 47,321,222	County Grand Total	\$ 47,321,222

The detailed Operations Budget containing line-by-line accounts by department and /or agency is hereby adopted as part of this Ordinance. Management of individual accounts for the functions of elected officials shall be the responsibility of that elected official.



Jasper County Finance Department

358 Third Avenue, Post Office Box 1149
Ridgeland, South Carolina 29936
Phone (843) 717-3692 Fax (843) 717-3626

Kimberly Burgess, CPA, CGFO
Director, Administrative Services Division
kburgessr@jaspercountysc.gov

Jasper County Council C. Merrill Construction Company, Inc. Rescind Contract Change Order #8 Marsh Cove Fire Station

Meeting Date:	March 15, 2023
Subject and Recommendation:	Rescind the C. Merrill Construction Co, Inc. contract change order no. 8 which was approved by the Council on February 6, 2023, to allow for a revised change order which will include all additional costs and additional days to complete the project to meet the requirements of the Commerce Department.
Submitted for:	Rescind C. Merrill Construction Co., Inc. contract change order no. 8.

Description: There are additional costs and days that need to be included in a final change order in order to meet the approval requirements of the Commerce Department, therefore it has been decided that change order no. 8 approved by the Council on February 8, 2023 will be rescinded and a new change order issued to include all additional costs and additional days to complete the project to meet the requirements of the Commerce Department.

Recommendation: Rescind the C. Merrill Construction Co, Inc. contract change order no. 8 which was approved by the Council on February 6, 2023, to allow for a revised change order which will include all additional costs and additional days to complete the project to meet the requirements of the Commerce Department.

AGENDA ITEM:

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Councilmember Comments