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To Participate in Public Comment, please email to [comments@jaspercountysc.gov](mailto:comments@jaspercountysc.gov) or mail to Attn: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. To be called for public Comment, please email at the mentioned email address. **\*Public Comments must be submitted by Monday, September 20, 2021, at 3:00pm.\***

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JASPER COUNTY COUNCIL  
**VIRTUAL MEETING**

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

Monday, September 20, 2021

AGENDA

**5:00 P.M.**

**I. Call to Order by Chairwoman Barbara B. Clark**

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

**II. Executive Session**

**SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter disruption of meeting; executive sessions of General Assembly.**

**(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 - [Application of the Salary Study to specific employees / positions.](#)**

**(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 a 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 - [Sgt. Jasper Park; Levy VFD; Exit 3](#)**

**(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 - [Jasper Ocean Terminal \(JOT\); Okatie Crossings; Prospect Update](#)**

**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**

**6:30 P.M.**

III. Return to Open Session

IV. Pledge of Allegiance

V. Invocation

VI. Approval of Agenda

VII. Approval of the Minutes of August 16, 2021 and August 30, 2021.

VIII. Presentation:

A: **Kimberly Burgess** – Status of Jasper County’s Coronavirus State and Local Fiscal Recovery Funds in the amount of \$5,841,328.

IX. Open Floor to the Public per Ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.

*\*Please submit Public Comments via email at [comments@jaspercountysc.gov](mailto:comments@jaspercountysc.gov) or via US Mail at Attention: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. If you would like to be contacted by phone during Open Floor, please email your name, address and phone number to the email address listed above.*

X. Resolutions:

A. **Kimberly Burgess** – Resolution # 2021-20 to implement Premium Pay and Vaccine Incentive Program to be funded by Coronavirus State and Local Fiscal Recovery Funds not to exceed \$1.65 million.

B. **David Tedder** - Consideration of an Inducement Resolution # 2021-21 providing for Fee In Lieu of Tax Agreement between Jasper County and a Project known at this time as Project Ocean.

XI. Ordinances:

A. **Lisa Wagner** – **3<sup>rd</sup> reading** of Ordinance # 2021-25 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-38-01-013 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 76 Sweet William Road.

B: **Andrew Fulghum** – **3<sup>rd</sup> reading** of Ordinance # 2021-24 to adopt a new organizational chart.

C: **David Tedder** – Consideration of the **1<sup>st</sup> reading** of an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Jasper County, South Carolina and a Project known at this time as Project Ocean with

**respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.**

**XII. New Business: None**

**XIII. Old Business:**

**A: [Chief Russell Wells](#) – COVID update**

**XIV. Council Members Comments**

**XV. Administrator's Report**

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

**XVII. Adjourn**

**\*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:

## X

Resolution: Item A

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER )

**RESOLUTION NO.: 2021-20**

**RESOLUTION TO IMPLEMENT PREMIUM PAY AND VACCINE INCENTIVE PROGRAM  
TO BE FUNDED BY CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY  
FUNDS NOT TO EXCEED \$1.65 MILLION.**

**WHEREAS**, Jasper County Council is appreciative to all Jasper County employees for the work they performed and their continued dedication to the citizens of Jasper County during the COVID-19 pandemic declared state of emergency; and,

**WHEREAS**, the Jasper County Council wishes to express its appreciation to County employees by providing premium pay to all County employees; and,

**WHEREAS**, County Council believes that vaccination is an important tool to reduce the spread of the Coronavirus among County employees and to keep the County functioning to serve the people of Jasper County; and

**WHEREAS**, County Council believes that the amount of the premium pay should be provided as stipulated in Exhibit A and that County employees should be provided a cash incentive to obtain a Coronavirus vaccine, hereby gives authority to the County Administrator to distribute the premium pay and the vaccine incentive from the funds provided through the Coronavirus State and Local Fiscal Recovery Funds as soon as fiscally possible.

**NOW, THEREFORE, BE IT RESOLVED** in Council duly assembled that the following incentive compensation shall be provided to Jasper County active employees as of the date of the distribution and as described in Exhibit A.

Done this 20<sup>th</sup> day of September, 2021

**Jasper County Council**

\_\_\_\_\_  
Barbara C. Clark, Chairperson

Attest:

\_\_\_\_\_  
Wanda Simmons, Clerk to Council

Approved as to Form: \_\_\_\_\_  
David L. Tedder Date  
Jasper County Attorney

# AGENDA ITEM:

X

Resolution: Item B

STATE OF SOUTH CAROLINA )  
   )  
 COUNTY OF JASPER                                  )         **RESOLUTION NO.: 2021-21**

**INDUCEMENT RESOLUTION PROVIDING FOR A  
 FEE IN LIEU OF TAX AGREEMENT  
 BETWEEN JASPER COUNTY AND PROJECT OCEAN**

WHEREAS, Jasper County, South Carolina (the "County"), acting by and through its County Council (the "County Council") is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the "Act"), to enter into a fee in lieu of tax agreement (the "Fee Agreement") with respect to a project which requires the industry to make a payment of a fee in lieu of taxes, through which powers the industrial development of the State of South Carolina and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State of South Carolina and the County and thus to utilize and employ the manpower, products, and natural resources of the State of South Carolina to benefit the general public welfare of the County by providing services, employment, and other public benefits not otherwise provided locally; and

WHEREAS, Project Ocean, a Delaware limited liability company, on its own or together with one or more of its subsidiaries, affiliates, successors, assigns, sponsors, lessors, and others (collectively, the "Company"), desires to invest capital in the County in order to establish a manufacturing facility in the County (the "Project"), provided that approvals of various incentives contemplated for the Project are formalized by the State and County; and

WHEREAS, the Project is anticipated to result in an investment of at least \$16 million and the creation of 126 new, full-time jobs in the County over a five-year period; and

WHEREAS, the Company has requested that the County enter into a Fee Agreement, thereby providing for a fee in lieu of tax ("FILOT") and infrastructure and special source revenue credits ("SSRCs") with respect to the Project; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a "project" and "economic development property" as such terms are defined in the Act and that the Project would serve the purposes of the Act; and

WHEREAS, pursuant to the authority of Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended and Article VIII, Section 13 of the South Carolina Constitution, the County has entered into a qualifying agreement with Hampton County (the "Park Agreement") for the establishment of a multi-county industrial and business park (the "Park").

WHEREAS, the Project is wholly located within the boundaries of the Park.

NOW, THEREFORE, BE IT RESOLVED by the County Council as follows:

**Section 1.** The County Council hereby finds that: (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally; (ii) the Project gives rise to no



pecuniary liability of the County or a charge against its general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes and the inducement of the location of the Project within South Carolina is of paramount importance and the benefits of the Project to the public are greater than the cost (which latter finding has been made using an appropriate cost-benefit analysis); and (iv) it has evaluated the Project considering all relevant and required factors, including, but not limited to, the anticipated dollar amount and nature of the investment to be made and the anticipated costs and benefits to the County, and all other criteria prescribed by law.

Section 2. The County hereby agrees to enter into a fee in lieu of tax arrangement with the Company under the Act. The County agrees to provide for a fee in lieu of *ad valorem* taxes ("FILOT") for a period of 30 years for each component of the Project placed in service during the investment period (the "FILOT Term") under the Act. The FILOT shall be calculated using a 6% assessment ratio and a fixed millage rate of 0.3450 for a period of 30 years for each component of the Project placed in service during the investment period.

Section 3. The further details of the FILOT and the SSRCs shall be prescribed by subsequent ordinance of the County to be adopted in accordance with South Carolina law and the rules and procedures of the County.

Section 4. The County agrees to use its best efforts to ensure that the Project is located in the Park for at least the longer of a 30-year period or the period of time the FILOT arrangement is in place.

Section 5. This resolution shall constitute an inducement resolution for this Project within the meaning of the Act.

Section 6. This resolution shall constitute "preliminary approval" pursuant to Section 12-44-110(2) of the Act by which property may be placed in service prior to the execution of a FILOT agreement but still constitute economic development property under the Act.

Section 7. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Adopted this \_\_\_\_ day of \_\_\_\_, 2021.

JASPER COUNTY, SOUTH CAROLINA

Signature: \_\_\_\_\_

Name: Barbara Clark

Title: Chair of County Council

(SEAL)  
ATTEST:

Reviewed for form and draftsmanship  
By the Jasper County Attorney:

Signature: \_\_\_\_\_

Name: Wanda Simmons  
Title: Clerk to County Council

\_\_\_\_\_  
Name: David L. Tedder Date

# AGENDA ITEM:

## XI-A

Ordinance item A

**STATE OF SOUTH CAROLINA  
COUNTY OF JASPER**

**ORDINANCE: 2021-25**

**AN ORDINANCE  
OF JASPER COUNTY COUNCIL**

To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-38-01-013 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

**WHEREAS**, the owner of the parcel consisting of approximately .55 acres bearing Jasper County Tax Map Number 063-38-01-013 located at 76 Sweet William Road, has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Residential Zone to the Community Commercial Zone and the property owner submitted that request to the Jasper County Planning Commission and County Council; and

**WHEREAS**, the Jasper County Planning Commission has concurred with the recommendations of the staff report as reflected in this Ordinance and recommends approval by Council; and

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

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

1. Jasper County Council finds that in accordance with the staff report and the recommendation of the Planning Commission, the proposed zoning is consistent with the continued pattern of growth in the vicinity and is in harmony with the Jasper County Comprehensive Plan. Good cause having been shown, approximately .55 acres bearing Jasper County Tax Map

Number 063-38-01-013, located at 76 Sweet William Road, depicted on the Jasper County Official Zoning Map in the Residential Zone shall be transferred to the Community Commercial Zone.

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

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**Ms. Barbara B. Clark**  
**Chairwoman**

**ATTEST:**

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**Wanda Simmons**  
**Clerk to Council**

**ORDINANCE: # 2021-25**

**First Reading: August 16, 2021**

**Second Reading: September 7, 2021**

**Public Hearing: September 7, 2021**

**Adopted: September 20, 2021**

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Considered by the Jasper County Planning Commission at it's meeting on  
July 13, 2021 and recommended for approval.

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Reviewed for form and draftsmanship by the Jasper County Attorney.

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**David Tedder**

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**Date**

# AGENDA ITEM:

## XI-B

Ordinance item B

STATE OF SOUTH CAROLINA  
COUNTY OF JASPER

**ORDINANCE NO: 2021-24**

AN ORDINANCE  
OF JASPER COUNTY COUNCIL

To amend the Jasper County, South Carolina  
Organizational Chart.

WHEREAS, by Ordinance No. 09-25 adopted October 5, 2009, the Jasper County Council did adopt an Official Organizational Chart for the County; and

WHEREAS, due to the passage of time, changes in departmental responsibilities, and a comprehensive examination and re-defining of certain of job descriptions and reporting responsibilities, it has become desirable to make certain amendments to the organization of the County administration; and

WHEREAS, the Administration recommends the attached Jasper County, South Carolina Organizational Chart to be the official organizational chart for the County;

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

1. The Jasper County, South Carolina Organizational Chart dated September 20, 2021, a copy of which is attached hereto, is hereby adopted as the official Organizational Chart for Jasper County Government, and all previous versions of the Organizational Chart are hereby repealed.
2. This ordinance shall take effect upon approval by Council.

\_\_\_\_\_  
Barbara B. Clark, Chairwoman

ATTEST:

\_\_\_\_\_  
Wanda Simmons, Clerk to Council

**Ordinance #: 2021-24**

First Reading: 07.19.2021

Second Reading: 08.16.2021

Public Hearing: 09.07.2021

Adopted: 09.20.2021

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The following document is required to be attached prior to 3<sup>rd</sup> Reading:

Jasper County, South Carolina Organizational Chart dated September 20, 2021.

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Reviewed for form and draftsmanship by the Jasper County Attorney.

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David L. Tedder

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Date

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF JASPER                    )        **ORDINANCE NO.**\_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN JASPER COUNTY, SOUTH CAROLINA AND PROJECT OCEAN WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS, JASPER COUNTY, SOUTH CAROLINA** (the “County”), acting by and through its County Council (the “County Council”), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the “FILOT Act”), Title 4, Chapter 1 (the “Multi-County Park Act”), and Title 4, Chapter 29, of the Code of Laws of South Carolina 1976, as amended, to enter into agreements with industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified industrial projects; to provide infrastructure credits against payment in lieu of taxes for reimbursement in respect of investment in certain infrastructure enhancing the economic development of the County; through all such powers the industrial development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

**WHEREAS,** pursuant to the FILOT Act, and in order to induce investment in the County, the County Council adopted on September 20, 2021 an inducement resolution (the “Inducement Resolution”) with respect to certain proposed investment by Project Ocean and its affiliates (collectively, the “Company”), with respect to the acquisition, construction, and installation of land, buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal property to constitute a new facility in the County for the manufacture and distribution of lumber products (collectively, the “Project”); and

**WHEREAS,** the Company has represented that the Project will involve an investment of approximately \$14,928,000 in the County within the Investment Period (as such term is defined in the hereinafter defined Fee Agreement); and

**WHEREAS,** the County has determined on the basis of the information supplied to it by the Company that the Project would be a “project” and “economic development property” as such terms are defined in the FILOT Act, and that the Project would serve the purposes of the FILOT Act; and



**WHEREAS**, pursuant to the authority of Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended and Article VIII, Section 13 of the South Carolina Constitution, the County has entered into a qualifying agreement with Hampton County (the “Park Agreement”) for the establishment of a multi-county industrial and business park (the “Park”); and

**WHEREAS**, the Project is wholly located within the boundaries of the Park; and

**WHEREAS**, pursuant to the Inducement Resolution, the County has agreed to, among other things, (a) enter into a FILOT Agreement with the Company (the “Fee Agreement”), whereby the County would provide therein for a payment of a fee- in-lieu-of taxes by the Company with respect to the Project, and (b) provide for certain infrastructure credits to be claimed by the Company against its payments of fees-in-lieu-of taxes with respect to the Project pursuant to Section 4-1-175 of the Multi-County Park Act; and

**WHEREAS**, the County Council has caused to be prepared and presented to this meeting the form of the Fee Agreement which the County proposes to execute and deliver; and

**WHEREAS**, it appears that the documents above referred to, which are now before this meeting, are in appropriate form and are an appropriate instrument to be executed and delivered or approved by the County for the purposes intended;

**NOW, THEREFORE, BE IT ORDAINED**, by the County Council as follows:

Section 1. Based on information supplied by the Company, it is hereby found, determined and declared by the County Council, as follows:

(a) The Project will constitute a “project” and “economic development property” as said terms are referred to and defined in the FILOT Act, and the County’s actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the FILOT Act;

(b) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

(c) The Project will give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either;

(d) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs and addition to the tax base of the County, are proper governmental and public purposes;

(e) The Project will be located entirely within the County; and

(f) The benefits of the Project are anticipated to be greater than the costs.

Section 2. The form, terms and provisions of the Fee Agreement presented to this meeting are hereby approved and all of the terms and provisions thereof are hereby incorporated

herein by reference as if the Fee Agreement was set out in this Ordinance in its entirety. The County Administrator is hereby authorized, empowered and directed to execute, acknowledge and deliver the Fee Agreement in the name of and on behalf of the County, and the Clerk to County Council is hereby authorized and directed to attest the same, and thereupon to cause the Fee Agreement to be delivered to the Company and cause a copy of the same to be delivered to the Jasper County Auditor and Assessor. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the County Administrator, upon advice of counsel, the execution thereof to constitute conclusive evidence of the approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting.

Section 3. The County Administrator, for and on behalf of the County, is hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County thereunder.

Section 4. The provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. The recitals above are hereby incorporated into and made part of this ordinance.

Section 6. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance shall take effect and be in full force from and after its passage by the County Council.

**ENACTED** in meeting duly assembled this \_\_\_ day of \_\_\_\_\_, 2021.

**JASPER COUNTY, SOUTH  
CAROLINA**

(SEAL)

Signature: \_\_\_\_\_  
Name: Barbara Clark  
Title: Chair of County Council

ATTEST:

Signature: \_\_\_\_\_  
Name: Wanda Simmons  
Title: Clerk to County Council

Reviewed for form and draftsmanship  
By the Jasper County Attorney

\_\_\_\_\_  
David L. Tedder Date

First Reading: September 20, 2021  
Second Reading: October \_\_, 2021  
Third Reading: October \_\_, 2021  
Public Hearing: October \_\_, 2021

**STATE OF SOUTH CAROLINA**

**COUNTY OF JASPER**

I, the undersigned Clerk to County Council of Jasper County, South Carolina, do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received unanimous approval, by the County Council at its meetings of September \_\_ 2021, October \_\_, 2021, and October \_\_, 2021, at which meetings a quorum of members of County Council were present and voted, and an original of which ordinance is filed in the permanent records of the County Council.

\_\_\_\_\_  
Clerk, Jasper County Council

Dated: \_\_\_\_\_, 2021

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