

**JASPER COUNTY COUNCIL
DEVELOPMENT SERVICES COMMITTEE
COUNCIL CHAMBERS
MARY GORDON ELLIS EXECUTIVE BUILDING
MARCH 12, 2009
1:00 P.M.**

MINUTES

OFFICIALS PRESENT:

DR. GEORGE HOOD, CHAIRMAN
HUBERT TYLER, COMMITTEE MEMBER

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
WENDY KELLY, DEPUTY ADMINISTRATOR DEVELOPMENT SERVICES
DAVID JIROUSEK, PLANNING DIRECTOR
JUDITH FRANK, CLERK TO COUNCIL
HONEY JOHNSON, ASSISTANT TO ADMINISTRATOR
CHRISTY HERMAN, BUILDING DEPARTMENT OFFICE MANAGER
MARVIN JONES, ATTORNEY

OTHERS PRESENT:

MYRA COLLINS, JACK ALDERMAN, KENDALL MALPHRUS, ROSEMARY O'QUINN,
MARTY SAULS, D.J. MOORE, MR. CARTER, MARCIA CLELAND, MATTHEW BRADY

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC
AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE
TYPICALLY CONDENSED AND PARAPHRASED.

CALL TO ORDER:

CHAIRMAN HOOD CALLED THE MEETING TO ORDER AT 1:00 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE

INVOCATION:

CHAIRMAN HOOD OFFERED THE INVOCATION.

OKATIE CROSSINGS MULTI-COUNTY INDUSTRIAL PARK ORDINANCE:

MS. KELLY DISCUSSED THE MULTI-COUNTY INDUSTRIAL PARK AGREEMENT
ORDINANCE AND EXPLAINED THAT THE AGREEMENT WAS WITH JASPER
COUNTY, BEAUFORT COUNTY, AND HAMPTON COUNTY. MS. KELLY EXPLAINED
THAT EACH OF THE COUNTIES WOULD PASS AN ORDINANCE TO ENTER INTO THIS
AGREEMENT. CHAIRMAN HOOD ASKED IF THE PARK WOULD HAVE
COMMERCIAL STORES AND MS. KELLY RESPONDED THAT RIGHT NOW, THE
PLANS FOR THE SPACE IS OPEN ENDED. MS. KELLY EXPLAINED THAT THE
AGREEMENT DEFINES THE SHARING OF REVENUE FROM THE DEVELOPMENT OF

THE PARK. MS. KELLY CONTINUED AND EXPLAINED THAT 98% OF THE REVENUE COMES TO JASPER COUNTY AND 1% GOES TO HAMPTON COUNTY AND 1 % GOES TO BEAUFORT COUNTY. MS. KELLY SAID THAT A FEE IN LIEU OF TAXES AGREEMENT IS ANTICIPATED IN THE ORDINANCE AND THAT IT IS IN KEEPING WITH THE MEMORANDUM OF UNDERSTANDING. THE ORDINANCE ALSO OUTLINES HOW JASPER COUNTY'S FUNDING FROM THE PROJECT WILL BE UTILIZED. MS. KELLY ESTIMATED THE ANNUAL REVENUE FROM THE PROJECT WOULD BE ABOUT \$5,000,000.00 OF WHICH JASPER COUNTY WOULD GET 98%. MS. KELLY COMMENTED THAT THE CITY OF HARDEEVILLE, JASPER COUNTY AND SEMPLER AGREED THAT THE PORTIONS OF THE FILOT WILL BE ALLOCATED WITH 1/3 GOING TO THE COUNTY AND 2/3 GOING TO THE CITY OF HARDEEVILLE. THE FUNDS FROM THE JASPER COUNTY PORTION OF THE FILOT WOULD BE DIVIDED AS FOLLOWS - 1/3 GOING TO THE COUNTY, 1/3 GOING TO THE SCHOOL DISTRICT AND 1/3 GOING TO THE LOW COUNTRY ECONOMIC ALLIANCE. MS. KELLY SAID THAT 1/3 OF THE FILOT FUNDS GOING TO THE CITY OF HARDEEVILLE WOULD BE INVESTED INTO INFRASTRUCTURE FOR THE MULTI-COUNTY PARK THROUGH SPECIAL SOURCE REVENUE CREDITS.

CHAIRMAN HOOD ASKED MS. KELLY IF SHE THOUGHT THIS WAS A GOOD DEAL FOR THE COUNTY AND MS. KELLY ANSWERED THAT SHE THOUGHT IT WAS A GOOD DEAL SINCE THE PROPERTY WAS GOING TO BE DEVELOPED AND NOT SIT VACANT.

CHAIRMAN HOOD AND COMMITTEE MEMBER TYLER AGREED TO MAKE A RECOMMENDATION TO APPROVE THE FIRST READING OF THIS ORDINANCE.

LOWCOUNTRY ECONOMIC ALLIANCE BY-LAWS – HAMPTON COUNTY MEMBERSHIP:

MS. KELLY TOLD THE COMMITTEE THAT HAMPTON COUNTY HAS SHOWN AN INTEREST IN JOINING THE LOWCOUNTRY ECONOMIC ALLIANCE AND IN ORDER FOR THEM TO JOIN, THE BY-LAWS NEEDED TO BE CHANGED. MS. KELLY INFORMED THE COMMITTEE THAT THE LCA BOARD OF DIRECTORS HAS APPROVED HAMPTON COUNTY JOINING THE ALLIANCE AND THEY ARE WAITING FOR HAMPTON COUNTY TO GET APPROVAL FROM THE HAMPTON COUNTY COUNCIL. MS. KELLY SAID THE RESOLUTION ON MONDAY'S AGENDA APPROVED HAMPTON COUNTY BECOMING A MEMBER AND THE REVISIONS TO THE BY-LAWS. CHAIRMAN HOOD SAID HE FELT THIS WOULD HAVE TO BE REVISITED AT ANOTHER MEETING IF HAMPTON COUNTY DECIDED NOT TO JOIN THE ALLIANCE.

FARMERS' MARKET PROPERTY MANAGEMENT AGREEMENT:

MS. KELLY REFERRED TO THE MANAGEMENT AGREEMENT WHICH OUTLINES THE PERAMETERS OF THE MANANGEMENT RESPONSIBILITES OF THE CHAMBER OF COMMERCE AND THAT THE COUNTY IS STILL RESPONSIBLE FOR THE MANAGEMENT OF THE FARMERS' MARKET PORTION. KENDALL MALPHRUS SAID THAT THE COUNTY COUNCIL WILL ESTABLISH THE FEES AND THE JASPER COUNTY CHAMBER BOARD OF DIRECTORS WILL VOTE ON IT. MR. FULGHUM SAID THE SAME FEES THAT WERE PREVIOUSLY APPROVED BY COUNCIL WILL BE USED. CHAIRMAN HOOD SAID HE FELT THE COUNCIL SHOULD REVISIT THE FEE SCHEDULE. HONEY JOHNSON SAID THAT THE MARKET HAS LOST A LOT OF BUSINESS DUE TO THE FEES AND SHE HOPED THAT THE COUNCIL WOULD PUT TOGETHER A NEW FEE SCHEDULE. MS. JOHNSON SAID SOME NON-PROFIT EVENTS WERE HELD ELSEWHERE BECAUSE OF THE COST. MS. JOHNSON SAID SHE ALSO DISCUSSED THIS WITH THE CHAMBER OF COMMERCE. MARTY SAULS

INFORMED THE COMMITTEE THAT THE CHAMBER'S BOARD OF DIRECTORS AGREED THAT ANY NON-PROFIT ORGANIZATION WOULD NOT HAVE TO PAY A RENTAL FEE. MS. JOHNSON SUGGESTED THAT WHEN PEOPLE WANT TO USE THE FACILITY, THEY SHOULD HAVE THE USE OF THE ENTIRE FACILITY. MS. JOHNSON CONTINUED THAT THE PREVIOUS FEE CHART CHARGED A FEE FOR EACH AREA OF THE MARKET.

UNITED WAY OF THE LOWCOUNTRY LEASE:

WENDY KELLY REVIEWED THE LEASE AGREEMENT BETWEEN THE COUNTY AND UNITED WAY AND THE LEASE STATES THAT THE PROPERTY WAS NOT TO BE USED FOR ANY OTHER PURPOSE THAN OFFICE SPACE FOR THE UNITED WAY WITHOUT THE APPROVAL OF THE COUNCIL. JACK ALDERMAN THANKED THE COMMITTEE FOR PROVIDING THE SPACE FOR UNITED WAY AND EXPLAINED THAT THERE WAS A LITTLE MORE SPACE THAN THEY ACTUALLY NEEDED. MR. ALDERMAN REQUESTED THAT TCL BE ALLOWED TO USE THAT SPACE TO OPERATE A SMALL BUSINESS DEVELOPMENT INITIATIVE. MR. CARTER AND MS. MOORE EXPLAINED THE PROGRAM TO THE COMMITTEE AND THAT THEY WOULD BE OPERATING THE PROGRAM 5 DAYS A WEEK. MR. CARTER SAID THE PROGRAM HELPS PEOPLE SET UP NEW BUSINESSES, PROVIDE SPACE FOR THEM TO MEET, AND HAVE ACCESS TO COMPUTERS AND THE INTERNET. MR. ALDERMAN SAID THE UNITED WAY HAS A MEMORANDUM OF UNDERSTANDING WITH TCL REGARDING THE USE OF THE SPACE AND THE SHARING OF EXPENSES. MYRA COLLINS INFORMED THE COMMITTEE OF A FREE TAX SERVICE THAT UNITED WAY IS OFFERING. MR. ALDERMAN COMMENTED THAT THE UNITED WAY HAS COLLECTED MORE FUNDS IN JASPER COUNTY SINCE THEY OPENED THE JASPER COUNTY OFFICE AND MORE JASPER COUNTY AGENCIES ARE BEING FUNDED.

BUILDING INSPECTIONS AGREEMENT(S) WITH MUNICIPALITIES:

MS. KELLY STATED THAT SHE WAS CURRENTLY WORKING ON AN AGREEMENT WITH THE MUNICIPALITIES REGARDING HAVING THE COUNTY DO THE INSPECTIONS AND PERMITTING FOR THE MUNICIPALITIES FOR A FEE. MS. KELLY SAID SHE WAS ALSO WORKING ON A PERMITTING FEE SCHEDULE SO THAT THE PERMIT FEES WOULD BE THE SAME. MS. KELLY COMMENTED THAT BASED ON THE NUMBERS FROM 2008, NO NEW EMPLOYEES WOULD BE REQUIRED. MS. KELLY TOLD THE COUNCIL THAT SHE WAS STILL WORKING OUT THE DETAILS AND HOPED TO HAVE THE AGREEMENT READY FOR MONDAY'S MEETING. CHAIRMAN HOOD SAID HE THOUGHT THIS WAS A GOOD IDEA AND THAT THE COMMITTEE SHOULD RECOMMEND APPROVAL TO THE COUNCIL.

**PLANNING AND ZONING AGENDA ITEMS FOR MARCH 16, 2009:
ZONING MAP AMENDMENT, 1.94 ACRES FROM RURAL PRESERVATION TO
GENERAL COMMERCIAL:**

DAVID JIROUSEK EXPLAINED THE LOCATION OF THE PROPERTY AND THAT THERE WERE NOT ANY RESIDENCES IN THE AREA OF THE PROPERTY. MR. JIROUSEK INFORMED THE COMMITTEE THAT THE OWNER REQUESTED THE ZONING CHANGE. MR. JIROUSEK ADDED THAT THE STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL OF THE REQUEST TO CHANGE THE ZONING FROM RURAL PRESERVATION TO GENERAL COMMERCIAL.

**ZONING ORDINANCE AMENDMENT – ADDITION OF “RESOURCE EXTRACTION”
SECTION AND RELATED REVISIONS:**

MR. JIROUSEK PROVIDED THE COMMITTEE WITH A SUMMARY OF THE ORDINANCE AND EXPLAINED THAT THE ORDINANCE WAS CREATING A NEW ZONING DISTRICT, THE RESOURCE EXTRACTION DISTRICT. MR. JIROUSEK SAID THE ORDINANCE ALSO COVERS CONDITIONAL USE OF PROPERTY FOR EXCAVATION AND IT HAS THRESHOLDS FOR THE PERMITTING PROCESS. MR. JIROUSEK EXPLAINED THAT BUFFERS AND SETBACKS WILL BE PART OF THE REZONING PROCESS. CHAIRMAN HOOD SAID HE FELT THIS SHOULD MOVE FORWARD TO COUNCIL. COUNCILMAN TYLER SAID THE PUBLIC WILL HAVE A LOT OF COMMENTS REGARDING THIS ISSUE. CHAIRMAN HOOD ASKED IF THIS ORDINANCE VIOLATES ANY DHEC REQUIREMENTS AND MR. JIROUSEK RESPONDED THAT THE COUNTY'S ORDINANCE IS MORE RESTRICTIVE. CHAIRMAN HOOD REPLIED THAT HE LIKED THE CHANGES.

CYPRESS RIDGE UPDATES:

WENDY KELLY EXPLAINED THAT TWO COMPANIES THAT PURCHASED PROPERTY AT CYPRESS WOODS HAVE NOT STARTED CONSTRUCTION. MS. KELLY SAID THAT THE MR. LABEL AGREEMENT SPECIFIED CONSTRUCTION TO START IN 90 DAYS AND THE CONTRACT WAS SIGNED IN DECEMBER, 2007. MS. KELLY ADDED THAT THE MARCH 2008 DIXIE LAUNDRY CONTRACT DID NOT HAVE A SPECIFIED START DATE. MR. FULGHUM TOLD THE COMMITTEE A START CONSTRUCTION DATE WAS NOT INCLUDED IN THE AGREEMENT BECAUSE IT WAS A DEAL KILLER REGARDING THE FINANCING. MS. KELLY SAID THAT NEITHER COMPANY HAD A TIME LINE, BUT BOTH COMPANIES STILL PLAN TO LOCATE IN THE PARK. MS. KELLY REQUESTED A RECOMMENDATION FROM COUNCIL AS TO EXTENDING THE TIME FOR CONSTRUCTION TO START OR WHATEVER OTHER ACTION THE COUNCIL WANTED TO PERSUE. CHAIRMAN HOOD ASKED THAT THIS SUBJECT BE PLACED ON TH APRIL 1, 2009 AGENDA.

HARDEEVILLE LIBRARY:

MR. FULGHUM SAID THAT THE HARDEEVILLE LIBRARY INQUIRED ABOUT MOVING THE LIBRARY TO THE OLD SENIOR CENTER SO THAT THEY COULD HAVE MORE SPACE. MR. FULGHUM SAID THAT THE COUNTY OWNS BOTH BUILDINGS AND HE ASKED FOR PERMISSION TO INVESTIGATE THE POSSIBILITIES OF MOVING THE LIBRARY. MR. FULGHUM ADDED THAT HE WAS ALSO EXPLORING DIFFERENT LOCATIONS FOR A SATELLITE OFFICE IN HARDEEVILLE. CHAIRMAN HOOD TOLD HIM TO LOOK INTO THE MATTER AND BRING A RECOMMENDATION BACK AT A LATER TIME.

DEVELOPMENT SERVICES MONTHLY REPORTS:

MS. KELLY PROVIDED THE COMMITTEE WITH WRITTEN MONTHLY REPORTS FROM THE BUILDING DEPT., PLANNING AND ZONING, BUSINESS LICENSE, AND PARKS AND RECREATION FOR THEIR REVIEW.

DAVID JIROUSEK PROVIDED THE COMMITTEE WITH A TRACKING LIST OF PROJECTS AND THEIR STATUS. MR. JIROUSEK COMMENTED THAT THE SETTINGS HAVE ALMOST SOLD OUT PHASES I AND II AND THEY ARE ABOUT READY TO START BUILDING.

USE OF PERRY HOUSE:

MR. FULGHUM REVIEWED PAST DISCUSSIONS OF THE CHAMBER OF COMMERCE USING THE PERRY HOUSE. KENDALL MALPHRUS PRESENTED THE COMMITTEE WITH LETTERS FROM THE LIBRARY EXPLAINING THEIR NEED FOR THE SPACE

CURRENTLY OCCUPIED BY THE CHAMBER AND THE MUSEUM AND THE CHAMBER EXPLAINING THEIR REQUEST TO USE THE PERRY OFFICE FOR THEIR OFFICES, A WELCOME CENTER AND FOR THE MUSEUM. MR. FULGHUM ASKED FOR PERMISSION TO MOVE FORWARD ON AN AGREEMENT AND HE SAID HE WOULD HAVE IT READY FOR THE APRIL MEETING. CHAIRMAN HOOD INSTRUCTED MR. FULGHUM TO HAVE THE INFORMATION AND AGREEMENT READY FOR THE FIRST MEETING IN APRIL.

ADJOURN:

CHAIRMAN HOOD ADJOURNED THE MEETING AT 2:35 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN