



**JASPER COUNTY COUNCIL
J.C. GOVERNMENT BLDG.
COUNCIL CHAMBERS
NOVEMBER 4, 2014
MINUTES**

5:30 P.M.

OFFICIALS PRESENT: Chairman Henry Etheridge, Councilman Theodus Drayton, Councilman D. Thomas Johnson, Councilman L. Martin Sauls, IV

OFFICIALS ABSENT: Vice Chairwoman Barbara Clark

STAFF PRESENT: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Planning LeNolon Edge, Attorney Marvin Jones

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 Etheridge called the meeting to order at 5:30 p.m.

EXECUTIVE SESSION – COUNCIL CONFERENCE ROOM

DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES 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 –JASPER OCEAN TERMINAL, SOLID WASTE DISPOSAL SERVICES, RIDGELAND AIRPORT AND DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESS IN THE AREA SERVED BY A PUBLIC BODY - PROJECT UPDATE – Councilman Sauls motioned and Councilman Drayton seconded the motion to go into executive session for the discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates 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 –Jasper Ocean Terminal, solid waste disposal services, Ridgeland Airport and discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by a public body - project update. The motion carried with all members present voting in favor.

DINNER BREAK

RETURN TO OPEN SESSION - Councilman Sauls motioned and Councilman Drayton seconded the motion to return to open session. The motion carried with all members present voting in favor. Chairman Etheridge announced that as a result of executive session, no action would be taken at this time.

7:00 P.M.

OFFICIALS PRESENT: Chairman Henry Etheridge, Councilman Theodus Drayton, Councilman D. Thomas Johnson, Councilman L. Martin Sauls, IV

OFFICIALS ABSENT: Vice Chairwoman Barbara Clark

STAFF PRESENT: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Planning LeNolon Edge, Attorney Marvin Jones

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 Etheridge called the meeting to order at 7:00 p.m.

INVOCATION – Councilman Sauls gave the invocation.

PLEDGE OF ALLEGIANCE – Councilman Drayton led the Pledge of Allegiance.

APPROVAL OF THE AGENDA - Councilman Sauls motioned and Councilman Drayton seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

APPROVAL OF THE MINUTES – Councilman Drayton motioned and Councilman Sauls seconded the motion to approve the minutes of the 10/07/2013 and 10/21/2013. The motion carried with all members present voting in favor.

PROCLAMATIONS AND PRESENTATIONS - NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH – Chairman Etheridge read the proclamation declaring November as Pancreatic Cancer

Awareness Month in Jasper County. Councilman Sauls motioned and Councilman Drayton seconded the motion to pass the Proclamation declaring November as Pancreatic Cancer Awareness Month in Jasper County. The motion carried with all members present voting in favor.

ORDINANCES

ANDREW FULGHUM – 3RD READING AND PUBLIC HEARING OF AN ORDINANCE TO FURTHER AMEND THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK, BY AND BETWEEN JASPER COUNTY, SOUTH CAROLINA AND HAMPTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN JASPER COUNTY AS PART OF THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK
ANDREW FULGHUM – 3RD READING AND PUBLIC HEARING OF AN ORDINANCE PROVIDING FOR INFRASTRUCTURE OR SPECIAL SOURCE REVENUE CREDITS TO PROJECT LEADER; AUTHORIZING AN INFRASTRUCTURE CREDIT AGREEMENT BETWEEN JASPER COUNTY AND PROJECT LEADER; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES AVAILABLE UNDER THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL/BUSINESS PARK WITH HAMPTON COUNTY; AND OTHER MATTERS THERETO - Mr. Fulghum explained that both ordinances dealt with an economic development project that will create 25 new jobs. Chairman Etheridge opened the public hearing for the ordinance regarding establishing a MCIP between Jasper County and Hampton County. There were no comments. Chairman Etheridge closed the public hearing. Chairman Etheridge opened the public hearing for the ordinance regarding the FILOT agreement. There were no comments. Chairman Etheridge closed the public hearing. Mr. Richardson said that the business would be located in the old Pearlstine distribution building and the company was investing \$4,000,000. Councilman Sauls motioned and Councilman Johnson seconded the motion to approve the amendment to insert LOT CC, LLC for the agreement regarding the MCIP. The motion carried with all members present voting in favor. Councilman Sauls motioned and Councilman Drayton seconded the motion that this be the Public Hearing and 3rd reading of the ordinance to further amend the agreement for establishment of multi-county industrial/business park, by and between Jasper County, South Carolina and Hampton County, South Carolina, providing for the development of a jointly owned and operated industrial/business park, so as to include additional property in Jasper County as part of the multi-county industrial/business park. The motion carried with all members present voting in favor. Councilman Sauls motioned and Councilman Johnson seconded the motion to approve the amendment to insert LOT CC, LLC for the agreement regarding the FILOT. Councilman Sauls motioned and Councilman Johnson seconded the motion that this be the 3rd reading and Public Hearing for an ordinance providing for infrastructure or special source revenue credits to Project Leader; authorizing an infrastructure credit agreement between Jasper County and LOT CC, LLC; providing for the allocation of fees-in-lieu of taxes available under the agreement for development of a joint county industrial/business park with Hampton County; and other matters thereto. The motion carried with all members present voting in favor.

ANDREW FULGHUM – 1ST READING OF AN ORDINANCE GRANTING A COUNTY EASEMENT FOR AN AIRPORT ROAD PROPERTY – Mr. Fulghum explained that MCAS Beaufort owned the property and needed an easement to the property Mr. Fulghum said it would be an exclusive agreement to give the owners access to their property. Councilman Johnson asked how this would affect the plans for the airport and Mr. Fulghum responded it would not affect the project whatsoever. Councilman Sauls motioned and Councilman Drayton seconded the motion that this be the 1st reading of an ordinance granting a county easement for an airport road property. The motion carried with all members present voting in favor.

ANDREW FULGHUM – 1ST READING OF AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 18 OF THE CODE OF ORDINANCES OF JASPER COUNTY SO AS TO ADD DIVISION 1 TO PROHIBIT TEXT MESSAGING AND OTHER ELECTRONIC COMMUNICATION WHILE OPERATING A MOTOR VEHICLE – Councilman Drayton motioned and Councilman Johnson seconded the motion that this be the 1st reading of an ordinance to amend Article II of Chapter 18 of the Code of Ordinances of Jasper County so as to add Division 1 to prohibit text messaging and other electronic communication while operating a motor vehicle. The motion carried with all members present voting in favor.

WILBUR DALEY – 2ND READING OF THE ORDINANCE TO ADD TO THE JASPER COUNTY CODE OF ORDINANCES SECTION 9-63 TO PROVIDE AUTHORITY TO REMOVE AND ABATE HAZARDOUS MATERIALS AND SUBSTANCES; TO ESTABLISH DIVISION 1 OF ARTICLE 5 CHAPTER 9 OF THE CODE OF ORDINANCES OF JASPER COUNTY TO BE CALLED "CHARGES AND COST RECOVERY," TO ESTABLISH FEES FOR CERTAIN EMERGENCY SERVICES PROVIDED BY THE JASPER COUNTY EMERGENCY SERVICES INCLUDING FIRE RESCUE, EXTRICATION, TRAFFIC CONTROL AND HAZARDOUS MATERIAL CONTROL; TO ADD TO JASPER COUNTY CODE OF ORDINANCES SECTION 9-104 TO MAKE UNLAWFUL CERTAIN PRACTICES REGARDING HAZARDOUS MATERIALS AND HAZARDOUS SUBSTANCES; AND TO REPEAL THE COST OF RECOVERY ORDINANCE OF JASPER COUNTY ADOPTED MARCH 1, 1999 – Mr. Daley provided a fee schedule for the various EMS responses. Mr. Daley said this ordinance would repeal the Cost Recovery Ordinance adopted in 1999 and this ordinance would be added to the Jasper County Code of Ordinances. Mr. Daley reviewed the various sections of the ordinance and the fees relating to the types of responses. Councilman Sauls said that on structure fires, insurance would pay the fees and any Jasper County resident would be exempt from paying that type of fee if they did not have insurance. Mr. Jones added that anyone who lives or owns property in Jasper County would be exempt from the fees covered in the ordinance, but the insurance companies will be billed. Councilman Drayton asked how this ordinance was different from the previous ordinance. Mr. Wells said there is a flat fee specifically for structure fires and previously the County did not collect anything for the other types of incidents they responded to. Councilman Sauls motioned and Councilman Drayton seconded the motion that this be the 2nd reading of an Ordinance to add to the Jasper County Code of Ordinances Section 9-63 to provide authority to remove and abate hazardous materials and substances; to establish Division 1 of Article 5 Chapter 9 of the Code of Ordinances of Jasper County to be called "Charges and Cost Recovery," to establish fees for certain emergency services provided by the Jasper County Emergency Services including fire rescue, extrication, traffic control and hazardous material control; to add to Jasper County Code of Ordinances Section 9-104 to make

unlawful certain practices regarding hazardous materials and hazardous substances; and to repeal the Cost of Recovery Ordinance of Jasper County adopted March 1, 1999. The motion carried with all members present voting in favor.

RESOLUTIONS – There were no resolutions.

OLD BUSINESS- There was no old business.

NEW BUSINESS – There was no new business.

COMMITTEE REPORTS- Councilman Johnson reported that he attended the Propeller Club meeting in Charleston and he met with a worker’s compensation consultant and received information on how to control the premiums and treat the employees better. Councilman Johnson said he attended the State of the Region event and he said that Gov. Haley mentioned the Port. Councilman Johnson said he also attended an event at the SCAD Equestrian Center. Councilman Sauls updated the public on the Chamber of Commerce events and said he also attended the State of the Region event. Councilman Sauls said he met with an individual who was working with both the SC and the GA Ports Authorities. Councilman Sauls said he would like to see something built on the lot where the farmers meet each Friday and he felt it would be a huge boost to support the foot traffic for the local businesses. Councilman Sauls said the Delegation Meeting will be held on Nov. 20, 2013 and he would also be attending another meeting with the Propeller Club. Chairman Etheridge said he attended the Propeller Club meeting and the State of The Region event. Chairman Etheridge said that Governor Haley discussed how hard she is working to try and create new jobs in Jasper County and she assured the Council that Jasper County is on her mind. Chairman Etheridge announced that a Hyundai Dealership was opening in the Auto Mall.

ADMINISTRATOR’S REPORT – Mr. Fulghum reported that he received notification of a SCDOT permit for a bridge replacement adjacent to the Euhaw Creek. Mr. Malphrus reported that the tax sale sold about 600 parcels including about 150 mobile homes. Mr. Malphrus said they collected about \$1,500,000 as a result of the tax sale. Mr. Malphrus said the bidders get their money back when the people redeem their property. Mr. Edge updated the Council on the litter pick-up day. Mr. Edge said he would schedule another litter pick-up day in January. Russell Wells shared a thank you letter from Georgetown for sending a few Jasper County firefighters to the big fire in Georgetown.

OPEN FLOOR TO THE PUBLIC - PER ORDINANCE 08-17 ANY CITIZEN OF THE COUNTY MAY SIGN TO SPEAK BEFORE THE COUNCIL MEETING ON MATTERS PERTAINING TO COUNTY SERVICES AND OPERATIONS. PRESENTATIONS WILL BE LIMITED TO THREE (3) MINUTES TOTAL PUBLIC INPUT WILL BE LIMITED TO 30 MINUTES) - Chairman Etheridge opened the floor to the public. **Sylvia James** told the Council that her home was burglarized and she was not satisfied with the

way it was handled by the Sheriff's Department. Ms. James said she had a hard time locating the Sheriff and when he contacted her on Wednesday she told him she was not pleased at all and she said the Sheriff told it was due to lack of funding from the County Council. Ms. James said they needed substations so they could respond quicker. Ms. James said the Sheriff told her that he had the same number of people that the sheriff had 20 years ago and he did not have enough money. Mrs. James said you feel violated when someone breaks into your home and she is not pleased with the Sheriff's Department. **Judy Rigg** told the Council that they have their PDD and they felt they have given the Council the answers to their questions, but she thought maybe they did not communicate enough information and they would like to clarify any questions the Council had and would meet with the Council collectively or one on one. Ms. Rigg said the 93 units would be owned by the Independence Fund and used by the service people. **Michael Hargrove** told the Council that he lived at Palm Key and he supported the Independence Fund and the PDD. Mr. Hargrove said he felt it was a wonderful environment for people with post-traumatic stress syndrome. **Freddy Archilazamora** said he represented the Independence Fund and was present to answer any questions regarding the PDD and that they were going to create a wellness center to heal the minds and bodies of the wounded vets. Mr. Achilazamora said that there has been a lot of confusion about the actual purpose of the project and he would meet with the Council to answer any questions. Councilman Johnson asked if he had any contract information. Mr. Archilazamora said he would leave the information and he was the official representative of the Independence Fund. Chairman Etheridge said that they will wait until the full Council is present and the Council will get in touch with him with any questions they have. Being no further comments, Chairman Etheridge closed the floor to the public.

ADJOURN – Councilman Sauls motioned and Councilman Johnson seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 8:15 p.m.

Respectfully Submitted By:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Henry Etheridge
Chairman

