



DUE TO THE COVID-19 STATE OF EMERGENCY, A HYBRID MEETING WILL BE CONDUCTED WITH COUNTY COUNCIL IN-PERSON IN CHAMBERS AND **ELECTRONIC**

VIRTUAL ACCESS FOR THE PUBLIC. COUNCIL CHAMBERS WILL NOT BE OPEN TO THE GENERAL PUBLIC, UNLESS YOU HAVE REQUESTED AND BEEN APPROVED FOR IN PERSON PUBLIC HEARING PARTICIPATION.

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To Participate in Public Comment, please email to 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, June 21, 2021 at 3:00pm.***

To participate in a **Public Hearing** you may either email to comments@jaspercountysc.gov or request via email or phone by 1:00pm on Monday, June 21, 2021 to speak in person at the Council Meeting. Seating is limited and we will confirm your ability to appear in person and will provide additional information.

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

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



JASPER COUNTY COUNCIL

HYBRID MEETING

Council in person with Electronic Virtual Access for the Public

Jasper County Clementa C. Pinckney Government Bldg

358 3rd Avenue Ridgeland, SC 29936

June 21, 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:

(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 –

Exit 3; Proposed Purchase of Property for Project Fence (421 N. Jasper St., Ridgeland SC.); Nickel Plate MCIP

(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); Prospect Update; Project Lite

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 April 19, 2021, May 3, 2021, and May 17, 2021:
- VIII. Proclamations and Presentations: None
- 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 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: **David Tedder** - Consideration of Resolution # 2021-13 to Extend the Business License Penalty Date from July 1st to August 1st.
 - B: **Sandy Steele** – Consideration of Resolution # 2021-14 Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax and Incentive Agreement by and between Jasper County, South Carolina (The “County”) and a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The “Company”), Pursuant to Which The County Shall Covenant to Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The “Project”); and (2) Other Matters Relating Thereto.
- XI. Ordinances:
 - A. **Lisa Wagner** – Public hearing and **2nd Reading** of Ordinance # 2021-18 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 083-00-03-058 from the Community Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. (5851 Lowcountry Drive)
 - B. **Lisa Wagner** – Public hearing and **2nd Reading** of Ordinance # 2021-19 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 067-00-01-002 from the Planned Development District to the General Commercial Zone on the Jasper County Official Zoning Map. (Argent Blvd. LRTA)
 - C. **Lisa Wagner** – Public hearing and **2nd Reading** of Ordinance # 2021-20 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 038-01-00-003 from the Resource Conservation Zone to the Residential Zone on the Jasper County Official Zoning Map. (186 Macedonia Road)

- D. **Lisa Wagner** – Consideration of **1st Reading** of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 087-00-03-011 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 8881 Coosaw Scenic Drive
- E. **Lisa Wagner** – Consideration of **1st Reading** of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 084-00-02-065 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 358 Chippa Willow Road.
- F. **David Tedder** – **3rd reading** of Ordinance # 2021-15 amending Chapter 4, *Alcoholic Beverages*, of the Jasper County Code of Ordinances, so as to clarify hours of operation and related matters.
- G. **David Tedder** – **3rd reading** of Ordinance # 2021-16 of Jasper County Council to Amend Certain Provisions to the Jasper County Code of Ordinances, to Authorize Meetings to be Held by Telephonic or Other Electronic Means, and Matters Related Thereto.
- H. **Andrew Fulghum** – **3rd reading** of Ordinance # 2021-17 to Adopt the 2021-2022 Jasper County Capital and General Operations Budget, to make such amendments to the 2020-2021 Capital and Operational Budget to recognize and ratify transfers as authorized by Section 7 of that Budget, and other matters related thereto.
- I. **Andrew Fulghum** - **1st reading** by Title Only of an Ordinance Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax And Incentive Agreement by and between Jasper County, South Carolina (The “County”), a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The “Company”), Pursuant to which the County Shall Covenant to Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The “Project”); and (2) Other Matters Relating Thereto.

XII. New Business:

- A. **Kim Burgess** – Bid presentation Fire Station #30 Roof
- B. **Kim Burgess** – Bid presentation Tarboro Community Center Roof
- C. **Kim Burgess** – Bid presentation food service proposal and contract for the Detention Center
- D. **Kim Burgess** – Consideration of Cyber Security Proposal – GlobalKynect

XIII. Old Business:

- A. **Kimberly Burgess** – Jasper County State Accommodations Tax Committee Recommendations
- B. **Kimberly Burgess** – Local Accommodations and Hospitality Tax Requests
- C. **Wanda Simmons** – Consideration of an amendment to the 2021 Official Meeting Schedule for the County Council by changing the 07.06.2021 meeting date to 07.19.2021.
- D: **Andrew Fulghum** – SOLOCO Regional Housing Trust Fund 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:

VII

Approval of the Minutes



JASPER COUNTY COUNCIL

VIRTUAL MEETING

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

April 19, 2021

MINUTES

FY 2021-2022 Budget Workshop: 4:00 P.M.

Scheduled Presenters:

Duffie Stone – 14th Circuit Solicitor’s Office

Dr. Al M. Panu - USCB

Richard Gough –Technical College of the Lowcountry

Kimberly Sullivan – Boys & Girls Club

Summer Williamson – Jasper / Ridgeland Youth Baseball

Mary Lou Franzoni – Palmetto Breeze

Ms. Summer Williamson – Jasper / Ridgeland Youth Baseball asked to be rescheduled to another time.

Dr. Al M. Panu – USCB

Dr. Panu was the first presenter for his budget request for USCB. Dr. Panu provided a history of the school. This included a review of the school, its programs and the partnership that has helped to train and support workforce development in the county. He also reviewed the budget request that they had made for this fiscal year. He further noted how Jasper County had supported USCB with financial support during the years from 2001-2020. He thanked Council for their 2020 and 2021 allocations to USCB in the amount of \$10,000 for each of those years. He noted that over the next four years they would like to restore the historic funding levels of \$300,000 per year. He explained that his budget request for the FY2021-2022 from Jasper County would be for the \$75,000 in order to get them started toward the restoration amount of \$300,000 they desired from Jasper County in the years to come.

Councilman Dr. Brantley asked some questions regarding the students who are in dual enrollment. Dr. Panu noted that for students in dual enrollment it is an excellent choice. He said that a contribution comes from the students and is a very small contribution amount. He said the rate per credit hour for a dual enrolled student is \$66 per credit hour versus regular students who have a cost of \$433 per credit hour. He noted that the \$66 per credit hour comes from the students and not the county. Chairwoman Clark stated she was happy to see the programs USCB are doing and how they

are working with dual enrollment. Chairwoman Clark thanked them for taking the time to make their presentation to Council.

Richard Gough – Technical College of the Lowcountry

Mr. Gough was the second presenter during the workshop for his budget request of the Technical College of the Lowcountry. Mr. Gough reviewed the budget request that they had made for this fiscal year in the amount of \$20,000. He noted that they are Jasper County's Community College and that prior to the pandemic they had seen a steady increase in their enrollment. He noted that ½ of their campus is located in Jasper County. He said they are offering new programs for example such as HVAC and CDL. He also noted that opening in the Fall of 2021 would be the Culinary Institute. He noted they currently had between 47-50 students enrolled in dual enrollment this year.

Councilman Adkins had questions about the age for students who wanted CDL training. Mr. Gough noted that they had to be 18 years or older per state law. Councilman Kemp questioned whether they went to companies that require drives and solicit for scholarship funding. Mr. Gough said they did not because they are fully funded for this program. Chairwoman Clark noted that some of this money comes from scholarships and lottery tuition assistance. Chairwoman Clark thanked them for taking the time to make their presentation to Council.

Duffie Stone – 14th Circuit Solicitor's Office

Mr. Stone was the third presenter during the workshop for his budget request of the State Solicitor's Office. He noted that their budget request had a historical reference to it. Mr. Stone mentioned that 8 or 9 years ago the Solicitor's Office, Jasper County, the Town of Ridgeland and the City of Hardeeville all came together and agreed that the Town of Ridgeland and the City of Hardeeville would fund the Career Criminal Prosecution Unit. He noted it had been a struggle to get the municipalities to pay their money over to the state solicitor's office in the amount of \$37,500 per municipality per year. He noted that neither municipality will pay their portion so now his office is short \$75,000 per year without their money. He mentioned that they run an SVU that is federally funded, and have a children center in the Jasper County area that has been there for 1 1/2 years for sexual assault victims including children. He noted that since they had opened the center in 2018 they had seen over 600 victims including children. He said their budget request for this fiscal year was for \$75,000 which would make up the money they are not receiving from the two municipalities. Councilman Dr. Brantley asked why the municipalities had stopped paying their portion. Mr. Stone noted that they seemed to think it was not their responsibility since their cities were inside Jasper County. The prior agreement was discussed and it was noted by Mr. Fulghum that it had expired. Chairwoman Clark thank solicitor stone for sharing this information and his budget request with Council.

Kimberly Sullivan – Boy's and Girls Club

Ms. Sullivan and Mr. Pratt were the fourth presenter during the workshop for the budget request for the Boy's and Girls Club. Ms. Sullivan noted that they had served over 6,300 meals to children during

the year. She discussed the services they perform and how valuable they are to the children in the community as well as to the families. She noted that this club has a significant impact on the children's lives and that creates a future impact to the county. Ms. Sullivan said their requested budget amount was for \$20,000 which would be \$10,000 for the Ridgeland Club and \$10,000 for the Hardeeville Club. She mentioned that this funding allows them to be there for the children that need them most.

Councilman Dr. Brantley asked if the data they received represent Jasper County or Beaufort County. Ms. Sullivan noted that the request they had submitted was for Jasper County only which included Hardeeville and Ridgeland.

Councilman Kemp asked if they spoke with other agencies in the area to make sure there is not a redundancy of services. Mr. Pratt noted that they to find ways to prevent overlap of services within the same areas.

Councilman Adkins asked what time the Boys and Girls Club is operational. During the school year the hours are from afterschool until 6:00 or 6:30pm; during the summer the hours are 7:30 to 4:30 or 5pm. They said that the afterschool program makes sure it is fun for the children, they get nutritious snack, academics, sports, and recreation. She said they strive to make it fun for the children with also addressing critical areas that they need attention in.

Chairwoman Clark said it is a great program and that they even gave gift cards to buy foods during the pandemic along with projects that the children could do. She thanked them for coming and making their presentation to Council.

Mary Lou Franzoni – Palmetto Breeze

Ms. Franzoni was the fourth presenter during the workshop for the budget request for Palmetto Breeze. She noted that their budget request was for \$37,801 for this fiscal year. She noted that they cover a lot of the Jasper County area in their routes and that they had purchased 3 new MCI Motorcoaches. She also mentioned that they were looking to get three more coaches later on this year. Ms. Franzoni stated that the buses are sanitized daily and that they did operate throughout the pandemic using masks and hand sanitizer. This year they added a few new staff people, launched a new website, developed new brochures. She also provide their revenue summary for council and noted that the Jasper County ridership share for the local match is the amount of \$37,801 which they are requesting in lieu of the prior amount of Jasper County funding they received in the past in the amount of \$18,000, so this was an increase request.

Councilman Dr. Brantley asked what percentage of their funds come from actual riders. Ms. Franzoni said it was about 10%, however she asked Council to remember that the fares don't reduce their local match requirements.

Councilman Kemp asked what impact the Antioch Buses had on them. She noted that she believed they are targeting different areas that they do not run. She also noted they had earlier trips than Antioch and that they go throughout the different counties where Antioch does not. Chairwoman

Clark thanked them for their presentation and also thanked everyone for coming to the workshop. The workshop ended at 5:20pm.

Chairwoman Clark called the meeting to order at 5:21pm.

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley, Councilman L. Martin Sauls, Councilman Pastor Alvin Adkins and Councilman John Kemp.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess, Emergency Services Director Chief Russell Wells, Lisa Wagner Director of Planning and Building, Arthur Benjamin, Director of the Detention Center and Jonathan Dunham.

Others Present at the Regular Session: Todd Davis and Dan Mace

Call to Order: Chairwoman Clark called the meeting to order at approximately 5:30 PM.

Clerk of County Council, Wanda Simmons read the report of compliance with the Freedom of Information Act for the record.

Chairwoman Clark read the information below for the executive session and asked for a motion to go into executive session.

Motion to go into executive session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed and Council moved into executive session.

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:

- (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 – Sections 30-4-70(a)(2) – [Exit 3; Intergovernmental Agreement \(IGA\) with City of Hardeeville for construction of new communications tower; IGA with City of Hardeeville and AHJ Regional Library System; Somesso v Sheriff's Dept. et.al.](#)**

- (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 -- Section 30-4-70(a)(5) – Jasper Ocean Terminal (JOT); Project Cooler

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

Return to Open Session:

Motion to return to open session: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Business from Executive Session:

Motion concerning the IGA with the City of Hardeeville for a New Communications Tower to authorize the County Administrator to amend the previous IGA approved by the County Council to reflect a new County Financial commitment of \$665,712.50: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Motion concerning the Hardeeville Library MOU to approve the financial terms of the MOU and authorize the County Administrator to execute the MOU, delegating to the County Administrator the authority to approve such non-substantial changes in connection with library operations agreed to by the other parties so long as such changes do not adversely affect the rights of the County thereunder:

Councilman Sauls

Second: Councilman Brantley

Vote: Unanimous

The motion passed.

Motion to approve the contract for the professional services proposal of the Ball Maritime Group and authorize the Administrator to execute the contract: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: All votes yes, except Councilman Kemp who voted no stating he wanted to wait to see what Georgia was going to do.

The motion passed.

The Pledge of Allegiance was led by Councilman Sauls and the Invocation was given by Councilman Adkins.

Approval of Agenda:

Motion to approve the agenda: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Approval of the Minutes March 15, 2021:

Motion to approve the minutes of March 1, 2021: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Proclamations and Presentations:

A: Andrew Fulghum - Detention Center Bed Needs Projections and Law Enforcement Facility Needs Assessment by Moseley Architects

Mr. Fulghum introduced this study and he introduced Mr. Dan Mace and Mr. Todd Davis. He noted that this was a presentation put together by Moseley Architects showing the Detention Center Bed Needs Projection and Law Enforcement Facility Needs Assessment.

Mr. Dan Mace started this discussion and overview by saying he was there to discuss the findings of the issues they had been asked to investigate. He presented the steps that had been taken to evaluate the jail needs for a 20-year projection forecast. He said they had evaluated the existing facility and recommended repair, replacement, and renovation. Mr. Mace also discussed the fact that they had developed expansion options for this area.

He noted that currently they are rated for 134 beds and that the determined needs assessment by the year 2040 would be approximately 244-247 beds. He discussed historic admission into the facility and the projected admissions for 2025-2045. The preliminary improvement plans were reviewed. It was noted that this would add additional parking for the Magistrate, enlargement of the area and a drive thru sally port. He discussed the Sheriff's building that was in the plan as well as the need for land for the new Sheriff's facility. A copy of the presentation will be attached as Attachment "A".

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.

Chairwoman Clark asked if there were any public comments. Clerk to Council Wanda Simmons said no public comments had been received.

Resolution:

A: Kimberly Burgess – Consideration of Resolution No. 2021-11 authorizing the County Administrator and Chief Finance Officer to take appropriate action to exercise the county’s special partial option to redeem \$60,000 principal amount of the special redemptions term bonds of the 2014 bonds that are due on June 1, 2039, CUSIP# 85233A BD8, and related matters.

Ms. Burgess represented this request. She noted that this would save 18 years of interest for an approximate \$45,000 in savings.

Motion to approve: Councilman Sauls

Second: Councilman Dr. Brantley

Vote: Unanimous

The motion passed.

Ordinances:

A. Lisa Wagner – Public hearing and 2nd reading of an Ordinance No. 2021-12 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 062-00-06-019 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

Ms. Wagner presented this request. She noted that the subject property consists of 5 acres and is located at 2144 Grays Highway. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. A house and an accessory structure are located on the subject property. The applicant is interested in establishing an animal rescue mission.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation. The adjacent parcels are zoned Rural Preservation and is adjacent to the Town of Ridgeland with Residential Zoning nearby. She mentioned that the adjacent land uses are institutional, commercial, and vacant property.

Ms. Wagner stated that the subject property is accessed by Grays Highway, which is a two-lane state maintained highway, classified as a minor arterial road. She noted that from a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Ms. Wagner and Ms. Simmons stated that they had not received any public comments on this item.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous
The motion passed.

B. David Tedder – 3rd reading of Ordinance No. [2021-07](#) required for the reassessment to delay the countywide reassessment for one year (Public hearing held on 04.05.2021).

Mr. Tedder was present to address this request. He reviewed the reason for the requested made by the Assessor. Mr. Tedder stated that they requested approval of this ordinance.

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

New Business:

A. Kimberly Burgess – Request to authorize divisional transfer pursuant to Section 7 of the General Operations Budget for the purchase of the Sheriff Animal Control Vehicle.

Mrs. Burgess addressed this request. She noted that they were asking for Council’s authorization for divisional transfer for the purchase of a Sheriff Animal Control Vehicle. She noted that on June 15, 2020, the Jasper County Council adopted the Fiscal year 2020-2021 budget. An amount of \$50,000 was included in the budget for the purchase of an Animal Control Vehicle for the Sheriff’s Department. The Sheriff’s Department has begun pricing the vehicle and the current price is estimated to be \$80,000, including the truck, animal control bed, equipment, on board computer and applicable sales tax.

Motion to approve: Councilman Dr. Brantley
Second: Councilman Sauls
Vote: Unanimous
The motion passed.

B. Kimberly Burgess – Request to authorize a reclassification of a position in the Register of Deeds Office.

Mrs. Burgess presented this request. She noted that currently there are two employees in the Register of Deed’s office, the Register of Deeds and a Senior Records Clerk. She noted that the Senior Records Clerk position would be vacated in early June, and the Register of Deeds would like to change the position to a Deputy Register of Deeds. She noted that this would increase the duties of the position, including providing a backup for the Register of Deeds. She said it will also require a greater level of education and/or experience. She noted that the pay would also increase from a current starting salary of \$12.73 per hour to \$15.50 per hour. She noted that the request on the table was to approve to reclass the budgeted position in the Register of Deeds office from Senior Records Clerk to Deputy Register of Deeds with an increase in duties, hourly rate and benefits.

Motion to approve: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Old Business:

There was no old business for this meeting.

Council Members Comments:

Councilman Sauls:

Councilman Sauls stated that he had went to the State of the County Luncheon. He said the Lt. Governor was the guest speaker and that Chairwoman Clark had also spoke at the luncheon. He thanked Kendall Malphrus and the Chamber of Commerce, Juan Singleton and Taylor Horton. He noted that the Jasper on the Move at Chelsea Plantation was coming up and the deadline was Friday for several awards. He noted there were two ribbon cuttings coming up tomorrow at 5pm. He thanked the first responders, police, emergency responders in our prayers. He also asked that everyone remember Mr. Adolph Sauls and his service.

Councilman Adkins:

Councilman Adkins thanked everyone for their hard work and encouraged them to stay safe.

Councilman Kemp:

Councilman Kemp said in the last 2 weeks Mitchellville was cleaning up litter and so was Ridgeland. He said it is a shame that people can just throw litter all over the place and encouraged people to look around at that and see what could be done. He said he had done a ride along with Sgt. Johnson on the roads in the County and said he saw a lot of junk yards. He also noted that the Sheriff's Dept. is the eyes and ears of the county. He mentioned that the Chamber of Commerce is doing an outstanding job. He also mentioned that he wanted to know when the opening of the county would be. He also noted that the City of Hardeeville had talked about a transportation study and what they are doing on Argent Blvd. He said he would also like to find out when ordinances can be placed on the agenda and get an update on the Levy Fire Dept.

Councilman Dr. Brantley:

Councilman Dr. Brantley extended his sympathies to all of the families who had lost loved ones and asked that God Bless everyone.

Chairwoman Clark reminded everyone that on ride alongs with officers they are not trained to assist the Sheriff's Department and that this could be dangerous. She noted that Hardeeville should have contacted

Andy about Argent Blvd., via letter or phone call. She noted there had to be communication between everyone.

Administrator's Report:

Mr. Fulghum said his report was in the packet if there were any questions from Council. He noted that he would be getting with Chief Wells regarding COVID-19 and the building reopening.

Chief Wells provided the COVID statistics. He noted there had been a slight rate increase as follows:

State of SC was at a 4.8% positivity rate which was a .06 increase.

Jasper County was at a 3.9% positivity rate which was also a .06 increase.

He also noted that there had been 1 additional death in the county.

He mentioned that the State of SC had also entered into phase 2 of the vaccination plan. He provided COVID testing times and dates.

Mr. Fulghum said that Council had delegated the opening of the Administration Building to the Administrator in June 2020. He noted that given the numbers of the positivity rate and vaccination rate that there was a soft opening target date of 5/3/2021 with limited access to the 2nd and 3rd floors. He said there would be a receptionist in the lobby to assist customers. He said employees would still be allowed to work from home if their position allowed for it and the work could be met. He said they would be following the CDC guidelines and that if Council went to physical meetings they recommended only staff and Council. He said electronic meetings would still be allowed per the Ordinance and that June 1st was the reopening plan date.

Chairwoman Clark asked if this included the Auditor and Treasurer's Offices. Mr. Fulghum said had had confirmed with the Treasure's Office and that he would keep trying to get an answer from the Auditor's office. Councilmembers agreed that they were getting a lot of complaints because the Auditor and Treasure's Office was not open. Other discussion was made by Council relating to the County.

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

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

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL

VIRTUAL MEETING

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

May 3, 2021

MINUTES

Scheduled Presenters:

- Lisa Lintner - AHJ Regional Library
- Roland Gardner – BJH Comprehensive Health Services
- Lila Resh & Tom Rochester – Council on Aging
- Kristen Dubrowski – Hopeful Horizons
- Tedd Moyd – Jasper County United

Lisa Lintner: AHJ Regional Library

Ms. Lintner was the first presenter that was called to address her budget request for the AHJ Regional Library to Council. She reviewed the benefits and offerings of the library system. Ms. Lintner thanked Council for their continued support for the Pratt Memorial Library, the Hardeeville Library and the AHJ Regional Library System. She said the funding from Jasper County is necessary to continue to ensure the continued operation of the libraries. She noted that they were not asking for any additional increases in their budget requests for FY2022, but did request that the funding level request of \$262,500.00 be continued and that the Pratt Memorial Library be added to the bid package for landscaping. She noted that this funding from Jasper County was necessary to continue to ensure operation of both the Pratt Memorial Library and Hardeeville Library. Councilman Sauls thanked everyone working within the Library System for all that they do for Jasper County. Chairwoman Clark thanked them for their presentation to Council.

Roland Gardner: BJH Comprehensive Health Services

Mr. Roland Gardner was present and he introduced Dr. Faith Polkey, Acting Chief Medical Officer to provide an update of what they had done for the past year. Dr. Polkey said they had been serving Jasper County for over 50 years. She noted that they served over 17,000 patients at Beaufort Jasper with 97,000 annual patient visits and have 270 employees. She said that Jasper County accounts for 3,000 of the 17,000 patients served. She noted that they serve 9 center locations, 10 school-based health center locations, 3 mobile units and adult, pediatric, OBGYN, and dental services as well as other services. She said they have the Ridgeland and Hardeeville Medical Center and are in all the public schools as well as the Polaris Charter School. She noted that in Jasper County the uninsured patients account for 29% of the demographic for total charges which accounts for over 3 million dollars in costs.

She noted that they serve mostly adults however, they do serve about 24% of pediatric patients. She said with COVID this past year there was a consolidation of sites that occurred with no dental or school based offered. She overviewed the changes that had occurred in their location due to COVID-19. She said all sites are back open and school based are back in the schools.

Mr. Gardner said that last year their modest increase had been denied, and that this year he urged Council to consider an approve the request for an increase for BJH Comprehensive Health Services. Councilman Sauls thanked them for their upkeep of their statistics and data and the efficiency of their operation. He also thanked them for being a great resource to the people of Jasper County and for all they do for the community. Chairwoman Clark thanked them for their presentation to Council.

Lila Resh & Tom Rochester – Council on Aging:

Ms. Lila Resh was present to address this budget request for the presentation of the Council on Aging. She noted that Mr. Rochester could not be here today as he had become a grandfather and had to go out of town. Since the COVID pandemic they mentioned that they had not closed. She said they have continued to serve their clients and tried to accommodate everyone. She reviewed the new processes due to COVID that they have had to follow. She said they have served 389 seniors throughout the county and delivered 47,000 meals since COVID had started. Ms. Resh noted they have had to purchase new items, equipment, COVID supplies, and staff additional personnel. She said they had purchased computers and they will be offering computer classes to seniors. She said they would like to take on additional clients under the age of 60 if they could get funding. She noted that they would like to request more than the usual amount of funding this year if possible. Councilman Sauls said they do a great job and said the Meals on Wheels is a very important program as it is a huge benefit to some citizens. Chairwoman Clark said they do a wonderful job and thanked them for all they do.

Kristen Dubrowski – Hopeful Horizons:

Ms. Dubrowski was present to address the budget request of Hopeful Horizons. She said that they are the only Children’s Advocacy/ Domestic Violence and Rape Crisis Center in the 14th Judicial Circuit. She noted that Jasper County ranks 31st out of the 46 counties in South Carolina for Child Well Being. She noted that their mission is to protect, treat and prevent. She noted that during COVID they took the leap to Telehealth Services and that they will continue to improve upon all services. She said they have an office e in Bluffton, Okatie, with their main office in Beaufort. She said they are funded 65% by Government grants and contracts. She thanked Council for an opportunity to present their budget request. Councilman Dr. Brantley asked how often their organization is audited. Ms. Dubrowski said they are audited yearly. Councilmembers Adkins and Kemp asked some procedural questions about the operations of Hopeful Horizons. Chairwoman Clark thanked them for their presentation.

Tedd Moyd – Jasper County United:

Mr. Tedd Moyd, President and CEO was present to address the budget request for Jasper County United. He said they had been in business for 22 years and discussed their association within the County. He noted that this year they are asking for an increase of \$20,000 to meet their budgetary needs. He said they have had to hire a consultant, engineer and architect to build 48 more units at

Mercy Circle Apts. He said they are asking for the increase, however, will take any amount the County can provide. He thanked Council for the opportunity to submit their budget request proposal. Chairwoman Clark thanked them for their presentation.

Call to Order: Chairwoman Clark called the meeting to order at 5:06pm.

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley, Councilman L. Martin Sauls, Councilman Pastor Alvin Adkins and Councilman John Kemp.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess, Emergency Services Director Chief Russell Wells, Lisa Wagner Director of Planning and Building, and Jonathan Dunham.

Also Present for Regular Session: Bill Young and Jay Reigart, with Daniel Whittington (joining via phone).

Clerk of County Council, Wanda Simmons read the report of compliance with the Freedom of Information Act for the record.

Chairwoman Clark read the information below for the executive session and asked for a motion to go into executive session.

Motion to go into executive session: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed and Council moved into executive session.

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:

(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 – Sections 30-4-70(a)(2) – Levy Volunteer Fire Department; Exit 3; Potential Purchase of a Property Identified as Project Fence; Sherwood Tract and Nickel Plate

(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 -- Section 30-4 – Jasper Ocean Terminal (JOT)

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

Return to Open Session:

Motion to return to open session: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motions coming out of Executive Session:

Motion to authorize the County Administrator to enter into an Operation Agreement as was discussed in Executive Session: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Motion to approve the conflict waiver/ disclosure regarding Sherwood Tract and David Tedder, subject to the other parties also signing the waiver: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The vote was all yes with Councilman Kemp being the only nay vote.

The Pledge of Allegiance was led by Councilman Kemp and the Invocation was given by Councilman Dr. Brantley.

Approval of Agenda:

Motion to approve the agenda: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the Minutes of March 24-25, 2021 and March 26, 2021:

Motion to approve the minutes of March 24-25, 2021 and March 26, 2021: Councilman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Proclamations and Presentations:

Andrew Fulghum – South Hardeeville Drainage Study

Mr. Fulghum opened the presentation and turned it over to Mr. Bill Young and Mr. Jay Reigart, with Mr. Daniel Whittington (joining via phone). Mr. Whittington started off the presentation. He noted that they were excited to work on this study with the staff and Mr. Fulghum. Mr. Whittington provided an overview of the findings of this study and discussed the flooding concerns of this area. He noted that in this area water does not go in one direction, but rather goes in all directions. He presented photographs of the water that is not draining quickly and was becoming stagnant. Mr. Whittington also provided maps that presented their design image for Council and explained this information. They provided an overview of potential solutions and discussed each one with Council. Mr. Reigart noted that although this was a list of resolutions, that the range of solutions could be utilized either singularly or in coordination with other solutions to improve the flooding in that area. He also noted that with grant funding they may be able to provide grant assistance. Councilman Dr. Brantley asked if there was an idea of possible cost. Mr. Reigart said that this was not one but a multifaceted approach to making improvements in the area. He said they could make small improvements for individual areas. He noted that it will take a multifaceted approach to fix the whole area and said that this would be costly because there are multiple issues that are causing the flooding.

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.

Chairwoman Clark asked if there were any public comments. Clerk to Council Wanda Simmons, read a request from Mr. Leon Smith, Ms. LaTasha Lowther-Horry and other concerned residents to petition the Jasper County Council, Chairperson - Ms. Barbara Clark, Vice-chairman - Dr. Curtis Brantley, Chairmen - Mr. Alvin Adkins, Mr. John Kemp and Mr. L. Martin Sauls IV to make Jasper County SC a Second Amendment Sanctuary County.

Resolutions: There were no resolutions for this agenda.

Ordinances:

- A. Lisa Wagner – 3rd reading of an Ordinance No. 2021-12 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 062-00-06-019 (2144 Gray's Highway) from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.**

Ms. Lisa Wagner was present to address this request. She said the subject property consists of 5 acres and is located at 2144 Grays Highway. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. A house and an accessory structure are located on the subject property. The applicant is interested in establishing an animal rescue mission.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation. The adjacent parcels are zoned Rural Preservation and is adjacent to the Town of Ridgeland with Residential Zoning nearby. She mentioned that the adjacent land uses are institutional, commercial, and vacant property. The subject property is accessed by Grays Highway, which is a two-lane state maintained highway, classified as a minor arterial road. Ms. Wagner stated that from a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Lisa Wagner – Consideration of a 1st reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 028-00-02-127 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

Ms. Lisa Wagner was present to address this request. She said the subject property consists of 1.02 acres and is located at 1655 Becks Ferry Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. A commercial structure is located on the property. The applicant is interested in establishing an event space, which is not allowed in Residential; however, the proposed use is allowed in the Community Commercial Zoning District.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Rural Conservation,” which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. The adjacent parcels are zoned Residential and Rural Preservation. She noted that the adjacent land uses are residential, agricultural, and vacant property, with a church nearby. The subject property is accessed by Becks Ferry Road, which is a two-lane state maintained highway, classified as a limited local road. Ms. Wagner said that the Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

C. Andrew Fulghum – Public hearing and 2nd reading of an Ordinance No. [2021-11](#) of Jasper County Council to authorize a License Agreement with Jasper County Radio Control, Chapter No. 5096 of the Academy of Model Aeronautics Inc.

Mr. Fulghum was present to address this ordinance request. In 2012, the County Council adopted an ordinance approving a non-exclusive license agreement with the Jasper County Radio Control Chapter of the Academy of Model Aeronautics, Inc. The agreement was for an initial term of one year. The agreement allowed

the group to use a specific, undeveloped section of the park for their activities of flying model aircraft. The agreement restricted hours of operation and required the organization to maintain the property and appropriate insurance. Additionally, any proposed improvements (signage, temp. structures, etc.) had to be approved by the Cypress Ridge Business/Industrial Park Design Review Committee before being considered by the County. The County maintained the flexibility to terminate the agreement if the property would be needed for economic development purposes. In 2013, the agreement was renewed for a period of three (3) years. In 2015, at the request of the Cypress Ridge Business/Industrial Park Design Review Committee, the actual location of the site within the park was moved to its current location. In 2016, the agreement was extended for a five (5) year term which expired on May 2, 2021. Mr. Fulghum noted that it is time to address renewal of the agreement. He said that the request was for Council to approve the third and final reading of the ordinance authorizing the extension of the agreement for a term of five (5) years.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

D. David Tedder – Consideration of 1st reading of an Ordinance amending Chapter 4, *Alcoholic Beverages*, of the Jasper County Code of Ordinances, so as to clarify hours of operation and related matters.

Mr. Tedder was present to address this request. He reviewed the ordinance for Council, and noted that when this section of the Code of Ordinance was passed that Sunday sales were not allowed. He said the ordinance was never revised and that this was an attempt to conform our ordinance to the state law. He noted that we have the ability to limit the hours of operation and that there are law enforcement concerns relating to early morning sales and all that this entails. Mr. Tedder reviewed the ordinance and noted that the Chief Deputy was going to review section 4.3 with Sheriff Hipp. Mr. Tedder further recommended approval of the first reading. Councilman Sauls asked if the county was trying to conform to the state law with our ordinance. Mr. Tedder said that that is exactly is what they are trying to do. Councilman Kemp asked if they purchased alcohol products before the closing hours of operation, could we stop them from drinking during the hours after operation. Mr. Tedder said he believed so.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Councilmember Kemp, Councilmember Sauls and Chairwoman Clark voted yes. Councilman Dr. Brantley and Councilman Adkins voted no.

The motion passed.

E. David Tedder – Consideration of the 1st reading of an Ordinance of Jasper County Council to Amend Certain Provisions to the Jasper County Code of Ordinances, to Authorize Meetings to be Held by Telephonic or Other Electronic Means, and Matters Related Thereto.

Mr. Tedder was present to address this request. He reviewed the ordinance for Council and noted that this ordinance was an attempt to provide an option for the Council and Chairperson for the utilization of other means for meetings if needed such as telephonic or other electronic means. Mr. Tedder noted

that prior to the pandemic if there had been an imminent weather event that there was nothing in the ordinance that allowed for telephonic or other electronic means of a special or normal meeting at such times. He noted that this ordinance would establish how to procedures on the rules and procedures to authorize meetings to be held by telephonic or other electronic means. Councilman Kemp noted that it was the Council's responsibility to be open to the public. Councilman Kemp said there needed to be at least a 2/3 majority vote to approve a change from an in-person meeting to an electronic or telephonic meeting. Chairwoman Clark noted that even with the way the meetings had been held during the pandemic, that we did not close people out and people were still allowed to comment.

Motion to approve: Councilman Sauls

Second: Councilman Dr. Brantley

Vote: Councilman Sauls, Councilman Adkins and Chairwoman Clark voted yes. Councilman Dr. Brantley and Councilman Kemp voted no.

The motion passed.

New Business:

A. Russell Wells – Enter into negotiations for the purchase of a used aerial apparatus (including transportation and shipping costs) up to and not to exceed \$40,000.

Chief Wells was present to address this request and provided an overview of the information. Chief Wells noted that this was a request to pursue acquisition of used aerial apparatus. He noted that this apparatus would replace Service 30, which is a utility body, based piece of equipment that has exceeded its usable service life. He noted that this apparatus will empower them to expand their aerial apparatus fleet; expand availability of apparatus that can carry additional equipment to engage in technical rescues and fire suppression operations in residential and commercial fire applications. He noted that the cost of this acquisition is not to exceed \$40,000. He also noted that this is the remaining amount of available funds in their current new vehicle line item of this fiscal year.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B. Wanda Simmons – Consideration of an appointment of a new member to the Planning Commission to replace (Seat 03-PC) Mr. Bill Young for a term period of (2018-2022).

Council decided to postpone this item till the next meeting.

C. Wanda Simmons – Consideration of the reappointments to the Jasper County Planning Commission of:

1. **(Seat 01-PC) Mr. Thomas Jenkins (term period of 2018-2022)**
2. **(Seat 02-PC) Mr. Randy Waite (term period of 2018-2022)**
3. **(Seat 04-PC) Dr. Earl Bostick Sr. (term period of 2020-2024)**
4. **(Seat 05-PC) Mr. Alex Pinckney (term period of 2020-2024)**

Ms. Simmons was present to address this request. She noted that the Planning Commission is a 7 member commission. She noted that the currently had 4 members who have a term that has expired. She also noted that all 4 members wished to remain on the Planning Commission. She noted that if Council continued the dates from their previous term ending date, it would allow the Planning Commission to keep on track with the staggered term as is designed in the design of the Commission. She noted that if Council did this that seat # 01-PC Mr. Thomas Jenkins and seat # 02-PC Mr. Randy Waite would need to be appointed at the end of 2021 prior to 01.01.2022 and that seat # 04-PC Dr. Earl Bostick Sr. and seat # 05-PC Mr. Alex Pinckney would need to be reappointed at the end of 2022 prior to 01.01.2023.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

D. Wanda Simmons – Consideration of the new appointments to the Jasper County Library Board of Trustees of:

1. **(Seat 02 - LB) Ms. Joyce Gerald (term period of 2020-2024)**
2. **(Seat 04 - LB) Ms. Sandi Vito (term period of 2020-2024)**

Ms. Simmons was present to address this request. She said that the Library Board of Trustees was a 7-member board. She said at this time that they needed 3 new members due to resignations, but only had 2 new applicants to request appointment for at this time. She noted that these two new candidates, Joyce Gerald (Seat # 02-LB) and Sandy Vito (Seat # 03-LB) would have an appointment date of 05.03.2021 and their term would end on 05.03.2025 if Council chose to appoint them. Staff recommended approval of these two appointments.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

E. Kimberly Burgess – Ratification of purchase of used vehicles and budget transfer not to exceed \$30,000 from Inmate Housing to New Vehicles.

Ms. Burgess was present to address this request. Ms. Burgess noted that the Detention Center vehicles were used to transport inmates are at the end-of-useful-life (138,000 miles and 175,00 miles) and are unreliable, and the vehicles used by staff are at the end-of-useful-life (317,000 miles) and are also unreliable as well as impractical. She mentioned that the Detention Center staff had the opportunity to purchase used vehicles from the South Carolina surplus at a very good price and made the purchase with the knowledge that there were unused funds in the INMATE HOUSING line item that would sufficiently cover the cost of the vehicles. She said the staff recommendation was for County Council ratify the purchase of three used vehicles for use by the Detention Center and to approve a budget

transfer not to exceed \$30,000 from 010-058-2690 INMATE HOUSING to 010-058-2430 NEW VEHICLES to properly record the transaction.

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Old Business:

- A. **David Tedder** – Consideration of returning the **2nd reading** of Ordinance No. **2021-08** to the May 17, 2021 Council Meeting agenda (ordinance to approve the transfer to the Town of Ridgeland by deed a road right of way generally described as a portion of the road known as Volunteer Park Road lying within the Town of Ridgeland, and to authorize the Jasper County Administrator to execute such deed and other documents as may be necessary and appropriate to effect the transfer).

Mr. Tedder was present to address this request. He mentioned that the public hearing had been held at a previous meeting and that this item had been on the last agenda but he did not have all of the information that was necessary at that time, but he did have the information now. He noted that the request before Council was to return this item to the May 17, 2021 County Council Agenda. He reminded Council that this ordinance that would come before them again was to approve the transfer to the Town of Ridgeland by deed a road right of way generally described as a portion of the road known as Volunteer Park Road lying within the Town of Ridgeland, and to authorize the Jasper County Administrator to execute such deed and other documents as may be necessary and appropriate to effect the transfer.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Council Members Comments:

Councilman Dr. Brantley:

Councilman Dr. Brantley noted that he had received many concerns from citizens of the County Office Schedule in some areas during the pandemic not being open. He said his response to the citizens has been that Council is very concerned about their employees and their citizens remaining safe. Chairwoman Clark noted that this was a great answer and reminded everyone they are still watching the COVID report.

Councilman Adkins:

Councilman Adkins extended his well wishes, prayers and blessings to all.

Councilman Kemp:

Councilman Kemp said that he had met with Danny Lucas and that Mr. Lucas had showed him around the airport and went over things that were happening out there. He mentioned that they are still having people landing on the grassy area. He said he had also met with Ms. Burgess earlier today regarding the budget. He noted that he wanted everyone to consider having the next meeting as an in person meeting.

Councilman Sauls:

Councilman Sauls said he had attended the Southern Carolina Alliance Quarterly Board Meeting in Hampton last week. He also noted that last Friday had been the groundbreaking of The Oasis. He mentioned that all of the contractors are local and that this helps in stimulating the economy. He said that Councilman Kemp had joined him there also and was able to hear all of the great information. He encouraged Council to open County Offices especially the Auditor's Office for the public to speak with them in person. He also noted that he wanted to have the next Council Meeting in person as well.

Chairwoman Clark:

Chairwoman Clark had no additional comments tonight.

Administrator's Report:

Mr. Fulghum said that he had prepared his report to Council, and it was in their packet, and he was available for any questions. Mr. Fulghum mentioned the regional grant with the Lowcountry Council of Governments noting that this did not affect the CDBG grant. Chairwoman Clark asked Councilman Dr. Brantley if he had been attending / serving on the SOLOCO Board. He said he had attended a meeting this year. He noted he had not been receiving the emails from the SOLOCO Board, so he would need to get them to know the dates and information for the meeting. Chairwoman Clark asked Ms. Wagner to find out why he was not receiving the SOLOCO emails from them so he could attend the meetings.

Administrator Fulghum turned it over to Chief Wells for the COVID update. Chief Wells said that the State of SC is maintaining the 4.7% positivity rate and that the Jasper County positivity rate is now at 6.2% which was up from the previous meeting. He also discussed vaccine rates, vaccination locations and other pertinent information relating to COVID.

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

There was no need to return to Executive Session for this meeting.

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Councilman Dr. Brantley

Vote: Unanimous

The motion passed.

The meeting adjourned at 8:23PM.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL

VIRTUAL MEETING

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

May 17, 2021

MINUTES

Scheduled Presenters:

- **Jennifer Carter – Jasper County School District**
- **Jeanine Bostick – Election Commission**
- **Cindy Abernathy – Jasper Animal Rescue Mission**
- **Judith Birchenough – Coastal Empire Mental Health**

Jennifer Carter – Jasper County School District:

Jennifer Carter and Dr. Rechel Anderson were present to address the presentation they provided up on the screen tonight for Council. She read through the 2021-2022 Budget Programs and noted that they had a budget increase of over 2.2 million. She also noted that the Senate Finance Committee had approved a 2.5% increase for Classified Staff. She noted that at this time they were not requesting any additional funding from the County and that they were requesting the same 166 mills that they had requested in previous years.

The budget was reviewed on the shared screen, and it was noted that the Board of Education had remained the same in personnel and had no additional personnel costs. It was also noted that the Food Service was paid through a USDA grant. The various departments were reviewed and noted if there had been any changes. After the conclusion of the review Dr. Anderson thanked Council for allowing them to present their budget presentation. Councilman Dr. Brantley asked how they could receive a copy of the slides presented tonight. Ms. Carter said this was not a balanced budget that may still have changes. Chairwoman Clark thanked them for Coming also and asked them to send a copy to the Clerk to Council and she would distribute that out. Chairwoman Clark also thanked Dr. Anderson for her hard work and told her she was doing a great job.

Jeanine Bostick – Election Commission:

Ms. Bostick was present to address her budget request. She noted that Chairman Joseph Barzello. She said her budget was approved by the Board in February 2021. She said they had some maintenance contracts that will be increased due to the new voting system. She said the system allows you to view your vote before you cast your vote. Then you can scan your vote in as your vote. The maintenance contract will increase for the one vendor. There is only one vendor to use, and it is set up with the state to use one vendor so that everyone in the state uses the same vendor. She said we just got two new precincts (which makes those 17 precincts now) which will require additional

people to help deliver equipment on election day. She noted that the salary line expenses were going to be discussed by Chairman Arzillo. She said her accomplishments, achievements, accreditations, and certifications for herself for her annual education. She noted since she had been here, she has earned my degree in Business Management and Human Resources. Chairman Arzillo noted last month was an off month and they added on 160+ registered voters added. In 2012 had approximately 16,000 registered voters and now have about 22,000. He said a lot of the information given to Council showed that the Director's spot is underfunded, and we are paying our Director far below that of other Director's. He noted they had put that increase in this paperwork, but it still will not make her salary match those of similar sized counties. He said he would like to see the Director position go up to where it needs to be. Ms. Bostick noted that in 17 years she has never had an election overturned. She thanked Council for all that they had provided for her office and staff. Councilman Dr. Brantley asked who sets the Salary for the Director? Chairwoman Clark said that she preferred Mr. Fulghum to answer since that was under his employees.

Councilman Dr. Brantley asked if there were new precincts established in the County. Ms. Bostick said that we did have new precincts. Okatee precinct which was located at the St. Luke Baptist Church off Snake Road we have received approval to get that precinct split, so now Beaufort Jasper Water Authority has allowed us to use their Community Room as a precinct, and remainder of those voters will go to Okatee Baptist Church on Hwy 170. She noted that Hardeeville 1 was looked at to split due to growth; and Hilton Head Lakes will be letting us use their Amenity Room with the remaining portion of the precinct staying at St. Stephens in Hardeeville. Councilman Dr. Brantley said he was very impressed with the continued educational development and growth of our Director Ms. Bostick.

Chairwoman Clark thanked all the employees for their educational development and continuing education. She noted that when salary studies are done the salaries are recommended and Council goes from there. Mr. Fulghum noted that as to the legal authority to raise the salary, that is the County Council decision and that is based on criteria Council chooses. He noted that Administration tries to keep as many employees as possible under the umbrella when the salary review/study is done to keep as many employees as possible consistent. He noted they had done that 2 years ago in a salary study that they are bringing to Council in their budget later this evening.

Chairman Arzillo said that not pertaining to this, but in previous years the Marines Rescue Squad comes before Council once a year by Skipper Bill Stanley, but he has recently passed away. He said if no one comes before Council for the Marine Rescue Squad he asked that they please go with what Council has done in the past for the Squad. Chairwoman Clark said that Bill would certainly be missed.

Cindy Abernathy – Jasper Animal Rescue Mission:

Ms. Cindy Abernathy was present to address her budget request. She said their revenue was down due to COVID, because they could not go to events such as the Pet Smart and Pet Co Events. She noted that the Veterinarian's cost had been increased up to \$15,000 for the dogs and cats that come in hurt or needing care. She said with COVID they are still down with adoptions. She said these reasons they are asking for an increase in their budget request. According to their submission this was a \$10,000 increase. Councilman Adkins asked how many employees they have at the site. Ms.

Abernathy said they have 8 employees and a Director. Ms. Abernathy thanked Council for hearing their budget request. Chairwoman Clark thanked them for coming to present their budget request.

Judith Birchenough – Coastal Empire Mental Health:

Francis Moody and Matthew Dorman was present to address this request. She said they sent the information over for the budget request. She thanked Council for allowing them to be there today to present their budget request and for all of the Council's support over the year. She said they are the Jasper County Clinic. She reviewed a PowerPoint for Council that had not been provided to staff for Council's packets. This included information such as: their mission; they introduced their staff on the Power Point; she noted the services they provide such as Clinic based outpatient; Crisis intervention; School based; Consultation to the jail; Consultation to the Coastal Carolina and HHI Hospitals; Community education; Community support and a mobile crisis available 24/7. their community collaboration; their service numbers; the number of physical contacts for 2020 being 5851; the number of admissions from FY16 being 282 to FY19 being 305 with FY20 dropping again to 260 due to COVID; to the services they provide by year from FY16 at 4451 then FY19 6069 and FY2020 5851 due to COVID; who they served; why the county support is important. She noted their population growth from 2010 in the amount of 24,777 was now up 21% up 2019 at 30,073.

Councilman Dr. Brantley asked if they anticipated increased mental health services reflected in the information that was provided to Council in the budget request? Ms. Moody said that they had done so. She noted that the additional support from the county, allows them to provide more support within the County. Councilman Dr. Brantley stated that he would like to have the information provided in the slide presentation more so than the letter Council received, as it would be helpful in considering their request. Mr. Dorman said the funding would allow for them to make one itemization to assist in funding an Access Mobile Crisis Clinician. That Clinician would receive all people wanting to enroll in care. They would respond 24 hours a day or some type of program to any psychiatric emergency in the County.

Call to Order: Chairwoman Clark called the meeting to order at 5:08pm.

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley, Councilman Pastor Alvin Adkins and Councilman John Kemp.

Officials Absent: Councilman L. Martin Sauls,

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess, Emergency Services Director Chief Russell Wells, Lisa Wagner Director of Planning and Building, and Jonathan Dunham.

Others Present at the Regular Session: Mike Bostwick

Clerk of County Council, Wanda Simmons read the report of compliance with the Freedom of Information Act for the record.

Chairwoman Clark read the information below for the executive session and asked for a motion to go into executive session.

Motion to go into executive session: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed and Council moved into executive session.

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; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that a hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing – [Magistrate Compensation](#)**
- (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 – [Exit 3 and Sherwood Tract](#)**
- (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 \(JOT\)](#)**

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

Return to Open Session:

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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

Approval of Agenda

Motion to approve with the deletion of Resolution # 2021-12 ratifying purchase contract for 421 N. Jasper St., Ridgeland, SC.: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the Minutes of April 5, 2021:

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Proclamations and Presentations:

Andrew Fulghum – Presentation of E. Argent YMCA.

Mr. Andrew Fulghum introduced Mr. Mike Bostwick of the E. Argent YMCA and said Mr. Bostwick would be presenting this presentation to Council.

Mr. Bostwick went through his presentation showing the Council the design and layout of the upcoming E. Argent YMCA. He noted that at a later date the name would be changed to reflect the major donor of the project. He presented the layout and the plan design showing the different phases the project would follow. He said this was in the preliminary stage and there would be more meetings to come in the future. Chairwoman Clark thanked him for coming and providing this presentation to Council. For further information on this item please view the video on our YouTube page at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA.

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.

Chairwoman Clark asked if there any public comments for this meeting. Clerk to Council Wanda Simmons said none had been received.

Resolutions:

Andrew Fulghum – Resolution # 2021-12 ratifying purchase contract for 421 N. Jasper St., Ridgeland, SC.

This item was removed from the agenda.

Ordinances:

- A. Lisa Wagner – Public Hearing and 2nd reading of Ordinance # [2021-13](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 028-00-02-127 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.**

Lisa Wagner was present to address this request. She said that the subject property consists of 1.02 acres and is located at 1655 Becks Ferry Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. A commercial structure is located on the property. The applicant is interested in establishing an event space, which is not allowed in Residential; however, the proposed use is allowed in the Community Commercial Zoning District.

Ms. Wagner noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Rural Conservation,” which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. The adjacent parcels are zoned Residential and Rural Preservation. Adjacent land uses are residential, agricultural, and vacant property, with a church nearby. She noted that the subject property is accessed by Becks Ferry Road, which is a two-lane state-maintained highway, classified as a limited local road. Ms. Wagner noted that the Planning Commission recommended approval of the request to have the property designated as Community Commercial.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

- B. Andrew Fulghum – 3rd reading of an Ordinance No. [2021-11](#) of Jasper County Council to authorize a License Agreement with Jasper County Radio Control, Chapter No. 5096 of the Academy of Model Aeronautics Inc.**

Mr. Fulghum noted that in 2012, the County Council adopted an ordinance approving a non-exclusive license agreement with the Jasper County Radio Control Chapter of the Academy of Model Aeronautics, Inc. He said the agreement was for an initial term of one year and that the agreement allowed the group to use a specific, undeveloped section of the park for their activities of flying model aircraft. The agreement restricted hours of operation and required the organization to maintain the property and appropriate insurance. He noted that the County maintained the flexibility to terminate the agreement if the property would be needed for economic development purposes. In 2013, the agreement was renewed for a period of three (3) years. In 2015, at the request of the Cypress Ridge Business/Industrial Park Design Review Committee, the actual location of the site within the park was moved to its current location. In 2016, the agreement was extended for a five (5) year term which expired on May 2, 2021. Mr. Fulghum noted that it is time to address renewal of the agreement and

noted that this was the third and final reading of the ordinance authorizing the extension of the agreement for a term of five (5) years.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C. David Tedder – 2nd reading of Ordinance No. 2021-08 to the May 17, 2021 Council Meeting agenda (ordinance to approve the transfer to the Town of Ridgeland by deed a road right of way generally described as a portion of the road known as Volunteer Park Road lying within the Town of Ridgeland, and to authorize the Jasper County Administrator to execute such deed and other documents as may be necessary and appropriate to effect the transfer (public hearing date 04.05.2021).

David Tedder was present to address this request. He reviewed the ordinance for Council and noted that this was the 2nd reading with the public hearing being held on 04.05.2021 and was tabled to get the final survey. We have received this showing the length of Volunteer Rd. He noted that this matched what he believed was Council's wishes.

Motion to approve: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

D: Andrew Fulghum – Consideration of the 1st reading of an Ordinance to Adopt the 2021-2022 Jasper County Capital and General Operations Budget, to make such amendments to the 2020-2021 Capital and Operational Budget to recognize and ratify transfers as authorized by Section 7 of that Budget, and other matters related thereto.

Mr. Fulghum reviewed this ordinance with Council. He noted that this budget does not propose to raise the County millage rate. He did note that Jasper County had the highest potential due to growth to increase the millage which shows it is the fastest growing County in South Carolina. Ms. Burgess reviewed the revenue and expenses for the FY2021 and 2022 budget. Mr. Fulghum noted that this was the first reading today and the public hearing and 2nd reading was set up for the 06.07.2021 and the final reading was set for 06.21.2021.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: 3 yes votes and Councilman Kemp voted no

The motion passed.

New Business:

A. Kimberly Burgess – Bid presentation for five (5) - 25 yard open top containers and one (1) - 39 yard self-contained compactor.

Ms. Burgess addressed this request and noted that they had advertised for sealed bids for five (5) 25-yard open-top containers and one (1) 39-yard self-contained compactor. The County received 3 bids she noted, and the low bidder was Bakers Waste Equipment, Inc. at \$61,103.22. The staff recommendation was for County Council to approve the County Administrator to accept the low bid proposal from Baker Waste Equipment Inc., not to exceed \$50,000 including sales tax and shipping.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Kimberly Burgess - Bid presentation interior lighting project Speculative Building #4 at the Cypress Ridge Industrial Park.

Ms. Burgess noted that Jasper County had advertised for sealed bids for all necessary material, labor, tools, supplies, skilled supervision and project management to remove existing six flood fixtures and install new LED industrial fixtures providing the building located at 193 Cypress Ridge Drive (aka Speculative Building #4 at the Cypress Ridge Industrial Park). She said they received only one bid which from NetZero USA in the amount of \$24,361.50 including sales tax, if applicable. She noted that the bid was reviewed by a representative of SouthernCarolina Alliance, and it was determined that the bid met all of the bid specifications. The project is funded by a \$40,000 grant from Palmetto Electric. She noted that as with many projects there may be a change order(s) on this project. The staff recommendation was for Council to approve the County Administrator to accept the bid proposal from NetZeroUSA as the perceived low bidder and to execute all necessary documents to perform the project.

Motion to approve: Councilman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Old Business:

A. Wanda Simmons – Consideration of an appointment of a new member to the Planning Commission to replace (Seat 03-PC) Mr. Bill Young for a term period of (2018-2022).

Clerk to Council Wanda Simmons presented this request. She noted that the individuals up for consideration had all been sent letters asking for their intended continued interest. Mr. Walsnovich will be moving out of the area she noted, so he would no longer be able to be considered. She requested that the term be set from 05.17.21 through a term of 12.31.2025 if that was amenable to Council. Councilman Dr. Brantley agreed with the Clerk to Council's recommendation on the term as recommended. Councilman Dr Brantley made the term recommendation of this appointment for a

period of 05.17.2021 through 12.31.2025 to serve on the Planning Commission. No one offered any opposition to this request.

Councilman Kemp noted that he thought Mr. Rothenberg would be a good candidate. He noted information he had received from the other candidates via his phone calls to them. He said he called each one and they were all still interested in being on the Planning Commission. He noted information from each candidate's location, where they were from and that there were already representatives from that location with the exception of Mr. Rothenberg who was from Sun City. He noted that he could not reach Mr. Walsnovich. Chairwoman Council said since there were two candidates discussed that they would take a vote on each candidate and the vote proceeded as follows:

Up for the vote first was the recommendation of Ms. Sharon Ferguson:

Councilman Adkins – Yes

Councilman Dr. Brantley – Yes

Chairwoman Clark – Yes

Up for the vote second was the recommendation of Mr. Arthur Rothenberg:

Councilman Dr. Brantley - Yes

Councilman Kemp – Yes

Chairwoman Clark noted that Ms. Sharon Ferguson with 3 votes would be moving on as the new Planning Commission Member as voted and recommended. She said if Ms. Ferguson did not accept it would come back before Council again.

Council Members Comments:

Councilmember Adkins:

Councilman Adkins thanked God for keeping us and giving us life. He said he hoped there would be no more nights like this one tonight. He said he was down in his spirit and requested to leave at this time. Chairwoman Clark excused him.

Councilman Dr. Brantley:

Councilman Dr. Brantley noted that on behalf of the entire Brantley family expressed most sincere appreciation to the Council and administration for their support during their bereavement. From all of Brantley Family to everyone they say God Bless you all and thanked everyone.

Councilman Kemp:

Councilman Kemp said he had no comments this evening.

Chairwoman Clark:

Chairwoman Clark had no comments this evening.

Administrator's Report:

Mr. Fulghum noted that he had submitted his progress report and administrator's report and was happy to answer any questions. Tomorrow he said he would be submitting out a Budget Organization and Performance Report as of Friday, May 14th. He said this notes the progress in the current budget. He then noted that he was sorry that Councilman Akins had left the meeting. Mr. Fulghum wanted to note that Councilman Adkins is attending the Economic Dev Inst sponsored by Dept. of Commerce. He noted that this will take Councilman Adkins to various locations with a vigorous educational experience. He attended first one this week which was Community Development and Tourism and he was tested and received a 100%. Please congratulate him on representing the county well, and he is very excited about the course.

Councilman Dr. Brantley asked the Chairwoman to have Administrator Fulghum to look into possibility to returning to our next meeting in person. Mr. Fulghum said he will discuss with Chairwoman Clark.

Motion to adjourn: Councilman Brantley

Second: Chairwoman Clark

Vote: Unanimous

The motion passed.

The meeting adjourned at 7:40PM.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman

AGENDA ITEM:

X

Resolution: Item A

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION NUMBER 2021 -13

RESOLUTION OF JASPER COUNTY COUNCIL

**RESOLUTION EXTENDING THE BUSINESS LICENSE RENEWAL PENALTY
DATE TO AUGUST 1, 2021**

WHEREAS, as a result of the enactment of the South Carolina Business License Tax Standardization Act (the “Standardization Act”), the business license year must run from May 1 through April 30 of each year, beginning in 2022; and

WHEREAS, Jasper County’s; and

WHEREAS, Jasper County (“County”) provides in its Business License Ordinance that Jasper County’s business license year runs from July 1st through June 30th of each year, with penalties for failing to timely renew business licenses beginning on July 1st of each year; and

WHEREAS, Jasper County’s Business License Ordinance further provides that for non-payment of all or any part of the correct license tax, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid tax for each month or portion thereof after the due date until paid; and

WHEREAS, certain delays in adjusting software and other incidents necessary to implement the Standardization Act to reflect the shortening of the 2021-2022 business license year and the need for a pro-rated business license tax for the 2021-2022 license year have delayed the mailing and processing of renewals; and

WHEREAS, it is the desire of the County to provide for an extension of the business license penalty accrual date by 30 days to accommodate the delays; with such extension to be until August 1, 2021, rather than July 1, 2021;

NOW THEREFORE, BE IT RESOLVED by Jasper County Council, in the Council duly assembled and by the authority of the same that Jasper County Council hereby authorizes the Administrator and the County License Official to extend the period for business licenses to be renewed without penalty from July 1, 2021 to August 1, 2021.

This Resolution No. 2021-13 made this 21st day of June, 2021, and effective immediately.

Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

AGENDA ITEM:

X

Resolution: Item B

**JASPER COUNTY
RESOLUTION NUMBER 2021-14**

A RESOLUTION AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN JASPER COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY KNOWN TO THE COUNTY AS PROJECT LITE, ACTING FOR ITSELF, ONE OR MORE AFFILIATES, AND/OR OTHER PROJECT SPONSORS (COLLECTIVELY, THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (THE "PROJECT"); AND (2) OTHER MATTERS RELATING THERETO.

WHEREAS, Jasper County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Negotiated FILOT Act"): (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain projects through which the economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; and (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments, including, but not limited to, negotiated FILOT payments made pursuant to the Negotiated FILOT Act, with respect to a project; and

WHEREAS, a company known to the County as Project Lite, acting for itself, one or more affiliates, and/or other project sponsors (collectively, the "Company") proposes to establish and/or expand certain facilities at one or more locations in the County (the "Project"); and

WHEREAS, the Company anticipates that, should its plans proceed as expected, it will invest, or cause to be invested, at least \$45,000,000, in the aggregate, in the Project; and

WHEREAS, on the basis of the information supplied to it by the Company, the County has determined, *inter alia*, that the Project would promote the purposes of the Act and would be directly and substantially beneficial to the County, the taxing entities of the County and the citizens and residents of the County due to the investment to be made, or caused to be made, by the Company, which contribute to the tax base and the economic welfare of the County, and, accordingly, the County wishes to induce the Company to undertake the Project by offering certain negotiated FILOT benefits as set forth herein, all of which shall be further described and documented in a Fee in Lieu of Tax and Incentive Agreement to be entered into by the County and the Company (the "Incentive Agreement") and subject to the terms and conditions set forth therein.

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

Section 1. As contemplated by Section 12-44-40(I) of the Negotiated FILOT Act, the County makes the following findings and determinations:

(a) The Project will constitute a “project” within the meaning of the Negotiated FILOT Act; and

(b) The Project, and the County’s actions herein, will subserve the purposes of the Negotiated FILOT Act; and

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

(d) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power; and

(e) The purposes to be accomplished by the Project are proper governmental and public purposes; and

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

Section 2.

(a) The County hereby agrees to enter into the Incentive Agreement with the Company, whereby the Company will agree to satisfy, or cause to be satisfied, certain investment requirements with respect to the Project within certain prescribed time periods in accordance with the Negotiated FILOT Act and the County, under certain conditions to be set forth in the Incentive Agreement, will agree to accept negotiated fee in lieu of *ad valorem* tax (“Negotiated FILOT”) payments with respect to the Project.

(b) (i) The Negotiated FILOT shall be determined using: (1) an assessment ratio of six (6%) percent; (2) the lowest initial millage rate or millage rates allowed with respect to the Project pursuant to Section 12-44-50(A)(1)(d) of the Negotiated FILOT Act, which the parties presently believe to be the millage indicated on **Exhibit A** with respect to all Negotiated FILOT Property included in the Project; (3) the fair market value of the Project, determined in accordance with the Negotiated FILOT Act; and (4) such other terms and conditions as will be specified in the Incentive Agreement, including, without limitation, that the Company, in its sole discretion, may dispose of property and replace property subject to Negotiated FILOT payments to the maximum extent permitted by the Negotiated FILOT Act.

(ii) The Negotiated FILOT shall be calculated as provided in this Section 2(b) for that portion of the Project consisting of “economic development property” under the Negotiated FILOT Act. For each annual increment of investment in such economic development property, the annual Negotiated FILOT payments shall be payable for a payment period of thirty (30) years, all in accordance with the Negotiated FILOT Act. Accordingly, if such economic development property is placed in service during more than one year, each year’s investment shall be subject to the Negotiated FILOT for a payment period of thirty (30) years up to an aggregate of thirty-five (35) years based on the initial Investment Period of five (5) years, or, if the Investment Period is extended as set forth in the Incentive Agreement, up to an aggregate of forty (40) years.

Section 3. The provisions, terms, and conditions of the Incentive Agreement shall be subject to approval by subsequent ordinance of the Council. The Incentive Agreement is to be in substantially the form customarily used by the County for similar transactions with such changes therein as shall be approved by said ordinance.

Section 4. The Chairman of the Council, the County Administrator, and the Clerk to the Council, for and on behalf of the County, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the performance of all obligations of the County under and pursuant to this Resolution.

Section 5. The execution and delivery of the Incentive Agreement is subject to the enactment by the Council of an ordinance authorizing the same and, in conjunction therewith, compliance with the provisions of the Home Rule Act regarding the procedural requirements for enacting ordinances.

Section 6. 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 upon adoption by the Council.

[End of Resolution]

Done in meeting duly assembled this _____ day of _____, 2021.

JASPER COUNTY, SOUTH CAROLINA

By: _____
Barbara B. Clark, Chairperson, County Council
Jasper County, South Carolina

[SEAL]

Attest:

By: _____
Wanda Simmons, Clerk to County Council
Jasper County, South Carolina

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

EXHIBIT A
APPLICABLE MILLAGE RATES

The millage rate to be applied in accordance with Section 2(b) of this Resolution shall be as follows for each parcel of real property, and all business personal property located thereon in the following County tax district:

- Jasper County Tax District 01 345.000 Mills
- Jasper County Tax District 02 345.000 Mills
- Jasper County Tax District 03 345.000 Mills
- Jasper County Tax District 04 377.000 Mills

There shall be applied an additional millage rate to real and business personal property located within any of the following municipal limits:

- City of Hardeeville 114.000 Mills
- City of Ridgeland 140.250 Mills

AGENDA ITEM:

XI-A

Ordinance item A



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:	June 21, 2021
Project:	Zoning Map Amendment – Mixed Business
Applicant:	5851 Lowcountry, LLC
Tax Map Number:	083-00-03-058
Submitted For:	Public Hearing and 2 nd Reading
Recommendation:	Planning Commission recommends approval of Mixed Business

Description: The subject property consists of 3 acres and is located at 5851 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Mixed Business (MB). The property is currently zoned Community Commercial. Two commercial structures are located on the property. One is approximately 6,000 s.f. and the other one is approximately 15,000 s.f. According to the Assessor's property record, the property is valued at more than \$600,000. The property was developed in 1999 and has been home to Roll-A-Way Doors, Armor Building Solutions, and Rondavel. Each of these businesses has used the site for warehousing, manufacturing/fabrication, showrooms, and offices. Since the adoption of the 2007 Jasper County Zoning Ordinance, the businesses have operated as a legal non-conforming use. However, the Mixed Business District would allow these uses.

Analysis: The Zoning Map Amendment application and request is reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. It should be noted that the Jasper County Comprehensive Plan's Land Use Exhibit shows the actual current use of this immediate area as commercial.
- **Adjacent Zoning:** The adjacent parcels are zoned Community Commercial and Rural Preservation with Industrial Development and General Commercial nearby.

- ***Adjacent Land Use:*** Adjacent land uses are commercial, industrial, and vacant property that is planned for mixed use development.
- ***Traffic and Access:*** The subject property is accessed by Lowcountry Drive, which is a two-lane state-maintained highway, classified as an arterial road.

Planning Commission Recommendation: From a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Mixed Business.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer



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

Zoning Map Amendment Application

Owner or Owner-Authorized Applicant:	5851 Lowcountry LLC
Address:	11 Millbrook Circle Bluffton, SC 29909
Telephone/Fax:	843-717-2722
Email:	jay@horvat.com
Property Address or Physical Location:	5851 Lowcountry Drive Ridgeland SC 29936
Tax Map Number(s):	083-00-03-058
Gross Acreage:	3 acres
Current Zoning:	CC
Proposed Zoning:	MB
Administrative Fee: (\$250 per lot)	
Date Mailed or Hand Delivered:	4/22/21
Reason for Request: (attach narrative if necessary)	Building has been used for Manufacturing/ Distribution for 10+ years. Potential Buyers are looking to bring jobs to Jasper County!

Signature of Owner or Owner-Authorized Applicant
(Proof of owner-authorization required)

4/22/21
Date

Internal Use Only

Date Received:	
Amount Received:	
Staff Member:	

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-18

**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 083-00-03-058 from the Community Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map.

WHEREAS, the owner of the parcel consisting of approximately 3 acres bearing Jasper County Tax Map Number 083-00-03-058 located at 5851 Lowcountry Drive, has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Community Commercial Zone to the Mixed Business 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 3 acres bearing Jasper County Tax Map Number

o83-00-03-058, located at 5851 Lowcountry Drive, depicted on the Jasper County Official Zoning Map in the Community Commercial Zone shall be transferred to the Mixed Business Zone.

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

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-18

First Reading: June 7, 2021

Second Reading: June 21, 2021

Public Hearing: June 21, 2021

Adopted: _____

Considered by the Jasper County Planning Commission at it's meeting on
May 11, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





AGENDA ITEM:

XI-B

Ordinance item B



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@jaspercounty.sc.gov

Jasper County Council Staff Report

Meeting Date:	June 21, 2021
Project:	Zoning Map Amendment – General Commercial
Applicant:	Jasper County – Staff Initiated
Tax Map Number:	067-00-01-002
Submitted For:	Public Hearing and 2 nd Reading
Recommendation:	Planning Commission recommends approval of General Commercial

Description: The subject property consists of 7.24 acres and is located along Argent Boulevard. The subject property is owned by LRTA and is undeveloped. The property is inappropriately zoned Planned Development District, although it is not located within a PDD. This is a staff-initiated effort to have the property appropriately zoned.

Analysis: The Zoning Map Amendment application and request is reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Commercial Centers,” which are commercial nodes that are already developing and have a suburban rather than rural character.
- **Adjacent Zoning:** The adjacent parcels are zoned General Commercial and Community Commercial and the property is adjacent to the City of Hardeeville.
- **Adjacent Land Use:** Adjacent land uses are commercial and vacant property, which is planned for mixed use development through the City of Hardeeville.
- **Traffic and Access:** The subject property is accessed by Argent Boulevard, which is a two-lane state-maintained highway, classified as an arterial road.

Planning Commission Recommendation: From a land use perspective, Planning Commission recommends approval to have the property designated as General Commercial.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-19

**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 067-00-01-002 from the Planned Development District to the General Commercial Zone on the Jasper County Official Zoning Map.

WHEREAS, the staff has recognized a parcel consisting of 7.24 acres bearing Jasper County Tax Map Number 067-00-01-002 located along Argent Boulevard, was improperly zoned as Planned Development District on the Official Zoning Map and has recommended to the Jasper County Planning Commission re-zoning of the subject parcel to the General Commercial Zone; and

WHEREAS, the property owner has been notified of the zoning map amendment initiated by staff; 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 7.24 acres bearing Jasper County Tax Map Number 067-00-01-002, located along Argent Boulevard, depicted on the Jasper County Official Zoning Map in the Planned Development District shall be transferred to the General Commercial Zone.

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

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-19

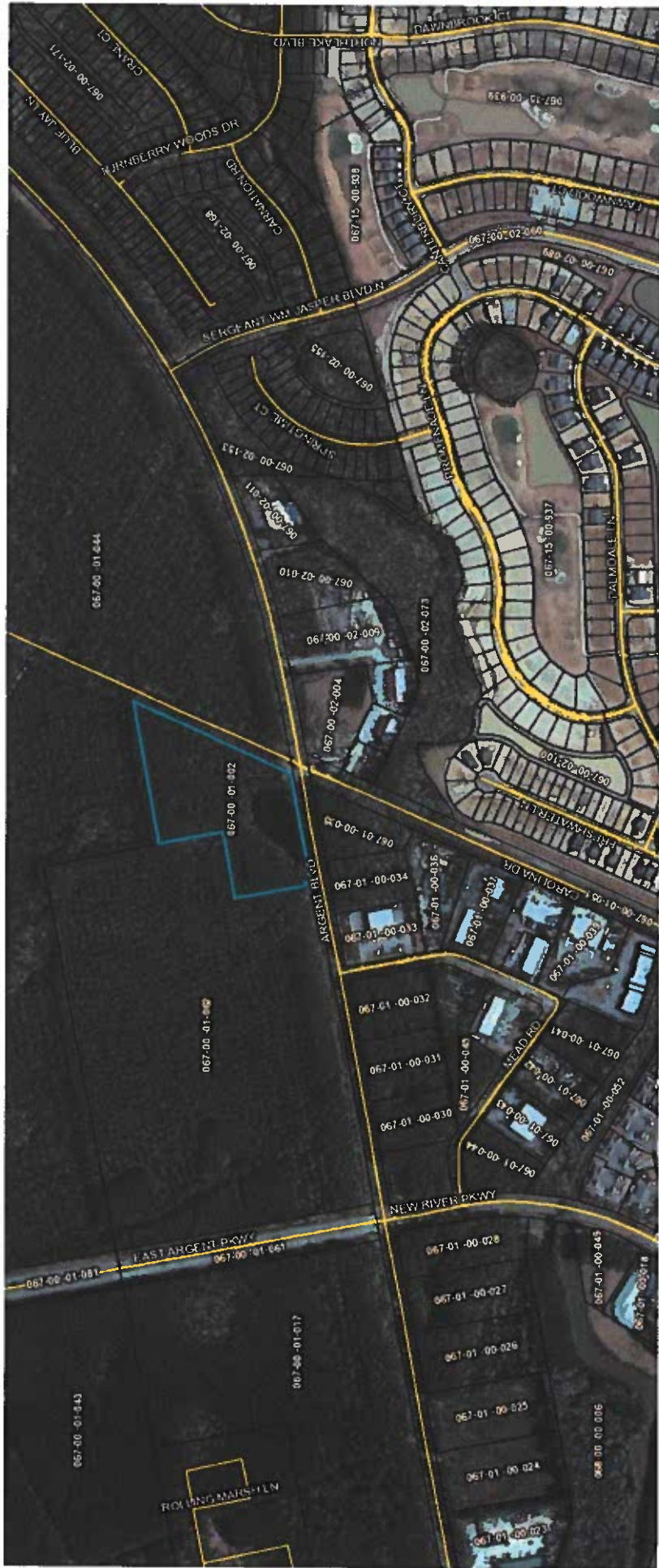
First Reading: June 7, 2021
Second Reading: June 21, 2021
Public Hearing: June 21, 2021
Adopted: _____

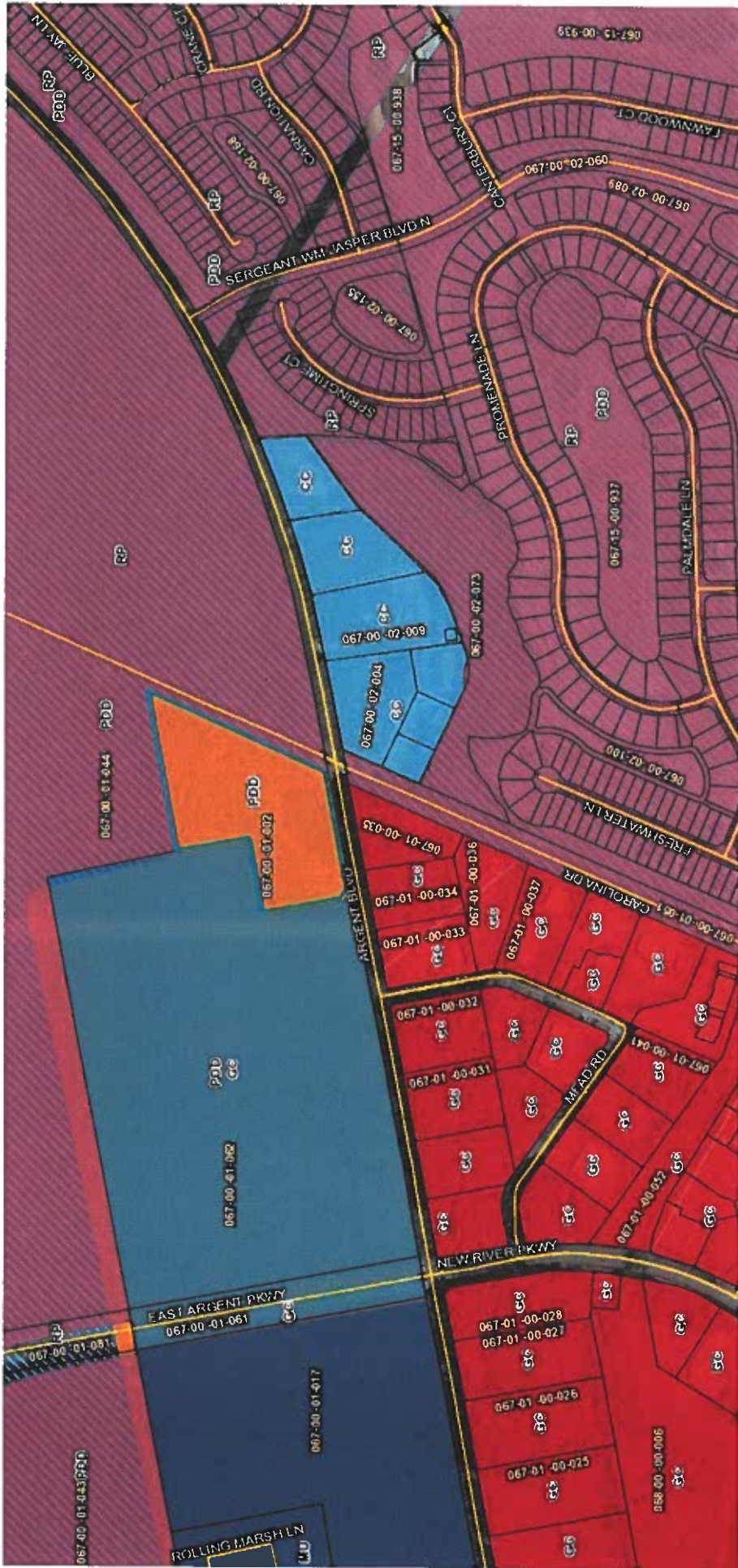
Considered by the Jasper County Planning Commission at it's meeting on
May 11, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





AGENDA ITEM:

XI-C

Ordinance item C



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:	June 21, 2021
Project:	Zoning Map Amendment – Residential
Applicant:	Jasper County – Staff Initiated
Tax Map Number:	038-01-00-003
Submitted For:	1 st Reading
Recommendation:	Planning Commission recommends approval of Residential

Description: The subject property consists of .69 acres and is located at 186 Macedonia Road. The property is owned by Maria Hernandez and has a manufactured home located onsite. The property is currently zoned Resource Conservation and is non-conforming because the Resource Conservation Zoning District requires a minimum lot size of 2 acres. This is a staff-initiated effort to have the property appropriately zoned.

Analysis: The Zoning Map Amendment application and request is reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by either the City of Hardeeville or the Town of Ridgeland. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation.
- **Adjacent Zoning:** The adjacent parcels are zoned Residential. The City of Hardeeville municipal limits are nearby, but are not adjacent to the property.
- **Adjacent Land Use:** Adjacent land uses are residential and vacant property, with a church nearby.

- **Traffic and Access:** The subject property is accessed by Macedonia Road, which is a two-lane state-maintained road, classified as a limited local road.

Planning Commission Recommendation: From a land use perspective, Planning Commission recommends approval to have the property designated as Residential.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-20

**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 038-01-00-003 from the Resource Conservation Zone to the Residential Zone on the Jasper County Official Zoning Map.

WHEREAS, the staff has recognized a parcel consisting of .69 acres bearing Jasper County Tax Map Number 038-01-00-003 located at 186 Macedonia Road, was improperly zoned as Resource Conservation Zone on the Official Zoning Map and has recommended to the Jasper County Planning Commission re-zoning the subject parcel to the Residential Zone; and

WHEREAS, the property owner has been notified of the zoning map amendment initiated by staff; 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 .69 acres bearing Jasper County Tax Map Number 038-01-00-003, located at 186 Macedonia Road, depicted on the Jasper County Official Zoning Map in the Resource Conservation Zone shall be transferred to the Residential Zone.

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

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-20

First Reading: June 7, 2021

Second Reading: June 21, 2021

Public Hearing: June 21, 2021

Adopted: _____

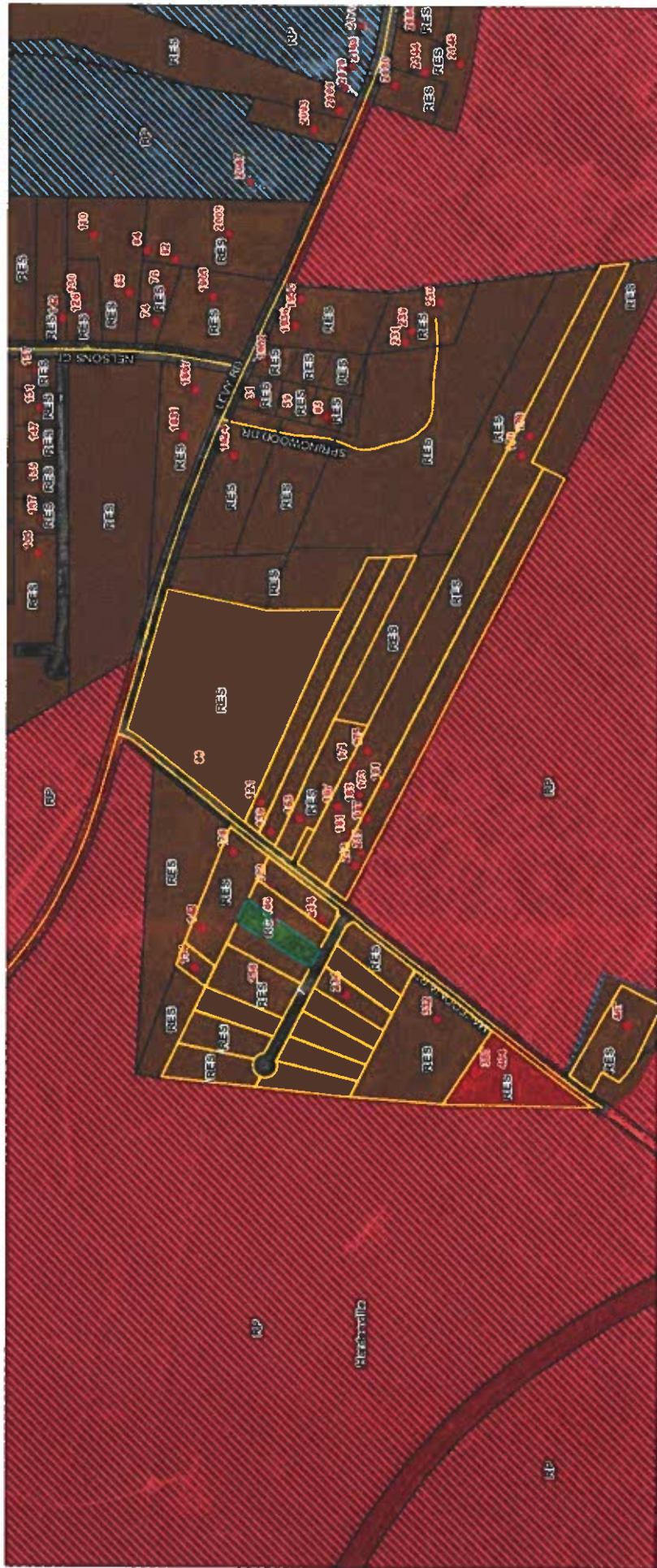
Considered by the Jasper County Planning Commission at it's meeting on
May 11, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





AGENDA ITEM:

XI-D

Ordinance item D



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:	June 8, 2021
Project:	Zoning Map Amendment – Community Commercial
Applicant:	8881 Coosaw Scenic Drive
Tax Map Number:	087-00-03-011
Submitted For:	1 st Reading
Recommendation:	Approval of Community Commercial

Description: The subject property consists of 2.4 acres and is located at 8881 Coosaw Scenic Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a funeral home in 2006. The county-wide re-zoning project made this business non-conforming. The applicant would like to expand the use of his business to add a crematory. Crematories are not allowed in Residential; however, a crematory is allowed in the Community Commercial Zoning District.

Analysis: The Zoning Map Amendment application and request is reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Hamlets,” which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design.
- **Adjacent Zoning:** The adjacent parcels are zoned Residential, Rural Preservation, and Community Commercial.
- **Adjacent Land Use:** Adjacent land uses are residential, commercial, and vacant property.
- **Traffic and Access:** The subject property is accessed by Coosaw Scenic Drive, which is a two-lane state-maintained highway, classified as an arterial road.

Planning Commission Recommendation: The Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer



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

Zoning Map Amendment Application

Owner or Owner-Authorized Applicant:	William A Galloway
Address:	8881 Coosaw Scenic Dr. Ridgeland, SC
Telephone/Fax:	Fax 843 726-6215 Phone 843 726-8697
Email:	allenfunerals@embarqmail.com
Property Address or Physical Location:	8881 Coosaw Scenic Dr. Ridgeland, SC 29936
Tax Map Number(s):	087-00-03-011
Gross Acreage:	2.40
Current Zoning:	Residential
Proposed Zoning:	Community Commercial
Administrative Fee: (\$250 per lot)	250 ⁰⁰
Date Mailed or Hand Delivered:	May 26-2001
Reason for Request: (attach narrative if necessary)	Crematory Cremation Center

William A Galloway
5/26/01
 Signature of Owner or Owner-Authorized Applicant Date
 (Proof of owner-authorization required)

Internal Use Only	
Date Received:	5/26/2001
Amount Received:	250 ⁰⁰
Staff Member:	Lisa Wagner

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-_____

**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 087-00-03-011 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 2.4 acres bearing Jasper County Tax Map Number 087-00-03-011 located at 8881 Coosaw Scenic Drive, 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 2.4 acres bearing Jasper County Tax Map

Number 087-00-03-011, located at 8881 Coosaw Scenic Drive, 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.

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-__

First Reading: June 21, 2021

Second Reading: _____

Public Hearing: _____

Adopted: _____

Considered by the Jasper County Planning Commission at it's meeting on
June 8, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





AGENDA ITEM:

XI-E

Ordinance item E



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:	June 21, 2021
Project:	Zoning Map Amendment – Community Commercial
Applicant:	358 Chippa Willow Road
Tax Map Number:	084-00-02-065
Submitted For:	1 st Reading
Recommendation:	Approval of Community Commercial

Description: The subject property consists of .90 acres and is located at 358 Chippa Willow Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a commercial property in 2006 and has served as a store and as night club. The county-wide re-zoning project in 2007 made the commercial use non-conforming. The applicant would like to establish a non-profit social club, which is not allowed in Residential; however, a social club is allowed in the Community Commercial Zoning District.

Analysis: The Zoning Map Amendment application and request is reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as a “Hamlet,” which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design.
- **Adjacent Zoning:** The adjacent parcels are zoned Residential, with Community Commercial nearby.
- **Adjacent Land Use:** Adjacent land uses are residential and vacant property. There are several commercial businesses nearby which includes; two churches, a store, restaurant, and a fire protection business.

- **Traffic and Access:** The subject property is accessed by Chippa Willow Road, which is a two-lane state-maintained highway, classified as a limited local road.

Planning Commission Recommendation: The Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer



**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

Zoning Map Amendment Application

Owner or Owner-Authorized Applicant:	Antoinette Daniels
Address:	PO.Box 236 Pembroke Ga 31308
Telephone/Fax:	(912)318-6695
Email:	Dejasoblessed@gmail.com
Property Address or Physical Location:	358 Chipwa Willow Rd Ridgeland Sc 29936
Tax Map Number(s):	084-00-02-065
Gross Acreage:	0.90
Current Zoning:	Residential
Proposed Zoning:	Community Commercial Property
Administrative Fee: (\$250 per lot)	
Date Mailed or Hand Delivered:	
Reason for Request: (attach narrative if necessary)	

Signature of Owner or Owner-Authorized Applicant
(Proof of owner-authorization required)

Date

Internal Use Only

Date Received:	
Amount Received:	
Staff Member:	

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-_____

**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 084-00-02-065 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 .90 acres bearing Jasper County Tax Map Number 084-00-02-065 located at 358 Chippa Willow 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 .90 acres bearing Jasper County Tax Map

Number 084-00-02-065, located at 358 Chippa Willow 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.

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-__

First Reading: June 21, 2021

Second Reading: _____

Public Hearing: _____

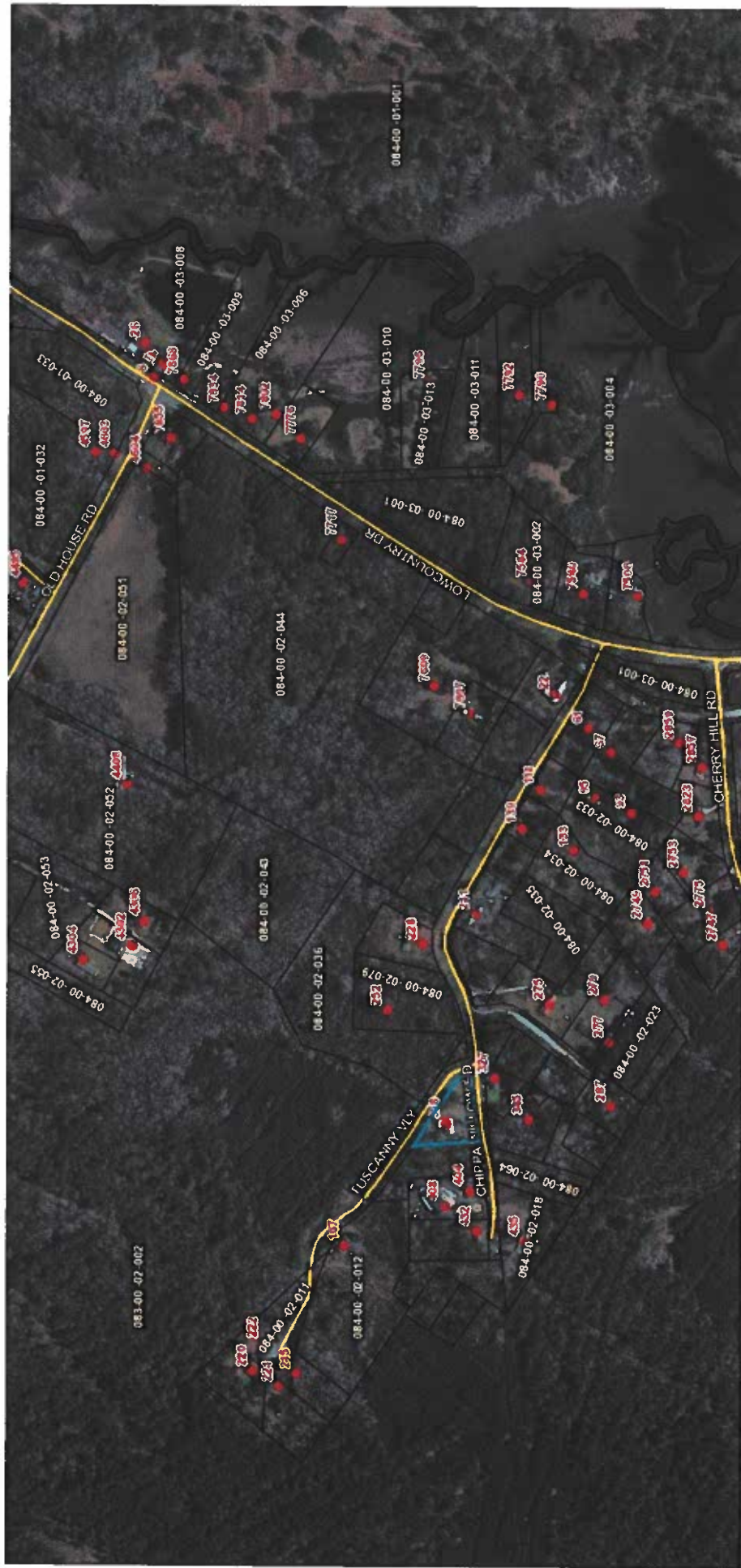
Adopted: _____

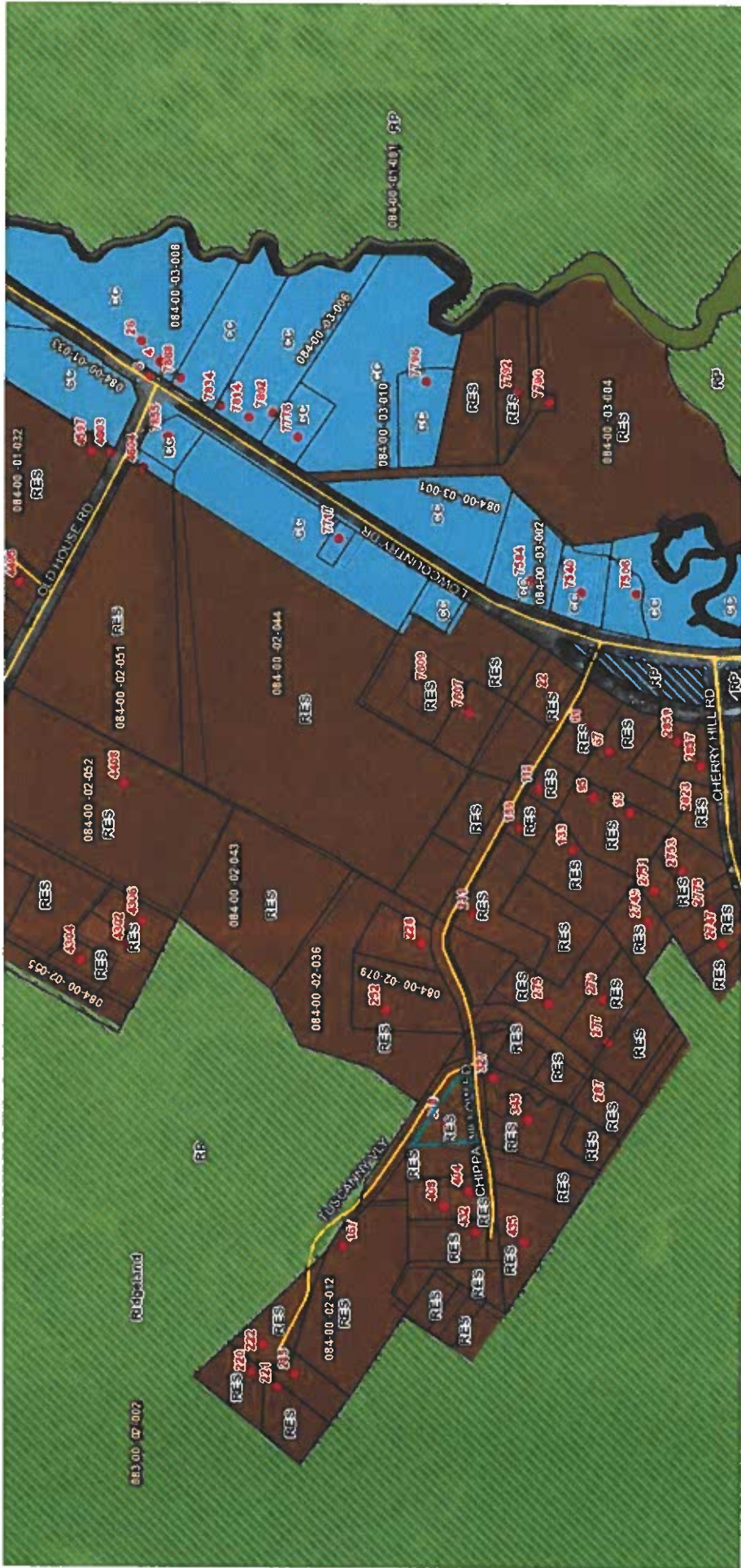
Considered by the Jasper County Planning Commission at it's meeting on
June 8, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





AGENDA ITEM:

XI-F

Ordinance item F

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2021-15

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To amend Chapter 4, *Alcoholic Beverages*, of the Jasper County Code of Ordinances, so as to clarify hours of operation, and related matters.

WHEREAS, the Jasper County Code of Ordinances was previously amended by adding a new Chapter 4 pursuant to ordinance 11-14, adopted June 6, 2011, so as to regulate the hours of operation of commercial establishments between the hours of 2 a.m. and 6 a.m., Monday through Saturday, based upon a City of Charleston Ordinance which had been judicially approved in a South Carolina Case entitled “ Denene, Inc. v. City of Charleston, 359 S.C. 85. 596 S.E. 2d 917 (2004); and

WHEREAS, subsequent to that case, sale of alcohol on Sundays has been authorized pursuant to statutory enactments allowing for such to occur in certain circumstances; and

WHEREAS, the present wording of Section 4-2 of the Jasper County Code of ordinances has led to some confusion and dispute as to the hours of operation as to certain establishments after 2 a.m. on Sunday mornings; and

WHEREAS, in order to provide clarity as to this matter, Jasper County Council desires to remove all doubt as to the hours of operation of establishments serving beer, ale, porter, wine, or alcoholic liquors for on-premise consumption; and

WHEREAS, Jasper County Council is authorized to enact regulations that provide for the general health and welfare of its citizens; and

WHEREAS, Jasper County Council is authorized to enact regulations which are in addition to State law regulating a particular subject; and

WHEREAS, Jasper County Council has determined that it is in the best interests for the general health, welfare, and public safety of the citizens of the County of Jasper that establishments which allow for the on-premises consumption of beer, ale, porter, wine, and/or alcoholic liquors shall be prohibited from operating between the hours of 2:00 A.M. and 6:00 A.M.

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

Section 1. The Jasper County Code of Ordinances, Chapter 4, is amended by deleting the present Section 4.1 and 4.2 and substituting the following new Sections 4.1, 4.2, 4.3, and 4.4:

Section 4.1: Prohibition.

(A) Unless more restrictively regulated or explicitly authorized by State law, commercial establishments which allow for the on-premises consumption of beer, ale, porter, wine, and/or alcoholic liquors shall be prohibited from operating between the hours of 2:00 A.M. and 6:00 A.M.

(B) The establishments subject to the restriction in the hours of operation set forth in subsection (A) of this Section shall include private or nonprofit clubs, as well as bars, restaurants and night clubs open to the public at large; provided, however, that restaurants whose primary revenue is derived from food operations may provide food service operations during these restricted hours if there is no on-

premises sale or consumption of beer, ale, porter, wine, and/or alcoholic liquors during these hours.

Section 4-3. Grace period for shutting down operations.

As set forth in Section 4-2, there shall be no alcohol sales or consumption at the establishments prohibited from operating between the hours of 2:00 a.m. and 6:00 a.m., and the establishment shall not allow patrons and guests to use the premises, including the exterior of the building or parking lot, for the consumption of alcohol or otherwise continue to congregate after closing. "Operating" does not prohibit the establishment's owner's agents, and employees from pursuing clean-up and other closing operations of the establishment after 2:00 a.m. or before 6:00 a.m., so long as the patrons and guests of the establishment have exited the building. A period of time, not to exceed 30 minutes, shall be allowed for the operators of the establishment to clear the building and premises of patrons and guests. Patrons and guests shall not congregate or remain on the premises beyond this grace period.

Section 4-4. Penalties/Warning.

A. Violations of the provisions of this Chapter 4 shall subject the offender to the penalties as provided in Section 1-8 of the Jasper County Code of Ordinances. Persons in control of the establishment, whether owners, controlling officers, lessees, managers, or employees shall be liable for violation of this Ordinance, and individually subject to the penalty provisions of Section 1-8. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each and every day during which any violation of any of the provisions of this Ordinance is committed or continued. Patrons and guests who violate this ordinance's provisions concerning leaving the

premises shall be subject to the penalty provisions of Section 1-8; provided, however, should the patron or guest have made arrangements for transportation off the premises and such transportation not yet arrived as of the expiration of the grace period provided in Section 4-3 of this ordinance, such patron or guest shall be given a warning instead of a violation upon providing some proof of the arrangement for transportation.

(B) The County Attorney shall be authorized to pursue any additional or alternative civil remedies as available and appropriate to ensure timely and ongoing compliance with this Ordinance, as well as seeking administrative or judicial relief to have such activities to be deemed a public nuisance. In addition, any business establishment found to be in violation of this Ordinance shall be subject to having its business license registration suspended or revoked in accordance with procedures otherwise applicable to such proceedings, including appellate proceedings under the business license ordinance.

Section 2. Severability.

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.

Section 3. Effective Date.

This Ordinance shall take effect upon approval of third reading by Council.

| *ORDINANCE CONTINUES ON FOLLOWING PAGE*

ATTEST:

Barbara B. Clark
Chair

Wanda Simmons
Clerk to Council

First Reading: May 3, 2021

Second Reading: June 7, 2021

Public Hearing: June 7, 2021

Adopted: _____

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

DRAFT

AGENDA ITEM:

XI-G

Ordinance item G

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2021-16

**AN ORDINANCE
OF JASPER COUNTY COUNCIL
TO AMEND CERTAIN PROVISIONS TO THE JASPER COUNTY CODE OF
ORDINANCES TO AUTHORIZE MEETINGS TO BE HELD BY TELEPHONIC OR
OTHER ELECTRONIC MEANS, AND MATTERS RELATED THERETO.**

WHEREAS, Jasper County, South Carolina (the “County”) is a political subdivision of the State of South Carolina (the “State”), and as such possesses all general powers granted by the Constitution and statutes of the State to such public entities; and

WHEREAS, , the Freedom of Information Act, which is codified at Title 30, Chapter 4 of the S.C. Code of Laws of South Carolina 1976, as amended (the “S.C. Code”), in Section 30-4-20(e) of the S.C. Code provides that “ ‘Quorum’ unless otherwise defined by applicable law means a simple majority of the constituent membership of a public body;” and

WHEREAS the S.C. Code in Section 30-4-20(d) defines a meeting as “convening a quorum of the constituent membership of the public body, whether corporal or by means of electronic equipment, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power” [emphasis added]; and

WHEREAS, in keeping with the provisions of the S.C. Code, Section 2-35 et. seq. of Jasper County’s Code of Ordinances (the “Code of Ordinances”) defines and describes the requirements for a “quorum” of the County Council of Jasper County, the governing body thereof (the “Town Council”) and further defines and describes the rules of procedure for meetings; and

WHEREAS, in response to the COVID-19 pandemic and a State Declaration of Emergency, County Council declared a local state of emergency, in Resolution/Proclamation 2020-19 adopted on March 16, 2020, and subsequently enacted an emergency ordinance on April 6, 2020, provisions of which temporarily suspended certain procedural rules of the County Council in response to social-distancing guidelines and executive orders, and allowing for electronic and telephonic meetings, whose provisions have been renewed from time to time by adoption of subsequent Emergency Ordinances (collectively, the “Emergency Ordinances”); and

WHEREAS, such telephonic and other electronic meetings have proven successful and effective under the Emergency Ordinances and in light of the current public safety considerations associated with 2019 novel coronavirus, and the potential for future public safety considerations, including those attendant to the adverse weather events that seasonally affect coastal cities, the County Council finds that great benefit may be realized from authorizing meeting by telephonic or other electronic means whenever necessary and convenient for carrying out the business of the County, to include County Council-appointed boards, commissions and committees.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE JASPER COUNTY COUNCIL, in accordance with the foregoing, the Council hereby amends the Code of Ordinances for Jasper County as follows:

SECTION 1. AMENDMENT. Jasper County hereby amends Chapter 2 of the Code of Ordinances for Jasper County, South Carolina, by amending and adding text to allow for the conduct of meetings of the County Council and its Council-appointed boards, commissions and committees electronically and/or telephonically, as shown in Exhibit "A" attached hereto and fully incorporated by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon approval by Council.

ATTEST:

Barbara B. Clark
Chair

Wanda Simmons
Clerk to Council

First Reading: May 3, 2021
Second Reading: June 7, 2021
Public Hearing: June 7, 2021
Adopted: _____

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

Sec. 2-35. - Applicability; deviation from rules.

These rules shall apply to all meetings of county council, including committee meetings, and to all boards and commissions for which the county council appoints a majority of the members. As used in these rules, the term "meeting" means the convening of a quorum of the membership of county council, or such other board or commission, to discuss or act upon a matter over which county council or such other board or commission has supervision, control, jurisdiction or advisory power; the term "quorum" means a simple majority of the membership of the county council, or committee of county council, or such other board or commission. Where applicable, the term "county council" means not only the county council, but also, any other board or commission in the county governed by these rules.

These rules were adopted as guidelines to assist county council and county boards and commissions in conducting orderly and productive meetings. Any deviation from or waiver of these rules shall not affect or void any action taken by county council, or a county board or commission. Furthermore, such deviation or waiver does not convey any right or cause of action to third parties not otherwise imposed by law.

Rules stated in a South Carolina Statute and rules governing quorum and vote requirements cannot be suspended. Rules relating to priority of business or to procedure may be suspended by a majority vote of the members of council. A motion to suspend the rules may not be amended nor may it have any subsidiary motions applied to it. A motion to suspend shall specify which rule or rules are to be suspended.

(Ord. No. 02-03, Rule 2, 3-17-03; Ord. No. 08-17, § 3, 6-2-08)

Sec. 2-36. - Model rules of parliamentary procedure for South Carolina counties and Robert's Rules of Order Newly Revised to govern other cases.

County council will refer to the model rules, and the comments sections contained therein, as the primary resource in determining the intent and meaning of these rules. In all cases not covered by these rules, county council shall be governed by such rules as are set out in the current edition of Robert's Rules of Order Newly Revised. Provided, however, that state and federal law shall take precedence over these rules in all cases. Whenever possible, these rules should be interpreted to conform to state and federal

law; if an irreconcilable difference occurs, only the portion of the rule or rules directly in conflict with state or federal law is to be overruled, the remaining portions surviving.

(Ord. No. 02-03, Rule 3, 3-17-03)

Sec. 2-37. - Meetings, notice of meetings, quorums, weapons prohibited and public participation.

(a) County council shall meet at least once monthly, but may meet more frequently provided that public notice, as described herein, is provided. The council shall ordinarily hold its regular meetings for the transaction of official business on the first and third Mondays of each month at such a time and place as the chairman may specify. Special meetings may be called by the chair or by the majority of county council, provided that the notice requirements are met. Meetings may be held physically or electronically, at the discretion of the Chair or the request of a majority of council. Standards for exclusively electronic meetings are set forth below in Section 2-37 (f). Either the chair or the majority of the council members of the council may cancel or reschedule meetings, or call special meetings, which may be held after 24 hours public notice, which specifies the hour, date, and place of the special, called meeting and its agenda. Written public notice shall be given for all regularly scheduled meetings at the beginning of each calendar year. Notice must include the dates, times and places of the meetings. Public notice of each called, special or rescheduled meeting must be posted on a bulletin board in a publically accessible place at the Jasper County Clementa C. Pinckney Government Building or meeting place for county council and on the public website maintained by the council, if any, at least 24 hours prior to such meeting. The notice must include the agenda and the date, time and place of the meeting, The 24-hour requirement does not apply for emergency meetings. Additions to the agenda, once posted, must be made in accordance with the provisions of §30-4-80 of the code of Laws of South Carolina, 1976 (as amended). All persons, organizations, and news media requesting notification of county council meetings shall be notified of the times and places, and given copies of the agenda for all meetings, whether scheduled, rescheduled or called. Efforts made to comply with this notice requirement shall be noted in the minutes.

(b) All members of council shall be furnished copies of the agenda and all necessary background information related to an agenda item request requiring council action in their agenda packets for the upcoming meetings, including motions to reconsider. This pre-meeting package shall include complete copies of each proposal to be considered; provided, however, copies of ordinances to be read by title only

on first reading may be omitted from pre-meeting packet for the meeting at which they are to be offered on first meeting. Offering ordinances to be read on first reading by title only is discouraged by Jasper County Council. The text of copies of proposed ordinances for the second and third reading shall appear as amended at any previous meeting.

(c) A quorum for the transaction of official business by county council at a regular or special meeting shall consist of a majority of members.

(d) Weapons shall not be allowed in council chambers, except in the possession of law enforcement officers in and about the course of their official duties.

(e) Any citizen of the county may sign an agenda list maintained by the clerk to council prior to each regular meeting in order to speak with council. Citizens wishing to speak must indicate the subject and purpose for which they seek to address council and include their name, address and phone number. Presentations will be limited to three minutes. The chairman may permit additional time for speakers. No speaker may use language that is obscene, disruptive, scurrilous, or recklessly defamatory. Following the presentation, no person other than a member of council will be recognized to question the speaker or make any statement unless a member of council requests comment from a member of staff for clarification. Additional provisions for public comment at electronic meetings are found in Section 27 (g).

f) Standards for Electronic Meetings. The County Council and boards, committees and agencies are hereby authorized to conduct public meetings exclusively in electronic form, provided the medium for such meeting, whether telephonic, broadcast video, computer-based, or other electronic media, or any combination of these, and the conduct of the electronic meeting, allows for the following standards and practices to be met:

(i) At the beginning of any electronic meeting, the presiding officer shall poll the members to confirm attendance, and any member attending by way of electronic media shall be considered present for the purposes of constituting a quorum. All other County staff in official attendance shall be announced by name and title.

(ii) Throughout the duration of the electronic meeting, all members of body, as well as any officials or staff required to speak at such meeting, must have the capability to be heard at all times by any other member of the County Council and by the general public.

(iii) Any vote of the body must be conducted by voice vote of the members, who shall verbally indicate their vote on any matter by stating "yay" or "nay," as well as by a show of hands. If the vote is not unanimous, each individual member shall be polled by roll call, and he or she shall verbally indicate their vote by stating his or her name along with the vote of "yay" or "nay." All individual votes shall be recorded by the clerk, secretary, or presiding officer, as appropriate.

(iv) Meetings shall be recorded or minutes kept in the same manner as an in-person meeting as required by the Act.

(v) All members of the body, officials, staff, and presenters should identify themselves and be recognized prior to speaking. Members of the body shall strictly comply with the rules of the body as they relate to procedural matters in order to preserve order and allow for the effectiveness of electronic meetings.

(vi) Electronic executive sessions shall be permitted in accordance with the provisions of the Act, and the County Council or other public body shall properly announce its reason for going into any executive session in conformance with Section 30-4-70 of the Act. Upon the entry into any electronic executive session, meeting minutes need not be kept and the electronic meeting utilized for such executive session may be held by (i) a separate telephonic, broadcast video, computer-based, or other electronic media, or any combination of these wherein the public shall not be permitted to participate, or (ii) on the initial telephonic, broadcast video, computer-based, or other electronic media, or any combination of these, with the implementation of necessary participation or listening restrictions, provided that in either instance all members of the body must have the capability to be heard at all times.

(g) With respect to any electronic or virtual meeting of council, or physical meetings of council where public access is restricted in whole or in part by virtue of health or other considerations, and subject to the terms of the applicable agenda for such meeting, members of the public may also participate electronically, as follows:

- (1) Public Comments for Electronic Meetings or meetings where access is restricted. Individuals wishing to provide written comments for any public comment period, to include public hearings, may submit written comments to the clerk no later than two hours prior to any

meeting of council in accordance with instructions printed on the meeting agenda. In absence of established procedures for admitting individuals desiring to make public comment into the electronic forum, the Clerk to Council, or other person as designated by the Chair, may read such comments aloud during the applicable public comment period. Council may also utilize a call -in system over a telephone speaker system in the event there is a physical convening of the Council Members in Council Chambers

- (2) Electronic public comment periods and public hearings shall otherwise be conducted in accordance with all other rules and procedures of council. Notices of public hearings shall include instructions regarding the manner in which the public hearing shall be held. Comment time will be limited to the time limitations as contained in Ordinance 08-17.

(Ord. No. 02-03, Rule 4, 3-17-03; Ord. No. 08-17, § 4, 6-2-08)

Sec. 2-38. - Agenda.

Every meeting shall have an agenda. The agenda will be compiled at the direction of the council chair by the clerk to council or such other person as may be designated. The agenda shall be posted, pursuant to section 2-37 and as required by the Freedom of Information Act, at least twenty-four hours prior to meetings. Additionally, a copy of the agenda shall be provided as part of the notice given to any person, organization, or news media requesting notification of county council meetings.

The agenda will designate the time and location of the meeting and the type of meeting to be held: council session, committee meeting, public hearing, public comment, workshop or emergency session; and whether the meeting shall be at a physical location or electronically, and whether there are any restrictions on public presence for health or other reasons.

Prior to distribution to council members of copies of proposed ordinances for which third reading is proposed to be on the agenda, or a proposed resolution, the county attorney shall review the form and draftsmanship of the proposal and insure that it is in proper form and all necessary final exhibits, attachments, and contracts are attached and made part of the proposed ordinance or resolution.

(Ord. No. 02-03, Rule 5, 3-17-03; Ord. No. 08-17, § 6, 6-2-08)

Sec. 2-39. - Public hearings.

Public hearings are the method required by the Home Rule Act for county council to gain input from the public at large. Members of council should refrain from making comments during the public hearing and should neither enter into debate with the public nor with other council members during the public hearing. Public hearings are required before final action is taken to:

- (1) Adopt annual operational and capital budgets;
- (2) Make appropriations, including supplemental appropriations;
- (3) Adopt building, housing, electrical, plumbing, gas and all other regulatory codes;
- (4) Adopt zoning and subdivision regulations;
- (5) Levy taxes; or
- (6) Sell, lease or contract to sell or lease real property owned by the county.

Final action for any of the above matters must be in the form of an ordinance. A minimum of 15 days' notice of the time and place of the hearing must be published in at least one newspaper of general circulation in the county, prior to conducting a public hearing for any of the above categories of ordinances. Public hearings are also required for the following:

- (7) Adopt building codes;
- (8) Impose ad valorem property taxes upon a fire service area; or
- (9) Provide for the distribution of assets following the abolishment of a special purpose district.

Notice for items (7) and (8) must be provided once a week for three successive weeks in a paper of general circulation in the county, and in the case of item (8), the hearing must not occur less than 16 days following

the first notice. Item (9) requires at least two public hearings with ten days prior notice published in a newspaper of general circulation prior to each meeting.

Following the abolishment of a special purpose district located within the county, two public hearings are required prior to distributing assets and or refunding taxes.

(Ord. No. 02-03, Rule 6, 3-17-03)

Sec. 2-41. - Voting.

The preferred method of voting by county council is by voice vote, although the chair may call for a show of hands or a roll call vote at any time. Any council member may demand a show of hands or a roll call vote. The demand is in order before or immediately after the voice vote has been taken, even though the chair may have announced the results of the voice vote. A council member may not explain his or her vote while voting, but may change his or her vote at anytime prior to the chair's announcing the result.

(1) Passage by majority vote. The term "majority" or "simple majority" means more than half of those present and voting. When a two-thirds majority is required, the term "two-thirds majority" means at least two-thirds of those present and voting. The term "positive majority" means a majority of the members of council, regardless of whether they are present or not.

Except as otherwise provided for in this division, or by pertinent state or federal statute, any ordinance, resolution or motion passes if it receives a majority of the votes cast. State and federal statutes and, in some cases, this division may require passage by more than a simple majority. The following actions are included in those requiring a super-majority:

Two-thirds majority:

- a. Adoption of an emergency ordinance pursuant to § 4-9-130;
- b. Removal of an employee appointed by a county supervisor pursuant to § 4-9-430;

- c. Sale or transfer assets of the county library assets for a non-library purpose pursuant to § 4-9-39;
- d. Defeat of a motion to follow the agenda (sections 2-38 and 2-47);
- e. Passage of motion to suspend the rules (sections 2-36 and 2-49); and
- f. Passage of a motion to call for the question [vote immediately] (sections 2-35 and 2-48).

Positive majority:

- a. Impose or increase a business license tax (§ 6-1-315);
- b. Override the millage rate increase limitation on property taxes (§ 6-1-320(C));
- c. Impose a service or user fee (§ 6-1-330);
- d. Impose a local accommodations tax (§ 6-1-520);
- e. Impose a local hospitality tax (§ 6-1-720); and
- f. Impose a developmental impact fee (§ 6-1-930).

(2) Voting procedure. In the case of debatable motions, the vote can be proposed in one of two ways:

- a. If debate has been completed and no other council member wishes to speak, the chair can call for the vote. If there are no objections, the chair can proceed with the vote;
- b. If the chair calls for the vote and there is an objection, a council member may make a motion to call for the question [vote immediately]. If this motion is approved by a two-thirds vote, debate will stop. The chair will then read the proposed motion to county council and ask for the votes of the council members.
- c. In no cases, shall council members be allowed to vote by proxy or shall that voting privilege be assumed by another person.

In the case of non-debatable motions, the vote shall occur immediately after the motion is recognized by the chair. The chair shall read or state the proposed motion to county council and then call for the vote.

(Ord. No. 02-03, Rule 8, 3-17-03; Ord. No. 08-17, § 5, 6-2-08)

AGENDA ITEM:

XI-H

Ordinance item H

3rd reading of Ordinance # [2021-17](#) to Adopt the 2021-2022
Jasper County Capital and General Operations Budget

****Note Kim Burgess
will provide this
document to you
separately****

AGENDA ITEM:

XI- I

Ordinance item I

****Note: 1st reading by title only ****

1st reading by Title Only of an Ordinance Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax And Incentive Agreement by and between Jasper County, South Carolina (The "County"), a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The "Company"), Pursuant to which the County Shall Covenant to Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The "Project"); and (2) Other Matters Relating Thereto.