



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.

Watch Live via YouTube at:

https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA

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, July 19, 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, July 19, 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

July 19, 2021
AGENDA

3:00 P.M.

Workshop Topics:

- A) Andrew Fulghum – Corona Virus State and Local Fiscal Recovery Funds
- B) Danny Lucas – Hazard Mitigation Plan
- C) Chief Wells – Emergency Management / Regional Shelter
- D) David Tedder – Electronic Meetings Ordinance

I. Call to Order by Chairwoman Barbara B. Clark – **earlier of completion of workshop or 5:00PM**

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

II. Executive Session

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

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

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

(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 –
699 Church Rd.; Hardeeville Satellite Office Lease; Exit 3 and Legal Services Contract; Nickel Plate MCIP; Mercury Funding Case - Tax Sales

(3) Discussion regarding the development of security personnel or devices – [Cyber Security](#)

(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 Riddler](#)

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 May 27, 2021:

VIII. Proclamations and Presentations:

A: [David Tedder](#) - Presentation of Proclamation for the Gullah Geechee National Appreciation Week

B: [Danny Lucas](#) – Presentation of a proclamation to proclaim August 15th thru August 22nd as South Carolina Aviation Week in Jasper County.

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. [Danny Lucas](#) – Resolution # [2021-15](#) of Jasper County Adopting the 2020 Lowcountry Natural Hazard Mitigation Plan

XI. Ordinances:

- A. **Lisa Wagner – 3rd 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 – 3rd 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 – 3rd 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 – Public hearing and 2nd Reading** of Ordinance # [2021-21](#) 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 – Public hearing and 2nd Reading** of Ordinance # [2021-22](#) 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 # [2021-16](#) 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.
- G. **Andrew Fulghum - 2nd reading** of Ordinance # [2021-23](#) 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.
- H. **Kim Burgess – Public hearing and 3rd reading** of Ordinance # [2021-05](#) to provide for the issuance and sale of not exceeding \$5,990,000 General Obligation Refunding Bonds of Jasper County, South Carolina; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.
- I. **Andrew Fulghum – Consideration of 1st reading** of an ordinance to adopt a new organization chart.

XII. New Business:

- A. Nicole Holt – Approval of the Holiday Schedule for Jasper County Employees for the 2021 – 2022 year.**
- B. Nicole Holt – Consideration of approval of position descriptions authorized in fiscal year 2022 budget.**
- C. David Tedder – Discussion regarding impact of Greenville County Road Maintenance Fee Case.**
- D. Kim Burgess - Bid presentation for Concrete Pad and Steel Building at Emergency Services building.**

XIII. Old Business: NONE

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:

Workshop

3:00 P.M.

AGENDA ITEM:

Workshop

A: Andrew Fulghum

**CORONA VIRUS STATE AND
LOCAL FISCAL RECOVERY
FUNDS**

Coronavirus State and Local Fiscal Recovery Funds

Jasper County Council Workshop

July 19, 2021

Coronavirus State and Local Recovery Funds

The American Rescue Plan Act of 2021 (“ARPA”)

- Signed into law March 11, 2021
- \$350 billion additional funding for state and local governments
- \$130 billion local funding portion
 - \$65 billion for cities and Community Development Block Grant (CDBG) entitlement jurisdictions
 - \$65 billion for counties
 - Based on population
 - Larger portion for CDBG recipients

Coronavirus State and Local Recovery Funds

JASPER COUNTY, SC

TOTAL ALLOCATION \$5.8M

FROM COUNTY FUNDS \$5.8M

TRANCHE 1 AMOUNT (2021) \$2.9M

TRANCHE 2 AMOUNT (2022) \$2.9M

Source: The US. Department of the Treasury

Coronavirus State and Local Recovery Funds

Eligible Uses of Funds

- Revenue replacement
- COVID-19 expenditures or negative economic impacts of COVID-19
- Premium pay for essential workers
- Investments in water, sewer, and broadband infrastructure

Restrictions

- Allocations to states cannot be used to directly or indirectly offset tax reductions or delay a tax or tax increase
- Cannot be deposited into any pension fund

Must be spent by December 31, 2024

Source: Government Financial Officers Association

Coronavirus State and Local Recovery Funds

Guiding Principles for Use of Funds

- ARPA Funds are temporary and non-recurring
- Avoid new programs or add-ons to existing programs that require ongoing financial commitment
- High priority should be given to replenishing reserves used to offset revenue declines
- Investment in infrastructure well suited use of funds—non-recurring but consider on-going operating costs

Source: Government Financial Officers Association

Coronavirus State and Local Recovery Funds

Considerations

- Save funds for priorities not eligible for federal and state assistance
- Spread expenditures over qualifying period (through December 2024) to enhance budgetary and financial stability
- Take adequate time to carefully consider all alternatives for prudent use of funds
- Rating agency evaluation for credit opinion
 - Level of reserves & structural budget balance, or
 - Efforts to return to structural budget balance
- Opportunities
 - Strategic investments in long-lived assets
 - Rebuild reserves
 - Cover temporary shortfalls

Source: Government Financial Officers Association

AGENDA ITEM:

Workshop

B: Danny Lucas

HAZARD MITIGATION PLAN

2020 LOWCOUNTRY HAZARD MITIGATION PLAN BRIEF

Page

1	Introduction	
1	FEMA Requirements	
2	Hazard Identification & Risk Assessment	
2	Mitigation Strategy	
2	Plan Review	
3	Composition of the Plan	
13	Hazard Identification & Profile	
14	Plan Adoption	
15	Lowcountry Profile	Figure 3: Lowcountry Area
17	Jasper County Profile	
18	Lowcountry Region	Figure 4: County & Municipalities
19	Lowcountry Region	Figure 5: Elevation
20	Lowcountry Region	Figure 6 Wetlands
21	Lowcountry Population	Table 2: Population Growth 2000 - 2018
22	Lowcountry Region	Figure 7: Population Density
23	Lowcountry Region	Aging Population Table 3: Age Cohorts 2000 - 2018
27	Lowcountry Housing	Table 5: Housing Stock 2000 - 2018
28	Lowcountry Region	Figure 10: Median House Values by Census Tract 2018
30	Lowcountry Economy	Table 7: Employment 2000 - 2019
31	Lowcountry Income	Table 8: Income Measures 2000 - 2018
32	Lowcountry Region	Figure 11: Median Household Income by Census Tract 2018

2020 LOWCOUNTRY HAZARD MITIGATION PLAN BRIEF

Page

33	Hazard Identification & Profile Natural Hazards Identification	
34	Hazard Profile	Table 9: Disaster Declarations 2015 - 2020
40	Future Probability	Table 11: Tornado Historical and Recent Hazards Events 1986 - 2019
43	Lowcountry Region	Figure 14: Storm Surge Risk
44	Location and Extent	Table 13: Storm Tracks Affecting the Lowcountry Region 1850 - 2019
50	Future Probability	Table 14: Hurricane and Tropical Storms Historical and Recent Hazard Events 1988 - 2019
80	Location and Extent	Table 24: Wildfire Events 2005 - 2019 by Acres Burned
81	Lowcountry Region	Figure 26: Wildfire Locations 2012 - 2019
83	Future Probability	Table 25: Wildfire Historical and Recent Hazards Events 1988 - 2019
84	Flood Characteristics and Classification	
86	Lowcountry Region	Figure 29: FEMA - Designated Flood Zones
87	Lowcountry Region	Figure 30: FEMA-Designated Coastal Flood Zones
88	Flash Flooding	Figure 31: Flash Flood Warnings 2012 - 2019

2020 LOWCOUNTRY HAZARD MITIGATION PLAN BRIEF

Page

89	Sea Level Rise	Figure 32: Sea Level Rise Impact
94	Flood Location and Extent	Jasper County
109	Overall Hazard Occurrence and Future Probability	Table 34: Lowcountry Summary of Historical and Recent Hazards Events
111	Jasper County	Table 38: Jasper Co. Summary of Historical and Recent Hazards Events
118	Loss Information	Table 40: Lowcountry Historical and Recent Losses
131	Jasper County	Table 63: Jasper County Historical and Recent Losses
133	Hazard Potential Ranking	Table 66: Lowcountry Hazard Potential Ranking 2012 - 2018
138	Overall Vulnerability by Hazard	Jasper County
145	Development Trend	Table 71: Historic and Projected Populations 2000 - 2040
146	Development Trend	Figure 43: Historic and Projected Populations 2000 - 2040
148	Development Trend	Table 72: Building Permits 2015 - 2019
149	Critical Facilities	
151	Lowcountry Region	Figure 44: Evacuation Routes
152	Lowcountry Region	Figure 45: Emergency Services
154	Lowcountry Region	Figure 47: Wastewater Treatment & Potable Water Facilities

2020 LOWCOUNTRY HAZARD MITIGATION PLAN BRIEF

Page

156	Community Capability Assessment		
159	Policies, Plans, and Ordinances Addressing Natural Hazards		
162	Hazard Mitigation Strategy	2015 Completed Actions	
163	Jasper County	2015 Completed Actions	Structure & Infrastructure
164	Jasper County	2015 Completed Actions	Education & Awareness
164	2015 Implementation Impediments		
165	Update of Hazard Mitigation Strategy		
166	Update of Hazard Mitigation Strategy		Table 78: 2020 Hazard Mitigation Goals & Strategies
169	2020 New and Ongoing Hazard Mitigation Actions		Table 80: Sum. 2020 New & Ongoing Hazard Mitigation Actions
172	Plan Maintenance	Updating	
239	Appendix E: Public Assistance Funded Project Summaries (Jasper County)		
241	Appendix G: Social Vulnerability Concepts and Metrics		
243	Appendix H: List of Critical Facilities		
254	Appendix I: Types of Mitigation Actions		
276	Appendix J: Update of 2015 Hazard Mitigation Actions (Jasper County)		

2020 LOWCOUNTRY HAZARD MITIGATION PLAN BRIEF

Page

319 Appendix K: 2020 New and Ongoing Hazard Mitigation Actions
(Jasper County)

325 Appendix L: Federal Mitigation Funding Sources

2020 LOWCOUNTRY Natural Hazard Mitigation Plan

APRIL 2021
(Draft)

349 pages



AGENDA ITEM:

Workshop

C: Chief Wells

**EMERGENCY MANAGEMENT /
REGIONAL SHELTER**

AGENDA ITEM:

Workshop

D: David Tedder

ELECTRONIC MEETINGS

ORDINANCE

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)

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)

**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: July 19, 2021

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

AGENDA ITEM:

VII

Approval of the Minutes



**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
May 27th and May 28th, 2021
MINUTES

May 27, 2021:

Call to Order:

Chairwoman Clark called the meeting to order at 12:00pm.

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

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

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess.

Others Present at the Regular Session: Juan Singleton as Videographer.

David Tedder – 1st and final reading to adopt Emergency Ordinance No. [2021-14](#) **to provide for the Extension and Incorporation by Reference of the Provisions of Prior Emergency Ordinances, Address the Phased-in-Opening of County Facilities and Modifications to the County Declaration of a Local Emergency, and Matters Related Thereto, Including A Resolution Affirming Resolutions Regarding Safety Practices.**

David Tedder, County Attorney, reviewed this ordinance for Council and for the record. This ordinance provides for the extension and incorporation by reference of the provisions of the County's prior adopted emergency ordinances, while addressing the phased in opening of county facilities. He noted it also covered modifications to the County declaration of a local emergency.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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

Approval Agenda:

Motion to approve the agenda: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Discussion of the FY 2021-2022 Budget:

Councilman Kemp noted that he had provided some questions to Administrator Fulghum regarding the budget. Mr. Fulghum said the answers were noted out beside each question. Mrs. Burgess said it was the full budget document with the responses to Councilman Kemp's questions on the right side of the page. Chairwoman Clark asked that this document be sent to all of Council.

Councilman Kemp asked regarding the Sheriff's Department funding for the Enforcement Officer and Animal Control, if the money could be taken out of there and moved into the Planning Department for another staff member to handle correspondence. Mr. Fulghum said the money could be moved for the Code Enforcement Officer. He also noted that the Sheriff said he did not see filling that position soon, and Mr. Fulghum would suggest moving it to Emergency Services like has been done in other areas, so this way they could do fire inspections also. He said he believed that moving the Code Enforcement Officer to Emergency Services would be more beneficial. He further noted that if Council wanted the Code Enforcement Officer placed somewhere else the money could be moved from the Sheriff's Department. Councilman Sauls said since the Sheriff's Department said they wouldn't be able to do it for awhile, he thought this would be a good idea. Chairwoman Clark stated that she thought moving the money from the Sheriff's Department to Emergency Services would also be a good idea. Mr. Fulghum said this could be done very easily.

Councilman Kemp also had some questions about the airport and the loan. Ms. Burgess clarified about the loan that was ongoing for the construction at the airport. She noted that this was a county loan funded with A-Tax dollars and that was why it did not show up in the airport budget. She also noted that the \$90,000 in the airport is for the temporary terminal. Councilman Kemp also discussed the Cherry Point revenue and the monies for airport security in the budget being placed in the airport budget and not in the Sheriff's Department. Ms. Burgess said the money was put in the budget in which the personnel are managed and directed. For example, she said the school district uses our officers from the Sheriff's Department and that money is still under the Sheriff's Department for those positions. She said a journal entry from one department to another could be created in order to address that issue for further clarification. Mr. Fulghum asked regarding airport security, if Council wanted them to do a "due to" and a "do from" to handle that item. Councilman Kemp said he would like that see that shown on the budget. Mr. Fulghum asked Attorney Tedder if the County could do a contract for these matters. Mr. Tedder said it could be moved from the Sheriff's budget to the Airport's budget as a contractor. Ms. Burgess noted it still had to go through the Sheriff's Department for ADP and payroll, and this would credit the airport

revenue. Ms. Burgess also noted how the School Resource Officer was set up and that staff could create another set up as such for the Airport Officer in the same manner within the budget.

Councilman Kemp also asked about lease terms and how they were staggered. Ms. Burgess addressed this request for him. Councilman Kemp noted that the Fire Dept Volunteers seemed limited, and Ms. Burgess noted that volunteers had to be paid through payroll so this was where the money was included. Councilman Kemp noted that he felt the pay and overtime pay was clouded due to the volunteers pay. Ms. Burgess noted that part of the volunteer pay is funded by the federal FEMA grant for volunteers and that this could be separated through journal entry to separate the volunteer pay. Councilman Kemp asked if we were staffed up at the fire department and Mr. Burgess noted that we were not.

Councilman Adkins stated on the police cars soon to be released, that he wondered if they were high performance or regular performance chargers. Ms. Burgess said they are "all of like kind" and if they are superchargers then they will get the same replacement as replacements should be of like kind for a vehicle.

Chairwoman Clark noted that Councilman Sauls had left, but that they both had concerns regarding the Coroner's office budget. She said that they did not feel that they could put additional personnel into the office, however, one of the other part time positions for a part time corner could be used because they did not see funding another position in the budget at this time. Chairwoman Clark also noted that the \$10,000 request that was put in for burial had never been done before in Jasper County. Mr. Fulghum said they could look at that line item as he assumed it was for a Paupers funeral. Ms. Burgess noted that she had revised the budget to show the following:

The corner himself would be \$13,800; the part time corner would be \$24,600; and a part time administrator assistant. She said if Council wished, she would remove the part time administrative assistant.

Chairwoman Clark noted that they would like clarification on the new vehicle requested by the Corner for \$90,000. Ms. Burgess said that he had requested an SUV and Chairwoman Clark asked what was wrong with the van that the county had purchased. Ms. Burgess noted that the Corner said the van was not conducive to going off road if necessary. Ms. Burgess said she had suggested a Bronco or something cheaper than a \$90,000 SUV. Councilman Kemp asked about an old ambulance purchase possibly or even a medical Humvee that could be used because it would hold up to four people. Chairwoman Clark said yes something like that or even a used vehicle would be better. She noted that Council must remember that what they do for one department they must be willing to do for all departments to keep things fair. She also noted that the decal for the County was taken off of the van and that the decal needed to be replaced. She also mentioned that the van did not need to be driven all over town all every day. Council discussed further the fact that since there was a van that there was no need to purchase a new SUV. It was also noted that unless a person was hired through Jasper County in the Coroner's office that they could not drive the vehicle because only county employees can drive the vehicles. Councilman Kemp gave a summary of potential growth concerns and he said that the anticipated growth for years 21 and 22 is not budgeted from what he can tell. Ms. Burgess noted that new growth doesn't show in the tax rolls until the next year. Ms. Burgess said it is always Council's decision to allocate a portion of the fund balance based on potential growth for the current year.

Council discussed a little further additional information regarding the budget and Chairwoman Clark said she did not feel there was a need for the meeting that was scheduled for tomorrow as all items had been addressed today.

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 Kemp

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 – Information Technology

(2) Discussion of negotiations incident to proposed contract arrangements – Heather Rath Consulting

Motion to return from executive session: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motion to accept the salary recommendation of the IT Department as presented in executive session:

Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motion to accept the personal contract with Roth Consulting and to confirm the list of projects that as discussed in executive session with a limit on what the County Administrator calls for: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Adjournment for the day and confirmation for the meeting of 05.28.2021:

It was noted for the record that the meeting for 05.28.2021 was cancelled since the items had been concluded during this meeting.

Motion to adjourn: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion adjourned.

The meeting adjourned.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman

AGENDA ITEM:

VIII

Proclamation Item A



GULLAH / GEECHEE NATION APPRECIATION WEEK PROCLAMATION

TO DESIGNATE THE WEEK OF JULY 31 – AUGUST 7, 2021, AS GULLAH / GEECHEE NATION WEEK

WHEREAS, Jasper County is one of the most historic Lowcountry counties in South Carolina, and in the 18th Century, this area and the South Carolina coast became the locale of some of the richest rice and farming plantations in the South, which were linked to specific West African ethnic groups who became known as Gullah/Geechee; and,

WHEREAS, the Gullah/Geechee civilization originated in West Africa, its people coming to the United States as having been enslaved in the United States to work on these plantations in the coastal regions, including South Carolina; and with their African fare, original language, and craftsmanship, the Gullah-Geechee people left their mark on South Carolina; and,

WHEREAS, the Gullah/Geechee culture has had a powerful impact on the Lowcountry of South Carolina, including Jasper County, and these Gullah/Geechee influences have helped to define our southern lifestyle and culture; and,

WHEREAS, John Bascomb, who served Jasper County in the SC House of Representatives from 1870 to 1874, was born in 1827 emerged from this culture and community and farmed the very lands on which he and many of his people had been enslaved; and,

WHEREAS, the preservation and celebration of the Gullah/Geechee culture has gained momentum due to the Gullah/Geechee Cultural Heritage Act, created by United States Representative James Clyburn, as well as the efforts of others such as Queen Quet, of the Gullah-Geechee Nation, and Kwame Sha, co-founders of the Gullah-Geechee Nation International Music & Movement Festival[™]; and,

WHEREAS, the Gullah/Geechee Sustainability Plan has been created to sustain the land and the Gullah/Geechee culture; and,

WHEREAS, Queen Quet, who became the first Gullah/Geechee to speak before the United Nations on behalf of Gullah/Geechees, lead the creation of this plan; and,

WHEREAS, it is appropriate to recognize the importance of bringing awareness and appreciation for this rich culture and history in order to increase understanding of all the contributions the Gullah/Geechee have given to our area; and,

WHEREAS, the "Gullah/Geechee Nation International Music & Movement Festival[™]" moves to various parts of the Gullah/Geechee Nation and the African Diaspora each year to educate the world about and to celebrate the continuation of Gullah/Geechee traditions; and,

WHEREAS, the "Gullah/Geechee Nation International Music & Movement Festival[™]" will be the culmination of "Gullah/Geechee Nation Appreciation Week;" and,

WHEREAS, a series of activities will take place throughout Jasper County and virtually to honor the history and legacy of the Gullah/Geechee Nation and are part of the United Nations Decade of People of African Descent; and,

WHEREAS, Jasper County joins in celebrating the lives of Gullah/Geechees that have left such a rich legacy of our county, region, and nation by joining in with the theme this year, "Celebrating Gullah/Geechee Land & Living Legacy;"

NOW, THEREFORE, BE IT RESOLVED that the **JASPER COUNTY COUNCIL**, does hereby proudly recognize the 2021 Gullah/Geechee Nation International Music & Movement Festival[™] and proclaim the week of July 31–August 7, 2021 as

GULLAH/GEECHEE NATION APPRECIATION WEEK

in Jasper County and encourages all citizens to actively participate in educational activities aimed at increasing both knowledge and appreciation of this rich culture.

DONE THIS THE ____TH DAY OF _____, 2021, AT RIDGELAND, JASPER COUNTY, SOUTH CAROLINA.

**BARBARA B. CLARK
CHAIRWOMAN**

AGENDA ITEM:

VIII

Proclamation Item B

PROCLAMATION

WHEREAS, the Palmetto State is home to 6 commercial service airports, 51 general aviation airports, and 5 military airfields that provide essential support to South Carolina's diversified business base, it's increasing population, and a growing tourism industry; and

WHEREAS, airports support and assist South Carolina in many ways, including recreational flying, providing a gateway to communities and tourist attractions, agricultural spraying, air cargo, law enforcement, aerial firefighting, emergency medical and military support; and

WHEREAS, many businesses in our state rely on aviation, both commercial service and general aviation airports, for the efficient transportation of people and goods; and

WHEREAS, according to the 2018 South Carolina Airport Economic Impact report, over 2.6 million visitors to South Carolina arrived by airline flight along with another 532,000 visitors arriving by private aircraft economy annually; and

WHEREAS, according to the same report, 122,759 jobs, a \$4.8 billion annual payroll, \$11.5 billion annual spending accounted for a \$16.3 billion contribution to the State's annual economy; and

WHEREAS, with more than 400 aerospace-related companies in the Palmetto State, aviation is a multi-billion dollar industry that supports hundreds of thousands of jobs and contributes millions of dollars each year in tax revenues to state and local governments.

NOW, THEREFORE, We, the Jasper County Council, do hereby proclaim August 15 - 21, 2021, as

SOUTH CAROLINA AVIATION WEEK

throughout the County and encourage all residents to recognize aviation for its significant contributions to our quality of life and economic growth and stability.

ATTEST:

Barbara B. Clark
Chairman, Jasper County Council

Wanda H. Simmons July 19, 2021
Clerk to Council

AGENDA ITEM:

X

Resolution: Item A

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

**RESOLUTION NUMBER 2021 - 15
RESOLUTION OF JASPER COUNTY COUNCIL**

A Resolution of Jasper County Adopting the 2020 Lowcountry Natural Hazard Mitigation Plan

WHEREAS, the Jasper County Council recognizes the threat that natural hazards pose to people and property within Jasper County; and

WHEREAS, Jasper County has been an “official participant” in the planning process of the natural hazard mitigation plan, hereby known as the 2020 Lowcountry Natural Hazard Mitigation Plan prepared by the Lowcountry Council of Governments in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2020 Lowcountry Natural Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risks to people and property in Jasper County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Jasper County Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2020 Lowcountry Natural Hazard Mitigation Plan.

NOW THEREFORE, BET IT RESOLVED by Jasper County Council, in the council duly assembled and by the authority of the same, that Jasper County Council hereby endorses and adopts the 2020 Lowcountry Hazard Mitigation Plan.

This Resolution No. _____ made this _____ day of _____, 2021.

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:

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:	July 19, 2021
Project:	Zoning Map Amendment – Mixed Business
Applicant:	5851 Lowcountry, LLC
Tax Map Number:	083-00-03-058
Submitted For:	3 rd 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

083-00-03-058, 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: July 19, 2021

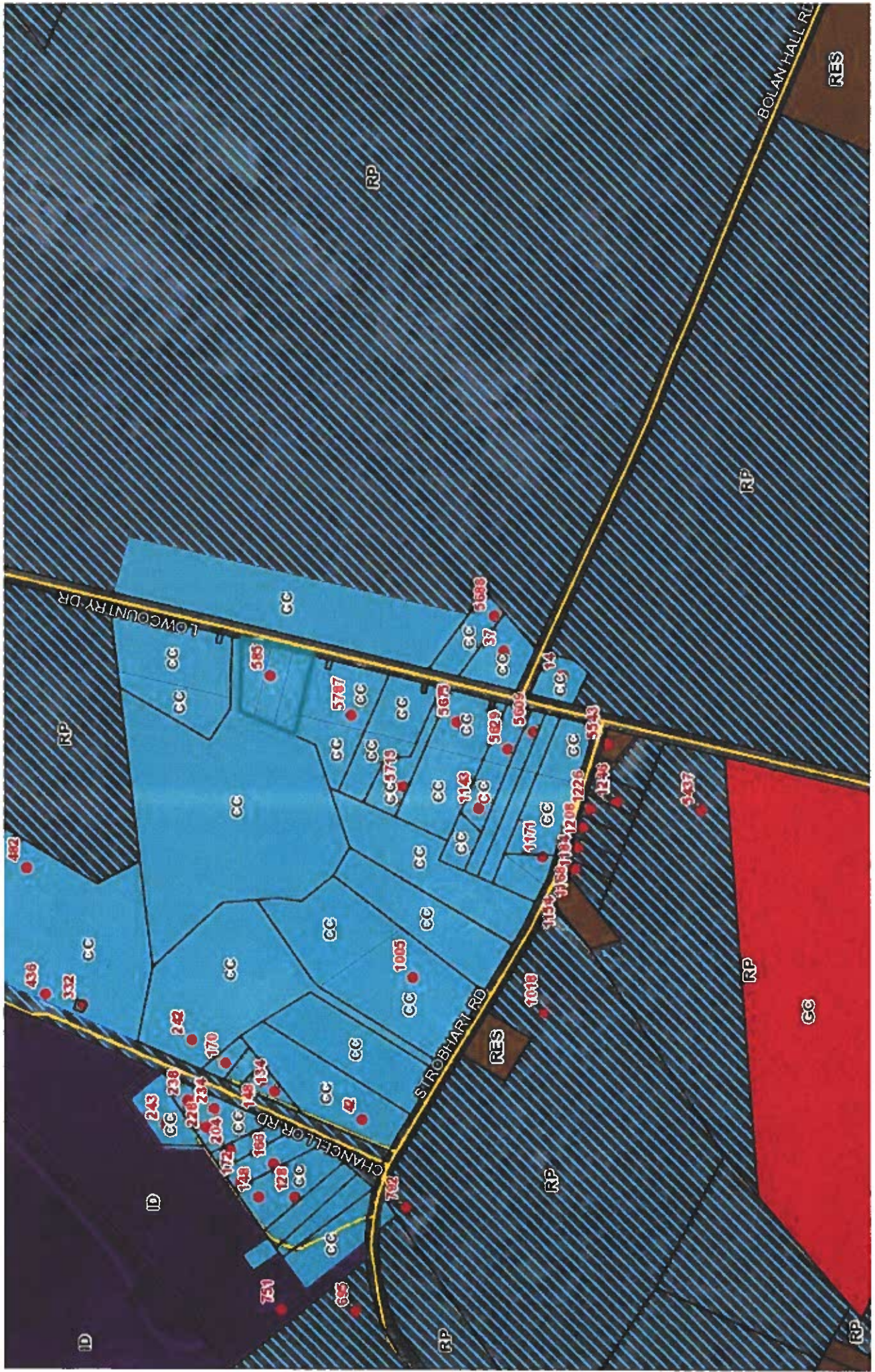
Considered by the Jasper County Planning Commission at it's meeting on
May 11, 2021 and recommended for approval.

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:	July 19, 2021
Project:	Zoning Map Amendment – General Commercial
Applicant:	Jasper County – Staff Initiated
Tax Map Number:	067-00-01-002
Submitted For:	3 rd 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: July 19, 2021

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



067-00-01-044

SERGEANT WM JASPER BLVD N

SPRINGTIME CT

067-00-02-153

067-00-02-155

PROMENADE LN

067-00-02-010

600 20 00 190

067-00-02-004

067-00-02-073

067-15-00-937

PALMDALE LN

067-00-02-100

FRESHWATER LN

067-00-01-002

ARGENT BLVD

067-01-00-035

067-01-00-034

067-01-00-033

067-01-00-036

067-01-00-037

CAROLINA DR

067-01-00-039

067-00-01-062

067-01-00-032

100-00-10-190

030-00-00-10-190

067-01-00-044

MEAD RD

067-01-00-042

067-01-00-043

067-01-00-042

067-01-00-043

NEW RIVER PKWY

EAST ARGENT PKWY

067-00-01-061

067-00-01-081

067-01-00-028

120-00-10-190

067-01-00-049

01-00-018



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@jaspercounty.sc.gov

Jasper County Council Staff Report

Meeting Date:	July 19, 2021
Project:	Zoning Map Amendment – Residential
Applicant:	Jasper County – Staff Initiated
Tax Map Number:	038-01-00-003
Submitted For:	3 rd 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

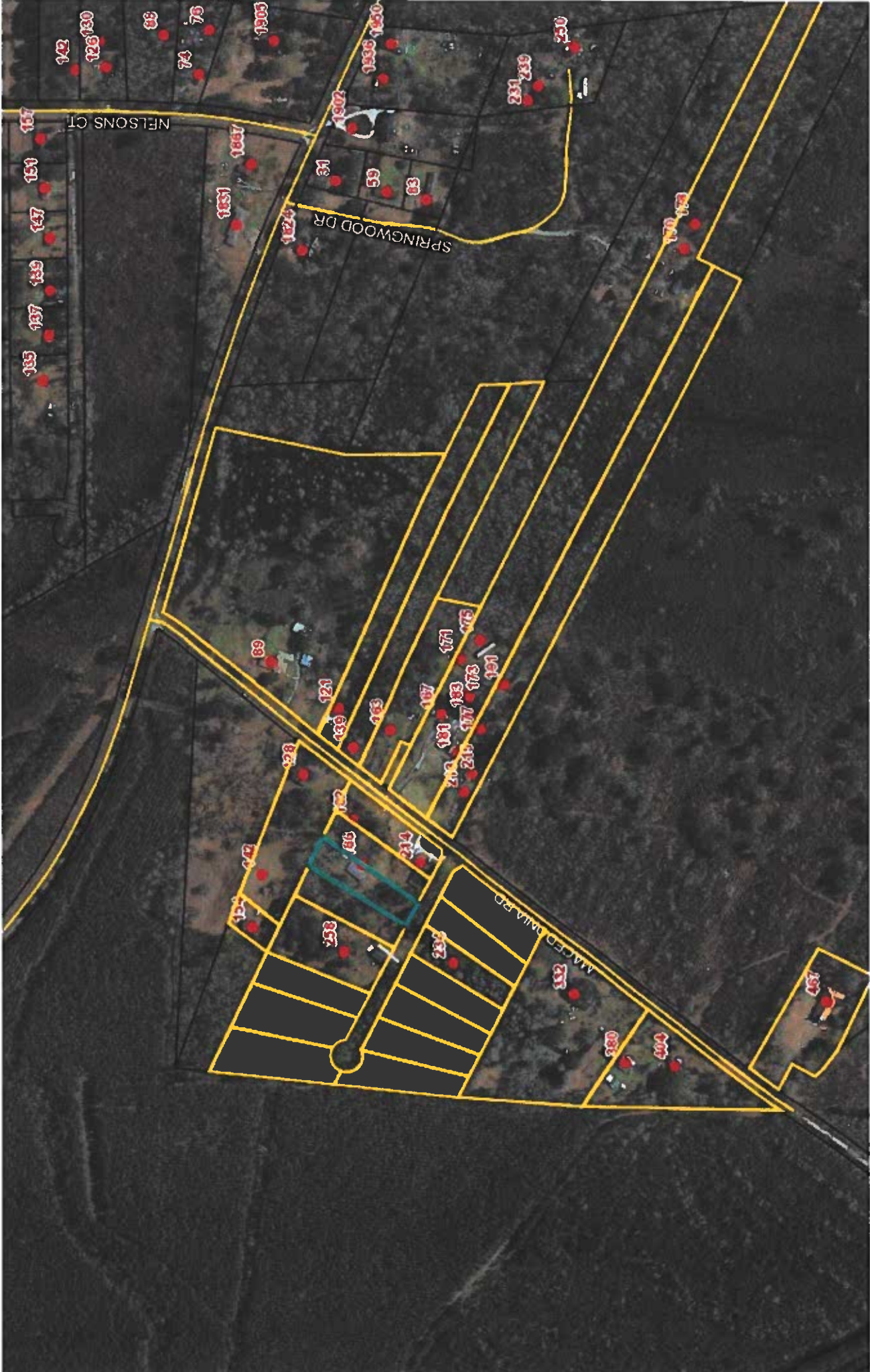
Adopted: July 19, 2021

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



NELSONS CT

SPRINGWOOD DR

MARCHING GAP DR

142
126/130
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1881
1887

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1902
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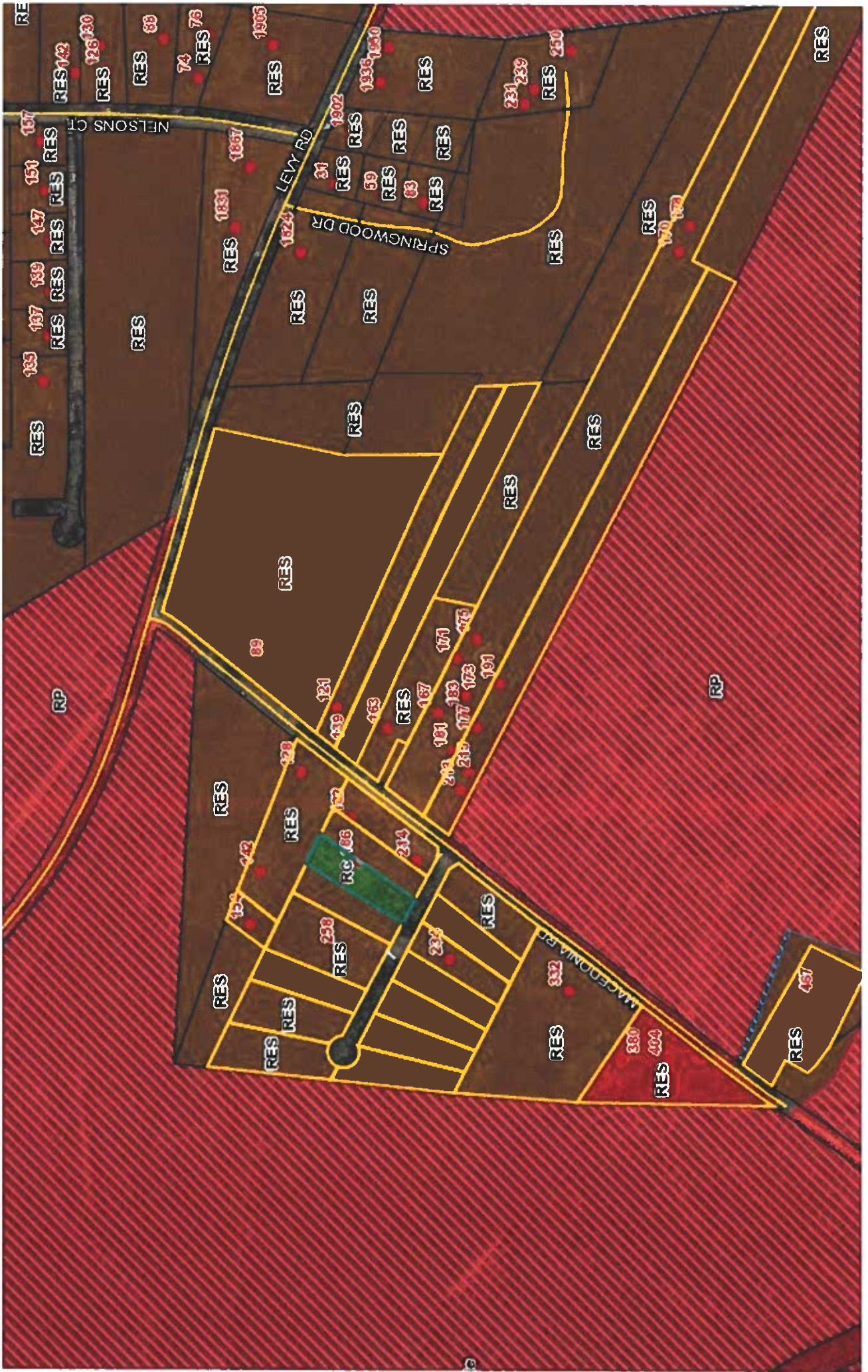
121
144
158

186
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234
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332
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404

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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:	July 19, 2021
Project:	Zoning Map Amendment – Community Commercial
Applicant:	8881 Coosaw Scenic Drive
Tax Map Number:	087-00-03-011
Submitted For:	Public Hearing and 2 nd 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@embargo.mail.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 26-2021
Reason for Request: (attach narrative if necessary)	Crematory Cremation Center

William A Galloway
5/26/21
 Signature of Owner or Owner-Authorized Applicant Date
 (Proof of owner-authorization required)

Internal Use Only	
Date Received:	5/26/2021
Amount Received:	250 ⁰⁰
Staff Member:	Lisa Wagner

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-21

**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: July 19, 2021
Public Hearing: July 19, 2021
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
wagner@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	July 19, 2021
Project:	Zoning Map Amendment – Community Commercial
Applicant:	358 Chippa Willow Road
Tax Map Number:	084-00-02-065
Submitted For:	Public Hearing and 2 nd 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 prior to 1975 and has previously served as a store and a 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 the Residential Zoning District; however, a social club is allowed in the Community Commercial Zoning District.

At last month’s meeting there was some concern about what exactly a social club is and what is the difference between a private club or a public club. While the applicant has applied for a re-zoning to the Community Commercial Zone for the purpose of establishing a Social Club, the request should be reviewed to determine if Community Commercial is compatible with the surrounding area and if it is supported by the County’s Comprehensive Plan rather than the proposed use. If the property were re-zoned to the Community Commercial Zoning District, the applicant is not restricted to the proposed use, and would be allowed to establish any use that is allowed within the Community Commercial Zoning District.

The Jasper County Zoning Ordinance, *Use Regulations* references the North American Industry Classification System (NAICS) Code as a basis for determining land uses. In accordance with the NAICS Code social clubs and drinking places (nightclubs) are two different types of establishments. A social club is identified as a Civic and Social Organization that is primarily engaged in promoting social and civic interests of its members. Other examples include, alumni associations, automobile clubs, ethnic associations, fraternal associations, veteran’s membership

associations, etc. These establishments may operate bars or restaurants for their members. Drinking places include bars, taverns, night clubs, or drinking places that are primarily engaged in preparing and serving alcoholic beverages. The Jasper County Zoning Ordinance allows Social Clubs in the Community Commercial Zoning District, but Drinking Places are not allowed in the Community Commercial Zoning District.

In this case, if the property were rezoned to Community Commercial, the county staff can issue a Zoning Certificate for a social club, but not “drinking place,” which then would give staff the ability to revoke the business license or take other code enforcement actions if the business is operated differently than a social club.

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. NAICS Code Definition for Social Clubs and Drinking Places
2. Application by the applicant
3. Ordinance
4. Aerial map of property and surrounding area
5. Aerial map with zoning layer

722410 Drinking Places (Alcoholic Beverages)^{CAN}

This industry comprises establishments known as bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide limited food services.

Cross-References. Establishments primarily engaged in—

- Preparing and serving alcoholic beverages (i.e. not known as bars or taverns) and providing food services to patrons who order and are served while seated and pay after eating—are classified in Industry 722110, Full-Service Restaurants
- Preparing and serving alcoholic beverages (i.e. not known as bars or taverns) and providing food services to patrons who generally order or select items and pay before eating—are classified in Industry 722211, Limited-Service Restaurants
- Operating a civic or social association with a bar for the association members—are classified in Industry 81341, Civic and Social Organizations;
- Retailing packaged alcoholic beverages not for immediate consumption on the premises—are classified in Industry 445310, Beer, Wine, and Liquor Stores; and
- Operating discotheques or dance clubs without selling alcoholic beverages—

8134 Civic and Social Organizations^{CAN}

81341 Civic and Social Organizations^{CAN}

See industry description for 813410 below.

813410 Civic and Social Organizations^{CAN}

This industry comprises establishments primarily engaged in promoting the civic and social interests of their members. Establishments in this industry may operate bars and restaurants for their members.

Illustrative Examples:

Alumni associations	Granges
Automobile clubs (except travel)	Parent-teacher associations
Booster clubs	Scouting organizations
Ethnic associations	Social clubs
Fraternal lodges	Veterans' membership organizations

US—United States industry only. CAN—United States and Canadian industries are comparable.
MEX—United States and Mexican industries are comparable. Blank—Canadian, Mexican, and United States industries are comparable.

<http://www.census.gov/naics>

896 NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM

Cross-References.

- Establishments of insurance offices operated by fraternal benefit organizations are classified in Subsector 524, Insurance Carriers and Related Activities;
- Establishments primarily engaged in operating residential fraternity and sorority houses are classified in Industry 721310, Rooming and Boarding Houses; and
- Establishments primarily engaged in providing travel arrangements and reservation services, such as automobile travel clubs or motor travel clubs are classified in U.S. Industry 561599, All Other Travel Arrangement and Reservation Services.



**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 Chippa 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: 2021-22

**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: July 19, 2021

Public Hearing: July 19, 2021

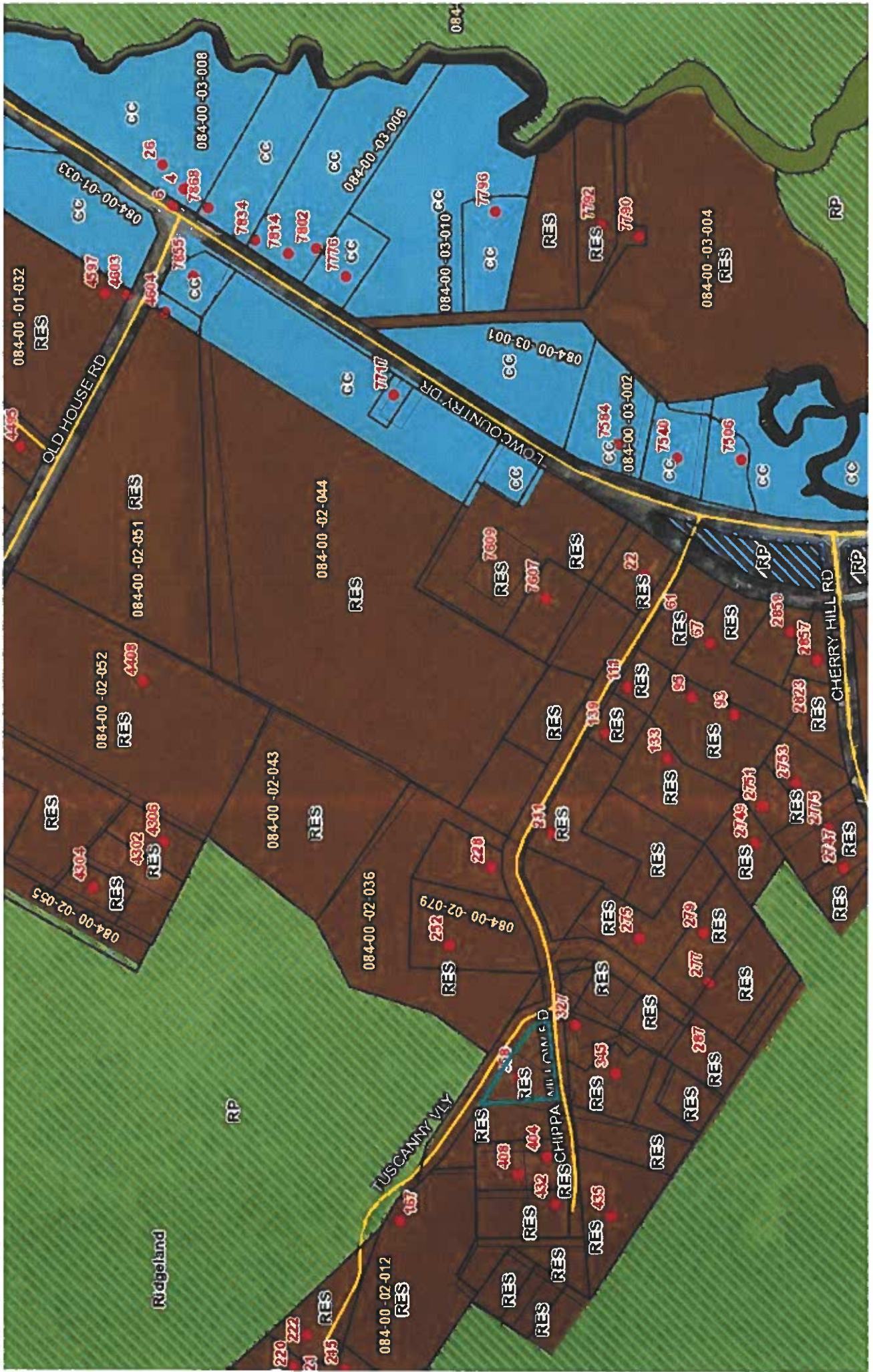
Adopted: _____

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





Letter Of Recommendation & Support .

For The Rezoning of 358 Chippa Willow Rd , Ridgeland

Sc 29936

From Residential to Community Commercial property

ABWH **Have Spoken With Ms A. Daniels About Her Nonprofit Organization The P.Y.N.K Social Along With Her Plans To Work Within The Chippa Willow Community . Not Only Will it Produce Revenue For Jasper County As A Whole**

The Nonprofit Will Directly Help Individuals in Our Community. This Social Will Give Us Something To Do in Our Own Community Keeping Majority Of The Resources And Functions Within Walking or Driving Distance. Ms A.Daniels Has Informed Me That The P.Y.N.K. Social Will Not Be Run / Operated As A Night Club !! And When Having Certain Events , Fundraisers , Etc. That The Safety Of The Residents In Our Community Is Her First Priority !!

I 100% Support The P.Y.N.K. Social a Nonprofit Organization

Anna B. Watson - Hyacinth
ANNA B. Watson - Hyacinth

345 Chippawilow Rd Ridgeland, S.C. 29936

7-9-21



Letter Of Recommendation & Support .

For The Rezoning of 358 Chippa Willow Rd , Ridgeland

Sc 29936

From Residential to Community Commercial property

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Bulah Dubois
287 Chippa Willow Rd
Ridgeland, SC 29936

7-9-21



Letter Of Recommendation & Support .

For The Rezoning of 358 Chippa Willow Rd , Ridgeland

Sc 29936

From Residential to Community Commercial property

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Stephanie Sandberg
287 Chippa Willow Rd.
Ridgeland, SC
29936



Letter Of Recommendation & Support .

For The Rezoning of 358 Chippa Willow Rd , Ridgeland

Sc 29936

From Residential to Community Commercial property

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I 100% Support The P.Y.N.K. Social a Nonprofit Organization

*Victoria J.
248 Mulberry Alley,
Ridgeland SC 29936*



Letter Of Recommendation & Support .

**For The Rezoning of 358 Chippa Willow Rd , Ridgeland
Sc 29936**

From Residential to Community Commercial property

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Is Her First Priority !!**

I 100% Support The P.Y.N.K. Social a Nonprofit Organization

**Chelisea D.
279 Chippawillow Rd,
Ridgeland SC 29936**



Letter Of Recommendation & Support .

For The Rezoning of 358 Chippa Willow Rd , Ridgeland

Sc 29936

From Residential to Community Commercial property

**I E.D.P Have Spoken With Ms A. Daniels About Her Nonprofit Organization The P.Y.N.K Social Along
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I 100% Support The P.Y.N.K. Social a Nonprofit Organization

**Karnest D. Pinckney
800 Bolton Hall, Rd,**