



**JASPER COUNTY COUNCIL  
WORKSHOP AND**

**COUNCIL MEETING**

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

**Monday, August 21, 2023**

**MINUTES**

**Officials Present:** Chairman L. Martin Sauls IV, Vice Chairwoman Barbara B. Clark  
Councilman Pastor Alvin Adkins, Councilman John Kemp. **Absent:** Councilman Coy Garbade.

**Staff Present:** County Administrator Andrew Fulghum, Deputy Clerk to Council, Tisha Williams,  
County Attorney David Tedder, Kimberly Burgess, Russell Wells, Danny Lucas and Videographer Jonathan  
Dunham.

**1. Call to Order:**

Chairman Sauls called the 5pm Council Meeting to order, no workshop was held and the Report of Compliance with the Freedom of Information Act was read for the records as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification*

**2. Executive Session SECTION 30-4-70.**

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

**(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Jasper Animal Rescue Mission (JARM) Lease; Intergovernmental Agreement (IGA) with City of Hardeeville for funding of Workforce Training Program; Memorandum of Understanding (MOU) with Beaufort, Colleton and Hampton Counties for Regional Jail Study; Litigation Update – Ball v. Jasper County, Haina v. Jasper County, Jasper County v. Western Suety Company and Denise Smith, Davis v. Jasper County; Tax Map# 062-00-03-056, Tax Map# 063-26-14-002, Tax Map# 063-26-14-001 and Tax Map# 067-00-01-010; Prayer at Meetings; Airport Matters - Heddings**

**(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 – Projects Slab, Water, Ice, Deepwater and Gelato**

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. **PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM THE EXECUTIVE SESSION.**

**3: Return to Open Session at 6:30PM.**

*Open Session convened and began at 6:42PM.*

**Motion to return to Open Session: Councilman Adkins**

**Second: Councilman Kemp**

**Vote: Unanimous**

The motion passed.

○ **3.1 Action coming out of Executive Session**

**Motion to move to authorize the Administrator to attempt to reach a resolution in the Davis VS Jasper County matter within the parameters discussed in Executive Session: Vice Chairwoman Clark**

**Second: Councilman Adkins**

**Vote: Unanimous**

The motion passed.

**4. Pledge of Allegiance and Invocation:**

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

**5. Discussion of Consent Agenda and Agenda Items:**

**Motion to approve: Vice Chairwoman Clark**

**Second: Councilman Adkins**

**Vote: Unanimous**

The motion carried.

**6. Approval of Agenda:**

**Motion to approve: Vice Chairwoman Clark**

**Second: Councilman Adkins**

**Vote: Unanimous**

The motion carried.

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**CITIZEN COMMENTS**

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**7. Open Floor to the Public per Ordinance 08-17 Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6:30PM start time on the Sign-In Sheet on the**

Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes.

*Diane Bostick – Topic - Auditor Complaint*

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## PRESENTATIONS AND PROCLAMATIONS

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**8. David Tedder – Proclamation for the 2023 Gullah Geechee Nation Appreciation Week to Queen Quet.**

Chairman Sauls read and presented this proclamation along with Council to Queen Quet for the recognition of the 2023 Gullah Geechee Nation Appreciation Week.

**9. M.B. Kahn – Presentation for Coosawhatchie Community Center and Fire Station Project**

Ms. Maggie Dittmar, Mr. Bill Ramsey and Ms. Margaret Rush presented their presentation for the for Coosawhatchie Community Center and Fire Station Project's to Council.

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## RESOLUTIONS

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**10. David Tedder – Consideration of Resolution #R-2023-14 to Approve and Adopt an Intergovernmental Agreement between Jasper County and the City of Hardeeville (Workforce Training Program).**

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

**11. David Tedder – Consideration of Resolution #R-2023-15 to Provide Approval of the Revised Legal Description for a Fee in Lieu of Taxes Agreement between Jasper County and CP Hardeeville, LLC Dated February 22, 2022.**

**Motion to approve:** Councilman Kemp

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

**12. David Tedder – Consideration of Resolution #R-2023-16 Appointing a Litter Control/Codes Enforcement Officer for the Proper Security, General Welfare and Convenience of Jasper County**

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

**13. Kim Burgess – Consideration of Resolution #R-2023-17 Authorizing the Commitment of Funds for Use by the Jasper County 250 Committee to be Paid From Local Accommodations**

*Councilman Kemp Recused himself (written statement provided).*

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

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**PUBLIC HEARINGS, ORDINANCES AND ACTION ITEMS**

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**14. Russell Wells – Consideration of the 3<sup>rd</sup> reading of Ordinance #O-2023-12 Amending Chapter 9, *CIVIL EMERGENCIES*, by creating new Divisions, adopting restrictions and conditions regarding open burning of vegetation, leaves, and other materials, and matters related thereto. (1<sup>st</sup> reading 05.15.2023; 2<sup>nd</sup> reading 07.17.2023)**

**Motion to approve:** Councilman Kemp

**Second:** Vice Chairwoman Clark

**Vote:**

**Chairman Sauls:** No

**Councilman Adkins:** No

**Councilman Kemp:** Yes

**Vice Chairwoman Clark:** Yes

There was a tie vote, so the motion did not pass.

**15. Lisa Wagner - Public hearing and consideration of the 2<sup>nd</sup> reading of Ordinance #O-2023-14 to amend the Official Zoning Map of Jasper County so as to transfer three (3) properties located along Honey Hill Road, bearing Jasper County Tax Map Numbers: 029-00-02-028, a 6-acre portion as shown on the attached exhibit; 029-00-02-079; and 029-00-02-086, from the Rural Preservation Zone to the Community Commercial Zone, and one (1) property located along Honey Hill Road bearing Jasper County Tax Map Number 029-00-02-061 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map. (1<sup>st</sup> reading 07.17.2023)**

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

**16. Lisa Wagner - Consideration of 1<sup>st</sup> reading of an ordinance To Amend Article 6:1 – Table 1, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32 *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a**

conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

**Motion to approve:** Councilman Kemp

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion carried.

**17. John Kemp** – Consideration of **1<sup>st</sup> reading** of an ordinance To establish a Board of Parks and Recreation for Jasper County, South Carolina by adopting a new, Chapter 2, Article IV, Division 4 in the Jasper County Code of Ordinances.

**Motion to approve:** Councilman Adkins

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion carried.

**Motion to reconsider Item # 14. Russell Wells** – Consideration of the **3<sup>rd</sup> reading** of Ordinance **#O-2023-12** Amending Chapter 9, **CIVIL EMERGENCIES**, by creating new Divisions, adopting restrictions and conditions regarding open burning of vegetation, leaves, and other materials, and matters related thereto. (**1<sup>st</sup> reading 05.15.2023; 2<sup>nd</sup> reading 07.17.2023**) : Councilman Kemp

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion for reconsideration passed.

**Motion to table item # 14. Russell Wells** – Consideration of the **3<sup>rd</sup> reading** of Ordinance **#O-2023-12** Amending Chapter 9, **CIVIL EMERGENCIES**, by creating new Divisions, adopting restrictions and conditions regarding open burning of vegetation, leaves, and other materials, and matters related thereto. (**1<sup>st</sup> reading 05.15.2023; 2<sup>nd</sup> reading 07.17.2023**) until the next meeting: Councilman Kemp

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion for reconsideration passed.

**18. Kim Burgess** – Consideration of **1<sup>st</sup> reading** of an ordinance to Amend Jasper County Ordinance O-2022-17 for Fiscal Year 2023 Jasper County Budget to Provide for Amendments to the Budget and to Carryover Approved Lapsing Funds to Fiscal Year 2024, and to Amend Jasper County Ordinance O-2023-09 for Fiscal Year 2024 Jasper County Budget to Provide for Amendments to the Budget Lapsing Funds from Fiscal Year 2023 and to Correct an Error in Section 2 of the Budget Regarding a Mathematical Error. *Clark – Y, Adkins – Y, Sauls – Y*

**Motion to approve:** Councilman Adkins

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion carried.

**19. Wanda Simmons - Request and consideration of the reappointment as requested by Mary Lou Franzoni for Mr. Charles Mitchell Jr. to be re-appointed as the Jasper County Representative to the Lowcountry Regional Transportation Authority Board of Directors for a term of 3 years.**

Mr. Fulghum presented this request and noted that in the packet had been provided by Clerk to Council Wanda Simmons. A letter from Mary Lou Franzoni was in the agenda e-packet requesting the reappointment of Mr. Charles Mitchell Jr.

**Motion to approve:** Councilman Kemp

**Second:** Vice Chairwoman Clark

**Vote:** Unanimous

The motion carried.

**20. Wanda Simmons - Request and consideration for an appointment to the Board of Zoning Appeals.**

Mr. Fulghum presented this request and noted that the information in the packet had been provided by Clerk to Council Wanda Simmons. Ms. Frances M. Chalmers had submitted an application to be a member of the Board of Zoning Appeals. Staff recommended the approval of her application for this board as the newest member to the BZA.

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The motion carried.

**21. Wanda Simmons - Request and consideration of the Council Appointments to the Airport Commission.**

Mr. Fulghum presented this request and noted that the information in the packet had been provided by Clerk to Council Wanda Simmons. Chairman Sauls noted that Councilman Garbade was not present, but had advanced a name as his appointee. Mr. Fulghum noted that Councilman Garbade advanced Mr. Richard Dean.

**Appointees:**

**Avery Cleland**

**Steven Alston**

**Richard Dean**

**Baylor O’Cain**

**James Williams**

**Appointment Made By:**

*Chairman Sauls*

*Vice Chairwoman Clark*

*Councilman Garbade*

*Councilman Kemp*

*Councilman Adkins*

**Motion to approve:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous  
The motion carried.

**22. Wanda Simmons - Request and consideration of the Council Appointments to the Levy Fire Protection District Board.**

Mr. Fulghum presented this request and noted that the information in the packet had been provided by Clerk to Council Wanda Simmons.

**Appointees:**  
**Patrick Dantzler**  
**Michael Shannon Saxon**  
**Chad Scott**

**Appointment Made By:**  
*Chairman Sauls*  
*Councilman Kemp*  
*Councilman Garbade (was not present for the meeting, but Chairman Sauls noted Councilman Garbade's appointment was Mr. Chad Scott)*  
*Councilman Adkins*  
*Vice Chairwoman Clark*

*No appointment (made at this time)*  
*No appointment (made at this time)*

Mr. Fulghum noted that 2 members must be former Board Members of the Levy Fire Department Board. Chairman Sauls said that since Vice Chairwoman Clark and Councilman Adkins still had appointments to make that could be former Board Members.

**Motion to approve off the three names submitted:** Vice Chairwoman Clark  
**Second:** Councilman Adkins  
**Vote:** Unanimous  
The motion carried.

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**23. Administrator's Report:** Mr. Fulghum said most of his information was informational and there were no Action Items for Council in the Administrator's Report. He and Council thanked Ms. Tisha Williams for standing in for Clerk to Council Wanda Simmons. He also noted that in July that Mr. Tedder had been elected as President to the SC Association of Attorneys.

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**CONSENT AGENDA**

**Motion to approve the Consent Agenda:** Councilman Adkins  
**Second:** Vice Chairwoman Clark  
**Vote:** Unanimous  
The motion carried.

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**24. Russell Wells - Consideration of the Sourcewell Cooperative purchase of the Generator for Firetower Road Fire Station in the amount of \$105,427.00. (This was approved in the FY 23-24 budget, however contract exceeds authority of the Administrator).**

25. **Kim Burgess** – Consideration of Change Order Number 8 from C. Merrill Construction Company Inc., for Marsh Cove Fire Station in the amount of \$81,421.00

26. Approval of the Minutes of May 1, 2023.

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**END OF CONSENT AGENDA**

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**27. Council Members Comments:**

Councilmember Comments were given but there were no comments that required action.

**28. Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda**

**Item II.** – There was no need to return to Executive Session for this meeting. For additional information on this meeting please visit our website for the E-Packet or for the video go to

[https://www.youtube.com/channel/UCBmlogX05cKAsHm\\_ggXCIIA](https://www.youtube.com/channel/UCBmlogX05cKAsHm_ggXCIIA) .

**29. Adjournment:**

**Motion to Adjourn:** Vice Chairwoman Clark

**Second:** Councilman Adkins

**Vote:** Unanimous

The meeting adjourned at 8:07pm.

**Respectfully submitted:**



Wanda H. Giles  
Clerk to Council



L. Martin Sauls IV  
Chairman