



JASPER COUNTY COUNCIL
VIRTUAL MEETING

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

October 4, 2021
MINUTES

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

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Kimberly Burgess, Russell Wells and Jonathan Dunham.
Also Present: Brantley Strickland of SouthernCarolina Alliance

Chairwoman Clark called the meeting to order at 5:04PM. Chairwoman Clark asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Wanda Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act.

Chairwoman Clark read the information below for the executive session.

Motion to go into executive session: Councilman
Second: Councilman Sauls
Vote: Unanimous
The motion passed.

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 - Application of the Salary Study to specific employees / positions; Premium Pay

(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim - Exit 3; Waste Management; Carolina Metal Castings; Update on Opioid Litigation

(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 Mandolin; Project Dolphin

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS

Return to Open Session:

Motion to return to open session: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Business from Executive Session:

Move to authorize the County Attorney, with the assistance of our outside employment legal counsel, to seek guidance from the Attorney General on the legality of providing Premium Pay to non-Council member elected officials: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Move to Authorize the Administrator to Amend Exhibit A to the Premium Pay Resolution 2021-20 passed at our last Council meeting to include those employees inadvertently omitted or otherwise had errors included in the amounts calculated as discussed in Executive Session, and to increase the funds allocated in Resolution 2021-20 to include the additional funds necessary to include these corrections: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Move to Authorize the Council Chairwoman to sign a letter to be sent to the Attorney General detailing Jasper County's preference for the Attorney General to seek more favorable terms for our local governments in the proposed settlements on the Opioid litigation as outlined in the letter with the noted changes as presented to Council:

Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Motion to authorize the Administrator to implement the Sheriff Department salary study as presented, at executive session at an additional cost of approximately \$400,000, to be paid out of the current approved 2021-2022 budget: Councilman Sauls

Second: Councilman Brantley

Vote: Unanimous

The motion passed.

Councilman Kemp led the Pledge of Allegiance and Vice Chairman Dr. Brantley gave the invocation.

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Approval of the Minutes of September 7, 2021.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Presentation:

A: Andrew Fulghum – Jasper County Transportation Sales Tax Program Update

Mr. Fulghum was present to address and review this PowerPoint presentation with Council. He discussed the Jasper County Transportation Sales Tax and noted that County residents had voted to impose a transportation sales tax through referendum in November 2016, with collection of tax beginning in May 2017. He noted that the current active projects were the Municipal Road Projects and the State Road Projects totaling \$6,830,000. He noted that the expenditures to date were \$1,189,258 and the account balance was \$19,401,181 less a new deduction of \$32,000 making the final account balance \$19,369,181.

He provided status updates of the following projects:

Repair of James Taylor Drive – Status: Completed

I-95 Exit 21 Improvements – Status: SCDOT to let in Q1 next year

US 278 Widening Project in Ridgeland – Status: SCDOT review and permitting

Hardeeville Commerce Park Road – Status: Actively under construction

Exit 8 and US 278 Improvement Project:

I-95 Exit 8 Improvements – This was scaled back from what was considered in 2016 Mr. Fulghum noted. Priority roadway improvements along US Highway 278 located at Exit 8 interchange of Interstate 95 near the City of Hardeeville.

Amended Project List – Projects to be added:

- \$13,500,000 for Construction New I-95 Interchange (Exit 3)
- \$1,000,000 for SC 170 Corridor Access Management Study Near – Term Improvements

The near-term improvements include general improvements at 5 specific locations. Those improvements include installing reduced conflict intersections and U-turns at Okatie Center Boulevard, extend loop turn lane to west bound ramps with separation between US278 west bound on ramp and US 278 east bound on ramp, remove free flow right-turn lane and replace with dual right-turns on US 278 west bound off ramp, install a nearside signal head north bound SC 170 at Cherry Point Road and Pearlstine Drive and construct dual east bound left -turn lanes on Argent Boulevard at SC 170.

Project Breakdown without the 2 projects to be added:

- \$1,895,000 for Exit 8 and US 278 Improvement Project area phase I (Exit 8 is not under going to be used under the Jasper County and SC Department of Transportation IGA) – Current Active Project
- \$1,650,000 for Hardeeville Commerce Park main entrance/ access roadway project – Current Active Project
- \$7,000,000 for I-95 Exit 21 improvements (SC 336 Underpass), Reconstruction of James Taylor Drive, Bailey Lane reconstruction, Taylor Drive reconstruction, Industrial Park improvements, and roadway widening to provide improved access for emergency vehicles (Exit 21 will be under the Jasper County and SC Department of Transportation IGA) – identified in the 2016 Ordinance and is kept the same.
- \$ 750,000 for US Highway 278 Corridor widening, stormwater improvements and Malphrus Road intersection realignment (will be included in the existing Jasper County and SC Department of Transportation IGA)
- \$1,205,000 for US Highway 17 Overlay (sections to be determined), and new road construction and improvements (sections to be determined).

The two projects pending approval as eligible projects for inclusion in amending ordinance are (1) SC 170 Corridor access management study near-term improvements (cost: \$1,000,000). Mr. Fulghum noted that Beaufort County has proposed that the County enter into an agreement with them to share the cost of this; and (2) Construction of new I-95 Interchange – Exit 3 (cost: \$13,500,000).

He also noted that there are some projects in the original 2016 Ordinance had changed and others from the ordinance that would not be done such as the reconstruction of Route 321. He noted that this had been a big push in 2016 but DOT did this project instead. Mr. Fulghum noted that the County does have a legal opinion from Attorney Sam Howell about the ability for the County to do update the ordinance to include two new projects in the Administrators Report. Mr. Fulghum noted that later on this agenda was a resolution pertaining to the IGA between Jasper County and the SC Department of Transportation and then after that on the agenda an ordinance by Title Only that would require approval and inclusion of these projects in the amending ordinance. He said he would be working with Atty. Sam Howell to create the verbiage for the subsequent readings of the Transportation Sales Tax Ordinance. He concluded his presentation and said he was available for questions. Council had no questions at this time.

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.

There were no public comments for this meeting.

Resolutions:

A. David Tedder – Resolution # 2021-22 confirming the continued viability and existence of an Intergovernmental Agreement (IGA) between the County of Jasper and the South Carolina Department of Transportation regarding completion of certain transportation projects under Jasper County’s local option sales tax program, and amending the IGA by adding an additional project identified as Project no. 3, being the Highway 278 widening project, and authorizing the County Administrator and County Attorney to perform certain tasks related thereto.

David Tedder was available to present this request. He noted that this resolution was the one Mr. Fulghum spoke of previously amending the IGA the County has with the SC Department of Transportation to perform services from time to time on projects. This adds on a Project # 3 which is the review and permitting review of the Hwy 278 widening project disclosed to you in the presentation (from the school and Emergency Service areas out to Malphrus and Log Haul Roads). He noted that this doesn’t change the language of the of the underlying IGA but adds in the section to the IGA of the other two projects that were already contracted with Project # 3.

Mr. Tedder confirmed the continued viability and existence of the IGA between Jasper County and the SC DOT regarding the completion of certain transportation projects under the County’s LOST program and amending the IGA by adding an additional project identified as Project # 3 being the Highway 278 widening project.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Ordinances:

A: David Tedder – 2nd reading of Ordinance # 2021-27 authorizing the execution and delivery of a fee in lieu of tax agreement by and between Jasper County, South Carolina and a Project known at this time as Project Ocean with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

David Tedder was available to present this request. He said that this had come before Council at the previous meeting on 09.20.2021. He noted that this was the spec building at Point South which is owned by SouthernCarolina Alliance. He mentioned that the tax rate would be reduced to

6%. Mr. Tedder mentioned that this would create about 127 jobs and was a 17-million-dollar upfit. He noted that the project was moving forward, and the final reading and documents would be presented in November.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

B: Andrew Fulghum – 1st reading by TITLE ONLY of an Ordinance to Amend Ordinance No. 2016-05 to Revise the Transportation Projects to be Financed by the Sales and Use Tax Authorized by such Ordinance and the Favorable Results of a Referendum held on November 8, 2016; and other matter related thereto.

Mr. Fulghum was present to address this request. He said this ordinance would amend Ordinance # 2016-05 and bring it back with the projects that were to be added and omitted.

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

C: David Tedder - 1st reading by TITLE ONLY of an Ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between a company known for the time being as “Project Mandolin” (the “Company”) and Jasper County, whereby Jasper County will enter into a fee-in-lieu of tax agreement with the Company and providing for payment by the Company of certain fees-in-lieu of *ad valorem* taxes; providing for special source revenue credits in connection with such agreement; authorizing and approving (1) development of a new joint county industrial and business park pursuant to section 4-1-170 of the code of laws of South Carolina 1976, as amended, in conjunction with Beaufort County (the “Park”) such Park to be geographically located in Jasper County; (2) the execution and delivery of a written Park Agreement with Beaufort County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to Park property and the sharing of the revenues and expenses of the Park; and (3) the distribution of revenues from the Park within Jasper County; and other matters relating thereto.

Mr. Tedder was available to present and review this request. He also noted that this project is located in the City of Hardeeville. He noted that the inducement resolution would be at the next reading.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

D: David Tedder - 1st reading by **TITLE ONLY** of an Ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between a company known for the time being as "Project Dolphin" (the "Company") and Jasper County, whereby Jasper County will enter into a fee-in-lieu of tax agreement with the Company and providing for payment by the Company of certain fees-in-lieu of *ad valorem* taxes; providing for special source revenue credits in connection with such agreement; authorizing and approving (1) development of a new joint County industrial and business park pursuant to section 4-1-170 of the code of laws of South Carolina 1976, as amended, in conjunction with Beaufort County (the "Park") such Park to be geographically located in Jasper County; (2) the execution and delivery of a written Park agreement with Beaufort County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to Park property and the sharing of the revenues and expenses of the Park; and (3) the distribution of revenues from the Park within Jasper County; and other matters relating thereto.

Mr. Tedder was available to present and review this request. He noted that the inducement resolution would be at the next reading.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

New Business: There was no new business for this meeting.

Old Business:

A: Chief Russell Wells - COVID update

Chief Wells provided the current COVID update for Council. He noted that the current positivity rate for Jasper County was at 11.1% (which was a reduction of -0.5%. He also noted however, that only 875 tests had been administered noting that this was fewer tests than in the past report.

Chief Wells provided information on the community-based testing locations and the vaccine locations and noted that vaccines are available for persons 12 years of age and up.

Chairwoman Clark noted that we keep encouraging people to get the shots, but people simply are not choosing to do so.

Council Members Comments:

Chairwoman Clark:

Chairwoman Clark stated that Council wanted to let Mr. Martin Sauls III how proud they are of the Order of the Palmetto Award that he received. She noted it was a great turnout for the award ceremony. She said Councilman Adkins had joined them there and the Councilman Kemp had been out of town. She noted that this was the first time in Jasper County that anyone had received this award. She asked that everyone keep Council in their prayers.

Vice Chairman Dr. Brantley:

Vice Chairman Dr. Brantley stated that he joined Council in congratulating Martin Sauls III on this honor of receiving the Order of the Palmetto Award. He said that had been given to one that richly deserved it. He also encouraged everyone to get out and get vaccinated.

Councilman Kemp:

Councilman Kemp congratulated Martin Sauls III. He noted he was at the Gopher Hill Festival on Saturday. He said this was the 49th year of the Gopher Hill Festival. He asked Chief Wells when testing is done are people being tested who are sick or simply are people who just want to be tested. Chief Wells noted that he hated to speculate, but that most probably they have some type of symptom if they get tested. He did note however, that some people are asymptomatic. Chairwoman Clark said she goes every 14 days or so to get tested to make sure she is staying well.

Councilman Adkins:

Councilman Adkins stated that he gave all honor to Christ and that he thanked God for keeping everyone safe. He noted that he and his wife had happily went to the support Martin Sauls III for the presentation of his award. He also noted that he had went to Hartsville, SC for training and received a lot of good information at the SCEDA training. He said the next SCEDA training session would be held in November. He said he had gone to the Gopher Hill Festival and was in the parade right behind Councilman Sauls, and had enjoyed it. He asked that everyone keep him and his family in prayer.

Councilman Sauls:

Councilman Sauls noted that Lt. Andy Orphanoudakis, a firefighter in the City of Hardeeville had passed away. He asked that everyone keep the family in prayer. He thanked everyone for the support they had shown his father, Martin Sauls III, for the award he received for the Order of the Palmetto. He noted that this had been a big week for his dad because he also had his 77th Birthday on October 2nd.

He said he had gone to the Gopher Hill Festival and Parade with his family and noted they had a wonderful time. He said he had been in the parade and had passed out candy and that they had even stayed till around 8:30pm because it was so enjoyable. He mentioned that the City of Hardeeville would be having their festival in a couple weekends and encouraged people to attend.

He said they had been working on the landscaping and painting at the Farmer's Market and that he had attended the Southern Carolina Alliance Board meeting this last week. He said they are looking forward to good things happening in economic development in the future.

Administrator's Report:

Mr. Fulghum was present for this item and noted that his report was in the Council's packet if they had any questions. He noted that he had been taking training courses and that he was attending a Conference in Portland virtually and will be in class again Monday, Tuesday and

Wednesday of this week. He said he had also been attending the National Association of Counties High Performance Leadership Institute for the last 8 weeks and 4 more weeks to go. He noted that he has been enjoying all the opportunities to learn.

Mr. Fulghum turned it over to Kimberly Burgess for a customer service update. Ms. Burgess noted that beginning tomorrow providing curb side service signs with phone numbers so they could call in and tell the reception desk what they are there for. This way they can wait in their car until they are called.

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

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

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

The meeting adjourned at 7:30pm.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council

Approved:



Barbara B. Clark
Chairwoman