

**AGENDA  
COLLETON COUNTY COUNCIL  
SPECIAL MEETING  
TUESDAY, APRIL 21, 2020  
1:00 P.M.  
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING  
109 BENSON STREET, WALTERBORO, SC**

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
  - a) Regular Meeting March 3, 2020
5. Administrator's Briefing
6. New Business
  - a) Emergency Ordinance 20-O-03, Emergency Ordinance Temporarily Suspending the Existing Procedures for Conducting Meetings of the Colleton County Council and Its Boards and Commissions to the Extent Necessary to Protect the Citizens of Colleton County, Colleton County Staff, Board and Commission Members, and County Council Members from the COVID-19 Epidemic and Establishing Temporary Procedures for Such
  - b) 1<sup>st</sup> Reading Ordinance 20-O-04 **By Title Only**, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2019 through June 30, 2020; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto
  - c) Resolution 20-R-19, To Award the Contract for the Expansion of the Islandton Fire Station
  - d) Resolution 20-R-20, To Approve Purchase of a used Caterpillar Motor Grader in Accordance with Section 3.08.215 of the County's Purchasing Ordinance for the Roads and Bridges Department as Included in the FY 2020 Capital Fund Budget
  - e) Resolution 20-R-21, To Waive Solid Waste Construction and Debris Landfill Fees related to the Severe Weather Incident on April 13, 2020
  - f) Resolution 20-R-22, To Adopt A Continuing Budget For The Fiscal Year Beginning July 1, 2020, Due To The Covid-19 Pandemic, And To Authorize The Expenditure Of Funds

7. Adjournment
8. Informal Meeting of the Whole

Sponsor(s): County Council  
Reading and Adoption: April 21, 2020  
Effective Date: April 21, 2020

### **EMERGENCY ORDINANCE NO. 20-O-03**

#### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[An Emergency Ordinance Temporarily Suspending the Existing Procedures for Conducting Meetings of the Colleton County Council and Its Boards and Commissions to the Extent Necessary to Protect the Citizens of Colleton County, Colleton County Staff, Board and Commission Members, and County Council Members from the COVID-19 Epidemic and Establishing Temporary Procedures for Such Meetings.]**

#### **WHEREAS:**

1. In response to the COVID-19 epidemic in South Carolina and threat to public health, the Governor of the State of South Carolina has issued a number of Executive Orders declaring a public health emergency in the state and directing, among other things, citizens to engage in certain social distance practices and local governments to use "any available technology or other reasonable procedures to conduct meetings and accommodate public participation via virtual or other remote or alternate means"; and
2. The South Carolina Freedom of Information Act recognizes that a public meeting may be conducted by means of electronic equipment, and two or more opinions of the South Carolina Attorney General conclude that public entities may conduct public meetings through telephonic meetings; and
3. South Carolina Code Sections 4-9-25 and 4-9-130 authorize county councils to adopt emergency ordinances to protect life, health and safety; and
4. County Council has determined that due to the public health risks caused by COVID-19 to citizens, County staff, County board and commission members, and Council members and due to the directives of the Governor, County Council, board and commission meetings should be conducted temporarily in a manner that reduces the exposure of persons to each other by various means including, but not limited to, limiting attendance at the meetings and allowing the public to listen to and/or view those meetings and participate in those meetings as allowed under County ordinances and Council, board and commission rules and procedures by electronic, telephonic or other alternative means.

#### **NOW, THEREFORE, BE IT ENACTED BY THE COLLETON COUNTY COUNCIL AS AN EMERGENCY ORDINANCE THAT:**

1. For the reasons set forth above, the Colleton County Council hereby declares that a public health emergency exists in Colleton County and hereby temporarily suspends

the existing procedures for conducting meetings of County Council and County boards and commissions that are provided by ordinances of Colleton County or the Council's, board's or commission's rules or usual procedures subject to compliance with the South Carolina Freedom of Information Act.

2. Only the Chairman, members of County Council, the County Administrator, Department Heads, Council Clerk, County Attorney, security personnel, other essential County staff, some media representatives, and persons who have a direct interest in an ordinance or resolution listed on the agenda may attend meetings of County Council in person.
3. Members of County Council may participate in the Council meetings, discussions, and voting by telephonic and other electronic means that are feasible for the County to implement. The participation of a Council member by telephonic or electronic means shall constitute being present for determining a quorum, making motions, seconding motions and all other purposes related to participating in the meeting as a member of Council.
4. Members of the public who have a direct interest in an ordinance or resolution listed on the agenda may be allowed to make comments or ask questions as appropriate under the existing ordinances, rules and procedures applicable to Council meetings in person at the meeting or by electronic means that are feasible for the County to implement. Those with direct interest must submit their intentions to be present for comment to the Clerk of Council at least 24 hours prior to the meeting.
5. Members of the public who have a general interest in a matter listed on the agenda for a public hearing may not attend the meeting in person, but shall be allowed to make comments or ask questions on that matter as appropriate under the existing ordinances, rules and procedures applicable to public hearings before Council by electronic means that are feasible for the County to implement.
6. The County shall make means available for the general public to make public comments about the meetings using email or similar means. Such comments will be posted on the web at the location that the telephonic or electronic means of the meeting are delivered to the public. Comment shall be no more than 400 words as is the standard for 3 minutes of public comment as appropriate under the existing ordinances, rules and procedures applicable to public comment.
7. During public meetings of the Colleton County Planning Commission, Board of Appeals, Board of Assessment Appeals and other boards and commissions that are subject to the ordinances of the County Council, only members of the boards and commissions, essential staff, the County Attorney, some media representatives and persons with a direct interest on a matter listed on the agenda for a meeting will be allowed to attend the meetings. Members of the public who have a direct interest in a matter listed on the agenda may be allowed to make comments or ask questions as appropriate under the existing ordinances, rules and procedures applicable to the board

or commission in person at the meeting or by telephonic or electronic means that are feasible for the County to implement. Persons with a general interest on a matter listed in the agenda for the meeting that includes a public hearing may not attend the meeting but shall be allowed to make comments or ask questions on that matter as appropriate under the existing ordinances, rules and procedures applicable to the meeting by telephonic or electronic means that are feasible for the County to implement. Members of the boards or commissions may participate in the meeting, discussions, and voting by telephonic and other electronic means that are feasible for the County to implement. The participation of a board or commission member by telephonic or electronic means shall constitute being present for determining a quorum, making motions, seconding motions and all other purposes related to participating in the meeting as a board or commission member.

8. Any requirement that this Emergency Ordinance be referred to a committee of Council is hereby waived.
9. This Emergency Ordinance shall automatically expire as of the sixty-first day following the date of its adoption or at such earlier date as approved by action of County Council.
11. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

This Emergency Ordinance shall become effective as of 1:00 p.m. on April 21, 2020 upon adoption by Council and does not require second or third readings.

Adopted at the special meeting of Colleton County Council on April 21, 2020.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

Sponsor(s) : County Council  
First Reading : April 21, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : May 5, 2020  
Public Hearing : June 2, 2020  
Third Reading : June 2, 2020  
Effective Date : July 1, 2020

I. \_\_\_\_\_,  
Council Clerk, certify that this  
Ordinance was advertised for  
Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 20-O-04**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2019 through June 30, 2020; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.]**

Sponsor(s) : County Council  
Adopted : April 21, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-19**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Award the Contract for the Expansion of the Islandton Fire Station.]**

**WHEREAS:**

1. The County advertised a Request for Bids, FR-24, for the expansion of the Islandton Fire Station; and
2. Five bids were received;
3. IP Builders, Inc. meets all of the requirements of the bid and is the lowest bidder.

**NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. County Council hereby awards the contract in accordance with Bid FR-24 to IP Builders, Inc. for the expansion of the Islandton Fire Station at cost of \$515,399.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from Fire-Rescue Bond Fund 161.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : April 21, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-20**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Approve Purchase of a used Caterpillar Motor Grader in Accordance with Section 3.08.215 of the County's Purchasing Ordinance for the Roads and Bridges Department as Included in the FY 2020 Capital Fund Budget.]**

**WHEREAS:**

1. The Fleet Management Department has located a suitable used Caterpillar Motor Grader from Blanchard Machinery in the amount of \$131,000 (including tax and delivery) for the Solid Waste Department, which is a considerable cost savings in comparison to a new unit; and
2. The used motor grader only has 2,700 hours on it (we usually put 2,000 hours per year on our motor graders), and the price of a new motor grader is \$267,000 on state contract; and
3. The FY 2020 Capital Fund (Fund 115) Budget includes funding for the purchase of a motor grader for the Roads and Bridges Department; and
4. The Fleet Management Department recommends that Council authorize the purchase of the used Caterpillar Motor Grader from Blanchard Machinery in accordance with Section 3.08.215 of the County's Purchasing Ordinance in the amount of \$131,000 (including tax and delivery).

**NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. The purchase of the used Caterpillar Motor Grader from Blanchard Machinery in the amount of \$131,000 (including tax and delivery) is hereby authorized.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary for the purchases.
3. Funding for the cost of the motor grader is included in the FY 2020 Capital Fund (Fund 115) Budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:



Sponsor(s) : County Council  
Adopted : April 21, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-21**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Waive Solid Waste Construction and Debris Landfill Fees related to the Severe Weather Incident on April 13, 2020.]**

**WHEREAS:**

1. The County suffered a severe weather event on Monday, April 13, 2020; and
2. This event caused a large amount of debris from fallen trees and structural damage to buildings; and
3. County Council deems it to be in the best interest of the residents of Colleton County to waive Solid Waste Construction and Debris landfill fees until April 27, 2020 for items related to the severe weather event.

**NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:**

County Council hereby waives Solid Waste Construction and Debris landfill fees related to the severe weather event on Monday, April 13, 2020 until April 27, 2020.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : April 21, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-22**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A RESOLUTION TO ADOPT A CONTINUING BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, DUE TO THE COVID-19 PANDEMIC, AND TO AUTHORIZE THE EXPENDITURE OF FUNDS.]**

**WHEREAS:**

It now appears that the fiscal year 2020-2021 budget of the State of South Carolina will likely not be approved by July 1, 2020, due to the impacts to the economy related to the COVID-19 pandemic. The South Carolina Board of Economic Advisors has forecasted major reductions to state and local government revenue streams as a result of COVID-19. Due to these conditions, Governor McMaster plans to call the State Legislature back in session in June of 2020 to approve a continuing resolution, through at least September, for time to calculate the impacts of the COVID-19 pandemic to state and local revenues. Therefore, Colleton County will likely not receive the necessary State revenue totals to the Counties from the State of South Carolina in time to calculate the millage rate and finalize a budget by July 1, 2020. The County has been informed by the State that these figures will likely not be received until at least September 2020 for FY 2020-2021.

**NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:**

**Section 1** – The budget amounts set forth and approved in the fiscal year 2020-2021 budget are hereby continued and the Administration, Elected Officials, and other Appointed positions of Colleton County are authorized to expend funds at the same level as the previous fiscal year. This in effect authorizes the County to operate based on our most recent budget information. The Continuation Budget will be based on the approved 2019-2020 budget with projected adjustments as reflected in the preliminary Colleton County Budget Ordinance for FY 2020-2021.

**Section 2** – No funds can be expended or obligated that exceed the previous year’s annual budget appropriation until a new budget is finally adopted. Expenditures mandated by State laws, rules or regulations are incorporated into this continuing budget and the Administration shall be permitted to expend funds necessary to meet State mandates.

**Section 3** - This resolution shall take effect from and after its passage and its provisions will be in force from July 1, 2020 to October 15, 2020 until the budget for fiscal year 2020-2021 is finally adopted, or when the State FY 2020-2021 budget is adopted.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED: