

**AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 4, 2017
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a) Regular Meeting March 7, 2017
5. Administrator's Briefing
6. New Business
 - a) 1st Reading by Title Only Ordinance 17-O-03, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2017 through June 30, 2018; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.
 - b) Resolution 17-R-24, To Request That The Colleton County State Legislative Delegation Recommend To The South Carolina Department Of Natural Resources That South Carolina Water Recreation Resource Funds Dedicated To Colleton County Be Used To Replace The Boardwalk And Dock At The Chehaw Boat Landing On The Combahee River In Colleton.
 - c) Resolution 17-R-25, To Declare April as Fair Housing Month.
 - d) Resolution 17-R-26, To Approve a Policy of Non-Discrimination on the Basis of Disability Status and to Designate an ADA Coordinator.
 - e) Resolution 17-R-27, To Declare May 15th as Peace Officers' Memorial Day and to Declare the Week of May 15th as Police Week.
 - f) Resolution 17-R-28, To Declare Saturday, May 13th, as Stewardship Day 2017 for the Edisto River Basin.
 - g) Resolution 17-R-29, To Express Concern over the Fiscal Impact of H.3726 on Smaller Counties within the State of South Carolina.
 - h) Resolution 17-R-30, To Award the Purchasing Contract in Accordance with Request for Proposals FMD-08 for the Installation of Emergency Equipment.

- i) Resolution 17-R-31, To Award the Contract for the Greenway Trail Project.
 - j) Resolution 17-R-32, To Approve Amendment Of The Agreement For Development Of A Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park.
- 7. Items for Information and Public Record
 - 8. Public Comments (3 minutes per person/max time 20 min.)
 - 9. Council Time
 - 10. Executive Session
 - a) Economic Development
 - 1. Project Global
 - 2. Project Imperial
 - b) Contractual
 - 1. Fire-Rescue – Med-Trans Agreement
 - 2. Real Estate – CPST Harrelson Building Expansion
 - 11. Adjournment
 - 12. Informal Meeting of the Whole

Sponsor(s) : County Council
First Reading : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : May 2, 2017
Public Hearing : June 6 2017
Third Reading : June 6, 2017
Effective Date : July 1, 2017

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

ORDINANCE NO. 17-O-03

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, 2017 through June 30, 2018; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.]

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO REQUEST THAT THE COLLETON COUNTY STATE LEGISLATIVE DELEGATION RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES THAT SOUTH CAROLINA WATER RECREATION RESOURCE FUNDS DEDICATED TO COLLETON COUNTY BE USED TO REPLACE THE BOARDWALK AND DOCK AT THE CHEHAW BOAT LANDING ON THE COMBAHEE RIVER IN COLLETON COUNTY.]

WHEREAS:

1. Colleton County benefits economically and recreationally from the abundance of Water Recreation Resources in the County; and
2. The boardwalk and dock at the Chehaw Boat Landing, on the Combahee River in Wiggins, has fallen into disrepair; and
3. These repairs are necessary for the boat landing to continue to be operational for the citizens of Colleton County; and
4. Colleton County currently has \$160,594.66 available in the South Carolina Department of Natural Resources Water Recreation Resource Fund that is dedicated to Colleton County; and
5. The Colleton County Council requests the Colleton County State Legislative Delegation's assistance in providing a new boardwalk and dock at the Chehaw Boat Landing, in the amount up to \$52,500.

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

1. Colleton County Council hereby requests that the Colleton County State Legislative Delegation recommend to the South Carolina Department of Natural Resources that South Carolina Water Recreation Resources Funds, dedicated to Colleton County, in the amount up to \$52,500, be used to replace the boardwalk and dock at the Chehaw Boat Landing on the Combahee River.

ATTEST:

SIGNED:

Ruth Mayer, Clerk to Council

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-25

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Declare April as Fair Housing Month]

WHEREAS:

1. Colleton County Council desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and
2. Colleton County Council rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental, or provision of other housing services; and
3. The State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and
4. April is recognized nationally as Fair Housing Month.

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

The month of April is hereby designated Fair Housing Month for 2017.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-26

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve a Policy of Non-Discrimination on the Basis of Disability Status and to Designate an ADA Coordinator.]

WHEREAS:

1. Colleton County rejects discrimination on the basis of disability in the admission or access to, or the treatment or employment in, all its programs or activities; and
2. For effecting compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's (HUD) regulations implementing Section 504, a coordinator is designated annually by the Council.

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

1. Colleton County Council does hereby approve a policy of non-discrimination on the basis of disability status in the admission or access to, or the treatment or employment in, all its programs or activities.
2. A statement of such policy (attached and included herein by reference) with specific mention of federally assisted programs or activities shall be publicly disbursed.
3. Further, the name and contact information of the 2017 County ADA Compliance Coordinator, Ms. Deadgrea Sadler, shall be included in said statement.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

**POLICY OF NONDISCRIMINATION ON THE BASIS
OF
DISABILITY STATUS**

The Colleton County Council does not discriminate on the basis of disability in the admission or access to, or the treatment or employment in, its federally assisted programs or activities.

Ms. Deadgrea Sadler
PO Box 157
Walterboro, SC 29488
(843) 549-5221
E-Mail: dsadler@colletoncounty.org
TDD: 843-549-7144

has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's (HUD) regulations implementing Section 504 (24CFR Part 8, dated June 2, 1988).

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-27

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Declare May 15th as Peace Officers' Memorial Day and to Declare the Week of May 15th as Police Week.]

WHEREAS:

1. We rely on law enforcement officers to keep our neighborhoods safe, to enforce our laws, and to respond in times of crisis; and
2. Every day peace officers face the threat of violence and danger, and put their lives on the line to defend ours; and
3. In 1962, John F. Kennedy signed into law the designation of May 15th to honor peace officers, and in 1994, Bill Clinton, amended that law to direct that flags of the United States be flown at half-staff on that day; and
4. May 15th has become known as Police Officers' Memorial Day and that week as Police Week.

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

1. Monday, May 15, 2017 is hereby declared Peace Officers' Memorial Day in Colleton County.
2. All flags at County facilities shall be flown at half-staff on this day, in remembrance of the unconditional sacrifices made by federal, state and local law enforcement officers who have died in the line of duty.
3. Further, the week of May 15th through May 21st is hereby declared Police Week in recognition and praise for the fine law enforcement officers currently in service within Colleton County.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-28

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Declare Saturday, May 13th, as Stewardship Day 2017 for the Edisto River Basin.]

WHEREAS:

1. Friends of Edisto (FRED) will be conducting a basin-wide cleanup of the Edisto River, Saturday, May 13, 2017; and
2. This event will be called Edisto Stewardship Day; and
3. FRED's objective will be to increase public awareness of the beauty of the Edisto as well as to promote the clean-up of the river and its tributaries.

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

1. Colleton County Council hereby declares Saturday, May 13th, Edisto Stewardship Day 2017.
2. The County Administrator is authorized to coordinate with the Solid Waste Department and FRED for the pickup of trash collected at this event on May 15th and to assist with advertising of the event by permitting placement of a banner by FRED on County grounds.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-29

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Express Concern over the Fiscal Impact of H.3726 on Rural Counties within the State of South Carolina.]

WHEREAS:

1. The State of South Carolina is currently facing a dramatic shortfall in required funding for many of the State retirement funds, including the employee retirement fund and the police retirement fund, due to a combination of factors; and
2. In order to address the shortfall, the South Carolina General Assembly has, among other things, proposed House Bill 3726 (H.3726), which would require substantial increases in both the employee and employer contributions to the retirement funds in order to bring them solvent at some point in the future; and
3. While Colleton County, South Carolina, a political subdivision of the State of South Carolina, acting by and through its governing body, the Colleton County Council, is aware of the retirement fund shortfalls and the dire necessity facing the State to correct such shortfalls and fully fund the retirement funds, the County would be faced with a great fiscal burden if H.3726 were passed; and
4. Due to the impact of Act 388, the County is not able to increase taxes to the level required to cover the fiscal burden required by H.3726; and
5. County Council desires to bring this information to the attention of the Colleton County Legislative Delegation, and the South Carolina General Assembly in order to show the fiscal impact that H.3726 would have on the County, and the taxpayers of the County, and the conflict between such millage numbers and the hard limits of Act 388; and
6. The County has prepared an attachment for this resolution, which illustrates the fiscal impact on the County and its employees of H.3726, which is attached hereto as Attachment A, and hereby incorporated herein by reference as fully as if set forth verbatim herein; and
7. Attachment A illustrates that, at full funding, H.3726 would require an 8.19 mill increase in the County budget, based only on current County salaries, a figure which represents an enormous added burden on taxpayers.

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

1. The Colleton County Council hereby respectfully invites the attention of the Colleton County Legislative Delegation, and, through the Legislative Delegation, the South Carolina General Assembly, to Attachment A, hereto – a spreadsheet analysis of the immediate fiscal impact on the County and its employees of H.3726, as currently proposed, and the potential conflict between the requirements of H.3726 and Act 388.
2. Colleton County Council desires to go on record as making it clear to the Colleton County Legislative Delegation that the County is aware of the dire circumstances facing the State retirement system and funds, fully appreciates the task of the South Carolina General Assembly in trying to put the State retirement plans on a solid, fully-funded fiscal footing and is committed to working with the Colleton County Legislative Delegation and the South Carolina General Assembly in doing so – but also wants the Colleton County Legislative Delegation and the South Carolina General Assembly to understand that that the County and its employees have been providing their respective contributions to the retirement funds all along, as required by the State Retirement System and State Law, and neither the County nor its employees are responsible for the underfunding to the retirement plans of the State, an underfunding which accumulated over many years.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-30

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contracts in Accordance with Request for Proposals FMD-08 and FMD-09 for the Purchase and Installation of Emergency Equipment.]

WHEREAS:

1. The County advertised Request for Proposals, FMD-08 and FMD-09, for the purchase and installation of emergency equipment; and
2. Only one vendor, West Chatham Warning Devices, Inc., was able to provide all of the needed lighting and equipment; and
3. Staff requests that County Council approve the pricing as provided by West Chatham Warning Devices, Inc. and authorize the County Administrator to issue a purchasing agreement for service for three years with the option to renew said purchasing agreement for an additional three years following the initial term.

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

1. County Council hereby awards purchasing agreements in accordance with the pricing as provided by West Chatham Warning Devices, Inc. and authorizes the County Administrator to issue a purchasing agreement for service for three years with the option to renew said purchasing agreement for an additional three years following the initial term.
2. The County Administrator is hereby authorized to execute the contracts on behalf of the County pending approval of same by the County Attorney.
3. Funding for this expenditure is included within departmental budgets for FY 2017, as well as the 2017 lease purchase.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-31

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for the Greenway Trail Project.]

WHEREAS:

1. The County advertised a Request for Bids, CTC-10, for the Greenway Trail project; and
2. Six bids were received; and
3. Graham County Land Company, LLC meets all of the requirements of the bid and is the lowest bidder; and
4. Staff requests authorization to negotiate the contract for services with the Graham County Land Company, LLC.

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

1. County Council hereby authorizes the County Administrator to negotiate the contract in accordance with Bid CTC-10 with Graham County Land Company, LLC for the Greenway Trail Project.
2. The County Administrator is hereby authorized to execute said contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from the SCPRT grant received for the project with match funding to be provided by CTC and the Planning and Development department FY 2017 budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : April 4, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-32

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A RESOLUTION TO APPROVE AMENDMENT OF THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.]

WHEREAS, Colleton County, South Carolina (the “County”) and Charleston County, South Carolina (jointly the “Counties”) are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the “Original Agreement”), to develop jointly an industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the “Act”); and

WHEREAS, the Original Agreement was initially approved by Colleton County Council Ordinance 95-O-21, adopted December 5, 2006; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by (i) that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the “First Modification”), which First Modification was approved by Colleton County Council Ordinance 06-O-20 adopted January 2, 2007; and (ii) the Second Modification to Agreement for Development of Joint Industrial Park, dated as of December 31, 2014 (the “Second Modification”), which Second Modification was approved by Colleton County Council Ordinance 14-O-13, adopted on December 11, 2014; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the “Agreement,” and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfil commitments made to companies which are considering expansion or location decisions; and

NOW, THEREFORE, BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL:

SECTION 1. The Agreement is hereby amended so as to expand the Park premises located within Charleston County. Attached hereto as Exhibit A is the property description of the parcels to be added to the Park premises within Charleston County.

SECTION 2. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This amendment to the Agreement shall become effective on adoption hereof.

SECTION 4. Should any part of this resolution be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this resolution as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to survive.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:

OPPOSED: