

**AMENDED AGENDA  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 30, 2013  
6:00 P.M.  
COLLETON MUSEUM, 506 E. WASHINGTON ST.**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Appearances & Public Presentations
  - a) Bill Chambers – Update regarding Farm Kitchen
5. Approval of Minutes
  - a) Special Meeting May 22, 2013
  - b) Special Meeting May 28, 2013
  - c) Regular Meeting June 4, 2013
6. Administrator's Briefing
7. Public Hearing
  - a) Ordinance 13-O-05, to Amend Title 14-Land Management of the Colleton County Code of Ordinances, Sections 14.08-5.020 Parking Lot Surface Materials, 14.08.6.020(A) Sign Design Guidelines and 14-08-6.050(A)(3) Freestanding On-Premises Signs.
  - b) Ordinance 13-O-06, to Relinquish Any and All Claim, Right, Ownership or Interest of Colleton County to the Property Located at TMS #195-00-00-180 and to Remove all Title Restrictions and Reverters of Same.
  - c) Sheriff's Department is applying for a Federal Grant Titled Edward Byrne Memorial (JAG) Grant Program #2013-H5209-SC-DJ in the amount of \$14,479.00 for a 17 Foot Aluminum Boat (57" Wide) and a 70hp 4 stroke outboard motor, with tilt and trim and trailer to be used by the Sheriff's Office.
8. Old Business
  - a) 3<sup>rd</sup> Reading Ordinance 13-O-05, to Amend Title 14-Land Management of the Colleton County Code of Ordinances, Sections 14.08-5.020 Parking Lot Surface Materials, 14.08.6.020(A) Sign Design Guidelines and 14-08-6.050(A)(3) Freestanding On-Premises Signs.

- b) 3<sup>rd</sup> Reading Ordinance 13-O-06, to Relinquish Any and All Claim, Right, Ownership or Interest of Colleton County to the Property Located at TMS #195-00-00-180 and to Remove all Title Restrictions and Reverters of Same.

9. New Business

- a) Resolution 13-R-58, To Authorize the County Administrator to Execute a Quit Claim Deed on Behalf of the County Releasing the Property of the Former Fire-Rescue Station 13, Located at 735 Jonesville Avenue.
- b) Resolution 13-R-59, to Authorize Execution of a Hangar Lease Agreement By and Between Colleton County and the Walterboro-Colleton County Airport Commission.
- c) Resolution 13-R-60, Supporting the Research, Development and Focus Group Activities of the Airport in Preparation of a Recommendation that We Establish August 19-23, 2013 as Aviation Week.
- d) Resolution 13-R-61, To Authorize the Purchase of Equipment by the Fleet Management Department.
- e) Resolution 13-R-62, To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2013-2014.
- f) Resolution 13-R-63, To Authorize Execution of an Agreement Between Colleton County on Behalf of The Colleton County Sheriff's Office and Alcohol & Drug Abuse for the Provision of Services for the Alcohol Enforcement Team (AET).
- g) Resolution 13-R-64, To Approve a Criminal Patrol Transfer Agreement between Colleton County Sheriff's Office and Spartanburg County Sheriff's Office.
- h) Resolution 13-R-65, To Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Costs of Equipment and Software Licenses.
- i) Resolution 13-R-66, To Authorize Renewal of an Agreement Between Colleton County and the South Carolina Department of Juvenile Justice for the Housing/Detention of Juveniles.
- j) Resolution 13-R-67, To Award the Contract for the Ions Crossroads Fire Station Construction.
- k) Resolution 13-R-68, To Approve Various Mutual Aid Agreements Between the Colleton County Sheriff's Office and Surrounding Jurisdictions.
- l) Resolution 13-R-69, To Award the Contract for Debris Management and Removal.

- m) Resolution 13-R-70, To Authorize a Reduction in Force for the Sheriff's Office as a Result of the Colleton County School District's Failure to Fund School Resource Officers at the Same Level as Previous Years.
- n) Resolution 13-R-71, To Appoint Members to Board Vacancies.
- o) 1<sup>st</sup> Reading Ordinance 13-O-07, Granting Easement No. 890885 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located just Southeast of the Intersection of Lemacks Street and Carn Street in Colleton County, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.
- p) 1<sup>st</sup> Reading Ordinance 13-O-08, To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.
- q) 1<sup>ST</sup> Reading Ordinance 13-O-09, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Coastal Electric Cooperative, Inc.; and Other Matters Relating Thereto.
- r) 1<sup>st</sup> Reading Ordinance 13-O-10, Authorizing The Acquisition Of Certain Property By Colleton County By Lease-Purchase Financing In The Amount Not Exceeding \$3,300,000; The Execution And Delivery Of Certain Instruments, Including A Lease-Purchase Agreement By Colleton County; And Other Matters Relating Thereto.

10. Items for Information and Public Record

11. Public Comments (3 minutes per person/max time 20 minutes)

12. Council Time

13. Executive Session

**a) Legal-Contractual Agreement**

**b) Legal- Fire Rescue**

**c) Economic Development- Colleton County Commerce Center**

14. Adjournment

15. Informal Meeting of the Whole

Sponsor(s): County Council  
First Reading: May 7, 2013  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: June 4, 2013  
Public Hearing: July 30, 2013  
Third Reading: July 30, 2013  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## ORDINANCE 13-O-05

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

[An Ordinance to Amend Title 14-Land Management of the Colleton County Code of Ordinances, Sections 14.08-5.020 Parking Lot Surface Materials, 14.08.6.020(A) Sign Design Guidelines and 14-08-6.050(A)(3) Freestanding On-Premises Signs.]

#### WHEREAS:

1. In order to allow greater flexibility in the parking lot regulations for places of worship, staff recommends including item "D" under subsection 14.08-5.020 to allow for grass as an alternative parking treatment; and
2. An examination of Sign standards in Section 14.08-6 has revealed that for commercial areas the size standard for signs, as well as the locations of signs from property lines are too low and should be increased.

**NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED THAT:**

1. **Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Sections 14.08-5 Parking and 14.08-6 Signs** are hereby amended as follows:

#### **14.08-5.020 Parking lot surface materials**

For purposes of this Section, the following subsection shall be added:

**14.08-5.020 (D).** Where 20 parking spaces or less are required, places of worship may use grass as an alternative surface treatment.

#### **14.08-6.020 General Provisions**

For purposes of this Section, the following subsection shall be added:

**14.08-6.020 (A)(8).** Billboards are required to be setback no less than 10 feet from any property line while all other signs are to be setback no less than 5 feet.

#### **14.08-6.050 Signs Requirements by Type**

For purposes of this Section, the following item shall be amended to read as follows:

**14.08-6.050(A)(3)(a).** CC and VC: 72 square feet + 12 per tenant and up to 144 square feet.

2. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance 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.

By: \_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman of County Council

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Ruth Mayer, Clerk to County Council

By: \_\_\_\_\_  
Sean Thornton, County Attorney

Sponsor(s): County Council  
First Reading: May 28, 2013  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: June 4, 2013  
Public Hearing: July 30, 2013  
Third Reading: July 30, 2013  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## ORDINANCE 13-O-06

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

[An Ordinance to Relinquish Any and All Claim, Right, Ownership or Interest of Colleton County to the Property Located at TMS #195-00-00-180 and to Remove all Title Restrictions and Reverters of Same.]

#### WHEREAS:

1. On August 7, 2003, by deed recorded in Deed Book 1025 page 246, office of the Register of Deeds for Colleton County, SC, Colleton County conveyed to Walterboro Veneer Company, Inc. certain real property identified by TMS #195-00-00-180; and
2. This conveyance was made subject to various covenants, conditions, and restrictions and a possibility of reverter in the event the covenants, conditions, and restrictions were not met or were violated; and
3. Colleton County subsequently executed a corrective deed modifying, certain covenants and eliminating others. This deed was duly recorded in the office of the Register of Deeds for Colleton County, SC on March 22, 2005 in Deed Book 1102 page 253; and
4. B & W Walterboro, LLC has entered into an agreement to purchase the property, and in order to facilitate that purchase Colleton County now wishes to terminate all conditions, restrictions and covenants contained within the two deeds set forth above, and simultaneously with this instrument will execute a quit-claim deed conveying any interest it may have, including any possibility of reverter, to B & W Walterboro, LLC, a South Carolina limited liability company.

#### NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED THAT:

1. Colleton County hereby releases the property identified by TMS #195-00-00-180 from all covenants, conditions, and restrictions set forth in those certain deeds from Colleton County to Walterboro Veneer Company, Inc. recorded August 20, 2003 in Deed Book 1025 page 246 and recorded March 22, 2005 in Deed Book 1102 page 253, office of the Register of Deeds for Colleton County, SC, and these covenants, conditions, and restrictions shall hereafter be terminated, null, void and of no further force and effect.

2. The County Administrator is hereby authorized to execute the Release of Covenants included herein and by reference for the property identified by TMS #195-00-00-180 along with a Quit Claim Deed and all other necessary documents upon approval by the county attorney.
3. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstance 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.

By: \_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman of County Council

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Ruth Mayer, Clerk to County Council

By: \_\_\_\_\_  
Sean Thornton, County Attorney

# **PUBLIC NOTICE**

Colleton County, through the Colleton County Sheriff's Office, is applying for a federal grant titled the Edward Byrne Memorial Justice Assistance Grant (JAG) Program **2013-H5209-SC-DJ** for a 17foot Aluminum boat (57 inches wide) and 70hp 4 stroke outboard motor, with tilt and trim, and trailer to be used by the Sheriff's Office. The amount of the Federal (JAG) Grant being applied for is \$14,749.00.

Being in accordance with procedures required by said grant, public comments can be heard on Tuesday, July 30, 2013 at 6:00 pm in Council Chambers at the Old Jail Building located at 109 Benson Street, Walterboro, SC or by contacting the Colleton County Sheriff's Office, located at 112 S. Miller Street, Walterboro, SC 29488.

Details of the grant are also available at the Colleton County Sheriff's Office located at 112 S. Miller Street, Walterboro, SC 29488.



Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-58**

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

**[A Resolution to Authorize the County Administrator to Execute a Quit Claim Deed on Behalf of the County Releasing the Property of the Former Fire-Rescue Station 13, Located at 735 Jonesville Avenue.]**

**WHEREAS:**

1. On December 10, 1996, the property at 735 Jonesville Avenue was donated to the County for use as Fire-Rescue Station 13 by Mr. Thomas Williams and Mr. Lloyd Williams; and
2. The Title to Real Estate contained a clause stating that should the County cease to use the property for fire protection purposes, the title shall revert back to the grantors; and
3. Colleton County Fire-Rescue transferred Station 13 operations to a new location on July 1, 2013; and
4. Staff feels that it is in the best interest of Mr. Thomas Williams and Mr. Lloyd Williams and their heirs to execute a Quit Claim Deed releasing ownership of the property by the County.

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

The County Council Chairman is hereby authorized to execute on behalf of the County, a quit claim deed included herein and by reference for the release of all interest of the property, located at 735 Jonesville Avenue, to Mr. Thomas Williams and Mr. Lloyd Williams and/or their heirs.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-59**

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

**[A Resolution to Authorize Execution of a Hangar Lease Agreement By and Between Colleton County and the Walterboro-Colleton County Airport Commission.]**

**WHEREAS:**

- (1) The Sheriff's Office has historically rented hangar space at the Lowcountry Regional Airport to house the Cessna aircraft used for law enforcement purposes; and
- (2) The current Agreement expires on September 30, 2013; and
- (3) The rental payment remains the same at \$150 per month; and
- (4) Staff recommends Council approve execution of the new annual Lease Agreement.

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

- (1) Colleton County Council hereby approves execution of the Lease Agreement (copy attached and included herein by reference) by and between Colleton County and the Walterboro-Colleton County Airport Commission for Hangar space for the Sheriff's Office airplane.
- (2) The County Administrator is hereby authorized to execute the lease agreement on behalf of the County pending approval of the documents by the County Attorney.
- (3) Funding for the Lease Payment is included in the FY14 Budget.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : Phillip M. Taylor, Sr.  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-60**

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

**[A Resolution Supporting the Research, Development and Focus Group Activities of the Airport in Preparation of a Recommendation that We Establish August 19-23, 2013 as Aviation Week.]**

**WHEREAS:**

1. Aviation week was created to provide general aviation week to all of the citizens of Colleton County; and
2. The airport relies heavily on funding from the County for operations funding and capital investment; and
3. The airport in the County generates millions of dollars in direct and indirect economic benefits within the County, and plan an essential role in its economic development and growth; and
4. Aviation eliminates barriers by addressing the global nature of aviation requirements, opportunities, regulatory limitations, research activities, development programs and operations; and
5. The loss of the airport would result in the loss of millions of dollars in statewide transit investment each fiscal year; and
6. Aviation provides the breadth and depth of content and audience participation that is necessary for tackling the issues critical to safeguarding and shaping the future of aviation and our community; and
7. Aviation continues to engage those involved in the entire product life-cycle from disciplinary research to product development to system operation and maintenance; and
8. The members of the South Carolina General Assembly recognized that aviation makes an important contribution to the State of South Carolina and its citizens by providing an essential service and by improving the economic development and growth of the state through their adaptation of a State Resolution in 2013.

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

1. The members of County Council, by this Resolution, do hereby commend the Lowcountry Regional Airport and the aviation industry for their significant contributions to the County's intermodal transportation system and economic development and designate August 19-23, 2013, as Aviation Week, and every third full week in August thereafter as Aviation Week in Colleton County.
2. Be it further resolved that a copy of this resolution be forwarded to the South Carolina Aeronautics Commission and the South Carolina Aviation Association.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-61**

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

**[A Resolution to Authorize the Purchase of Vehicles and Equipment by the Fleet Management Department.]**

**WHEREAS:**

1. Colleton County Fleet Management has deemed it necessary to purchase a motor grader for the Roads and Bridges department and replace seven vehicles in the Sheriff's fleet; and
2. Volvo, Inc. holds the State Contract for Motor Graders and Love Chevrolet holds the State Contract for Chevrolet PPV Tahoes; and
3. Funding for these purchases is provided in the FY14 Capital budget.

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

1. The purchase of the following equipment in accordance with County specifications is hereby authorized:
  - a. Roads & Bridges Department: one Volvo Motor Grader in the amount of \$181,573.65 from Volvo, Inc.
  - b. Sheriff's Department: seven Chevrolet PPV Tahoes in the amount of \$188,496 (\$26,928 each) from Love Chevrolet.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary to complete these purchases.
3. Funding for these purchases shall be taken from the FY14 Capital Budget and the Sheriff's Asset Forfeiture funds.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-62**

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

**[A Resolution To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2013-2014.]**

**WHEREAS:**

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Solid Waste department is considered the Office of Primary responsibility (OPR) related to the receipt of non-budgeted income for FY14 as described below.

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

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenue and expenditures in the following fund for the grants received for FY14 as listed:
  - a. Fund 120 – Special Revenue Fund; \$6,000 in revenues from the SCDHEC Office of Solid Waste Reduction and Recycling; for an E-Scrap Contractor Costs Grant;
  - b. Fund 120- Special Revenue Fund; \$6,478 in revenues from the SCDHEC Office of Solid Waste Reduction and Recycling; for a Used Oil Grant;
  - c. Fund 120- Special Revenue Fund; \$26,750 in revenues from the SCDHEC Office of Solid Waste Reduction and Recycling; for a Waste Tire Grant.
2. The above listed OPR (Office of Primary Responsibility) is responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY14 as requested for this grant/non-budgeted revenues received.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-63**

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

**[A Resolution To Authorize Execution of an Agreement Between Colleton County on Behalf of The Colleton County Sheriff's Office and Alcohol & Drug Abuse for the Provision of Services for the Alcohol Enforcement Team (AET).]**

**WHEREAS:**

- (1) The Colleton Commission on Alcohol and Drug Abuse desires to engage the Colleton County Sheriff's Office to provide technical and professional services for the Alcohol Enforcement Team (AET), which targets the problems of underage drinking/driving; and
- (2) The Sheriff's Office desires to provide said services; and
- (3) An Agreement has been prepared outlining the duties, obligations, responsibilities and service payments for the two parties; and
- (3) County Council deems it to be in the best interest of the County to approve entering into the agreement.

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

- (1) Colleton County Council hereby approves execution of the Agreement to Deliver Alcohol Enforcement Team (AET) Project Coordination (copy attached and included herein by reference) by and between Colleton County, the Colleton County Sheriff's Office, and the Colleton Commission on Alcohol and Drug Abuse.
- (2) The County Administrator and the Sheriff are hereby authorized to execute the agreement on behalf of the County and the Sheriff's Office pending approval of the documents by the County Attorney.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : May 7, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-64**

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

**[A Resolution to Approve a Criminal Patrol Transfer Agreement between Colleton County Sheriff's Office and Spartanburg County Sheriff's Office.]**

**WHEREAS:**

- (1) A recent Supreme Court ruling found that for a Sheriff's Office Mutual Aid Agreement to be valid, it would have to be approved by the County Council; and
- (2) The Sheriff's Office has reviewed the Criminal Patrol Transfer Agreement with Spartanburg County; and
- (3) Staff recommends that Council approve Criminal Patrol Transfer Agreement with Spartanburg County Sheriff's Office.

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

- (1) The Criminal Patrol Transfer Agreement between Colleton County Sheriff's Office and Spartanburg County Sheriff's Office (attached and included herein by reference) is hereby approved:
- (2) The County Administrator is hereby authorized to sign said agreements on behalf of Colleton County.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED



Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-65**

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

**[A Resolution to Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Costs of Equipment and Software Licenses.]**

**WHEREAS:**

1. The Emergency Preparedness Agency received a LEMP grant earlier this year to purchase The Addressor tool to be used by E-911 Addressing for viewing and editing GIS data related to emergency response and recovery; and
2. E-911 Addressing must replace four (4) tower workstations and purchase four (4) ArcGIS software user licenses in order to utilize this tool; and
3. Dell has provided a quote for the four tower workstations in the amount of \$6,903.21 and BCS, Inc. has provided a quote for the four software user licenses in the amount of 6,289.00, both of which are on State Contract; and
4. The Sheriff's Office recommends that Council approve a Fund Balance appropriation from E-911 (Fund 141) to cover the quoted costs of this equipment and software user licenses.

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

A fund balance appropriation in the amount of \$13,192.21 from E-911 Fund 141 is hereby approved.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-66**

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

**[A Resolution To Authorize Renewal of an Agreement Between Colleton County and the South Carolina Department of Juvenile Justice for the Housing/Detention of Juveniles.]**

**WHEREAS:**

- (1) County Council entered into an agreement with the South Carolina Department of Juvenile Justice for the housing/detention of juveniles; and
- (2) Said agreement is up for renewal; and
- (3) County Council deems it to be in the best interest of the County to renew said agreement for Fiscal Year 2013-2014.

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

- (1) Colleton County Council hereby approves renewal of the Agreement (attached and included herein by reference) between Colleton County and the South Carolina Department of Juvenile Justice for the housing/detention of juveniles.
- (2) Funding for the Agreement is included in the FY14 Budget.
- (3) The County Administrator is authorized to execute the agreement on behalf of the County pending approval of the document by the County Attorney.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-67**

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

**[A Resolution to Award the Contract for the Ions Crossroads Fire Station Construction.]**

**WHEREAS:**

1. The County advertised a Request for Bids, FR-16, for the Ions Crossroads fire station renovations and additions; and
2. Four bids were received; and
3. Mitchell Construction Co., 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-16 to Mitchell Construction Co., Inc. for the Ions Crossroads Fire Station construction at a cost of \$206,591.
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

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-68**

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

**[A Resolution to Approve Various Mutual Aid Agreements Between the Colleton County Sheriff's Office and Surrounding Jurisdictions.]**

**WHEREAS:**

- (1) A recent Supreme Court ruling found that for a Sheriff's Office Mutual Aid Agreement to be valid, it would have to be approved by the County Council; and
- (2) The Sheriff's Office has reviewed Mutual Aid Agreements currently held between the Office and various neighboring jurisdictions; and
- (3) There are four agreements that require Council approval (copies are attached); and
- (4) Staff recommends that Council approve these Mutual Aid Agreements.

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

- (1) The following Mutual Aid Agreements (attached and included herein by reference) are hereby approved:  
Beaufort County  
Berkeley County  
Town of Cottageville Police Department  
Orangeburg County
- (2) The County Administrator is hereby authorized to sign said agreements on behalf of Colleton County.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-69**

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

**[A Resolution to Award the Contract for Debris Management and Removal.]**

**WHEREAS:**

1. The County advertised a Request for Proposal, EPD-04 for Debris Management and Removal services; and
2. Five proposals were received and reviewed by a debris removal committee;
3. AshBritt, Inc. meets all of the requirements of the proposal and is recommended by staff as the County's primary debris removal contractor, with Omni Pinnacle as the County's secondary debris removal contractor; and
4. These services are provided on a pay-as-used basis and in the event that a hurricane or other natural disaster makes these services necessary, funding will be provided by a combination of County and FEMA funds.

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

1. County Council hereby awards the contract in accordance with Proposal EPD-04 to AshBritt, Inc. for debris management and removal services.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-70**

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

**[A Resolution to Authorize a Reduction in Force for the Sheriff's Office as a Result of the Colleton County School District's Failure to Fund School Resource Officers at the Same Level as Previous Years.]**

**WHEREAS:**

1. The Colleton County School District did not fund the School Resource Officer Fund (Fund 120) at the same level as in previous years; and
2. The County is experiencing a budget shortfall for FY14 due to this reduction in funding; and
3. In order to offset this shortfall a reduction in force of two SRO positions within the Sheriff's office is necessary.

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

1. Colleton County Council hereby authorizes a reduction in force of two SRO positions within the Sheriff's office as a result of a reduction in funding for the School Resource Officer fund (Fund 120).
2. Shall the Colleton County School District restore funding during the 2013-2014 Budget year, the two SRO positions may be restored.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted: : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 13-R-71**

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

**(To Appoint Members to Board Vacancies.)**

**WHEREAS:**

1. Colleton County Board of Adjustments & Appeals (Bldg. Dept.) has one vacancy for Carpentry; and  
Applicants: Terry Hoff
2. Keep Colleton Beautiful has five vacancies; and  
Applicants: None
3. Lowcountry Regional Transportation Authority has one vacancy; and  
Applicants: David L. Blauch
4. Colleton County Resource & Development Board has one vacancy; and  
Applicants: Jimmy Syfrett, Theodore D. (Ted) Kinard
5. Edisto River Canoe & Kayak Trail Committee has two vacancies; and  
Applicants: None
6. Colleton County Library Board of Trustees has one vacancy; and  
Applicants: Dorothy P. Smoak
7. The County Council is the appointing authority for Boards.

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

The Colleton County Council hereby appoints the following:

Colleton County Board of Adjustments & Appeals (Bldg. Dept.): Terry Hoff  
Lowcountry Regional Transportation Authority: David L. Blauch  
Colleton County Library Board of Trustees: Dorothy P. Smoak

Colleton County Resource & Development Board: \_\_\_\_\_

ATTEST:

Ruth Mayer, Council Clerk

SIGNED:

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:  
OPPOSED:



Sponsor(s): County Council  
First Reading: July 30, 2013  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: September 3, 2013  
Public Hearing: October 1, 2013  
Third Reading: October 1, 2013  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## ORDINANCE NO. 13-O-07

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

**[An Ordinance Granting Easement No. 890885 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located just Southeast of the Intersection of Lemacks Street and Carn Street in Colleton County, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.]**

#### WHEREAS:

Colleton County Council deems it to be in the best interest of the County to grant an Easement to South Carolina Electric and Gas across a portion of property owned by Colleton County located just southeast of the intersection of Lemacks Street and Carn Street in Colleton County, SC; such easements are to be used for the installation, operation and maintenance of electrical gas facilities within Colleton County, SC.

#### NOW THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

- 1) The documents attached and included herein by reference grant Easement No. 890885 to South Carolina Electric and Gas across a portion of property owned by Colleton County located just southeast of the intersection of Lemacks Street and Carn Street in Colleton County, SC to be used for the installation, operation and maintenance of electrical gas facilities within Colleton County, SC.
- 2) The County Administrator is hereby authorized to sign said easement on behalf of the County pending final approval of the document by the County Attorney.
- 3) Said easement shall be recorded in the Office of the Register of Deeds for Colleton County.
- 4) Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be 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.

- 5) Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s): County Council  
First Reading: July 30, 2013  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: September 3, 2013  
Public Hearing: October 1, 2013  
Third Reading: October 1, 2013  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## **ORDINANCE NO. 13-O-08**

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

**(To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.)**

#### **WHEREAS:**

1. Chapter 13, Section 13.04.010 of the Colleton County Code of Laws provides for the adoption of certain codes by reference; and
2. Updated Editions of said Codes have been issued, and in order to keep current with requirements of said Codes, it is necessary to adopt these editions.

**NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL,  
DULY ASSEMBLED, THAT**

1. Chapter 13, Section 13.04.010, Part A (1), is hereby amended to read as follows:

#### **13.04.10 Adoption by reference.**

- A. 1. The following codes are adopted by reference as though they were copied herein fully:

International Building Code – 2012 Edition including Chapter 1;  
International Energy Conservation Code – 2009 Edition;  
International Fire Code - 2012 Edition  
International Fuel Gas Code – 2012 Edition;  
International Mechanical Code – 2012 Edition;  
International Plumbing Code – 2012 Edition;  
International Residential Code – 2012 Edition including Chapter 1 and  
International Swimming and Spa Code - 2012 Edition  
National Electrical Code – 2011 Edition;  
NFPA 101 Life Safety Code – 2012 Edition;  
Standard for Residential Construction in High-Wind Regions ICC 600-  
2008 Edition;  
Accessible and Usable Buildings and Facilities ICC A117.1-2009 Edition

2. Severability:

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.

3. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 3, 2013  
Public Hearing : October 1, 2013  
Third Reading : October 1, 2013  
Effective Date : Immediately

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

## **ORDINANCE NO. 13-O-09**

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

**[To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Coastal Electric Cooperative, Inc.; and Other Matters Relating Thereto.]**

#### **WHEREAS:**

1. Coastal Electric Cooperative, Inc. (the "Company") has agreed to construct and operate an electric power substation for the purpose of delivering the electric power necessary to serve the industries which locate in the Colleton County Commerce Center; and
2. Colleton County (the "County"), and the businesses which are located in, or which will locate in, the Colleton County Commerce Center will derive significant benefit from the construction and operation of the electric power substation; and
3. In exchange for the Company's commitment to construct and operate the electric power substation, the County Council of the County (the "Council") deems it to be in the best interest of the County to provide for the sale of approximately two acres of real property located in the Colleton County Commerce Center and further described in the legal description attached hereto as Exhibit A, on such terms and conditions as set forth herein.

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

1. The County of Colleton hereby authorizes the conveyance to Coastal Electric Cooperative, Inc. the property (the "Property") more fully described in attached Exhibit A for a consideration of Five and No/100 Dollars (\$5.00) and other good and valuable consideration, and upon the other terms and conditions as set forth herein.

2. The County Administrator is hereby authorized, empowered, and directed on behalf of the County of Colleton to execute and deliver a deed for the Property pursuant thereto, and to such other documents as may be necessary or desirable in connection with the conveyance of the Property.

3. Conflict:

All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

4. Severability:

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect the 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.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

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

Council Vote:  
Opposed:

Sponsor(s) : County Council  
First Reading : July 30, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : TBD  
Public Hearing : September 3, 2013  
Third Reading : September 3, 2013  
Effective Date : Immediately

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

## ORDINANCE NO. 13-O-10

### COUNCIL –ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY BY COLLETON COUNTY BY LEASE-PURCHASE FINANCING IN THE AMOUNT NOT EXCEEDING \$3,300,000; THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS, INCLUDING A LEASE-PURCHASE AGREEMENT BY COLLETON COUNTY; AND OTHER MATTERS RELATING THERETO.]**

**WHEREAS**, Colleton County, South Carolina, a body politic and corporate and a political subdivision organized and existing under the laws of the State of South Carolina (the "County"), acting by its governing body, the County Council of Colleton County ("County Council"), is authorized to enact ordinances in relation to health and order in Colleton County or respecting any subject as appears to County Council necessary and proper for the security, general welfare, and convenience of Colleton County or for preserving health, peace, order, and good government in Colleton County; and

**WHEREAS**, the County is authorized to acquire and lease personal property (excluding any real property and permanent improvements thereon) (the "Property") by means of lease-purchase financing which does not count against the limitation set forth in Article X, Section 14, paragraph 7(a) of the South Carolina Constitution and Section 11-27-110 of the Code of Law of South Carolina 1976, as amended; and

**WHEREAS**, County Council have determined that it is in the best interest of the County to acquire a county-wide 800 MHZ radio and dispatch system from Motorola Systems, Inc. for Colleton County Public Safety and Colleton County Fire/Rescue to be financed by means of a lease-purchase arrangement pursuant to which all lease payments are made with respect to all Property so financed and secured by a security interest in such Property so financed; and

**WHEREAS**, the County has obtained competitive offers from financial institutions to provide the required lease-purchase financing; and

**WHEREAS**, County Council intend that the specific terms of such lease-purchase financing arrangement, including the principal amount to be financed, interest rate, term, and other financing terms, and the selection of the financial institution or institutions providing the

financing, will be approved by the County Administrator, based on the competitive offers received and subject to the parameters set forth herein, without further action of County Council; and

**WHEREAS**, the terms of the lease-purchase financing arrangement are to be set forth in a lease purchase agreement (the "Lease Purchase Agreement"), as approved by the County Administrator.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, SOUTH CAROLINA,**

Section 1. The lease purchase of the Property set forth in Schedule A attached hereto by the County from Motorola Systems, Inc. pursuant to the terms set forth in the Lease Purchase Agreement is hereby approved. The County Administrator is hereby authorized and directed to execute and deliver the Lease Purchase Agreement, in form and substance satisfactory to him upon the advice of counsel, his execution being conclusive evidence of his approval.

Section 2. The consummation of all transactions contemplated by the Lease Purchase Agreement are hereby approved.

Section 3. The County Administrator is hereby authorized to approve, on behalf of the County, the specific terms of financing of the Property, including the principal amount to be financed, interest rates, term, and other financing terms, and the selection of the financing institution or institutions providing the financing, based on the competitive offers received and as he deems in the best interest of Colleton County Government.

Section 4. The Chairman and all other appropriate officials and employees of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions contemplated by the Lease Purchase Agreement.

Section 5. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 6. This Ordinance shall become effective immediately upon approval after third reading by County Council.

Section 7. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.



Section 8. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

\_\_\_\_\_  
Phillip M. Taylor, Sr., Chairman

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

Council Vote:  
Opposed: