

**AMENDED AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 1, 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
5. Approval of Minutes
 - a) Regular Meeting September 3, 2013
 - b) Special Meeting September 16, 2013
6. Awards & Recognitions
 - a) Proclamation of Appreciation of Ross Perot's Participation in Veteran's Day Celebrations at the Veteran's Victory House in Colleton County
7. Administrator's Briefing
8. Public Hearing
 - a) 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.
9. Old Business
 - a) 2nd Reading Ordinance 13-O-11, To Ratify FY13 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.
 - b) 2nd Reading Ordinance 13-O-13, To Relinquish Any Right of First Refusal of Colleton County to the Property Located at 360 Anderson Road, TMS#132-00-00-247
 - c) 3rd 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.

10. New Business

- a) Resolution 13-R-83, To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2013-2014.
- b) Resolution 13-R-84, To Award the Contract for the Collection of Road Data to Update Colleton County's Transportation Plan.
- c) Resolution 13-R-85, To Approve Renewal of the Motorola Solutions Service Contract for the Sheriff's Office.
- d) Resolution 13-R-86, To Award the Contract for HVAC Maintenance and Repairs for Colleton County.
- e) Resolution 13-R-87, To Authorize the Purchase of a Boat, Motor and Trailer by the Sheriff's Office using funding from the Edward Byrne Memorial Justice Assistance Grant and to Approve the Addition of the Same to the County's Insurance Policy.
- f) Resolution 13-R-88, To Approve the Use of the County Parking Lot for the Band of Blue Annual Palmetto Classic Stride 5K Run/ Walk.
- g) Resolution 13-R-89, To Appoint Members to Board Vacancies.

11. Items for Information and Public Record

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

13. Council Time

14. Executive Session

- a) Personnel
 - 1. Probate Judge
 - 2. Sheriff's Office
 - 3. Facilities Management
- b) Contractual
 - 1. Edisto Civic Center
 - 2. *Capital Projects Sales Tax*
- c) Economic Development
 - 1. Colleton County Commerce Center

15. Adjournment

16. Informal Meeting of the Whole

Colleton County, South Carolina



PROCLAMATION COLLETON COUNTY COUNCIL

Appreciation of Ross Perot's Participation in Veteran's Day Celebrations at the Veteran's Victory House in Colleton County

Whereas, November 11, 2013 marks the 59th anniversary of Veteran's Day in the United States, and Mr. Perot will be participating in Veteran's Day Celebrations at the Veteran's Victory House in Colleton County; and

Whereas, Mr. Perot is a graduate of the U.S. Naval Academy and a U.S. Navy veteran; and

Whereas, he has received numerous awards for public service including the Medal for Distinguished Public Service by the U.S. Department of Defense in 1974 for his efforts on behalf of prisoners of war in Vietnam, the Winston Churchill Award in 1986 for his humanitarian efforts, the Eisenhower Award in 2004 in appreciation for his more than 40 years of support of the American military, and the VA Secretary's Award in 2009 for his service to United States Veterans; and

Whereas, Mr. Perot's charitable organization, the Perot Foundation, has made donations that have helped numerous wounded soldiers and helped fund medical research; and

Whereas, his commitment to public service for the support of United States Veterans has made him a role model for all; and

Whereas, the members of County Council, on behalf of the citizens of Colleton County, wish to recognize and acknowledge his essential contribution to the strength and well-being of this community by participating in Veteran's Day Celebrations at the Veteran's Victory House in Colleton County, South Carolina.

Now, therefore be it resolved by the Colleton County Council, duly assembled that:

Colleton County Council hereby thanks **Mr. Ross Perot** for his service to United States Veterans, and his contributions to Veterans Day Celebrations in Colleton County.

Adopted at the Regular Meeting of Council on October 1, 2013:

County Seal:

Phillip M. Taylor, Sr., Chairman

Attest: Ruth Mayer, Clerk to Council

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 : September 3, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 1, 2013
Public Hearing : November 5, 2013
Third Reading : November 5, 2013
Effective Date : Immediately

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

ORDINANCE NO. 13-O-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Ratify FY13 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.]

WHEREAS:

1. Colleton County Budget Ordinance requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and
2. The County regularly adopts a final budget amendment ordinance to account for budget resolutions and interfund transfers authorized by Council during the fiscal year, as well as grants and any other supplemental appropriation actions in accordance with the 1976 South Carolina Code of Laws, as amended, and the County's budget ordinance.

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

1. The Colleton County Council hereby:
 - a. Ratifies all previously approved FY13 Budget Resolutions and authorizes and directs the County Administrator to amend the FY13 budgetary appropriations as so resolved;
 - b. Ratifies all previously approved FY13 Resolutions related to amendments to the County Record of Roads (ROR), if any;
 - c. Ratifies all Resolutions, voice motions, and other actions approved by County Council for Fiscal Year ending 6/30/13 including those awarding contracts, directing specific fiscal actions such as authorizing, increasing or reducing fund transfers, operational transfers, reclassifications, fund balance designations, and fund balance appropriations.
 - d. Approves the budgeting of funds, if any, received by the CCRFC from Covenant Billing during the Fiscal year ending 6/30/13, within Fund 156 to meet the needs of the County.
 - e. Approves the transfer of the amount of the FILOT for the SCE&G, Canadys Steam Plant, in excess of the annual debt service from the SSRB Canadys Debt Service Fund 133 to the SSRB Economic Development and Capital Improvement Fund 149 to comply with the Bond Indenture Agreement.

- f. Approves any increase in Budget Revenues related to Medical Services for FY13 based on actual collections and the appropriation of said funds within Fund 156 to meet the needs of the County.
- g. Approves the write-off of all Colleton County Fire and Rescue Medical Services billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/13 audit as identified by CCRFC and approved by the Colleton County Administrator.
- h. Approves the write-off of all Colleton County Solid Waste Billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/13 audit as identified and approved by the Colleton County Administrator.
- i. Approves end-of-year adjustments as necessary to the Operational Transfers of various funds in order to decrease particular fund appropriation and correspondingly increase other fund appropriation in accordance with the operational needs and expenditures of the various Funds in FY13 and to balance the required revenue to expenditures in said Funds.

2. Conflict:

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

3. Severability:

- 4. 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.

ATTEST:

Ruth Mayer, Clerk to Council

SIGNED:

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:

OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s): County Council
First Reading: September 16, 2013
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: October 1, 2013
Public Hearing: November 5, 2013
Third Reading: November 5, 2013
Effective Date: Immediately

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

ORDINANCE 13-O-13

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Relinquish Any Right of First Refusal of Colleton County to the Property Located at 360 Anderson Road, TMS #132-00-00-247.]

WHEREAS:

1. On February 23, 2009, by Indenture Deed recorded in Deed Book 1728 page 231, office of the Register of Deeds for Colleton County, SC, the Walterboro-Colleton Airport Commission, the City of Walterboro and Colleton County (Grantors) conveyed to Marketing Services International, LLC certain real property identified by TMS #132-00-00-247; and
2. The Indenture Deed for the real property located at 360 Anderson Rd., Walterboro, SC (Tax Map # 132-00-00-247) contains a deed restriction from the Grantors for a sixty (60) year period from February 23, 2009 that the Grantors have a first right of refusal; and
3. Marketing Services International, LLC desires to sell the business located at 360 Anderson Rd to Universal Distributors, LLC. Since 2009, Universal Products, Inc. has purchased all of the chemical products that Marketing Services International, LLC has made at 360 Anderson Road, and desires to continue to purchase all of the chemical products that its subsidiary Universal Distributors, LLC will produce after consummation of the sale of the real property; and
4. Marketing Services International, LLC and Universal Distributors, LLC desire that the Grantors approve the sale of the real property as provided for in the Indenture Deed dated February 23, 2009 on record in the office of the Register of Deeds for Colleton County in Deed Book 1728 at Page 231, by waiving the right of first refusal on the property.

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

1. Colleton County hereby waives the right to first refusal on the property identified by TMS #132-00-00-247 set forth in the indenture deed from the Walterboro-Colleton Airport Commission, City of Walterboro and Colleton County, SC to Marketing Services International, LLC recorded March 9, 2013 in Deed Book 1728 page 231 in the office of

the Register of Deeds for Colleton County, SC, and the right of first refusal shall hereafter be terminated, null, void and of no further force and effect.

2. The County Administrator is hereby authorized to execute the Waiver of Right of First Refusal included herein and by reference for the property identified by TMS #132-00-00-247 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

Sponsor(s) : County Council
Adopted : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-83

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 Sheriff's office is deemed 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; \$59,000 in revenues from the SC Department of Public Safety Office of Highway Safety and Justice Programs; for Justice Assistance Grant #1GI11002 for LIVE SCAN Technology Replacement and Expansion ;
 - b. Fund 120- Special Revenue Fund; \$28,000 in revenues from the SC Department of Public Safety Office of Highway Safety and Justice Programs; for Highway Safety Grant #2JC14014.
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 : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-84

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for the Collection of Road Data to Update Colleton County's Transportation Plan.]

WHEREAS:

1. The Colleton County Transportation Committee wishes to update the County's Transportation plan, which requires the collection of road data throughout the County; and
2. The County advertised a Request for Bids, PD-16 for Professional Services for the Collection of Road Data; and
3. Six bids were received for this project, and Ecospatial Analysts, Inc. is the lowest qualified bidder; and
4. Funding for this project was approved by the Colleton Transportation Committee.

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

1. County Council hereby awards the contract for professional services in accordance with PD-16 to Ecospatial Analysts, Inc. for the collection of road data in an amount not to exceed \$30,785.
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 : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-85

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve Renewal of the Motorola Solutions Service Contract for the Sheriff's Office]

WHEREAS:

1. The Sheriff's Office contract with Motorola Solutions, for all E-911 technical services, is due for renewal; and
2. It is deemed to be in the best interest of the citizens of the County to authorize execution of renewals of said Service Contracts.

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

1. The renewal of the service contract with Motorola Solutions in the amount of \$51,030.12 is hereby approved.
2. The County Administrator is hereby authorized to execute the contracts on behalf of the County
3. Funding for the cost of the contracts is included in the FY 2014 Budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-86

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for HVAC Maintenance and Repairs for Colleton County.]

WHEREAS:

1. The County advertised a Request for Bids, FM-44 for HVAC Maintenance and Repairs for all County facilities; and
2. Three bids were received for this project, and Innovative Solutions of South Carolina, Inc. is the lowest qualified bidder at \$63,000; and
3. Funding for this contract is included in the Facilities Repair and Maintenance Budget for FY 14.

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

1. County Council hereby awards the contract for HVAC maintenance and repair in accordance with FM-44 to Innovative Solutions of South Carolina, Inc. in the amount of \$63,000.
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 : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-87

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Purchase of a Boat, Motor and Trailer by the Sheriff's Office with funding from the Edward Byrne Memorial Justice Assistance Grant and to Approve the Addition of the Vehicle to the County's Insurance Policy.]

WHEREAS:

1. The Colleton County Sheriff's office has been awarded the Edward Byrne Memorial Justice Assistance Grant for the purchase of a river patrol watercraft; and
2. The Sheriff requests approval to purchase a boat, motor and trailer, in accordance with the County Procurement Ordinance, and further requests the approval of the addition of the boat, motor and trailer to the County's insurance policy.

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

1. Colleton County Council hereby approves the purchase of a boat, motor and trailer in the amount of \$14,479, as well as the addition of said boat, motor and trailer to the County's insurance policy.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary to complete these purchases, and secure insurance for same.
3. Funding for this purchase shall come from the Edward Byrne Memorial Justice Assistance Grant awarded to the Sheriff's office.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-88

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve the Use of the County Parking Lot for the Band of Blue Annual Palmetto Classic Stride 5K Run/ Walk.]

WHEREAS:

- (1) The Band of Blue is sponsoring their 3rd Annual Palmetto Classic Stride 5K run/walk to be held on Saturday, November 16, 2013; and
- (2) A request has been received to use the County Parking Lot from 6:30 to 10:00 AM for race headquarters and pre-race gathering, registration, etc.; and
- (3) County Council encourages the citizens of the County to participate and make the County Parking Lot available for this event.

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

- (1) The use of the County Parking Lot for the headquarters of the Band of Blue Annual Palmetto Classic Stride 5K Run/Walk on Saturday, November 16, 2013 from 6:30 to 10:00 AM is hereby approved.
- (2) County Council encourages everyone to participate in this Run/Walk community event.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : October 1, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-89

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Members to Board Vacancies.)

WHEREAS:

1. Colleton County Accommodations Tax Advisory Board has seven vacancies (4 from lodging & hospitality, 1 from Cultural Arts, 2 at-large); and
Applicants: Gale Doggette (Cultural Arts)
2. Keep Colleton Beautiful has six vacancies; and
Applicants: None
3. Colleton County Commission of Alcohol & Drug Abuse has two vacancies; and
Applicants: Dalphus Pinckney
4. Edisto River Canoe & Kayak Trail Committee has two vacancies (1 at-large, 1 from Colleton County Development Board) ; and
Applicants: None
5. 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 Accommodations Tax Advisory Board: Gale Doggette
Colleton County Commission of Alcohol & Drug Abuse: Dolphus Pinckney

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman