

**AGENDA  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, SEPTEMBER 4, 2012  
6:00 P.M.  
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation & Pledge of Allegiance
3. Roll Call
4. Changes to the Agenda
5. Appearances & Public Presentations
  - a) Chris Myers, Recreation Director- Up Date on Recreation Project
6. Approval of Minutes
  - a) Regular Meeting August 14, 2012
7. Awards and Recognition's
8. Administrator's Briefing
9. Public Hearing
  - a) Ordinance 12-O-08, Granting an Easement to South Carolina Electric and Gas Across a Portion of the Railroad Right of Way Owned Jointly By the City of Walterboro and Colleton County adjacent to Rivers Street in Walterboro, SC; Such Easement to be Used to Construct, Improve and Maintain a Part of the Electric Utility Distribution Network within the City of Walterboro and Colleton County, SC ; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.
10. Old Business
  - a) 2<sup>nd</sup> Reading Ordinance 12-O-09, To Authorize the Rezoning of a 0.342 Acre Parcel in Green Pond, Identified as a Portion of TMS 292-00-00-034, from Rural Conservation-2 (RC-2) to Rural Conservation-1 (RC-1).
  - b) 2<sup>nd</sup> Reading Ordinance 12-O-10, To Amend the Colleton County Code of Laws by Repealing Various Chapters/Sections.
11. New Business
  - a) Resolution 12-R-91, 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).

- b) Resolution 12-R-92, To Endorse the 2012 Community Development Block Grant, Community Enrichment Application for a Demolition Project and to Pledge the 10% Local Match for the Grant.
- c) Resolution 12-R-93, To Allow a Wedding on Courthouse Grounds on October 6, 2012.
- d) Resolution 12-R-94, To Approve Appointments to the Lowcountry Workforce Investment Board.
- e) Resolution 12-R-95, To Establish Fees for Rental of Fields at the Recreation Complex

12. Items for Information and Public Record

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

14. Council Time

15. Executive Session

- a) Economic Development
- b) Legal

16. Adjournment

17. Informal Meeting of the Whole

Sponsor(s): County Council  
 First Reading: June 25, 2012  
 Committee Referral: Railroad ROW Committee  
 Committee Consideration Date: N/A  
 Committee Recommendation: N/A  
 Second Reading: August 14, 2012  
 Public Hearing: September 4, 2012  
 Third Reading: ??????????????????????  
 Effective Date: Immediately

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

**ORDINANCE NO. 12-O-08**

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

**[An Ordinance Granting an Easement to South Carolina Electric and Gas Across a Portion of the Railroad Right of Way Owned Jointly By the City of Walterboro and Colleton County adjacent to Rivers Street in Walterboro, SC; Such Easement to be Used to Construct, Improve and Maintain a Part of the Electric Utility Distribution Network within the City of Walterboro and Colleton County, SC ; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.]**

**WHEREAS:**

Colleton County Council deems it to be in the best interest of the County to grant an easement South Carolina Electric and Gas Across a Portion of the Railroad Right of Way Owned Jointly By the City of Walterboro and Colleton County adjacent to Rivers Street in Walterboro, SC; Such Easement to be Used to Construct, Improve and Maintain a Part of the Electric Utility Distribution Network within the City of Walterboro and Colleton County, SC.

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

- 1) The document attached and included herein by reference grants an easement to South Carolina Electric and Gas Across a Portion of the Railroad Right of Way Owned Jointly By the City of Walterboro and Colleton County adjacent to Rivers Street in Walterboro, SC; Such Easement to be Used to Construct, Improve and Maintain a Part of the Electric Utility Distribution Network within the City of Walterboro and 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) All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
- 5) 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.

By: \_\_\_\_\_  
Evon Robinson, Chairman of County Council  
Colleton County, South Carolina

ATTEST:

APPROVED AS TO FORM:

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

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

Sponsor(s) : County Council  
First Reading : August 14, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 4, 2012  
Public Hearing : October 2, 2012  
Third Reading : October 2, 2012  
Effective Date : Immediately

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

## ORDINANCE NO. 12-O-09

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY [To Authorize the Rezoning of a 0.342 Acre Parcel in Green Pond, Identified as a Portion of TMS 292-00-00-034, from Rural Conservation-2 (RC-2) to Rural Conservation-1 (RC-1).]

#### WHEREAS:

1. County Council pursuant to Title 6, Chapter 29, Code of Laws of South Carolina, 1976 as amended, has the legal authority to periodically amend the Official Colleton County Zoning Ordinance and Maps; and
2. The Colleton County Land Management Ordinance authorizes County Council to amend the official Zoning Maps for Colleton County; and
3. The Planning Commission has reviewed an application to rezone from Rural Conservation-2 (RD-2) to Rural Conservation-1 (RC-1), an approximately 0.342 acre, parcel located adjacent to a larger parcel, TMS 292-00-00-035 (known as 1822 Stocks Creek Road in Green Pond), also owned by the applicant; and
4. The larger parcel is zoned Rural Conservation-1 (RC-1) and the new, smaller parcel is zoned Rural Conservation -2 (RC-2); and
5. The applicant wishes for the entire tract to be zoned Rural Conservation-1 (RC-1); and
6. The Planning Commission at their Monday, July 23<sup>rd</sup> Meeting, voted unanimously to recommend that Council approve the requested rezoning, as the Rural Conservation-1 District is compatible with the Comprehensive Plan description of the area, and the rezoning provides consistency between the smaller tract and the larger one, eliminating split zoning of the property.

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

1. The 0.342 acre tract in Green Pond, identified as a portion of Tax Map Number 292-00-00-034, is hereby rezoned from Rural Conservation-2 (RD-2) to Rural Conservation-1 (RD-1) on the official Zoning Maps for Colleton County.

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

\_\_\_\_\_  
Evon Robinson, Chairman

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) :County Council  
First Reading : August 14, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 4, 2012  
Public Hearing : October 2, 2012  
Third Reading : October 2, 2012  
Effective Date : Immediately

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

## **ORDINANCE NO. 12-O-10**

### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY [To Amend the Colleton County Code of Laws by Repealing Various Chapters/Sections.]**

#### **WHEREAS:**

1. The Colleton County Code of Laws was recently republished through Municode; and
2. As part of that republication, the entire Code was proofread, and various duplications and/or out-of-date chapters/sections were identified as follows:
  - a) Chapter 2.44. Cultural Arts Commission  
Commission no longer exists; disbanded by Council in 1990's
  - b) Chapter 2.52. Low Country Film Commission  
Commission no longer exists; disbanded by Council in 1990's
  - c) Section 2.60.030. Office of delinquent tax collector  
Delinquent Tax Collector is hired by Administrator and is not a contract employee
  - d) Chapter 5.04. Commercial Filming  
Refers to Film Commission which no longer exists
  - e) Chapter 13.08. County Airport Zoning Regulations  
Duplication of provisions of Zoning Ordinance Section 14.08-2.150 (B)
3. In order to bring the Code into compliance with current practice and to eliminate duplication, it is necessary to repeal these chapters/sections.

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

1. The following chapter/sections of the Colleton County Code of Laws are hereby repealed in their entirety:
  - f) Chapter 2.44. Cultural Arts Commission
  - g) Chapter 2.52. Low Country Film Commission
  - h) Section 2.60.030. Office of delinquent tax collector
  - i) Chapter 5.04. Commercial Filming

j) Chapter 13.08. County Airport Zoning Regulations

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

\_\_\_\_\_  
Evon Robinson, Chairman

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

COUNCIL VOTE:  
OPPOSED:



Sponsor(s) : County Council  
Adopted: : September 4, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 12-R-91**

**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

\_\_\_\_\_  
Evon Robinson, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted: : September 4, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 12-R-92**

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

**[A Resolution To Endorse the 2012 Community Development Block Grant, Community Enrichment Application for a Demolition Project and to Pledge the 10% Local Match for the Grant.]**

**WHEREAS:**

- (1) The need to address quality of life issues for Colleton County and to address the concerns and issues of LMI residents of the County is a priority for County Council; and
- (2) The Colleton County Demolition Project has been identified as a priority community need for Colleton County; and
- (3) County Council wishes to address these needs by making application to the South Carolina Department of Commerce, Grants Administration for Community Enrichment Funds; and
- (4) The completion of this project would benefit residents of Colleton County, of which 46.8% qualify as having low-to-moderate income.

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

- (1) County Council hereby endorses the Colleton County Demolition Project because it will greatly improve the quality of life for the residents of the County.
- (2) The County Administrator shall be and is authorized to prepare and submit a Community Development Block Grant (CDBG), Community Enrichment Application for the Colleton County Demolition Project and to commit funds in the amount of 10% of the total grant request in accordance with the matching requirements of the Community Development Program.

**ADOPTED THIS 4<sup>th</sup> DAY OF SEPTEMBER, 2012.**

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Evon Robinson, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted: : September 4, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 12-R-93**

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

**[A Resolution To Allow a Wedding on Courthouse Grounds on October 6, 2012)**

**WHEREAS:**

- (1) A request has been received from a County resident seeking permission to use the Courthouse grounds for a wedding service; and
- (2) Any use of the Courthouse grounds must be approved by County Council.

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

The use of the Courthouse grounds for a wedding on October 6, 2012 at 1:00 PM is hereby approved with the stipulation that the County shall be held harmless from any liability or claims arising out of the event.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Evon Robinson, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : September 4, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 12-R-94**

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

**[To Approve Appointments to the Lowcountry Workforce Investment Board.]**

**WHEREAS:**

1. Three Vacancies exist on the Colleton County Lowcountry Workforce Investment Board; and
2. One vacancy is for an Economic Development Board Representative; and
3. Two vacancies are for Education Representatives; and
4. The Workforce Development Director recommends that Council approve the appointments as nominated.

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

County Council hereby approves the following appointments to the Lowcountry Workforce Investment Board:

Economic Development Board Representative: Heyward Horton

Education Representatives: Jane Brewer & Cliff Warren

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Evon Robinson, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted: : September 4, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 12-R-95**

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

**[A Resolution To Establish Fees for Rental of Fields at the Recreation Complex]**

**WHEREAS:**

- (1) As the new fields at the Recreation Complex near completion, it is necessary to establish fees for their rental/use; and
- (2) The Recreation Commission has recommended a \$200 refundable deposit and a \$200 per field rental charge with an additional \$15 per hour charge for hours after 10:00 pm.

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

1)The rental fee for the new fields at the Recreation Complex is hereby set as follows:

Deposit Fee:	\$200 refundable only after event and if fields and surrounding grounds are left non-littered, undamaged and/or if no unruly incidents occurred during use.
Rental Fee:	\$200 Fee includes rental from 8:00 AM to 10:00 PM, including lights, one dragging and lining of field on day before event and use of the restrooms and scoreboard. If lights are needed after 10:00 PM, there will be an additional \$15 per hour charge.

2)The rental fee for the older fields is as follows:

Deposit Fee:	\$200 refundable only after event and if fields and surrounding grounds are left non-littered, undamaged and/or if no unruly incidents occurred during use.
Rental Fee:	\$125 Fee includes rental from 8:00 AM to 10:00 PM, including lights, one dragging and lining of field on day before event and use of the restrooms and scoreboard. If lights are needed after 10:00 PM, there will be an additional \$15 per hour charge.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Evon Robinson, Chairman

COUNCIL VOTE:  
OPPOSED: