

**AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 30, 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
6. Approval of Minutes
 - a) Regular Meeting October 2, 2012
7. Awards and Recognition's
Proclamation- National Certified Animal Control Officer Edward C. Spears
8. Administrator's Briefing
9. Public Hearing
10. Old Business
 - a) 3rd Reading Ordinance 12-O-11, To Provide For A Fee-In-Lieu Of Tax Arrangement For Crescent Dairy And Beverages, LLC; Provide For Special Source Revenue Credits To Fund Infrastructure Improvements; Provide For The Allocations Of Fees-In-Lieu Of Taxes Payable Under The Agreement For Development For A Joint County Industrial Park With Hampton County; And Other Matters Relating Thereto.
 - b) 3rd Reading Ordinance 12-O-13, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Crescent Dairy & Beverages, LLC; and Other Matters Relating Thereto,
 - c) 2nd Reading Ordinance 12-O-14, To Amend Chapter 9.30 by Title and To Amend Sections 9.30.010, 9.30.030 and 9.30.050, Subsection (3) of Ordinance No. 11-O-04 To Include a Ban on Registered Sex Offenders Entering Into or Upon Any Facility Hosting an Event for Children Owned, Operated or Maintained by Colleton County.

- d) 2nd Reading Ordinance 12-O-15, To Amend Title 13-Buildings and Construction of the Colleton County Code of Ordinances, Chapter 13.12 – Flood Damage Prevention, to Add the Definition of Enclosure to Section 13.12-2.020 and to Repeal Section 13.12-5.040.
11. New Business
- a) Resolution 12-R-109, to Establish County Designated Christmas Holidays for 2012.
 - b) Resolution 12-R-110, To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2012-2013.
 - c) Resolution 12-R-112, To Authorize Use by the SCDNR Marine Division/Shellfish Group of a Space at the Grassed Public Parking Area Across the Street from the Bennett's Point Boat Landing from January 2013 through May 2013.
 - d) Resolution 12-R-113, To Appoint Members to Board Vacancies
 - e) 1st Reading Ordinance 12-O-16, To Ratify FY12 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.
 - f) 1st Reading Ordinance 12-O-17, to Amend Chapter 14.08 –Zoning, Section 14.08-2 Zoning District Regulations, Paragraph 2.120 (C) Dimensional Requirements, of the Colleton County Zoning Ordinance in Order to Meet Modern Industrial Requirements.
 - g) 1st Reading Ordinance 12-O-18, to Amend Chapter 14.08 –Zoning, Section 14.08-3 Conditional Uses, Paragraph 3.020 (O) Hunting and Fishing Camps, of the Colleton County Zoning Ordinance in Order to Comply with the Standards of other Rural Counties with Significant Hunting Populations.
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) Personnel
 - b) Economic Development
 - c) Legal
16. Adjournment
17. Informal Meeting of the Whole



COLLETON COUNTY
FOUNDED 1682

PROCLAMATION COLLETON COUNTY COUNCIL

WHEREAS, The National Animal Control Association (NACA) was formed in 1978 for the express purpose of assisting its members to perform their duties in a professional manner; and

WHEREAS, NACA has established varying levels of training for Animal Control Officers and upon completion of the training, an officer is certified as a National Certified Animal Control Officer; and

WHEREAS, Edward C. Spears has successfully completed training and received certification as a National Certified Animal Control Officer; and

WHEREAS, The members of the Colleton County Council on behalf of the citizens of Colleton County wish to recognize and acknowledge the time, effort and dedication required of Mr. Spears in attaining such certification.

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

The Colleton County Council hereby congratulates **Edward C. Spears**, for the perseverance, dedication, and devotion to duty demonstrated by his attainment of the **National Certified Animal Control Officer** designation.

Adopted at the Regular Meeting of Council on October 30, 2012:

Evon Robinson, Sr., Chairman

County Seal:

Attest: Ruth Mayer, Clerk to Council

Sponsor(s) : County Council
First Reading : September 17, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 2, 2012
Public Hearing : October 30, 2012
Third Reading : October 30, 2012
Effective Date : Immediately

I, Ruth Mayer,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on October 30, 2012.

ORDINANCE NO. 12-O-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO PROVIDE FOR A FEE-IN-LIEU OF TAX ARRANGEMENT FOR CRESCENT DAIRY AND BEVERAGES, LLC; PROVIDE FOR SPECIAL SOURCE REVENUE CREDITS TO FUND INFRASTRUCTURE IMPROVEMENTS; PROVIDE FOR THE ALLOCATIONS OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR DEVELOPMENT FOR A JOINT COUNTY INDUSTRIAL PARK WITH HAMPTON COUNTY; AND OTHER MATTERS RELATING THERETO.]

WHEREAS, Colleton County, South Carolina (“County”), acting by and through its County Council (“County Council”), is authorized and empowered under and pursuant to the provisions of the South Carolina Constitution (“Constitution”), the Code of Laws of South Carolina, 1976, as amended (“Code”), and the case law of the courts of the State of South Carolina, to offer and provide certain privileges, benefits, and incentives to prospective industries as inducements for economic development within the County, including the transfer or sale of real property and the granting of options to purchase or acquire real property owned by the County;

WHEREAS, the County is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code (“Act”) to enter into certain agreements with any industry that constructs, operates, maintains, and improves certain properties (which constitute “projects” as defined in the Act) and to accept any grants for such projects;

WHEREAS, through employment of the powers granted by the Act, the County is empowered to promote the economic and industrial development of the State of South Carolina (“State”) and develop its trade by inducing manufacturing and commercial enterprises to locate in the State and thus use and employ the manpower, agricultural products, and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally by providing for the exemption of such project from property taxes and for the payment of a fee in lieu of property taxes (a “fee agreement,” as defined in the Act);

WHEREAS, Crescent Dairy & Beverages, LLC (the “Company”) is contemplating the location of a new beverage processing and bottling facility (the “Facility”) in a multi-county industrial park (the “Park”) within the County (the “Site”), which would result in a substantial

investment and the creation of new jobs (the “Project”), and has requested the County to provide certain inducements to the Company to locate the Project in the County;

WHEREAS, the Project involves an anticipated investment by the Company of at least \$30 million and the anticipated creation of at least sixty (60) new, full-time jobs within five (5) years from the last day of the property tax year during which the Project or a portion of the Project is first placed in service;

WHEREAS, in connection with the economic development incentives hereby authorized, the County and the Company are prepared to enter into a fee agreement as set forth in the Act (“Fee Agreement”) pursuant to which the property comprising the Project will be exempted from property tax for a period of time during which the Company shall make certain payments to the County in lieu of property taxes (“FILOT Payments”);

WHEREAS, the Fee Agreement also provides the Company with an additional and limited grant of a credit against its FILOT Payments (the “SSRC”);

WHEREAS, the County has reviewed the Fee Agreement, including the provisions contained therein related to the grant of the Special Source Revenue Credit, a copy of the substantially final form of which is attached as Exhibit A and which is incorporated in this Ordinance, and determined that the same is appropriate in form and substance for execution by the County.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Colleton County, South Carolina, in meeting duly assembled:

Section 1. Findings and Determinations. It is hereby declared that the facts set forth in the recitals to this Ordinance are true and correct in all respects. It further is found, determined, and declared by the County Council, based on information provided by the Company, as follows:

- (a) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;
- (b) the Project gives rise to no pecuniary liability of the County or incorporated municipality or results in a charge against its general credit or taxing power; and
- (c) the purposes to be accomplished by the Project, including, without limitation, economic development, jobs creation, and expansion of the County’s tax base, are proper governmental and public purposes and the benefits of the Project are greater than the costs.

Section 2. Approval of Fee Agreement and SSRC. The Fee Agreement and related SSRC are approved as follows:

- (a) The form, terms, and provisions of the Fee Agreement and inclusive grant of SSRC presented to this meeting and filed with the Clerk to County Council (“Clerk”) are

approved and all of the terms, provisions, and conditions of the Fee Agreement are incorporated by reference. The Chairman of the County Council (“Chairman”) and the Clerk are authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement and any related documents in the name of the County. The Chairman and the Clerk are further authorized, empowered, and directed to cause the Fee Agreement and any related documents, to be delivered to the Company.

(b) The Fee Agreement to be executed on behalf of the County shall be in substantially the form now before the County Council and shall include only changes that are approved by the County officials executing the Fee Agreement. The County officials shall consult the attorney for the County (“County Attorney”) with respect to any changes to the Fee Agreement. The execution of the Fee Agreement by County officials shall constitute conclusive evidence that they have approved all changes to or revisions of the Fee Agreement now before this meeting.

(c) If under the Fee Agreement, any related documents, or the Act any future actions of the Company (including, without limitation, the supplementation of the exhibits thereto and/or any assignments of the Project) require the approval of the County, such approval can be given on behalf of the County by the Chairman or County Administrator upon affirmative resolution of the County Council to the extent permitted by law. The County officials shall consult the County Attorney with respect to such approval. The execution of a written approval by County officials shall constitute conclusive evidence that the County has approved the respective actions of the Company.

(d) The Fee Agreement shall provide that the Company shall invest at least \$30 million and create at least sixty (60) new, full-time jobs at the Project within five (5) years from the last day of the property tax year during which the Project or a portion of the Project is first placed in service.

(e) The Fee Agreement shall further provide that the County shall grant an SSRC to the Company equal to the lesser of 100% of its FILOT Payments to the County for the Project for such year or One Hundred Thousand and No/100 Dollars (\$100,000.00) until the Company has received total and applied SSRC’s for the Project equal to Five Hundred Thousand and No/100 Dollars (\$500,000.00). The Fee Agreement shall also provide that the County shall cause the Project to be or remain in a Multi-County Industrial Park.

Section 3. Allocation of MCP PILOT Revenues. (a) By separate ordinance (the “MCIP Ordinance”) of the County Council, the County, in cooperation with Hampton County (the “Partner County”), designated the Site as a multi-county park pursuant to Article VIII, Section 13 of the Constitution of South Carolina, Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (the “MCIP Act”), and the terms of the Agreement for Development for Joint County Industrial Park (the “MCIP Agreement”).

(b) Pursuant to the terms of the MCIP Act, Section X of the MCIP Ordinance, and Section 7 of the MCIP Agreement, the County hereby provides that for the term necessary to fund the SSRC provided in the Fee Agreement, the annual allocation of the fee-in-lieu of ad

valorem taxes generated by the Project and payable to the County in accordance with the terms of the MCIP Agreement (the "MCP FILOT"), after deducting any amounts distributed to the Partner County pursuant to the MCIP Agreement, will be distributed as follows:

(1) To the County, for providing the SSRC, an amount equal to the annual SSRC with respect to the Project as provided in Section 2(e) of this Ordinance and in the FILOT Agreement; and

(2) To the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

Section 4. Execution of Documents. The Chairman, the County Administrator, the Clerk, and the County Attorney are each authorized and directed to do all things reasonably necessary to effect the execution and delivery of the Fee Agreement and any related documents and the County's performance of its obligations under the Fee Agreement and any related documents.

Section 5. Severability. The provisions of this Ordinance are declared to be separable. If any section, phrase, or provision shall be declared by a court of competent jurisdiction to be invalid or unenforceable for any reason, the remaining sections, phrases, and provisions of the Ordinance shall remain valid.

Section 6. Repeal of Conflicting Ordinances. All orders, resolutions, and other ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 7. Effective Date of Ordinance. This Ordinance shall take effect immediately upon third reading of the County Council.

Attest:

Signed:

Ruth Mayer, Clerk to Council

Evon Robinson, Chairman

Approved as to Form
Sean P. Thornton, County Attorney

Council Vote:
Opposed:

Sponsor(s)	: County Council	
First Reading	: September 17, 2012	I, Ruth Mayer,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on October 30, 2012.
Second Reading	: October 2, 2012	
Public Hearing	: October 30, 2012	
Third Reading	: October 30, 2012	
Effective Date	: Immediately	

ORDINANCE NO. 12-O-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Crescent Dairy & Beverages, LLC; and Other Matters Relating Thereto.]

WHEREAS:

1. Crescent Dairy & Beverages, LLC (the "Company") is contemplating the location of a new milk processing and bottling facility (the "Project") in the Colleton County Commerce Park; and
2. Colleton County (the "County") and the Project are entering into agreements for the establishment of said business, including the sale of real property owned by the County for use in the Project; and
3. The Council deems it to be in the best interest of the County to provide for the sale of the real property located at 181 Corporate Way in the Colleton County Commerce Park to the Company 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 Crescent Dairy & Beverages, LLC the property (the "Property") more fully described in attached Exhibit A for a consideration of One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00), and upon the other terms and conditions as shall be set forth in a purchase and sale agreement (the "Purchase Agreement") in substantially the form attached hereto as Exhibit B with such revisions, alterations, and changes as shall be determined by the County Administrator to be in the best interest of the County.
2. The County Administrator is hereby authorized, empowered, and directed on behalf of the County of Colleton to execute and deliver the Purchase Agreement, 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. All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.
4. 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:

Ruth Mayer, Clerk to Council

Evon Robinson, Chairman

Approved as to Form
Sean P. Thornton, County Attorney

Council Vote:
Opposed:

Sponsor(s) : County Council
First Reading : October 2, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 30, 2012
Public Hearing : December 4, 2012
Third Reading : December 4, 2012
Effective Date : Immediately

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

ORDINANCE NO. 12-O-14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Amend Chapter 9.30 by Title and To Amend Sections 9.30.010, 9.30.030 and 9.30.050, Subsection (3) of Ordinance No. 11-O-04 To Include a Ban on Registered Sex Offenders Entering Into or Upon Any Facility Hosting an Event for Children Owned, Operated or Maintained by Colleton County.)

WHEREAS:

1. In order to protect the children utilizing Colleton County Facilities, County Council believes it to be in the best interest to restrict access by registered sex offenders to such facilities; and
2. Such restriction of access must be enacted by Ordinance.

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

1. **The Colleton County Code of Laws, Title 9 – Public Peace and Welfare, Chapter 9.3 is hereby amended as Chapter 9.30 – Ban on Registered Sex Offenders – County Parks, Recreation Facilities and Other Facilities, and Sections 9.30.010, 9.30.030 and 9.30.050 are amended as follows:**

Chapter 9.30

BAN ON REGISTERED SEX OFFENDERS – COUNTY PARKS & RECREATION FACILITIES AND OTHER FACILITIES

9.30.010 Prohibition

No person registered with the State of South Carolina or any other state or federal agency as a registered sex offender shall enter into or upon any public park, recreation facility, or any other facilities, as defined in 9.30.030, owned, operated, or maintained by Colleton County, except as provided in 9.30.050 Limited Exceptions below.

9.30.030 Definitions

For purposes of this Chapter, the following definitions shall be added:

Other Facility: Any publicly owned, leased, operated, or maintained property that is hosting any event in which the primary purpose of the event is for the education, entertainment or benefit of children by the County including any adjacent public parking area as well as driveways, entrance ways, or pedestrian walkways used by the public to access the recreation facility

9.30.050 Limited Exceptions

3) Registered sex offenders who have children of their own who are participating in events, programs, or competitions at a County park, recreation facility, or other facilities may drive those children to and from such event, drop the children off and/or pick the children up at the designated area, and then drive immediately and directly out of the County park or facility. Any loitering or lingering shall be a violation of this Chapter. Under no circumstances shall the offender remain on the park or recreation grounds for more than twenty (20) minutes under this subsection.

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: October 2, 2012
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: October 30, 2012
Public Hearing: December 4, 2012
Third Reading: December 4, 2012
Effective Date: Immediately

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

ORDINANCE 12-O-15

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 13-Buildings and Construction of the Colleton County Code of Ordinances, Chapter 13.12 – Flood Damage Prevention, to Add the Definition of Enclosure to Section 13.12-2.020 and to Repeal Section 13.12-5.040.]

WHEREAS:

1. In order to allow greater flexibility in the application of the Flood Damage Prevention Ordinance, staff recommends including a definition for “enclosure;” and
2. In order to eliminate redundancy in procedural requirements, staff recommends repealing Section 13.12-5.040-Agrucultural Structures in its entirety.

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

1. **Title 13-Buildings and Construction of the Colleton County Code of Ordinances, Chapter 13.12-Flood Damage Prevention** is hereby amended as follows:

13.12-2.020 Definitions

For purposes of this Chapter, the following definitions shall be added:

Enclosure; enclosed space or area means any space below the BFE and enclosed on all sides by walls or partitions. A V-zone building elevated on an open foundation without an enclosure or other obstructions below the BFE, is said to be free-of-obstruction, such that the space below the BFE is surrounded by insect screening, louvered slats (wooden or plastic lattice, slats, or shutters are permissible if at least 40% of their area is open and that lattice can be no thicker than ½ inch, or that slats and shutters can be no thicker than 1 inch), or open wood lattice”.

13.12-5.040 Agricultural Structures

For purposes of this Chapter, **Section 13.12-5.040-Agricultural Structures** shall be repealed in its entirety.

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: _____
Evon Robinson, 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 30, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-109

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Establish County Designated Christmas Holidays for 2012.]

WHEREAS:

- (1) The official State Christmas holidays for 2012 are Monday the 24th, Tuesday the 25th, and Wednesday the 26th; and
- (2) The County Personnel Policy provides that County holidays shall be celebrated in accordance with those of the State.

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

The Christmas holidays for Colleton County for 2012 are hereby designated as Monday, December 24th, Tuesday, December 25th, and Wednesday, December 26th.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : October 30, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-110

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2012-2013.]

WHEREAS:

- (1) The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
- (2) The Solid Waste department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY13 for grant number 15WT13.
- (3) The Solicitor's Office is considered the Office of Primary responsibility (OPR) related to the receipt of non-budgeted income for FY13 for grant numbers 1JS10008, 1JS08008 and 2JCS1330.

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 funds for the grants and unbudgeted revenues for FY13 as listed:
 - a. Fund 211-Solid Waste Fund; \$200,000; Grant #15WT13 for the FY13 Waste Tire Grant additional funds for tire stockpile cleanup.
 - b. Fund 120 – Special Revenue Fund; \$93,337; Grant #1JS10008 for the Juvenile Multi-Disciplinary Court in the Solicitor's Office.
 - c. Fund 120 – Special Revenue Fund; \$42,588, Grant #1JS08008 for the Juvenile Multi-Disciplinary Court in the Solicitor's Office.
 - d. Fund 120- Special Revenue Fund; \$75,000, Grant #2JCS1330 for Special DUI Prosecutors in the Solicitor's Office.
- (2) The above listed OPRs (Offices of Primary Responsibility) are 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 FY13 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : October 30, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-112

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize Use by the SCDNR Marine Division/Shellfish Group of a Space at the Grassed Public Parking Area Across the Street from the Bennett's Point Boat Landing from January 2013 through May 2013.]

WHEREAS:

- (1) The SCDNR Marine Division/Shellfish Group has requested use of a space, approximately 60' by 60', at the grassed public parking area across the street from Bennett's Point boat landing for the storage of shell for an oyster reef construction project from January 2013 through May 2013; and
- (2) Minimal public use of the landing occurs during said time period, so there should be little interference with public parking/use/access; and
- (3) The area will be maintained and left in good shape once the project is completed by SCDNR; and
- (4) Council deems it to be in the best interest of County to allow this use.

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

The use of the space, approximately 60' by 60', at the grassed public parking area across the street from Bennett's Point boat landing from January 2013 through May 2013 by the SCDNR Marine Division/Shellfish Group is hereby authorized.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : October 30, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-113

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 un-expired term; and
Applicants: None
2. Keep Colleton Beautiful has three vacancies; and
Applicants: Elaine B. Kiser
3. Colleton County Board of Assessment Appeals has two vacancies; and
Applicants: Elaine B. Kiser, Robin Crosby
4. Colleton County Planning Commission has one vacancy; and
Applicants: R. Ian Padgett, Michael A. Padgett, Jr., Elaine B. Kiser, Ian M. Saunders
5. Lowcountry Council of Governments has one (minority)vacancy; and
Applicants: Esther S. Black
6. Colleton County Recreation Commission has three vacancies; and
Applicants: None
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. _____

Keep Colleton Beautiful _____, _____, _____

Colleton County Board of Assessment Appeals _____, _____

Colleton County Planning Commission _____

Lowcountry Council of Governments _____

Colleton County Recreation Commission _____, _____, _____

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson Chairman

Sponsor(s) : County Council
First Reading : October 30, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : December 4, 2012
Public Hearing : January 8, 2013
Third Reading : January 8, 2013
Effective Date : Immediately

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

ORDINANCE NO. 12-O-16

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Ratify FY12 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 FY12 Budget Resolutions and authorizes and directs the County Administrator to amend the FY12 budgetary appropriations as so resolved;
 - b. Ratifies all previously approved FY12 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 6/30/12 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 6/30/12, 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 FY12 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 6/30/12 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 6/30/12 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 FY12 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: 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:

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s): County Council
First Reading: October 30, 2012
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: December 4, 2012
Public Hearing: January 8, 2013
Third Reading: January 8, 2012
Effective Date: Immediately

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

ORDINANCE 12-O-17

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Chapter 14.08 –Zoning, Section 14.08-2 Zoning District Regulations, Paragraph 2.120 (C) Dimensional Requirements, of the Colleton County Zoning Ordinance in Order to Meet Modern Industrial Requirements.]

WHEREAS:

1. The current ordinance requires that no structure may exceed a maximum height of 60 feet in the Industrial (ID) Zoning District. Because of increased concern from industrial prospects regarding this limitation, the desire for higher ceiling heights for equipment and operations suggests that the height standard is set too low to meet modern industrial needs; and
2. In order to meet modern industrial requirements, Colleton County Planning and Development recommends an increase with an additional setback mechanism to address any issues with adjoining properties; and
3. The Planning Commission in their October Meeting voted to recommend an amendment to the Zoning Ordinance to add a footnote to allow for an increase in the maximum height of a structure in the Industrial (ID) Zoning District and include a setback mechanism.

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

1. **Chapter 14.08 – Zoning, Section 14.08-2 Zoning District Regulations, Paragraph 2.120 (C) of the Colleton County Zoning Ordinance** is hereby amended to read as a Footnote as follows:

Buildings in excess of 60 feet shall observe an additional setback from side and rear property lines of one foot for each one foot in height over 60 feet; not to exceed 80 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: _____
Evon Robinson, 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: October 30, 2012
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: December 4, 2012
Public Hearing: January 8, 2013
Third Reading: January 8, 2012
Effective Date: Immediately

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

ORDINANCE 12-O-18

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Chapter 14.08 –Zoning, Section 14.08-3 Conditional Uses, Paragraph 3.020 (O) Hunting and Fishing Camps, of the Colleton County Zoning Ordinance in Order to Comply with the Standards of other Rural Counties with Significant Hunting Populations.]

WHEREAS:

1. The standards set by the current ordinance are not consistent with current practice among other rural counties with significant hunting populations; and
2. After surveying other rural counties and re-evaluating how the zoning ordinance generally treats campgrounds, it was determined that a less restrictive approach was warranted; and
3. It is recommended that the language be modified to be less restrictive for establishing a hunting camp but treated in the same manner as similar uses; and
4. The Planning Commission in their October Meeting voted to recommend an amendment to the Zoning Ordinance regarding hunting and fishing camps.

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

1. **Chapter 14.08 – Zoning, Section 14.08-3 Conditional Uses, Paragraph 3.020 (O) of the Colleton County Zoning Ordinance** is hereby amended to read as follows:
 - a. A maximum density of 10 campers per acre is allowed.
 - b. Any structure or camper shall be setback 50 feet from a property line.
 - c. Demonstrate compliance with SCDHEC waste treatment.
 - d. All structures and campers within 100 feet of the front property line shall meet the buffer requirements found in Section 14.08-4.020 (B) Street Yard
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: _____
Evon Robinson, Chairman of County Council

ATTEST:

APPROVED AS TO FORM:

By: _____
Ruth Mayer, Clerk to County Council

By: _____
Sean Thornton, County Attorney