

AGENDA
COLLETON COUNTY COUNCIL
SPECIAL MEETING
MONDAY, SEPTEMBER 17, 2012
1:00 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. Old Business
 - a) 3rd Reading 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
6. New Business
 - a) Resolution 12-R-97, To Authorize the Purchase of a Used Fire Truck from Brindlee Mountain Fire Apparatus.
 - b) Resolution 12-R-98, To Approve the Memorandum of Understanding By and Between Project UHT, the State of South Carolina, South Carolina Department of Commerce, Colleton County, and Coastal Electric Cooperative and to Authorize the County Administrator to Execute Said Document.
 - c) 1st Reading **by Title Only** Ordinance 12-O-11, To Provide for a Fee-In-Lieu of Tax Arrangement for Project UHT; 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 Charleston County; and Other Matters Relating Thereto.
 - d) 1st Reading **by Title Only** Ordinance 12-O-12, To Amend the Agreement for Development of a Joint County Industrial Park, By and Between Colleton County, South Carolina, and Charleston County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park so as to Include Additional Property in Colleton County as Part of the Joint County Industrial Park.

e) 1st Reading **by Title Only** Ordinance 12-O-13, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Project UHT, LLC; and Other Matters Relating Thereto.

7. Adjournment

8. 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: September 17, 2012
 Effective Date: Immediately

I, _____,
 Council Clerk, certify that
 this Ordinance was advertised
 for public hearing on 9-4-12.

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:

By: _____
Ruth Mayer, Clerk to Council

APPROVED AS TO FORM:

By: _____
Sean Thornton, County Attorney

Sponsor(s) : County Council
Adopted : September 17, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-97

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY
[A Resolution To Authorize the Purchase of a Used Fire Truck from Brindlee Mountain
Fire Apparatus.]**

WHEREAS:

- (1) The Fire Commission has located a suitable used fire truck being sold by Brindlee Mountain Fire Apparatus; and
- (2) The truck is a 1994 Simon-Duplex/Saulsbury; and
- (3) The cost excluding sales tax is \$80,000; and
- (4) Money for the purchase would come from the 2012 Fire Improvement Bond; and
- (5) The Fire Commission recommends that Council authorize the purchase of the used vehicle contingent upon its passing an inspection by Colleton County personnel.

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

- (1) The purchase of the a used 1994 Simon-Duplex/Saulsbury VIN 1S91L71J3R1020110, at a cost of \$80,000 (excluding sales tax) from Brindlee Mountain Fire Apparatus is hereby approved.
- (2) Such purchase is contingent upon the truck passing inspection by Colleton County personnel.
- (3) Funding for the purchase shall come from the 2012 Fire Improvement Bond.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : September 17, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-98

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve the Memorandum of Understanding By and Between Project UHT, the State of South Carolina, South Carolina Department of Commerce, Colleton County, and Coastal Electric Cooperative and to Authorize the County Administrator to Execute Said Document.]

WHEREAS:

- (1) Project UHT desires to locate a business facility in the Colleton County Commerce Center; and
- (2) The County and Coastal Electric Cooperative desire to provide economic incentives to Project UHT to induce it to locate at the Center; and
- (3) County Council wishes to enter into a Memorandum of Understanding to reflect the terms and conditions under which economic development incentives will be provided to UHT.

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

- (1) The Memorandum of Understanding (attached and included herein by reference) is hereby approved.
- (2) The County Administrator is hereby authorized to execute on behalf of the County said Memorandum of Understanding.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : September 17, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-99

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Grant Two Rights of Way By and Between the City of Walterboro, the County of Colleton, and South Carolina Electric and Gas Company.]

WHEREAS:

- (1) The Walterboro-Colleton Airport Commission recommends that the City of Walterboro and Colleton County grant a Right of Way to SCE&G across two lots located on Rivers Street near Robertson Boulevard and identified by TMS: 179-04-00-154 and 179-04-00-189; and
- (2) The Walterboro-Colleton Railroad Committee recommends that the City of Walterboro and Colleton County grant a Right of Way to SCE&G across a lot located on Rivers Street near Robertson Boulevard and identified by TMS: 236-00-00-139; and
- (3) Said Rights of Way will be used for the installation, operation, and maintenance of SCE&G Facilities; and
- (4) County Council deems it to be in the interest of the County to grant said Rights of Way.

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

- (1) The Rights of Way (attached and included herein by reference) by and between the City of Walterboro, the County of Colleton, and South Carolina Electric and Gas Company are hereby granted.
- (2) The Chairman of County Council is hereby authorized to execute said documents on behalf of the County.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED

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 23, 2012
Third Reading : October 23, 2012
Effective Date : Immediately

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

ORDINANCE NO. 12-O-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Provide for a Fee-In-Lieu of Tax Arrangement for Project UHT; 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 Charleston County; and Other Matters Relating Thereto.]

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 23, 2012
Third Reading : October 23, 2012
Effective Date : Immediately

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

ORDINANCE NO. 12-O-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Amend the Agreement for Development of a Joint County Industrial Park, By and Between Colleton County, South Carolina, and Charleston County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park so as to Include Additional Property in Colleton County as Part of the Joint County Industrial Park.]

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 23, 2012
Third Reading : October 23, 2012
Effective Date : Immediately

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

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 Project UHT, LLC; and Other Matters Relating Thereto.]