

MINUTES
TUESDAY, AUGUST 10, 2021
REGULAR MEETING BROADCAST VIRTUALLY
6:00 P.M.

Colleton County Council
Council Chambers, Old Jail Building
109 Benson Street
Walterboro, SC 29488

Present: Chairman Steven Murdaugh called the meeting to order with Council Members Dr. Joseph Flowers, Art Williams, Gene Whetsell, and Phillip Taylor in attendance.

Others Included: Kevin Griffin, Sean Thorton, Meagan Utsey, Jon Carpenter, Kaela Brinson, Barry McRoy and Kimberly Mullinax.

Phillip Taylor gave the invocation and led the Pledge of Allegiance.

Approval of Minutes

- A. **Regular Meeting Minutes, June 1, 2021** — Councilman Phillip Taylor moved to approve the minutes of the Regular Meeting held on June 1, 2021. The motion was seconded by Dr. Joseph Flowers and the motion carried unanimously.

Awards and Recognitions

- A. **Birthday Proclamation of Maggie Magwood** — Chairman Steven Murdaugh read the Proclamation aloud. Dr. Flowers moved to approve the Proclamation and the motion was seconded by Councilman Williams. The motion carried unanimously.
- B. **Proclamation for Colleton County Council's Recognition and Appreciation of Mrs. Jureline SL Memminger and her service to the Ruffin Community and to Colleton County**— Chairman Murdaugh read the Proclamation aloud. Dr. Flowers moved to approve the motion, and it was seconded by Councilman Williams. The motion carried unanimously.
- C. **Proclamation naming the Week of July 31 - August 7, 2021 as Gullah-Geeche Nation Appreciation Week**— Chairman Murdaugh read the Proclamation aloud. Councilman Taylor moved to approve the Proclamation, and the motion was seconded by Councilman Williams. The motion carried unanimously.

Appearances and Public Presentations

- A. Crawford Moore, Mayor Pro Tempore for the Town of Edisto Beach, gave notice that he will be filling the duties of Mayor, following the retirement of Mayor Darby, until the special election being held on November 2, 2021 to fill her remaining term.

Administrator's Briefing

Mr. Kevin Griffin expressed his gratitude for Mayor Darby's service and welcomed Crawford Moore. Mr. Griffin also formally introduced the new Clerk to Council, Mrs. Kaela Brinson.

Mr. Griffin stated that Kimberly Mullinax with Lowcountry Council of Governments would be presenting at the public hearing. He continued that adjustments to the County's procurement procedures, relating to both CDBG and Federal Grant funds, are necessary to meet new requirements on the Federal level.

Mr. Griffin went on to state that the bond item regarding the Salkehatchie Railroad — that is part of the agreement we entered into in 2016 with Palmetto Railways, and the County does one of these each year. The County does not necessarily issue that much in bond funds. Each year the revenue has increased proving the 43 mile railway an asset in the amount of \$7.5 to 8 Million. The County deducts the bond funds at the end of each year.

A motion to move in to public hearing was made by Councilman Taylor and was seconded by Dr. Joseph Flowers.

Public Hearing

Kimberly Mullinax, Lowcountry Council of Governments read the following Public Hearing information aloud:

NOTICE IS HEREBY GIVEN that on Tuesday, August 10, 2021 at 6:00 pm at the Colleton County Council Chambers, 109 Benson Street, Old Jail Building, Second Floor, Walterboro, SC will hold a public hearing to review program performance and accomplishments conducted under a Community Development Block Grant (CDBG) project known as the Old High School Football Stadium Demolition Project, CDBG #4-CE-18-007, wherein the following activities were undertaken:

Colleton County proposed to use CDBG funds to demolish the old high school football stadium that was outdated and unsafe. This stadium was roughly a 15-acre site in downtown Walterboro. Home bleachers, visitor bleachers, press box, locker room, field house, ticket booths, concession stands, fencing, goal posts, and lighting were demolished. Grass has been planted where the buildings were. The overgrown vegetation on the perimeter was mulched and a chain link fence was added. Lighting was added focusing on the center of the green space. This project benefited 1,095 residents of which 670 (61%) were considered low-to-moderate income persons.

This public hearing and the matters to be discussed are subject to the provisions of the County's Citizens Participation Plan, developed in anticipation of participation in the State of South Carolina's Community Development Block Grant (CDBG) Program, providing for the participation of the citizens of the Colleton County in the planning and implementation of community and economic development projects which will involve CDBG funds.

The Citizen Participation Plan is available for review at Colleton County Administration, 109 Benson Street, Walterboro, SC between the hours of 9:00 am and 5:00 pm, Monday through Friday. Persons with questions or comments concerning the public hearing or the Citizen Participation Plan may contact Kimberly Mullinax, Lowcountry Council of Governments, Post Office Box 98, Yemassee, SC 29945, (843) 473-3964.

Colleton County does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Deadgrea Sadler, Colleton County, 109 Benson Street, Walterboro, SC, 843-549-5221, has been designated to coordinate compliance with the nondiscrimination requirements contained in the U. S. Department of Housing and Urban Development's regulations and implementing Section 5002 (24 CFR Part 8, dated June 2, 1988).

Ms. Mullinax asked for any questions or comments.

Councilman Williams asked when does five year timeline start?

Ms. Mullinax stated that the five year timeline begins at the end of the grant.

Councilman Williams asked if there are provisions under certain hardship to qualify to build?

Ms. Mullinax responded that there would have to be something that services the low income community such as affordable housing. There are quite a few regulations if you go that route, depending on what you do you could have to pay the grant back.

Chairman Murdaugh asked if there is a way to redirect the remaining grant funds back into another project?

Ms. Mullinax responded that the remaining funds would go back to the state. The demolition cost of the project was not expected to be so low. The County was able to use the grant funding for fencing and lighting.

Chairmen Williams stated that he understands that the County cannot use those funds for anything additional, but if it is on that same site could the grant be amended?

Ms. Mullinax said that we have already looked at all the possibilities and this is all we had available.

No Public Comments made.

Ordinance 21-O-07, Granting an Easement to Weyerhaeuser Company on a Portion of Real Property Owned by Colleton County, South Carolina identified by TMS 120-00-00-135.000 and located at 3142 Pierce Road, in Cottageville, Colleton County, SC; Such Easement is to be Used for Access to Property Owned by Weyerhaeuser Company; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.

No comments were made.

Ordinance 21-O-08, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located along at 801 N. Lemacks Street in the City of Walterboro, County Colleton, SC, and Identified by TMS No. 163-08-00-027.000; Such Easement

is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; and Other Matters Related Thereto.

No comments were made.

Old Business

- A. **3rd Reading Ordinance 21-O-07, Granting an Easement to Weyerhaeuser Company on a Portion of Real Property Owned by Colleton County, South Carolina identified by TMS 120-00-00-135.000 and located at 3142 Pierce Road, in Cottageville, Colleton County, SC; Such Easement is to be Used for Access to Property Owned by Weyerhaeuser Company; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto**

Dr. Joseph Flowers moved to approve the 3rd reading of Ordinance 21-O-07, Granting an Easement to Weyerhaeuser Company; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion was seconded by Councilman Whetsell, which was approved unanimously.

- B. **3rd Reading Ordinance 21-O-08, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located along at 801 N. Lemacks Street in the City of Walterboro, County Colleton, SC, and Identified by TMS No. 163-08-00-027.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.**

Councilman Taylor moved to approve the 3rd reading of Ordinance 21-O-08, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located along at 801 N. Lemacks Street in the City of Walterboro, County Colleton, SC, and Identified by TMS No. 163-08-00-027.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion was seconded by Councilman Williams. The motion carried unanimously.

New Business

- A. **1st Reading Ordinance 21-O-10, By Title Only, To Amend the Colleton County Code of Ordinances, Chapter 3.08 – Purchasing to Establish Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements.**

Dr. Flowers moved to approve the 1st reading of Ordinance 21-O-10, by title only, To Amend the Colleton County Code of Ordinances, Chapter 3.08 – Purchasing to Establish

Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements. The motion was seconded by Councilman Whetsell. The motion carried unanimously.

B. Resolution 21-R-31, To Provide for the Issuance and Sale of a Not to Exceed \$585,000 General Obligation Bond of Colleton County, South Carolina; To Provide for the Sale and Terms Thereof in Regard to the Agreement with Palmetto Railways Regarding the H&B Railroad; and Other Matters Relating Thereto

Councilman Taylor moved to approve the Resolution 21-R-31, to Provide for the Issuance and Sale of a Not to Exceed General Obligation Bond of Colleton County, South Carolina; to Provide for the Sale and Terms Thereof in Regard to the Agreement with Palmetto Railways Regarding the H&B Railroad; and Other Matters Relating Thereto. The motion was seconded by Councilmen Whetsell, which was approved unanimously.

C. Resolution 21-R-32, To Authorize the Waiver of Various Fees for the Summer 2021 Mission Serve Home Repair Program

Dr. Flowers moved to approve Resolution 21-R-32, to Authorize the Waiver of Various Fees for the Summer 2021 Mission Serve Home Repair Program. The motion was seconded by Councilman Taylor, which was approved unanimously.

D. Resolution 21-R-33, To Approve the Renewal of Various Service Contracts for Colleton County

Councilman Taylor moved to approve Resolution 21-R-33, to Approve the Renewal of Various Service contracts for Colleton County. The motion was seconded by Councilman Whetsell. The motion carried unanimously.

E. Resolution 21-R-34, To Award the Contract for the Gadsden Loop Neighborhood Revitalization Sidewalk Project

Councilman Taylor moved to approve Resolution 21-R-34, to Award the Contract for the Gadsden Loop Neighborhood Revitalization Sidewalk Project. The motion was seconded by Councilman Whetsell, which was approved unanimously.

F. Resolution 21-R-35, To Adopt Updated Grievance Procedure, County-Wide Self-Evaluation Plan and Questionnaire, and Transition Plan in Accordance with the Requirements of Section 504 Rehabilitation Act and the Americans With Disabilities Act (ADA)

Councilmen Taylor moved to approve Resolution 21-R-35, to Adopt Updated Grievance Procedure, County-Wide Self-Evaluation Plan and Questionnaire and Transition Plan in Accordance with the Requirements of Section 504 Rehabilitation Act and the Americans with Disabilities Act (ADA). The motion was seconded by Councilman Whetsell.

Chairman Murdaugh asked if there was any discussion. Councilman Williams asked when was the last time the County updated other various policies, specifically the personnel policy? Dr. Flowers stated that over the years things have been amended as issues have come up. Councilman Whetsell stated that the Administrator should handle this. Councilmen Williams then stated that as the gatekeepers, Council needs to look at COVID-19 procedures and meeting today's standards. The employees need direction and things to follow. Chairman Murdaugh stated that it would be good to assign this to a rarely used committee.

This motion was approved unanimously.

G. Resolution 21-R-36, To Appoint Members to the County's ADA Committee

Councilman Taylor moved to approve Resolution 21-R-36, to Appoint Members to the County's ADA Committee. The motion was seconded by Dr. Flowers. Chairman Murdaugh read aloud the committee members as follows: George Welch, the County's Risk Manager, Mary Sue Warner, Office Manager for the Facilities Management Department, Adrienne Stokes, Fire-Rescue EMD Recovery Coordinator and Deadrea Sadler, ADA Coordinator. The motion carried unanimously.

H. Resolution 21-R-37, To Approve and Adopt a Reasonable Accommodation Policy as Required by the ADA – American's with Disabilities Act, Public Law

Councilman Taylor moved to approve Resolution 21-R-37, to Approve and Adopt a Reasonable Accommodation Policy as required by the ADA – American's with Disabilities Act, Public Law. The motion was seconded by Councilman Whetsell, which was approved unanimously.

I. Resolution 21-R-38, To Authorize the Council Clerk to Advertise for Board Vacancies

Councilman Taylor moved to approve Resoltuion21-R-38, to Authorize the Council Clerk to Advertise for Board Vacancies. The motion was seconded by Dr. Flowers, which was approved unanimously.

J. Resolution 21-R-39, To Appoint Members to Board Vacancies

Councilman Taylor moved to approve Resolution 21-R-39, to Appoint Members to Board Vacancies by acclimation. The motion was seconded by Councilman Williams. The motion carried unanimously. The following appointments were made by acclimation: Kellye R. Whitaker – Colleton County Board of Disabilities and Special Needs, Jimmy Syfrett – Colleton County Resource and Development Board, and Kisha Kinard – Local Accommodations Tax Commission.

K. Resolution 21-R-40, For the Lowcountry Regional Airport Expansion Proposal

Dr. Flowers moved to approve Resolution 21-R-40, for the Lowcountry Regional Airport Expansion Proposal. The motion was seconded by Councilman Taylor, which was approved unanimously.

Public Comments

Sirena Memminger: Congratulations Mrs. Memminger on an honor very well deserved.

Sue Keith: Colleton County Legislative Delegation meeting will be held on Monday, September 13, 2021 at 6:00PM at the Colleton County Memorial Library.

Dwayne Buckner: I ask that the new Tax Payer Service Center building be named after my father, Floyd Buckner. He served on County Council for many years until his death. A previous county building was named after him. However, it was damaged severely during the tornado that touched down in Walterboro. The building was recently torn down. Many in the community have approached me asking whether the Council was going to name another building in his honor. Many took pride in seeing his name on the building because of the work and dedication he had to helping all the people of Colleton County. My Dad was a fiscal conservative and believed in making sure that tax payer's dollars were spent wisely and not wasteful. Thus, the new Tax Office would be an appropriate building to bear his name. I ask that the new Tax Office be given his name. Thank you for your time and consideration.

Council Time

A. Taxpayer Service Center Naming

Councilman Taylor: We have had some discussion about it. I certainly would like to see the taxpayer service center named in honor of Mr. Floyd Buckner, if it's the consideration of the Council. We looked at a number of options in terms of once that school district building was demolished during the tornado. We looked at whether a marker might be appropriate. After talking it through we realized a marker just could not replace the marking that Mr. Buckner had on this county. We have a new building going up, and with the other building just freshly being demolished, it would be my personal desire to have the new building be named after Mr. Buckner.

Councilman Williams: I certainly feel the same way. Mr. Buckner represented all the people in Colleton County, and he did a very good job at that from both aspects from serving as a public official to serving in the school district as well. I would love to see this building since it is the most recent building after the demolition of the other building. I think it would be most fitting and proper to name the new building after him.

Chairman Murdaugh: I think it would be appropriate since the other building was damaged by the storm.

Councilman Taylor made a motion to incorporate Floyd Buckner's name in the naming of the new Tax Payer Service center. The motion was seconded by Councilman Williams, which was approved unanimously.

Executive Session

Councilman Taylor moved to go into executive session to discuss the following: Legal Advice- Roads and Bridges; Contractual- Planning and Development; Real Estate- Voter Registration; and Personnel- Recreation. Councilman Williams seconded the motion. The motion carried unanimously.


Councilman Whetsell moved to exit executive session. Dr. Flowers seconded the motion, which carried unanimously.

Adjournment

Councilman Taylor moved to adjourn the meeting. Dr. Joseph Flowers seconded the motion, which carried unanimously.

The public/media was informed of the location, date, and time of the meeting on Monday, August 2, 2021 in accordance with the provisions of the Freedom of Information Act.

This 16th day of September 2021.


Steven D. Murdaugh, Chairmen

ATTEST:


Kaela Brinson, Clerk to Council

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