

**MINUTES
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 14, 2018
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

Colleton County Council met in Regular Session on Tuesday, August 14, 2018 at 6:00 PM, at the County Council Chambers, Old Jail Building. Dr. Flowers called the meeting to order with Council Members Steven Murdaugh (Late), Gene Whetsell, Evon Robinson, Phillip Taylor in attendance.

Others present included: Kevin Griffin, Sean Thornton, Ruth Mayer, Susan Keith, Paul Hewitt, David Gar Linder, Wendi See, Robert Smith, Gertrude Hamilton, Tom Whitacre, Carl Coffin, Roy Williams

Mr. Robinson gave the invocation and led the Pledge of Allegiance.

Approval of Minutes

Regular Meeting June 26, 2018

Special Meeting July 20, 2018

A motion to approve the minutes was made by Mr. Taylor and seconded by Mr. Robinson.

The motion carried unanimously.

Awards and Recognitions

Proclaiming Gullah-Geechee Nation Appreciation Week

Dr. Flowers read the proclamation.

Mr. Taylor made a motion to adopt the Proclamation and was seconded by Mr. Robinson.

The motion carried unanimously.

Appearances & Public Presentations

Southern Carolina Alliance – John Fleming- Quarterly Report

Mr. Fleming gave an overview of Project Activity & Product Development- Region Wide & County Wide, External Marketing and Internal Market Highlights.

Administrator's Briefing

Mr. Griffin said I wanted to mention two community items 1st. The Colleton Center, which is now the Colleton Civic Center had their press conference and soft opening yesterday,

I was loading some of my daughter's stuff into a dorm, but I know we had a great showing from council there and I believe Dr. Flowers had said a few words as well. We are proud to have that facility open and I think they have already announced a few really exciting events that are going to happen there and we are glad to get another one of our Capital Sales Tax Projects completed and opened up so the community can use the facility again.

I also wanted to remind council and everyone here on Thursday night, Walterboro-Colleton Chamber of Commerce has their business after hours. Dr. Carmichael has finally gotten her 1st set of student housing completed, which is actually in an upstairs area across from the Museum/Farmer's Market. That will be at 5:30 Thursday afternoon. She sent me an email direct to make sure council knew and was aware so they could help kick it off and enjoy that time with them.

One item on the agenda is a little bit irregular that we have not had before is Resolution 18-R-53, it's in regard to a bond to be issued on behalf Palmetto Goodwill Project. The bond its self is something that is done Statewide. It does not give any ...inaudible... liability to the county or nothing against our General Credit Taxing Power or GO Bond Power. We just have to provide a resolution that we support these funds being spent within the county, which I believe is a re-finance to the current facility in the county. Mr. Carter DuPree who is legal counsel for Goodwill is here if you have any specific questions about this document tonight he would be glad to speak to you if needed. It is a resolution and a public hearing.

Public Hearing

Ordinance 18-O-03, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2018 through June 30, 2019; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.

Dr. Flowers said he wanted to ask the administrator something. He noticed the School Board said they had reduced their request for millage. Is that reflected in this?

Mr. Griffin said yes sir.

Mr. Murdaugh said what is the actual.

Mr. Griffin said the original request was just over 5 ½ mills. The change in State Funding that was in the Final Budget Bill, that request was reduced down to 3 mills.

Mr. Murdaugh said and that is what is reflected in this?

Mr. Griffin said that is correct.

No other comments were made.

Ordinance 18-O-07, To Authorize the Rezoning of a Parcel Identified as Tax Map Number 310-00-00-014, from Resource Conservation-1 (RC-1) Resource Conservation-2(RC-2)

No comments were made.

Ordinance 18-O-08, To Amend Title 14-Land Management, Section 14.08-2 Zoning District Regulations, of the Colleton County Code of Ordinances related to Residential Care Facilities and Residential Care Homes.

No Comments were made.

Ordinance 18-O-09, To Establish, Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended, A Multi-County Industrial/Business Park, In Conjunction With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, South Carolina, And Jasper County; To Provide For A Written Agreement By Colleton County With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, And Jasper County As To The Sharing Of The Revenues And Expenses Of The Park; To Provide For The Distribution Of Revenues From The Park Among Taxing Entities Having Jurisdiction Over The Park; To Provide For A Fee In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto

No comments were made.

Resolution 18-R-53, In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bond (Palmetto Goodwill Project) Series 2018, Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$20,000,000.

No comments were made.

Old Business

2nd Reading Ordinance 18-O-10, To Amend Title 2 – Administration and Personnel of the Colleton County Code of Ordinances.

A motion to approve 2nd reading was made by Mr. Whetsell and seconded by Mr. Murdaugh.

Mr. Taylor moved that Title 2 section Administration Personnel Chapter 2.30 Colleton County Section 2.30020 be separated from this ordinance and treated as a separate matter on our agenda (amending previous motion)

Mr. Robinson seconded Mr. Taylor's motion.

Mr. Murdaugh said let me speak to this issue because I know this is probably the center controversial issue in this ordinance. I don't really care if we separate it out or not, but this was an issue, this is an issue related to the election of the chairman and vice-chairman of council. We changed that a while back and I was in support of changing that. Since we changed I know we have discussed it multiple times about what we should do

with that and we actually have discussed in now and I have talked to not every member of the council but most members of council about it and one thing that has become clear is that we don't really have a consensus on what to do. In light of that, I don't think this is an issue necessarily that goes away, but this is the way we used to do it and the only thing I can come up with at this point is that I don't have a problem with us going back to that, but it is an issue and I think we ought to evaluate again at some point in the future. I am glad that we are at least changing to an even number of years so that it is not on the heels of an election. I just wanted to put that in there. I'm in support of the ordinance as it is and whether it is separated out I think it is going to probably remain in there so I just wanted to go on the record and say that.

Mr. Whetsell said I am in support of the ordinance the way it is written.

Mr. Robinson said I think every member of the council should have an opportunity to serve as chairperson or vice-chairperson if they desire to do that. If there is a member on council who does not want to serve when their time comes, then they have the right to of course speak to the issue to say that they are not interested in being the chair and I think we will honor that. Now in the Association of Counties to which we get most of our training from, I like the concept that is used there and I think it is a good example for all of the counties. Each year they elect a person from a different county. They rotate it to give the counties an opportunity to do that. I know that the executive committee brings a slate of offices to the officers to be voted on, but I still like the idea that they give everyone an opportunity to serve. I think that is the only fair way. You already got this in practice and I think we should continue on with what we have in practice. That is my take on it.

Mr. Whetsell said well it hasn't been this way all the time. I was sitting on council when it got changed and it was right bitter at that time. There are, I guess, why you are talking about the councils, there are counties that councils select the chairman and the vice chair every two years. Some counties the chair person is actually elected from the voting people. The voters actually select the chairman. This thing of bringing people, you can have people coming that is going to be your council person that has never sat a day in anything and they possibly could be the chairman of the county council because of the way the rotation is setup, automatic rotate. If he wants it he can take it if he don't want it he can pass it. The election is going to put somebody in if elected that could be county council chair that has never served a day as a chair anywhere.

Mr. Robinson said he understood what Mr. Whetsell was saying, but also a new person coming on board, that person know within themselves that they don't have the capability of conducting a meeting or carrying on as chairman. I think they have the right to let us know that. The courses that are taught from the Association of Counties help to develop a person in those areas where they cannot carry on and there are several courses all of us have taken as we got on board as a council member that helped develop us to be more efficient. I think that is still in place, so anybody that comes on here that does not have, even you Mr. Whetsell some time ago when it was your time to come you elect not to do it because of whatever reason. I think any other new person coming on board

should have that same right to tell us and then we can move on to the next person. That is my take on it.

Mr. Taylor said just to clear up my motion, my motion was not to vote this up or down at this point, a lot of discussion. You can see the amount of ...inaudible... regarding the matter. It is just separate it out so that it doesn't interfere with the other matters that is unrelated in this ordinance. I would like to call our attention to that and maybe we could have discussion on this when we get to that that night.

Mr. Murdaugh said weather it is separated or not I guess if you look at it from a pragmatic standpoint if you separate it out it would go out as a separate ordinance...inaudible... the problem I'm having is and from talking to everyone is weather, some people feel that someone is elected and they haven't served, Mr. Whetsell is saying there should be a period of time in there. Is that period one term, two years, I don't know, we just don't have any consensus on what we need to do. I don't have a problem with us just going back to the way it was at this point and time and putting it on an even year so it would shift it till a year off and that would give us time if we want (stopped talking) At one point I thought we were looking to see what most of the counties were doing. I don't know if we ever finished that or not.

Mr. Whetsell said that was what he would like to see done. I'd like to see a survey of the counties in the 46 counties in the state to see the process to which the chair and vice-chair is elected.

Mr. Griffin said they could get that information for them.

Mr. Murdaugh said the other thing I would point out is this is just 1st reading.

Mr. Griffin said 2nd reading.

Mr. Murdaugh said okay 2nd reading. Maybe we can figure some of that out.

Dr. Flowers said personally I think a council that has been elected should elect their chairman for this reason that it gives each member of council a vote on who they want to be chairman. That is the way it was when I came council and worked quite well at that time I felt. I think that is the democratic way to do something. If you want to survey the counties and see how the majority do that, it is up to the majority council members at this time.

Mr. Taylor said he moved to withdraw his motion he put on the floor and Mr. Robinson withdrew his 2nd to the motion.

Dr. Flowers said we still have another reading on this ordinance. We will go ahead a vote on it and get the information about the counties for next month's meeting.

Mr. Griffin said that would be September 11th, which is the second Tuesday because of the Labor Day Holiday and I will get that information to you pretty quick. It will be about 41 counties because we have some that are under supervisor and some are under some other forms of government.

Dr. Flowers said that should be easy enough to retrieve.

The motion carried unanimously for 2nd reading.

2nd Reading Ordinance 18-O-11, To Provide For The Issuance And Sale Of Not Exceeding \$5,300,000 Fire Protection Service General Obligation Bonds Of Colleton County, South Carolina; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto.

A motion to approve 2nd reading was made by Mr. Taylor and seconded by Mr. Murdaugh

The motion carried unanimously.

2nd Reading Ordinance 18-O-12, Authorizing the Acquisition of Certain Property by Colleton County, South Carolina by Lease-Purchase Financing in the Amount Of Not Exceeding \$2,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto.

A motion to approve 2nd read was made by Mr. Taylor and seconded by Mr. Murdaugh.

The motion carried unanimously.

2nd Reading Ordinance 18-O-13, To Provide for the Transfer of Real Property Owned by Colleton County, South Carolina, Identified by T.M.S. No. 097-00-00-050, to CCEDC One, Inc. (a Colleton County Economic Development Corporation) Related to Project EPS; and Other Matters Relating Thereto.

A motion to approve 2nd reading was made by Mr. Taylor and seconded by Mr. Murdaugh.

The motion carried unanimously.

2nd Reading Ordinance 18-O-14, To Provide For A Fee-In-Lieu Of Tax Arrangement For Project EPS; 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.

A motion to approve 2nd reading was made by Mr. Taylor and seconded by Mr. Murdaugh.

The motion carried unanimously.

3rd Reading Ordinance 18-O-03, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2018 through June 30, 2019; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.

A motion to approve 3rd reading was made by Mr. Taylor and seconded by Mr. Murdaugh.

The motion carried unanimously.

3rd Reading Ordinance 18-O-07, To Authorize the Rezoning of a Parcel Identified as Tax Map Number 310-00-00-014, from Resource Conservation – 1 (RC-1) Resource Conservation – 2 (RC-2).

A motion to approve 3rd reading was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

3rd Reading Ordinance 18-O-08, To Amend Title 14-Land Management, Section 14.08-2 Zoning District Regulations, of the Colleton County Code of Ordinances related to Residential Care Facilities and Residential Care Homes.

A motion to approve 3rd reading was made by Mr. Murdaugh and seconded by Mr. Whetsell.

The motion carried unanimously.

3rd Reading Ordinance 18-O-09, To Establish, Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended, A Multi-County Industrial/Business Park, In Conjunction With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, South Carolina, And Jasper County; To Provide For A Written Agreement By Colleton County With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, And Jasper County As To The Sharing Of The Revenues And Expenses Of The Park; To Provide For The Distribution Of Revenues From The Park Among Taxing Entities Having Jurisdiction Over The Park; To Provide For A Fee In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto.

A motion to approve 3rd reading was made by Mr. Taylor and seconded by Mr. Robinson.

The motion carried unanimously.

New Business

1st Reading Ordinance 18-O-15, Granting Easement No. 897128 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located along Robertson Boulevard and Aviation Way in or near the City of Walterboro, County Colleton, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical and Gas Facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto

A motion to approve 1st reading was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

1st Reading Ordinance 18-O-16, To Relinquish Any Right of First Refusal and other Restrictive Covenants of Colleton County to the Property Located at 360 Anderson Road, TMS #132-00-00-247.

A motion to approve 1st reading was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

Resolution 18-R-50, Confirming The Intention Of Colleton County, South Carolina To Be Reimbursed For Certain Expenditures Related To Capital Purchases/Projects To Be Financed By The Issuance Of Bonds.

A motion to approve the resolution was made by Mr. Robinson and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 18-R-51, To Authorize the Purchase of a Used Fire Truck and a Used Pumper/Tanker from Brindlee Mountain Fire Apparatus.

A motion to approve the resolution was made by Mr. Taylor and seconded by Mr. Murdaugh.

The motion carried unanimously.

Resolution 18-R-52, To Award the Contract for Planning Services for the County's Comprehensive Plan Update.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 18-R-53, In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bond (Palmetto Goodwill Project) Series 2018, Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$20,000,000.

A motion to approve the resolution was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

Resolution 18-R-54, To Appoint Members to Board Vacancies

Mr. Murdaugh made a motion to approve the following by acclimation and was seconded by Mr. Taylor.

Colleton County Commission of Alcohol & Drug Abuse: Roman Cunningham, Dolphus Pinckney, Henry L. Pinckney, Vera Bodison, Tamara Berry-Stanley

Colleton County Land Use Zoning Board of Appeals: Samuel Bethay

Colleton County Board of Disabilities & Special Needs: Gilda T. Barnwell

Colleton County Memorial Library: Molly D. Watkins, Eric J. Campbell, Wendi See

Board of Adjustments & Appeals (Building Dept.): Robert E. Hooker (Electrical), Angelo Pacilio, William H. Ponds, Sr., Michael Shane Moody (Gen. Citizenry)

The motion carried unanimously.

Ballot Results:

Colleton County Planning Commission: Jeremy Ware, Jared Fralix, David M. Smalls, John S. Rogers

Colleton County Resource & Development: James C. Bryan, Central Williams

Items for Information and Public Record

None

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

None

Council Time

Mr. Murdaugh said he had received a complement on our Fire-Rescue staff from a person who did not want their names out that they had responded to a call and did a very good job and the family was very happy with the services of the county.

Mr. Taylor said he wanted to invite council members and the public to Father to Father Inc. is expanding its program and has an open house next week, Thursday evening at 5:00 at the Waterfall downtown. A ribbon cutting for their new office opening at 209 E. Washington St. It is a program that serves non-custodial parents and they are opening up the headquarters for this part of the region in Colleton to serve Colleton, Hampton, Jasper, Beaufort and Allendale, welcoming them to Colleton. I also wanted to say thank you to the county for the overwhelming as well as the Sheriff's department and everyone in the county. It was tremendous the support and showing of Love and Affection that our

family received in the passing of my dear sister-in-law Deon Holmes. It was overwhelming.

Executive Session

- a) Economic Development
 - 1) Project Global
 - 2) Project EPS
 - 3) Project Colony
 - 4) Project Hope

Regular Session

Dr. Flowers said the items were discussed in executive session.

No further actions were taken.

The meeting was adjourned.

Date: _____

Joseph F. Flowers, Chairman

ATTEST:

Ruth Mayer, Clerk to Council

******* NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT**