

**MINUTES
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, JULY 30, 2013
6:00 P.M.
COLLETON MUSEUM, 506 E. WASHINGTON ST.**

Colleton County Council met in Regular Session on Tuesday, July 30, 2013 at 6:00 PM, at the Colleton Museum, 506 E. Washington St. Phillip Taylor called the meeting to order with Council Members, Gene Whetsell, Dr. Flowers, Evon Robinson (arrived 6:04PM), Steven Murdaugh in attendance.

Others present included: Ruth Mayer, Sean Thornton, Kevin Griffin, Dennis Averkin, Meagan Chaplin, John Ahl, Robert Carter, Donna Lamb, Susan Johnson, Donna Thomas, Ted Kinard, Pam Sheaf, Katherine Heckler, Barry Moore, Jeremy Ware, Ted Stanfield, Bill Deason

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

Appearances & Public Presentations

Bill Chambers – Update regarding Farm Kitchen

Mr. Chambers gave an overview of the preliminary master plans.

Approval of Minutes

Special Meeting May 22, 2013

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

The motion carried unanimously.

Special Meeting May 28, 2013

A motion to approve the minutes was made by Dr. Flowers and seconded by Mr. Murdaugh.

The motion carried unanimously.

Regular Meeting June 4, 2013

A motion to approve the minutes was made by Dr. Flowers and seconded by Mr. Murdaugh.

The motion carried unanimously.

Administrative Briefing

Mr. Griffin said he a rather extensive Administrator's Report in council's packets. The biggest highlight of the last two months of course is all the issues we have had with the rain and the roads. Obviously our staff has been working overtime, holidays, weekends, everything they can to do to give folks access to their property as much as possible. We still have just over 10 roads closed right now with flooding, although the waters have been receding. We continue to work on that as well as the mosquitoes.

Two items not in your packet because we didn't have them by the time it went out, first of all on August 13th, the television show Making it Grow on ETV, they are going to be hosting their show here at the museum that day filming the entire program, featuring the Colleton County Museum/Farmers Market as well as doing a special on the upcoming kitchen. We are glad to be having them here and it will be a lot of good exposure for the facility. Also to bring you up to date Volusia, Florida won the Dixie League machine pitch tournament this morning. They beat Fairhope Alabama. We had a great tournament and an extremely good response. The Southeast Regional Dixie Youth Director had fantastic things to say about the participation. He was extremely impressed that we had council members out there flipping burgers Friday night and the fact that we had Recreation Commission members out there on the field. He said he had talked with our Chamber of Commerce folks and chairman there every night. All the restaurant venders showed up at the park and thanked them. He was amazed at the response in the community that we had to put that event on. He assured us we would be having bigger and better events in the future.

I just wanted to thank the folks out at the Recreation Commission, Chris Myers and all his staff. They did a fantastic job.

The floor was opened for questions from council members to the administrator.

Mr. Murdaugh said in looking at the list of the roads closed, do we have any folks that are displaced from their homes because of the road closures?

Mr. Griffin said we had for a short time we started to open a shelter, but we were actually able to place a few folks I believe off of Happiness Lane that got placed in hotel shortly. We had a shelter up and ready to go if we needed it, but we did not need it. People were actually driving their vehicles to a certain point and then taking their boats to their houses.

Mr. Robinson asked what time is the "Making it Grow" presentation?

Mr. Griffin said we don't have an exact schedule yet, we are waiting to hear from ETV.

Mrs. Brightwell said the filming crew will be here about 11:00 and I assume they will start pretty shortly after that.

Public Hearing

Ordinance 13-O-05, to Amend Title 14-Land Management of the Colleton County Code of Ordinances, Sections 14.08-5.020 Parking Lot Surface Materials, 14.08.6.020(A) Sign Design Guidelines and 14-08-6.050(A)(3) Freestanding On-Premises Signs.

Ordinance 13-O-06, to Relinquish Any and All Claim, Right, Ownership or Interest of Colleton County to the Property Located at TMS #195-00-00-180 and to Remove all Title Restrictions and Reverters of Same.

Sheriff's Department is applying for a Federal Grant Titled Edward Byrne Memorial (JAG) Grant Program #2013-H5209-SC-DJ in the amount of \$14,479.00 for a 17 Foot Aluminum Boat (57" Wide) and a 70hp 4 stroke outboard motor, with tilt and trim and trailer to be used by the Sheriff's Office.

No comments made during Public Hearing regarding the ordinances.

Old Business

3rd Reading Ordinance 13-O-05, to Amend Title 14-Land Management of the Colleton County Code of Ordinances, Sections 14.08-5.020 Parking Lot Surface Materials, 14.08.6.020(A) Sign Design Guidelines and 14-08-6.050(A)(3) Freestanding On-Premises Signs.

A motion to approve 3rd Reading was made by Mr. Whetsell and seconded by Dr. Flowers.

The motion carried unanimously.

3rd Reading Ordinance 13-O-06, to Relinquish Any and All Claim, Right, Ownership or Interest of Colleton County to the Property Located at TMS #195-00-00-180 and to Remove all Title Restrictions and Reverters of Same.

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

The motion carried unanimously.

New Business

Resolution 13-R-58, To Authorize the County Administrator to Execute a Quit Claim Deed on Behalf of the County Releasing the Property of the Former Fire-Rescue Station 13, Located at 735 Jonesville Avenue.

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

The motion carried unanimously.

Resolution 13-R-59, to Authorize Execution of a Hangar Lease Agreement By and Between Colleton County and the Walterboro-Colleton County Airport Commission.

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

The motion carried unanimously.

Resolution 13-R-60, Supporting the Research, Development and Focus Group Activities of the Airport in Preparation of a Recommendation that We Establish August 19-23, 2013 as Aviation Week.

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

The motion carried unanimously.

Resolution 13-R-61, To Authorize the Purchase of Equipment by the Fleet Management Department.

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

The motion carried unanimously.

Resolution 13-R-62, To Authorize Acceptance and Budgeting of Funds for Various Grants Received for FY2013-2014.

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

The motion carried unanimously.

Resolution 13-R-63, 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).

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

The motion carried unanimously.

Resolution 13-R-64, To Approve a Criminal Patrol Transfer Agreement between Colleton County Sheriff's Office and Spartanburg County Sheriff's Office.

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

The motion carried unanimously.

Resolution 13-R-65, To Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Costs of Equipment and Software Licenses.

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

The motion carried unanimously.

Resolution 13-R-66, To Authorize Renewal of an Agreement Between Colleton County and the South Carolina Department of Juvenile Justice for the Housing/Detention of Juveniles.

A motion to approve the resolution as made by Mr. Whetsell and seconded by Dr. Flowers.

The motion carried unanimously.

Resolution 13-R-67, To Award the Contract for the Ions Crossroads Fire Station Construction.

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

The motion carried unanimously.

Resolution 13-R-68, To Approve Various Mutual Aid Agreements Between the Colleton County Sheriff's Office and Surrounding Jurisdictions.

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

The motion carried unanimously.

Resolution 13-R-69, To Award the Contract for Debris Management and Removal.

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

The motion carried unanimously.

Resolution 13-R-70, To Authorize a Reduction in Force for the Sheriff's Office as a Result of the Colleton County School District's Failure to Fund School Resource Officers at the Same Level as Previous Years.

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

Mr. Murdaugh said I think this thing has some personnel issue in it and would like to discuss this before we vote on this matter. We might need to discuss this in executive session. I would like to ask that you table the motion until we have had a chance to discuss this in executive session.

Mr. Taylor said I think we can hear from our attorney in relation to any legal aspects. In relation to employment, we can't have any discussion.

Mr. Thornton said if the question is, should we discuss that because it has possible connotation, yes sir I think that should be moved to executive session. I won't know that until ...inaudible...certainly it should at least be addressed initially in executive session.

Mr. Taylor said so is your motion to table ,,inaudible... until such time

Mr. Murdaugh interrupted said table this until we have had a chance to discuss it and was seconded by Mr. Robinson.

The motion carried unanimously

Resolution 13-R-71, To Appoint Members to Board Vacancies.

A motion to approve the following by acclimation was made by Mr. Murdaugh and seconded by Dr. Flowers.

Colleton County Board of Adjustments & Appeals (Bldg. Dept.): Terry Hoff
Lowcountry Regional Transportation Authority: David L. Blauch
Colleton County Library Board of Trustees: Dorothy P. Smoak

The motion carried unanimously.

Ballot Results (3-2) for the following:

Colleton County Resource & Development Board: Jimmy Syfrett

1st Reading Ordinance 13-O-07, Granting Easement No. 890885 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located just Southeast of the Intersection of Lemacks Street and Carn Street in Colleton County, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical 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. Whetsell and seconded by Mr. Murdaugh.

The motion carried unanimously.

1st Reading Ordinance 13-O-08, To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.

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

The motion carried unanimously.

1ST Reading Ordinance 13-O-09, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Coastal Electric Cooperative, Inc.; and Other Matters Relating Thereto.

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

The motion carried unanimously.

1st Reading Ordinance 13-O-10, Authorizing The Acquisition Of Certain Property By Colleton County By Lease-Purchase Financing In The Amount Not Exceeding \$3,300,000; The Execution And Delivery Of Certain Instruments, Including A Lease-Purchase Agreement By Colleton County; And Other Matters Relating Thereto.

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

The motion carried unanimously.

Items of Information & The Public Record

None

Public Comments

John Wayne Ahl- 317 Faye Lane in Ruffin- I have been after I guess County Council since 09. I've got a dirt road that goes to my property and when it rains like it has been raining I cannot get in and out my property. I have to walk ½ mile from the paved road to get to my house. I have been asking to get the county to come and maintain my road. I contacted someone in his office and they told me I needed to get a petition. I got the petition. We got three residents on this road. We all got the petition, we signed it, we wrote on the petition the reason why we needed the road maintained. We are all disabled, all senior citizens with a very limited income, and cannot maintain it ourselves. Every time I get in touch with someone they said well we don't know where the petition is at, they just keep giving me the run around. The only thing I am asking I get the dirt

road fixed. I have knee problems and leg problems, I go to Dr. Rencken, he knows I have disabilities; my wife has a disability...inaudible... I pay property taxes and I feel I should have access in and out of my property when I need to.

Mr. Taylor said they would look into it.

Mr. Whetsell said have we (county) ever maintained this road.

Mr. Ahl said not that he knew of and I have been there six years, but they say it is a private road. I don't know who owns it.

Harold Jones said the road coming out is not even where it is supposed to be. It's on our property.

Council Time

Dr. Flowers said I think we have a process whereby any road has to be brought up to certain standards before the county would assume responsibility for it. I think what we need to do is have a document printed up so when people have a problem like this we can hand them the document and let them understand that we can't maintain any road in the county that happens to be a private road unless it is brought up to certain standards and the county agrees to bring it into the county system. We have a process like that. I think we need a standard form for anybody who has a problem to let them know what our policies are.

Mr. Taylor said I get a number of calls in relation to roads and our county has worked diligently and very aggressively to withstand and go through a number of things even though we have gotten record amounts of rain. Some things we have done and I think the citizens need to know we actually hired an engineer on staff to deal with roads or to work with roads and CTC and build something. They are in the process of looking at all of these situations to see what is the most cost effective way to deal with these situations. We do have a code in place that talks directly about what citizens need to do and how long the process takes and what it is. They can go to our code of ordinances and it is posted. I think the county code enforcement office does make that available. One of the things that we have seen in relation to this somebody made some promises to somebody, I don't know if this is a developer or who said you get three houses on this road and you are going to get it paved. That is not something the county does. This is a challenge we are going to have to face and take a hard look at how we are going to deal with roads and bridges; some things that are going on in the nation in relation to roads and bridges and in our state. We will take some hard looks and I think we have staff in place to help us do that now and they will be making some reports to us real soon. There is so much water on the ground there is only so much we can do. We actually found that some people live in the flood plain and I don't know how we can defy the law of the earth and make the rise above the flood plain. The staff is doing a great job responding with what they can do and the Recreation Center did a great job with the tournaments.

Mr. Murdaugh said a quick comment related to the roads; the problem that we really have and frankly it comes down to money is the folks that get into these areas where in some cases they may have been taken advantage of by the developers; other cases by their own demise, but they are left in situations where they don't have roads and then they don't have the financial resources to correct this problem. No matter what we show them and what standards we provide them, they are still not going to be able to get out of this situation. Several years ago we started putting a line item in the budget to take care of some maybe perhaps some of the worse roads in the county and bring them up to standards and we found out that frankly didn't go very far. I suggest that we challenge our Legislators, I haven't been on the COG Board in a while, but I know they have these housing grants and different things to come and the funds are restricted and can't use them for this purpose, but those grants are designed by folks in Columbia and maybe Greenville and Spartanburg that have issues, but in Colleton County just the basic roads and infrastructure to get in and out of your house is a need. I think we need to talk to legislators about using some of those funds and some of those grants and maybe even some of the funds that come through other sources and allow for in emergency situations this is the most rain we have had in 40 years. I asked the question earlier if anybody had been misplaced from their home because I do think that is an emergency. Maybe we don't have the financial resources, but I feel the obligation at least to step in and try to help. I think we are going to have to change our opinions about things and have our legislators allow us to use some of these funds to address some of these problems we have with roads. I am sure we will have a fight about the priorities, whose road verses the other and I am sure if there is 100 roads on the list there will be 100 people to say that they have ...inaudible..., that is what we are here for to decide make the tuff decisions. These folks just don't have the money to get out of the situation and I think we ought to start asking our legislators to channel some of that money for this purpose.

Mr. Taylor asked Mr. Griffin for his input.

Mr. Griffin said in answer to Dr. Flowers question to Mr. Ahl or anyone who calls and has a private road situation. We have some folks, Larry Berry on Cripple Creek Lane and I can go on and on down the list. We immediately provide them with that. It is available on the County Website. I know Mr. Ahl has been talking with Brendon Clark at News 4. He called and he and I talked and a nice 45 minute conversation about roads and I provided him that information. We do have a process where someone can take their road, come in and either get an estimate from our county engineer, put that money in escrow and we will build the road up to county standard and at that point they can petition council to bring that road into the system or they can hire their own contractor and bring the road up to county standards and the county system. What we have been trying to do is we do have a county engineer on board and as you can tell by the maps in front of you we have taken extremely detailed inventory of where they are. He has some innovated ideas of how we can; you know we are doing a lot of things right now with the CTC money. The CTC is in lock step with coming up with a prioritization for roads. If you got 10 houses on a road are we better off paving or bring that road up to a rock standard rather than paving a road that may have two houses on it. How are we

spending that money and coming up with re-prioritization? There is a lot of...inaudible... networking and different things to have all this thing come together and the legislative pieces is another portion of it. Once they do get brought to the county standard then we have to provide the personnel to maintain them. We have been running four crews around the clock now and we have been running two sometime three contract crews just trying to keep up right now with over 350 miles of roads. It is certainly an issue. On type of that we just had a 28 page Supreme Court Decision come down last week regarding what we can and can't do on these roads and what is acceptance and what is not. Beaufort County is now on the same exact thing. We are working with Sean now and Jared our county engineer and will bring something back at the September meeting. We are taking it very seriously trying to find out where our really bad spots are in the existing network so we can get some drainage needs taken care of. He is finding that it is more drainage issues than it is surface issues. Is there a piece of equipment we can invest in to help make these things happen faster as we move down? We are working on it.

Executive Session

Legal-Contractual Agreement

Legal- Fire Rescue

Economic Development- Colleton County Commerce Center

Legal issues concerning Resolution 13-R-70

Regular Session

Mr. Taylor said the executive items were discussed and no further actions will be taken.

The meeting was adjourned.

Date: _____

Phillip M. Taylor, Sr., Chairman

ATTEST:

Ruth Mayer, Clerk to Council

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