

**MINUTES
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 1, 2016
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

Colleton County Council met in Regular Session on Tuesday, November 1, 2016 at 6:00 PM, at the County Council Chambers, Old Jail Building. Steven Murdaugh called the meeting to order with Council Members Gene Whetsell, Dr. Flowers, Evon Robinson, Phillip Taylor in attendance.

Others present included: Kevin Griffin, Ruth Mayer, Sean Thornton, Roy Williams, Clarence Wiggins, Catherine Jenkins, Jimmy Wiggins

Robinson gave the invocation and led the Pledge of Allegiance.

Awards & Recognitions

None

Approval of Minutes

Regular Meeting October 11, 2016

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

The motion carried unanimously.

Appearances & Public Presentations

None

Administrator's Briefing

Mr. Griffin said we have a new business item, item "b", which is a quit claim deed to sign off. There is a transaction in process with the old Seal Craft building out in the Airport Industrial Park. That building is now in the process of being purchased by Clay Corp. Company, the CEO is Mr. Andrew Fuller from Cottageville. They are looking to manufacture, they've got a patent evidently on a piling system that they use for docks and sea walls and those type things. They are working to close on the building and there was some issues with the title that came up with the title company. They asked the Airport Commission and both City and County Council if they would release a quit claim deed with a possible reversionary clause that was in there. We have that for 1st reading by title tonight.

I did want to point out to you, we had some conversations at our last meeting, there is a copy of our 1st trail balance from FY16 that you have before you. Also, I wanted to point out on 2nd Reading Project Strickland has gotten back on track with their fee in lieu.

Public Hearing

None

Old Business

2nd Reading Ordinance 16-O-05, Authorizing The Execution And Delivery Of A Fee Agreement By And Between Colleton County, South Carolina And JGBR Walterboro Corp. (Formerly Identified As Project Strickland) Providing For A Payment Of A Fee In Lieu Of Taxes And Other Matters Related Thereto.

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

The motion carried unanimously.

2nd Reading Ordinance 16-O-08, 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 Charleston County, South Carolina; to Provide for a Written Agreement with Charleston 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 2nd reading was made by Mr. Taylor and seconded by Dr. Flowers.

The motion carried unanimously.

2nd Reading Ordinance 16-O-09, Granting Easement No. 895166 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located on Ground Circle near Jonesville Avenue in 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 2nd reading was made by Dr. Flowers and seconded by Mr. Whetsell.

The motion carried unanimously.

2nd Reading Ordinance 16-O-10, 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 2nd reading was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

2nd Reading Ordinance 16-O-11, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Colleton Habitat for Humanity; and Other Matters Relating Thereto.

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

The motion carried unanimously.

3rd Reading Ordinance 16-O-06, To Ratify FY16 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.

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

The motion carried unanimously.

New Business

1st Reading **by Title Only** Ordinance 16-O-12, Authorizing The Acquisition Of Certain Property By Colleton County, South Carolina By Lease-Purchase Financing In The Amount Of Not Exceeding \$2,000,000; 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 by Title Only was made by Dr. Flowers and seconded by Mr. Whetsell.

The motion carried unanimously.

1st Reading **by Title Only** Ordinance 16-O-13, To Authorize Colleton County to join with the City of Walterboro and The Walterboro-Colleton County Airport Commission to Convey by Quit Claim Deed unto Sealcraft Corporation, as the Grantee, all of its rights, titles and interests, including but not limited to any and all reversionary interest, in an to the 5.00 acre, more or less, tract of land, situate in Colleton County, South Carolina, and being located in the Industrial Area at 418 Wellston Circle, Walterboro, SC 29488, and being designated as Colleton County TMS No. 132-00-00-019, and now owned by Sealcraft Corporation.

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

The motion carried unanimously.

Resolution 16-R-85, To Authorize Appropriations, Interfund Transfers, Emergency Procurements, Acceptance and Budgeting of Funds for Various Activities for FY 2016-2017.

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

The motion carried unanimously.

Resolution 16-R-86, To Approve the Budgeting of Funds into Fund 121 – State Aid to the Library for the purchase of a Bookmobile for the Library and to Authorize the Purchase of said Bookmobile.

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

The motion carried unanimously.

Resolution 16-R-87, To Approve Appointment to the Lowcountry Workforce Investment Board.

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

Resolution 16-R-88, To Authorize Acceptance and Budgeting of Various Grants for FY 2016-2017.

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

The motion carried unanimously.

Items for Information and Public Record

None

Public Comments

Clarence Wiggins- the Jonesville area and the natural water flow reverse, we had some members of the community complaining about the water was reversed at some period of time and that there land is filled with water every time it rains. They said they had spoken with Councilman Taylor and went to the County Maintenance Dept., but felt like they were getting the run around. They wanted to know what the procedure, what the county can do for them to help clear up this water overflow that is on Strawberry Farm, Community Avenue, and Jonesville Road in the Smoaks area.

Mr. Murdaugh asked if he knew what was causing the water to reverse.

Mr. Wiggins said from his understanding somewhere on Strawberry Farm there is some private property from my understanding the family member that brought it to my

attention and also Mr. Taylor's attention, his wife had surgery today so he was unable to attend, which is Mr. William Richardson and Margarete Richardson, he said that is what he brought to our Jonesville Community Crime Watch. We were trying to find out what the county can do to help out, because they are getting the run around from the County and also the State maintenance.

Mr. Murdaugh asked if it was a private property owner that made the enhancements.

Mr. Wiggins said from his understanding it was. When the water was reversed it is coming back across Strawberry Farm and settling on the private property of other people and before it wasn't like that. They have worked on this for about the last three years.

Mr. Griffin said he recalled that issue coming up a while back and he contacted our Roads & Bridges Director, Mr. Washington and he spoke both with the State, but my understanding, there is a connection there of State & County Roads that are involved, but there is a private property, which a ditch runs through, which we do not have access and my understanding is the property owners not allowing the State or the County to go in and actually maintain the ditch, which we would need to have an easement or some type of written permission from the property owner in order to go onto the property ourselves or the state, depending on who the responsible party was. That was the last I heard of it. They had tried to make contact with the property owner and the property owner had not been ...inaudible... in letting us or the state go on it and clean the drainage.

Mr. Murdaugh said I was just trying to determine if it is a private property owner that is causing the water reversal, that is probably not a state or county issue that we could resolve.

Mr. Taylor said since my name was mentioned I didn't want to leave it out without saying thank you for following it through with the Richardson family. What you received from the county, I don't perceive as a run around because the county responded. We put them in the vehicle with the County Engineer and with Roads & Bridges, road them through the community. Talked about the issue; we responded in ways that we could respond. I would not perceive that as a run around. There are some issues that arose with us around private property and I explained to them it may be a civil issue. It's not a county issue and may not even be a state issue, if your neighbor enhances their property to cause water to come on your property, there is nothing the county can do about it. If we take county equipment and go on private property, we get in bracelets. I don't want to go and I don't want any one of my council members or any of the staff to go on behalf of someone in the neighborhood modifying their property to cause damage to a neighbor. It may be a neighborly dispute going on, but we try to offer solutions for the family. Maybe you can go to an attorney's office or whoever and find some more resolution that you seek in this matter, but I wouldn't perceive that as a run around.

Mr. Wiggins said I only presented what they presented to me at the Crime Watch and that is what I spoke to you about last night and also an issue with our playground at the Jonesville Community Center. Supposedly House Representative Bamberg had got a grant for our playground at the Jonesville Community Center, but supposedly it was a mix-up and we were just trying to get clarification because the money was sent to Mr. Griffin from our understanding since June of this year and we haven't heard anything until last night when I was talking with Mr. Taylor concerning ...inaudible...

Mr. Murdaugh said to our knowledge there has not been an application for a grant submitted on behalf of Jonesville.

Mr. Griffin interrupted and said Johnsville.

Mr. Murdaugh said see how easy it is to get confused. There was confusion I think between the communications coming down from the state as to which community the grant was for. That being said, I don't want to speak for all of the council, but if the application were put in place, we're probably in position to support it. We just have to follow that process 1st.

Mr. Wiggins said I talked to Mr. Taylor last night and I have been communicating with Mr. Bamberg's office and that was the information we got in January and that the check was sent for Johnsville Community Center and also Dogwood Hills Practice field and the grant was divided up and this was since June. So I don't know how the mix up between Jonesville and Johnsville. I don't know how it happened and he said he is looking into it. I can only go by what Mr. Bamberg said because he was the one that submitted the paperwork in trying to get it to help the community out.

Mr. Griffin said there was no paperwork submitted on behalf of Johnsville for a grant. Mr. Bamberg I think will confirm that with you and his office. The mix up was in the fact that when SC Parks & Recreation responded to Mr. Bamberg's office they got Johnsville and Jonesville mixed up because they were so similar in name and I think that was confirmed in our correspondence back and forth today. The best remedy from here is to go ahead as I told you as quickly as possible and get an application into our Rec. Director and we can get that moved forward through the Rec. Commission, Council, and on to the Delegation Meeting which will likely be in January or February for approval so we can get it moved. They have a new round of funding that comes available July 1st for the PAR Grants, so the path forward as far as getting that done would be go ahead and make application through the Rec. Commission. Have them make a recommendation to council, then council can act on that and from there forth with a positive reaction that would go on to the Delegation for the project. We will be glad to work with you if it is a playground you are interested in, show you what we have done in some other parks as far as that is concerned to put that plan together and submit it properly both to the council and to the state.

Mr. Robinson said I understand and what I am hearing is there was a mix up, but who specifically was the money sent to for either Johnsville or Jonesville on the information you received.

Mr. Wiggins said Kevin Griffin.

Mr. Robinson said no, which one of the communities the monies was sent to. Johnsville or Jonesville?

Mr. Wiggins said Johnsville. I got an email from Mr. Bamberg that said Johnsville Community along with Dogwood Hills Practice Facility and the grant was for \$12,500 and when I got the email from Mr. Griffin today he said Jonesville was awarded \$6,500, so \$6,000 less than what Mr. Bamberg said.

Mr. Griffin said again I state that the Department of Recreation expends those funds. They had that conversation with Rep. Bamberg. There was never an application on behalf of Johnsville and it was a mix up at the State level. It is not an issue at the County level here. It was a mix up there with some communications, which we got straight with Ms. Cushman and with Rep. Bamberg's office as well.

Mr. Robinson said just to clear his mind where is the money. Who has the money now? How much money was it?

Mr. Griffin said I don't have every one of the projects in front of me right now, but the way that works is the council as ya'll know approves the match for the funding. Then we go construct the project and once the project is constructed, they come down and verify it to see it on the ground and see the receipts; then they send the money. It is a reimbursable grant. They don't just send you a check and say have a nice day. It is reimbursable. The project has to be constructed; then they confirm it. Ms. Cushman from the State level looks at the grant, signs off and at that point we are reimbursed for those funds completely.

The conversation continued back and forth

Mr. Murdaugh said regardless to what happened and we can sit here and point fingers all night, I think council wants to help the community of Johnsville, so if you need to get a project, we need to get the scope of the project and get an application or whatever it is that needs to be done, I think the county should be willing to assist in that and getting it accomplished. That is the end result. I don't know what happened, I don't know anything about these other grants, or what Mr. Bamberg did or didn't do, but let's just try to solve the problem is what we really need to focus on and trying to figure out what we can do to help the folks in that area whoever the spokes person, which I assume is you so we can get to work on that project.

Council Time

Mr. Murdaugh said he had one issue he would like for the Administrator to look into and I am not going to entertain any action on it tonight. I know budget time is always a tough time, but it looks like we had a pretty decent year and I would like us to look at if possible restoring our county employee Christmas Bonus Program back into the budget. If we could make that happen.

Mr. Griffin said you mean as we had it last year?

Mr. Murdaugh said well, whatever your recommendation might be, something close to it if not that. Christmas time will be here next month and I would just like for us to take a look at that.

Executive Session

None

No further actions were taken.

The meeting was adjourned.

Date: _____

Steven D. Murdaugh, Chairman

ATTEST:

Ruth Mayer, Clerk to Council

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