

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

Colleton County Council met in Regular Session on Tuesday, September 6, 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, Phillip Taylor in attendance. Evon Robinson, Absent

Others present included: Kevin Griffin, Ruth Mayer, Sean Thornton, Jane Darby, Crawford Moore, Eleanor Hodges, Isreal Hodges, Sr., Buddy Hill, Tommie Derry, Mark Derry, Rick Linder, Kimberly Mullinax, Roy Keller, Jessie Gooding, James Rutledge, Sabrina L.W. Johnson

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

**Approval of Minutes**

Regular Meeting July 26, 2016

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

**Appearances & Public Presentations**

Johnny Stieglitz- Boat Landing Security Cameras

Mr. Stieglitz gave a brief summary regarding security cameras which have been installed at West Bank, Bennett's Point and Public Landing and how they have made a positive impact on the issues they previously had at those landings.

**Administrator's Briefing**

Mr. Griffin said he had a couple of items to update you in regards to the agenda tonight. Item "a" on New Business, we had a meeting this past month with the joint Walterboro-Colleton Railroad Committee. This is the committee that oversees the Seaboard Coastline Railroad that was given to the county and the city back in the early 90's. We have two issues on the agenda, the 1<sup>st</sup> was the trail head down at Greenpond at the head of Donnelly Plantation for permission to proceed, we've gotten a grant from the State PRT to develop a trail head right there at Greenpond, which will connect the Donnelly and the 1<sup>st</sup> part of the trail head, which connects back to what is called the Blue Ribbon Bikeway back up in Ritter and I am paraphrasing here, Chairman Murdaugh and Councilman Whetsell were both at the meeting. The other item which they approved was the encroachment permit process. As you know we've had a

number of different issues and requests over the years regarding they were never other than what the railroad gave out prior to it being conveyed over to the City and County, there was never a true, any type of access agreement that was agreed upon where these folks would have actual, true legal access to their property ...inaudible... there have been a number of attempts over the years to try to rectify this and the key issue being that we want to be able to give the property owner or the commission wanted to be able to give the property on its access, but anytime you give a deeded right to property or any lease or long term that runs perpetual with the property, number one for each and every one of them you have to have a full ordinance from both the City and the County Council because anytime a public body has a right in property you've got to have an ordinance. There is roughly

Mr. Whetsell said there is twenty three properties from Rivers Street to River Crossing

Mr. Griffin said twenty three properties from Rivers Street to River Crossing, so after a good bit of research our county attorney Mr. Sean Thornton and I and Mr. Whetsell has been very involved as well going through that process, we have come up with what we think would be a good solution, which is an encroachment permit, which is similar to the encroachment permit you would get for SCDOT to put in a driveway or anything to be able to use their right of way or property, but still not give away the County's and the City's use for the land if there is a project later in time whether it's a trail or a railroad or road expansion, we would still be able to do that. What we got is a by title here 1<sup>st</sup> reading, they gave us direction, myself and Jeff Molinari with the City to move forward with running this encroachment permit process through both legal's and then we will have an ordinance that goes to City and County Council. Hopefully we will have the full ordinance for 2<sup>nd</sup> reading at our October meeting. The next item I wanted to update you on is the Neighborhood Revitalization Application. This project has been going on for a couple of three years now. It is in the Gadsden Loop Area. One of those areas that is kinda one of those donut or pocket areas that comes into the city. This application would be the CDBG. There is matching funds from that that are coming from the CTC which would be the matching funds. It is addressing drainage in the area. There has been a number of drainage problems, sidewalk as well as some demolition of some derelict buildings. The match on our side is going to be funded by CTC. The last item, as you know we have been working with the Town of Smoaks, they are working hard to replace their water system and we do have Mayor Linder here tonight if you have any questions for him he said feel free to call on him. Basically what we have, we applied in the Spring round for a grant of \$500,000 to the Rural Infrastructure Bank. The application did not get awarded, but it is not unusual in the Spring round because the funds are generally limited, you have more in the Fall. The problem we ran into with the match and some other items, at that time the rough construction costs was right around \$700,000. Since then we bid a number of projects in the county with the City, with the water system with the Airport Development Project, and a couple of the CPST projects that they have under construction now. The construction costs have increased almost by 50-75% for those systems, so went back to the drawing board. Met with Michelle Knight, met with the Mayor of Smoaks and they have come up with a plan and requested, they have agreed to match dollar for dollar what the CPST puts into the

project with the \$500,000 RIA Grant. It's been a little change, but this money would come out of the rural water portion of the CPST projects fund.

Mr. Murdaugh said he had a couple of questions about the encroachment/permit thing, but will save it until we get to those items.

### **Public Hearing**

Ordinance 16-O-04, To Amend the Existing Easement to the City of Walterboro Across a Portion of the Property Located at the Corner of Washington Street and Jefferies Boulevard, the Site of the Colleton County Courthouse; Such Easement to be Used to Construct and Maintain a Part of the City's Planned Streetscape Improvement Project; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.

No public comments were made.

Concerning an application to be submitted to South Carolina Department of Commerce, Grants Administration on or about September 16, 2016, for a Community Development Block Grant. Colleton County is requesting \$500,000 to carry out the following activities: The Gadsden Loop Revitalization neighborhood bounded by Robertson Blvd., Rivers St., Gadsden Loop, Peurifoy Rd, and Hampton St. All streets within these boundaries are included in the project area. Colleton County proposes to use CDBG funds to conduct several revitalization activities in the area. Activities will include, sidewalks/pathways, lighting, water improvements, and exterior improvements to owner occupied housing. This would be the first phase of a multiple phase project.

Kim Mullinax with LCOG and would like to conduct the public hearing for the Gadsden Loop Project. What Colleton County wants to do is to apply for a grant for \$500,000 for the Gadsden Loop Area. It is bounded by Hampton Street, Robertson Blvd., Rivers Street, Gadsden Loop and Peurifoy Rd. What they want to do is some sidewalks going from Robertson Blvd. from Hampton St. to Smith St. all the way down Smith St. in front of Black St. School and back up from Hampton St. down Peurifoy to Gadsden Loop. Drainage is a big part of this along Rivers St. We've got about 12 street lights to add in the neighborhood. Demolition of about 17 structures, exterior rehab on about five homes and that will be done with volunteer help such as mission service. The project is expected to benefit about 740 people who live in this area and approximately 451 or 461% of them are identified as being low to moderate income. The entire project is 1 million 1 hundred fifty thousand dollars. This will be split into phases. What I just described is the 1<sup>st</sup> phase. That is estimated to be about \$700,000 I believe. We do have money coming from, I'm sorry, the 1<sup>st</sup> phase is 1.15 million dollars. The entire project is just over 3 million dollars. We do have money coming from drainage sources and possibly a TAP (?) grant to help with some of this. We are asking for \$500,000 from CDBG. I would like to open the floor for any comments or questions.

Mr. Murdaugh said the floor is now open for anyone who would like to make any comments. Please come to the podium and let us here your comments.

Mr. Taylor said it was certainly a welcomed project. The drainage portion, is it enhancing ditches or what is the plan.

Mr. Griffin said he could get Mr. Slayter to respond to you on that as far as the detail. I know it is both some ditching and new drainage areas relieve that they are putting in. He and our county engineer have been working through that with CTC and the project, but I couldn't respond on the exact details.

Mr. Taylor said the demolition of buildings. Are they residential buildings?

Ms. Mullinax said she believed that most of them are residences; however they are all under the Code Enforcement that they are uninhabitable.

Mr. Murdaugh said the exterior improvements on the owner occupied housing, I know you said they were already identified, is there an application process or is there a committee or board that decides which one of the homes qualify?

Ms. Mullinax said these homes were identified by people riding through looking at the outside to see if the roof needs repair and that type of visible damage. There will be an application that they have got to go through. They've got to meet certain requirements in order to qualify to have it done through the grant.

Mr. Murdaugh looking into the audience saw a lady put her hand up and asked her to please come up to the podium and state your name for the record and we can hear your comment.

Good evening I am Jessie Gooding and my question is the sidewalk is going up to Gadsden, but couldn't it continue down to Peurifoy Rd. to Bridle Bank?

Ms. Mullinax said as I said this will be done in phases so everything we don't do in phase one could be done in phase 2,3 or 4. We do have a master plan that shows all of the sidewalk locations and street lights to be added that kinda thing. The sidewalks will eventually go as far as H&D Supermarket, but it is not scheduled to go any further down Hampton Street than that.

No further comments were made.

### **Old Business**

2<sup>nd</sup> 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 2<sup>nd</sup> reading was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

3<sup>rd</sup> Reading Ordinance 16-O-04, To Amend the Existing Easement to the City of Walterboro Across a Portion of the Property Located at the Corner of Washington Street and Jefferies Boulevard, the Site of the Colleton County Courthouse; Such Easement to be Used to Construct and Maintain a Part of the City's Planned Streetscape Improvement Project; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.

A motion to approve 3<sup>rd</sup> reading was made by Mr. Taylor and seconded by Dr. Flowers.

Mr. Taylor asked if the Veterans Council was able to get their project included in this Streetscape.

Mr. Griffin said I don't know the final outcome. I know they have been meeting with the City a good bit on it and I think they redirected their intention to some improvements at the current Veterans Monument was the last conversation I had with Mr. Molinari. They have come to some consensus, exactly what that is I don't think has been finalized yet.

The motion carried unanimously.

#### **New Business**

1<sup>st</sup> Reading by **Title Only** Ordinance 16-O-07, To Provide for an Encroachment Permit Process for Property Owners along the former Seaboard Coastline Railroad Right-of-Way, for which Property was Conveyed to the County and the City by Deed of CSX Transportation, Inc., dated August 5, 1991 and Recorded October 16, 1991 in Deed Book 538 at Page 55 in the Office of the Register of Deeds for Colleton County; and Other Matters Relating Thereto.

A motion to approve 1<sup>st</sup> Reading By Title Only was made by Dr. Flowers and seconded by Mr. Whetsell.

Mr. Murdaugh said I got the impression we were trying to aim towards something that would go with the property or am I incorrect on that.

Mr. Whetsell asked to go with the property?

Mr. Murdaugh said maybe we couldn't do a formal easement. We talked ...inaudible...in other words if I sold my property to you, you still have the permit. This is different from that. Is that what you are saying? We can't accomplish that without having two separate ordinances?

Mr. Griffin said the way the encroachment permit is, it has to be renewed by the commission anytime time the property change hands. If the next person within that encroachment permit decides that they want to continue, that would have to be again renewed. The way the process is setup now would be a check off system between myself (County Administrator) and the City Manager. The right, my understanding the

right does continue with the property then that requires an ordinance each and every time.

Mr. Whetsell said his understanding is the same thing. If it is transferred to someone else then that person would come and make application to the City and County Administrators can sign off on it.

Mr. Murdaugh said I am fine with that. I just thought it was contrary to what we were wanting.

The motion carried unanimously.

Resolution 16-R-65, To Approve a Mutual Aid Agreement between the Colleton County Sheriff's Office and the Town of Yemassee Police Department.

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

Dr. Flower said if I remember correctly, I think a law was passed this last year where you don't have to do these every year now once you approve them, the Sheriff's Dept. is that right?

Mr. Griffin said he was not aware of it if that is true, but I will certainly look into it because that would ease up on these agreements. I will double check.

Dr. Flowers as our attorney to check into the matter.

The motion carried unanimously.

Resolution 16-R-66, to Endorse the 2017 Community Development Block Grant, Neighborhood Revitalization Application for the Colleton County – Gadsden Loop Phase I Project and Funds for the Local Match to be provided by the Colleton Transportation Committee (CTC).

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

The motion carried unanimously.

Resolution 16-R-67, To Authorize Acceptance, Budgeting, and Pass-Through of Funds for a United States Department of Transportation Federal Aviation Administration Airport Improvement Program Grant for the Lowcountry Regional Airport; to Approve the Grant Agreement Between the United States Department of Transportation Federal Aviation Administration, the City of Walterboro and Colleton County; and to Ratify the County Administrator's Signature on said Grant Agreement.

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

The motion carried unanimously.

Resolution 16-R-68, To Authorize the Submittal of a Grant Application for the FEMA Hazard Mitigation Grant Program in the Amount of \$9,609 and the Approval of 25% Matching Funds in the Amount of \$2,403 to be Transferred from the Non-Departmental Capital Outlay Line Item within the General Fund – Fund 100 to the Special Revenue Fund – Fund 120.

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

The motion carried unanimously.

Resolution 16-R-69, To Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2016-2017.

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

The motion carried unanimously.

Resolution 16-R-70, To Award Bid FR-19 to the Four Lowest Bidders on Protective Firefighting Equipment.

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

The motion carried unanimously.

Resolution 16-R-71, To Request that the Colleton County State Legislative Delegation Support the use of Parks and Recreation Development (PARD) Funds by Colleton County for the Development of a Trailhead, to support Colleton County's ACE Pedestrian Path, at the Intersection of SC Highway 303 and SC Highway 436 in Green Pond.

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

The motion carried unanimously.

Resolution 16-R-72, To Authorize the Acceptance of a Grant Application to the South Carolina Department of Social Services for the Child and Adult Care Food Program Grant for 2017.

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

The motion carried unanimously.

Resolution 16-R-73, 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 Dr. Flowers.

The motion carried unanimously.

Resolution 16-R-74, To Amend the State Aid to Library Fund #121 Based on Confirmation of Funds to be received in Fiscal Year 2016-2017.

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

The motion carried unanimously.

Resolution 16-R-75, To Approve the request by the Town of Smoaks for Capital Projects Sales Tax Funds related to the Colleton County Rural Water Improvement Project, to be used as a Partial Match for the SC Rural Infrastructure Authority Grant Application to be submitted on September 12, 2016.

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

The motion carried unanimously.

Resolution 16-R-76, To Remove Member From The Keep Colleton Beautiful Commission.

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

The motion carried unanimously.

Resolution 16-R-77, To Authorize the Council Clerk to Advertise for Board Vacancies

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

The motion carried unanimously.



## **Items for Information and Public Record**

None

### **Public Comments**

Tommie Derry- The two loves of my life is children and horses, so let's understand where I always come from. Can't come from another spot that doesn't exist. As I see it Colleton County has two things. It's like DSS takes care of children. The Colleton County SPCA is the guardian of the animals. Both of these can't speak for themselves. I have observed animals being neglected, hungry, loose, ticketed but not pursued to the point it could be your child being that this animal doesn't know the basic laws of road. So he gets out in a road because he isn't properly kept. He gets hit by a car. Your child is in the car, now who is responsible for your kids death; the owner because he is irresponsible. If we don't have a responsible animal care unit we have nothing, if we don't have a responsible DSS, we have nothing. These little people and these animals cannot care for themselves. They depend on us as responsible adults. My education is Mental Health and I am feeling like a damn fool because I live in a county that can't get it's stuff together. I would hate to be a child; I would hate to be an adult here. I don't have the authority to clean it up. Oh, I can, yes ma'am, I can clean it up. It wouldn't take me but one sweep. We own a business, we run a business, but it does not and will never run like this. We will have responsible adults. You all need to take a long look at what you are doing for these two little species of flesh and blood that can't speak for themselves. I do the Rodeo here and done it for 26 years, nationally recognized. By the Grace of God I've never had anyone complain because we just don't do that. Sorry, we take proper care because they can't speak for themselves. I just leaving you with that thought. It is your responsibility, take care of it and May God have mercy on your soul.

### **Council Time**

Mr. Taylor asked if there was any update following the storm we had.

Mr. Griffin said we were pretty fortunate in the storm it went above us. We monitored it and all the models show it was coming right across us. The upper part of the county got a lot more whether than we did from what I understand from the electric co-ops and SCE&G. They had roughly 2,000-2,500 Countywide but said the majority was in the upper part of the county. We were fortunate that it did not hit us directly.

Dr. Flowers said Edisto Beach got hit pretty hard too with the winds.

Mr. Murdaugh said he would like to congratulate the county staff and particularly the kitchen for winning the J. Graham Mitchell award. I want to congratulate the Administrator and particularly Mr. Matt Mardell how did the presentation. I was there for the presentation, I think all of us were there and I can tell you from what I observed he far exceeded anything that I saw, But I want to congratulate Kevin, Matt and all of the staff.

Dr. Flowers, Mr. Whetsell, Mr. Taylor, all commended them for a job well done.

**Executive Session**

- a) Economic Development
  - 1. Project C
  - 2. Project Gourmet
  - 3. Project Global
  - 4. Colleton Commerce Park Improvements
  
- b) Personnel
  - 1. Fire-Rescue
  
- c) Contractual
  - 1. CPST

**Regular Session**

Mr. Murdaugh said items were discussed in executive session.

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**