AMENDED AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, FEBRUARY 7, 2017
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Roll Call

4. Approval of Minutes
   a) Regular Meeting January 3, 2017

5. Appearances & Public Presentations
   a) 2016 Audit Report – David Irwin, Mauldin & Jenkins LLC

6. Administrator’s Briefing

7. Public Hearing
   a) To Solicit Public Input on Community Needs & Priorities for Housing, Public Facilities and Economic Development in the County Under CDBG Program.

   b) Ordinance 16-O-15, To Amend the Agreement for Development for Joint County Industrial Park Executed by Colleton County on December 12, 2007 by and among Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Multi-County Industrial Park, so as to Include Additional Property in that Portion of the Park Geographically Located in Colleton County, South Carolina and Other Matters Related Thereto.

8. Old Business
   a) 3rd Reading Ordinance 16-O-15, to Amend the Agreement for Development for Joint County Industrial Park Executed by Colleton County on December 12, 2007 by and among Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Multi-County Industrial Park, so as to Include Additional Property in that Portion of the Park Geographically Located in Colleton County, South Carolina and Other Matters Related Thereto.

   b) 2nd Reading Ordinance 17-O-01, To Amend Title 14-Land Management, Section 14.08-3.020(A)(7) – Accessory Structures and Uses, of the Colleton County Code of Ordinances to Address Residential Handicap Access Ramps.
c) 2nd Reading Ordinance 17-O-02, to Amend Title 14-Land Management, Article 14.08-2 - Zoning District Regulations and Article 14.08-3 - Conditional Uses of the Colleton County Code of Ordinances to Address Campers, RVs and Park Model Trailers as Living Accommodations.

9. New Business
   a) Resolution 17-R-10, To Approve the Victim Assistance Agreement between the Colleton County Sheriff's Office and the Town of Edisto Beach.

   b) Resolution 17-R-11, To Authorize the Sole Source of Chevrolet Products Not Awarded by the State of South Carolina for the Calendar Year 2017.

   c) Resolution 17-R-12, To Authorize Acceptance and Budgeting of Grant Funding for FY 2016-2017.

   d) Resolution 17-R-13, To Authorize the Submittal of a Grant Application Related to the South Carolina Department of Public Safety Justice Assistance Grant (JAG) Program for a Narcotics Unit.

   e) Resolution 17-R-14, To Disburse Funding to the Town of Edisto Beach for Costs Associated with Capital Projects Sales Tax Project 1 – Beach Restoration.

   f) Resolution 17-R-15, To Appoint Members to Board Vacancies.

10. Items for Information and Public Record

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

12. Council Time

13. Executive Session
   a) Economic Development
      1. Project Global
      2. Project Imperial

   b) Personnel
      1. Alcohol & Drug Abuse

   c) Contractual
      1. Law Enforcement Center

14. Adjournment

15. Informal Meeting of the Whole
ORDINANCE NO. 16-O-15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend the Agreement for Development for Joint County Industrial Park Executed by Colleton County on December 12, 2007 by and among Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Multi-County Industrial Park, so as to Include Additional Property in that Portion of the Park Geographically Located in Colleton County, South Carolina and Other Matters Related Thereto.]

WHEREAS, Colleton County entered into an Agreement for Development for Joint County Industrial Park executed by Colleton County on December 12, 2007 with Hampton County (the “Agreement”); and

WHEREAS, pursuant to Section 3(A) of the Agreement, the boundaries of the Park created therein may be enlarged pursuant to an ordinance of the county council of the county in which property to be added is located and an ordinance of the county council of the other county; and

WHEREAS, JGBR Walterboro Corp. (the “Company”) is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the “Project”) on land described in Exhibit A attached hereto, which is located in Colleton County (the “Property”); and

WHEREAS, the Property is not located in any multi-county industrial and business park; and

WHEREAS, the Company has requested Colleton County and Hampton County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

WHEREAS, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Colleton County and JGBR Walterboro Corp. dated as of ____________, 201__; and

WHEREAS, Colleton County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to
include the Property in the joint industrial and business park created by the Agreement (the “Park”).

NOW, THEREFORE, be it ordained by the Colleton County Council that:

1. The Agreement is hereby and shall be amended to include the Property in Park III for the longer of 30 years or the term of the Fee Agreement, and the County Administrator or Chairman of the Colleton County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Colleton County Council pertaining to the Park.

3. This Ordinance shall be effective after third and final reading thereof.

Approved and adopted on this _______ day of ________________, 201__.

By: ____________________________
    Joseph F. Flowers, Chairman of County Council

ATTEST:                        APPROVED AS TO FORM:

By: ____________________________ By: ____________________________
    Ruth Mayer, Clerk to County Council     Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

DM: 4765590 v.1
ORDINANCE 17-O-01

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 14-Land Management, Section 14.08-3.020(A)(7) – Accessory Structures and Uses, of the Colleton County Code of Ordinances to Address Residential Handicap Access Ramps.]

WHEREAS:

1. Over the last few decades, the County has seen a growth in the percentage of citizens aged 65 years and older. This expansion in the elderly population sets up the need to respond appropriately with changes in the zoning code. The need to accommodate the mobility issues among the elderly is one that can be easily understood and addressed. Staff believes that the standards for setbacks should be relaxed to address this issue; and

2. After review of the above issue, amendments to Title 14-Land Management of the Colleton County Code of Ordinances, Article 14.08-3. Conditional Uses, Section 14.08-3.020 (A)(7) were unanimously approved by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED THAT:

1. Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Article 14.08-3 Conditional Uses is hereby amended as follows:

   14.08-3.020 Conditional Use Regulations

   For purposes of this Section, the following shall be added:

   14.08-3.020 (A)(7) Table

<table>
<thead>
<tr>
<th>Accessory Use/Structure</th>
<th>Allowed Location</th>
<th>Allowable Encroachment</th>
<th>Required Setback</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handicap Access Ramps</td>
<td>All yards</td>
<td>All yard setbacks</td>
<td>3 feet from property line</td>
<td>Single-family; mobile homes</td>
</tr>
</tbody>
</table>

   2. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.

   3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can
be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

By: ____________________________________________
    Joseph F. Flowers, Chairman of County Council

ATTEST:

By: ____________________________________________
    Ruth Mayer, Clerk to County Council

APPROVED AS TO FORM:

By: ____________________________________________
    Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:
ORDINANCE 17-O-02

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 14-Land Management, Article 14.08-2 - Zoning District Regulations and Article 14.08-3 – Conditional Uses of the Colleton County Code of Ordinances to Address Campers, RVs and Park Model Trailers as Living Accommodations.]

WHEREAS:

1. Since 2007, the yearly number of campers and RVs permitted in the County has doubled. This trend has remained consistent through 2016. Based on interaction with applicants, this increased need for housing has arisen from citizens suffering from loss of income, medical issues, domestic abuse concerns, general homelessness, displacement of individuals from adjoining jurisdictions as well as the expansion of traditional users such as hunters and recreational campers; and

2. A complicating factor has been the request for power to serve these units. State environmental controls mandate approved waste systems for even temporary stays where power is sought. Cases of abuse have also increased where power was provided and unpermitted construction resulted. All of these issues together warranted revisiting their placement and use in the County. The Planning Commission concluded that provisions should be made to allow these uses but with limits. The net effect of these changes allows for RVs, Campers and Park Model Trailers as long and short term housing because of the widespread and diverse needs facing the County; and

3. After review of the above issue, amendments to Title 14-Land Management of the Colleton County Code of Ordinances, Article 14.08-2 – Zoning District Regulations and Article 14.08-3 - Conditional Uses were unanimously approved by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED THAT:

1. Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14-08-Zoning, Article 14-08-2 Zoning District Regulations is hereby amended as follows:

For the purposes of this section, the following shall be repealed:

14.08-2.030 - Resource Conservation – 1 (RC-1); B.2 Conditional Uses; j. Park Model Trailers (on individual lots)
For the purposes of this section, the following shall be added:

14.08-2.030 Resource Conservation-1 (RC-1); B.3 Special Exceptions; h. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots)

14.08-2.080 Community Commercial (CC); B.3 Special Exceptions; g. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots)

For the purposes of this section, the following shall be amended:

14.08-2.040 Rural Conservation-2 (RC-2); B.2 Conditional Uses; k. Park Model Trailers (on individual lots) to k. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots)

14.08-2.050 Rural Development-1 (RD-1); B.2 Conditional Uses; o. Park Model Trailers (on individual lots) to o. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots).

14.08-2.060 Rural Development-2 (RD-2); B.2 Conditional Uses; m. Park Model Trailers (on individual lots) to m. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots).

14.08-2.100 Urban Development-1 (UD-1); B.2 Conditional Uses; s. Park Model Trailers (on individual lots) to s. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots).

14.08-2.110 Urban Development-2 (UD-2); B.2 Conditional Uses; t. Park Model Trailers (on individual lots) to t. Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots).

2. Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Article 14.08-3 Conditional Uses is hereby amended as follows:

For the purposes of this section, the following shall be repealed:

14.08-3.020-Conditional uses; HH Temporary Uses; (3) Recreational Vehicles or campers used as temporary living accommodations

For the purposes of this section, the following shall be amended:

14.08—3.020 Conditional Use Regulations A.7 to add:

<table>
<thead>
<tr>
<th>Accessory Use/Structure</th>
<th>Allowed Location</th>
<th>Allowable Encroachment</th>
<th>Required Setback</th>
<th>Other</th>
</tr>
</thead>
</table>

2
14.08—3.020 Conditional Use Regulations; Y. Park Model Trailers (on individual Lots) to Park Model Trailers, Campers and RVs as Living Accommodations (on individual lots)

1. All units must retain their axles, wheels and towing hitch and remain road-ready. Units are not to have a permanent foundation.
2. Only one camper, park model trailer or camper is permitted as a principle use and comply with all district setbacks and buffers.
3. Units may not be renter-occupied for income generation.
4. Units must demonstrate compliance with all applicable restrictive covenants.
5. No park model trailer, camper or RV may be permitted as a principle use on an individual lot of record within the unincorporated portion of Edisto Island.
6. Units will comply with provisions of the County’s Floodplain Ordinance such that units located in a floodway must comply with completion of a hydrologic study where the unit’s placement exceeds more than 10 days per stay.
7. No more than 100 amp electrical service is to be provided on-site.
8. The provision of electrical service will only be provided where the site has an SCDHEC approved wastewater treatment system.
9. Units may not have any structurally attached additions, including but not limited to, porches, decks, platforms, steps, stairs, landings, supports or related elements.
10. Any unit located on site more than 6 months must be underskirted.
11. Units located within the Urban Development-1 district shall have a minimum of one 1 acre lot size.
12. Units as temporary housing during construction or reconstruction of an active permitted one-site residence is allowed in all zoning districts for one year, unless prohibited by restrictive covenants, and may be granted an additional 6 months extension upon review of the Board of Zoning Appeals. They are considered Temporary Uses and must comply with the above conditions except the provisions of underskirting and placement of units on Edisto Island.

3. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.

4. If any provision of this Ordinance or the application thereof to any person or circumstance is held
invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

By: ____________________________
Joseph F. Flowers, Chairman of County Council

ATTEST:

By: ____________________________
Ruth Mayer, Clerk to County Council

APPROVED AS TO FORM:

By: ____________________________
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:
RESOLUTION NO. 17-R-10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve the Victim Assistance Agreement between the Colleton County Sheriff’s Office and the Town of Edisto Beach.]

WHEREAS:

1. South Carolina State Law mandates that the Colleton County Sheriff’s Office provides Victim Assistance to the Town of Edisto Beach; and

2. The Sheriff’s Office has reviewed the Victim Assistance Agreement with the Town of Edisto Beach and recommends that Council approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Victim Assistance Agreement with the Town of Edisto Beach (attached and included herein by reference) is hereby approved.

2. The County Administrator is hereby authorized to sign said agreement on behalf of Colleton County.

ATTEST: 

Ruth Mayer, Council Clerk

SIGNED:

Joseph F. Flowers, Chairman

COUNCIL VOTE:

OPPOSED
RESOLUTION NO. 17-R-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Sole Source of Chevrolet Products Not Awarded by the State of South Carolina State Contract for the Calendar Year 2017.]

WHEREAS:

1. South Carolina State Contract was not awarded for Chevrolet Trucks or Sport Utility models other than specialty law enforcement vehicles in 2017; and

2. Since 2007, Colleton County Fleet Management has implemented a standardization of the County’s fleet of vehicles, and a number of County offices and departments have equipment (i.e. fuel tanks, light bars, emergency rescue equipment consoles, etc.) that is designed specifically for Chevrolet Trucks; and

3. Change in this standardization would require the purchase of additional new equipment to fit such alternate make/model work and response vehicles, which are part of the State contract for 2017.

4. The Capital Projects and Purchasing Department requests approval to purchase Chevrolet products as a sole source where not listed on the State Contract for 2017. Purchases will be executed with the same purchasing and selection procedures for open bid and State contract purchases as outlined in the annual county budget and purchasing ordinance. This request does not limit the County to one vendor.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

County Council hereby authorizes the County Administrator to approve and execute such sole source purchases from the low bid among participating Chevrolet Dealers.

ATTEST: SIGNED:

Ruth Mayer, Council Clerk Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:
RESOLUTION NO. 17-R-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Acceptance and Budgeting of Grant Funding for FY 2016-2017.]

WHEREAS:

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and

2. The Colleton County Recreation department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY 17 received from the South Carolina General Assembly for the Neyles Community Center.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenues and expenditures in the following fund for the grants and unbudgeted revenues for FY17 as listed:

   a. Fund 120 – Special Revenue Fund; South Carolina General Assembly, Appropriations Act Bill H 5002; Sports Development Marketing Program; $400,000; Neyles Community Center.

2. The above listed OPR (Office of Primary Responsibility) is responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY17 as requested for this grant/non-budgeted revenue received.

ATTEST:  

Ruth Mayer, Council Clerk

SIGNED:  

Joseph F. Flowers, Chairman

COUNCIL VOTE:  

OPPOSED:
RESOLUTION NO. 17-R-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Submittal of a Grant Application Related to the South Carolina Department of Public Safety Justice Assistance Grant (JAG) Program for a Narcotics Unit.]

WHEREAS:

1. The Sheriff’s Office has requested authorization for the submittal of a grant application related to the South Carolina Department of Public Safety Justice Assistance Grant Program in the amount of $286,314; and

2. The Sheriff’s Office has requested approval for 10% match funding to be budgeted in the Sheriff’s FY 2018 Budget related to the application for the South Carolina Department of Public Safety Justice Assistance Grant (JAG) in the amount of $31,813 for a Narcotics Unit; and

3. The Narcotics Unit will have the sole purpose of reducing the number of narcotic related crimes committed within the jurisdiction by focusing efforts on identifying, arresting and prosecuting offenders; and

4. The grant will provide 90% of the funding for salaries, fringe benefits, all law enforcement equipment and office equipment for one investigator position.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. County Council hereby authorizes the application to the South Carolina Department of Public Safety Justice Assistance Grant (JAG) on behalf of the Sheriff’s Office for a Narcotics Unit in the amount of $318,127, and County Council and the Colleton County Sheriff agree that funding will be budgeted in the Sheriff’s FY 2018 Budget to be used for the 10% match in the amount of $31,813.

2. The Sheriff’s Department is responsible for preparing the grant application and for providing a copy of the grant application to the Finance Department.

3. The Sheriff’s Department is responsible for notifying the Finance Department related to the award of this grant application.

ATTEST:                SIGNED:

Ruth Mayer, Council Clerk    Joseph F. Flowers, Chairman

R.A. Strickland, Sheriff    COUNCIL VOTE:

OPPOSED:
RESOLUTION NO. 17-R-14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Disburse Funding to the Town of Edisto Beach for Costs Associated with Capital Projects Sales Tax Project 1 – Beach Restoration.]

WHEREAS:

1. The Town of Edisto Beach has met all purchasing requirements for Capital Projects Sales Tax Project 1 – Beach Restoration; and

2. Capital Projects Sales Tax Project 1 – Beach Restoration has a total budgeted cost of $4,000,000.00; and

3. The Town of Edisto Beach has requested a disbursement of $4,000,000 from the Capital Projects Sales Tax Fund for said project; and

4. All price quotes, Town of Edisto Beach Council actions, copies of invoices and issued checks will be provided in order to meet auditing requirements for the Capital Projects Sales Tax.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. County Council hereby authorizes the disbursement to the Town of Edisto Beach in the amount of $4,000,000 related to Capital Projects Sales Tax Project 1 – Beach Restoration.

2. Funding for this disbursement is available in the Capital Projects Sales Tax Fund – Fund 143.

ATTEST:  

SIGNED:

Ruth Mayer, Council Clerk  

Joseph F. Flowers, Chairman

COUNCIL VOTE:  

OPPOSED:
RESOLUTION NO. 17-R-15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Members to Board Vacancies.)

WHEREAS:

1. Colleton County Recreation Commission has three vacancies; and
   Applicants: Matthew W. Hooker & Janice C. Wright

2. Colleton County Memorial Library Board of Trustees has two vacancies; and
   Applicants: Magdline Monroe & Lenwood Marshall

3. The County Council is the appointing authority for Boards.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL
DUTY ASSEMBLED THAT:

The Council Hereby appoints the following:

Colleton County Recreation Commission: Matthew W. Hooker & Janice C. Wright

Colleton County Memorial Library Board of Trustees: Magdline Monroe & Lenwood Marshall

ATTEST: SIGNED:

Ruth Mayer, Council Clerk Joseph F. Flowers, Chairman