

**AGENDA AMENDED**  
**COLLETON COUNTY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, OCTOBER 11, 2016**  
**6:00 P.M.**  
**COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Awards & Recognitions
  - a) Eagle Scout Proclamations – Thomas Frank, Claude Gibson, Ethan Smallwood
5. Approval of Minutes
  - a) Regular Meeting September 6, 2016
6. Appearances & Public Presentations
  - a) Senator Margie Bright Matthews- Legislative Update
  - b) Michael Butler, Workforce Dev. Dir.- Workforce Regional/Local Strategic 4 Year Plan
  - c) Andy Brack & Dean Van Pelt – Update Promise Zone
7. Administrator's Briefing
8. Public Hearing
  - a) 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.
9. Old Business
  - a) 2<sup>nd</sup> Reading 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.

10. New Business

- a) 1<sup>st</sup> 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.
- b) 1<sup>st</sup> 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 Road 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.
- c) 1<sup>st</sup> 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.
- d) 1<sup>st</sup> 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.
- e) Resolution 16-R-78, To Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2016-2017.
- f) Resolution 16-R-79, To Award the Contract for Turf Maintenance and Insect Control for the Colleton County Recreation Department.
- g) Resolution 16-R-80, To Authorize the Purchase of Equipment by the Fleet Management Department
- h) Resolution 16-R-81, To Approve Purchase of Equipment for the Jonesville Convenience Site.
- i) Resolution 16-R-82, To Authorize an Appropriation from the General Fund (Fund 100) Fund Balance in the Amount of \$75,000 to USC Salkehatchie Direct Assistance.
- j) *Resolution 16-R-83, To Renew the Professional Services Agreement with Tetra Tech, Inc. for Emergency Debris Monitoring.*
- k) *Resolution 16-R-84, To Authorize the Waiver of Solid Waste Residential Debris Disposal Fees through October 20, 2016.*

11. Items for Information and Public Record
12. Public Comments (3 minutes per person/max time 20 min.)
13. Council Time
  
14. Executive Session
  - a) Economic Development
    1. Project C
    2. Project Global
  
  - b) Personnel
    1. Fire-Rescue
  
  - c) Contractual
    1. CPST
    2. Real Estate, Public Defender's Office
15. Adjournment
16. Informal Meeting of the Whole

Sponsor(s) : County Council  
First Reading : July 26, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 6, 2016  
Public Hearing : October 4, 2016  
Third Reading : October 4, 2016  
Effective Date : Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that this  
Ordinance was advertised  
for Public Hearing on \_\_\_\_\_.

## ORDINANCE NO. 16-O-06

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[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.]**

#### WHEREAS:

1. Colleton County Budget Ordinance requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and
2. The County regularly adopts a final budget amendment ordinance to account for budget resolutions and interfund transfers authorized by Council during the fiscal year, as well as grants and any other supplemental appropriation actions in accordance with the 1976 South Carolina Code of Laws, as amended, and the County's budget ordinance.

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

1. The Colleton County Council hereby:
  - a. Ratifies all previously approved FY16 Budget Resolutions and authorizes and directs the County Administrator to amend the FY16 budgetary appropriations as so resolved;
  - b. Ratifies all previously approved FY16 Resolutions related to amendments to the County Record of Roads (ROR), if any.
  - c. Ratifies all Resolutions, voice motions, and other actions approved by County Council for Fiscal Year ending 6/30/16 including those awarding contracts, directing specific fiscal actions such as authorizing, increasing or reducing fund transfers, operational transfers, reclassifications, fund balance designations, and fund balance appropriations.
  - d. Approves the budgeting of funds, if any, received by the CCRFC from Covenant Billing during the Fiscal year ending 6/30/16, within Fund 156 to meet the needs of the County.
  - e. Approves any increase in Budget Revenues related to Medical Services for FY16 based on actual collections and the appropriation of said funds within Fund 156 to meet the needs of the County.
  - f. Approves the write-off of all Colleton County Fire and Rescue Medical Services billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/16 audit as identified by CCRFC and approved by the Colleton County Administrator.

- g. Approves the write-off of all Colleton County Solid Waste Billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/16 audit as identified and approved by the Colleton County Administrator.
  - h. Approves end-of-year adjustments as necessary to the Operational Transfers of various funds in order to decrease particular fund appropriation and correspondingly increase other fund appropriation in accordance with the operational needs and expenditures of the various Funds in FY16 and to balance the required revenue to expenditures in said Funds.
2. Conflict: All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.
  3. Severability: If any provision of this Ordinance or the application thereof to any person or circumstances 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.
  4. This ordinance includes the ratification of all Resolutions, voice motions and other actions as previously approved by Colleton County Council for the fiscal year ending 06/30/2016.

ATTEST:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

SIGNED:

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

Sponsor(s) : County Council  
First Reading : September 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : October 4, 2016  
Public Hearing : November 1, 2016  
Third Reading : November 1, 2016  
Effective Date : Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that this  
Ordinance was advertised for  
Public Hearing on \_\_\_\_\_.

## **ORDINANCE NO. 16-O-07**

### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[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.]**

#### **WHEREAS:**

1. The Walterboro – Colleton Railroad Commission is composed of members of the Colleton County Council and the Walterboro City Council, and
2. Frequently, individuals who own property which abuts property owned by the Commission request an easement to cross said Commission-owned property because that individual has either limited or no access to that property, including access for emergency response vehicles; and
3. Both Colleton County Council and the Walterboro City Council wish to enact ordinances allowing for the granting of encroachment permits by the joint approval of the Colleton County Administrator and the Walterboro City Manager for individuals who own property that abuts Railroad Commission-owned property; and
4. The Encroachment Permit grants the property owner permission to construct and maintain an access road across the Commission Property under circumstances outlined in said permit.

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

1. An encroachment permit may be granted to those property owners as described above upon submitting the requisite information to the County Administrator and the City Manager.
2. The encroachment permit form attached and included herein by reference grants an encroachment permit to the property owner who owns property which abuts Railroad

Commission property, pending approval by the County Administrator and the City Manager.

3. The permit is non assignable and is subject to restrictions as contained therein.
4. The County Administrator is hereby authorized to sign said permit on behalf of Colleton County.
5. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be 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.

6. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

Council Vote:  
Opposed:

Sponsor(s) : County Council  
 First Reading : October 4, 2016  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : November 1, 2016  
 Public Hearing : December 6, 2016  
 Third Reading : December 6, 2016  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 16-O-08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[An Ordinance 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.**

WHEREAS, Colleton County, South Carolina (“Colleton County”) and Charleston County, South Carolina (“Charleston County”) (collectively, the “Counties” and together with any additional counties that become parties to the MCP Agreement described below, the “Member Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), propose to establish jointly a multi-county industrial/business park within the geographical boundaries of one or more of the Member Counties (the “Park”); and

WHEREAS, Article VIII, Section 13(B) of the South Carolina Constitution provides that nothing in the State Constitution may be construed to prohibit any of the counties in South Carolina from agreeing to share the lawful cost, responsibility, and administration of functions with one or more governments, whether within or without the State of South Carolina; and

WHEREAS, certain real property sites which the Counties, from time to time, desire to include within the Park have been included within a “redevelopment project area” (within the meaning of Sections 31-6-30, 31-7-30, or 31-12-30 of the Code of Laws of South Carolina 1976, as amended, or comparable provisions of law [the “TIF Law”]) for the purposes of tax increment financing by a municipality, a county, or a redevelopment authority (or comparable governmental entity) (the “TIF Authority”), the effect of which is to limit the allocation of tax revenues derived from such real property sites to be consistent with the applicable “redevelopment plan” (the “Redevelopment Plan”) as established by the applicable TIF Authority under the TIF Law; and

WHEREAS, the Counties desire to establish the Park pursuant to a MCP Agreement (as defined below) having such terms as are consistent with the applicable Redevelopment Plan; and

WHEREAS, in order to promote the economic development of Colleton County and Charleston County, the Counties have initially agreed to include in the Park properties located in Charleston County and described in Exhibit A hereto (the “Initial Property”) and as more particularly described in Exhibit A to that certain “Agreement for the Establishment of Multi-County Industrial/Business Park for TIF Properties” to be entered into by the Counties as of such date as may be agreed to by the Counties (the “MCP Agreement”); and

WHEREAS, the Counties have agreed to the specific terms and conditions of the arrangement set forth in the MCP Agreement; and

WHEREAS, the Counties now desire to establish the Park to include the Initial Property;

NOW, THEREFORE, BE IT ORDAINED BY THE COLLETON COUNTY COUNCIL AS FOLLOWS:

**Section 1. Establishment of Multi-County Park; Approval of MCP Agreement; Location of Park; Change of Park Boundaries.**

(a) There is hereby authorized to be established, initially in conjunction with Charleston County, a multi-county industrial/business park to include therein the Initial Property. The form, provisions, terms, and conditions of the MCP Agreement now before this meeting and filed with the Clerk to County Council be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the MCP Agreement were set out in this Ordinance in its entirety.

(b) The MCP Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Colleton County thereunder and as shall be approved by the officials of Colleton County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the MCP Agreement now before this meeting. The Chairman of County Council, for and on behalf of Colleton County, is hereby authorized, empowered, and directed to do any and all things necessary or proper to effect the establishment of the Park and the execution and delivery of the MCP Agreement and the performance of all obligations of Colleton County under and pursuant to the MCP Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

(c) As of the date of enactment of this Ordinance, the Park shall consist of the Initial Property located in Charleston County. It is recognized that the Park will from time to time consist of non-contiguous properties within each or any Member County. The boundaries of the Park may be enlarged or diminished from time to time as authorized by (a) an ordinance of the Member County in which the property to be added or removed from the Park is actually located, and (b) a resolution (or comparable action) of the governing bodies of the applicable Members.

**Section 2. Payment of Fee-in-lieu of Taxes.** (a) In accordance with Article VIII, Section 13(D) of the South Carolina Constitution, the area comprising the Park and all property having a situs therein is exempt from all *ad valorem* taxation. All owners and lessees of property situated in the Park will pay a fee in lieu of *ad valorem* taxes as provided for in the MCP Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the county treasurer of the county in which such property is located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the MCP Agreement to the other Member County shall be paid to the respective county treasurer (or other designated official) of the other Member County in accordance with the terms of the MCP Agreement. Payments of fees in lieu of *ad valorem* taxes will be due on the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payments. Any late payment beyond the due date will accrue interest at the rate of statutory judgment interest. The Member Counties, acting by and through the appropriate official, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes.

(b) Nothing herein shall be construed to prohibit any Member County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4, Chapter 29 or Chapter 12, or Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision of South Carolina law.

**Section 3. Sharing of Expenses and Revenues.** Sharing of expenses and revenues of the Park by the Member Counties shall be as set forth in the MCP Agreement and as approved by the applicable TIF Authority consistent with the applicable Redevelopment Plan as provided in the MCP Agreement.

**Section 4. Distribution of Revenues to Taxing Entities.** Revenues from the Park shall be distributed to and within the Member Counties as set forth in the MCP Agreement.

**Section 5. Governing Laws and Regulations.** In order to avoid any conflict of laws or ordinances among the Member Counties, the ordinances or other local laws of each Member County will be the reference for such regulations or laws in connection with Park premises located within such Member County. Nothing herein shall be taken to supersede any applicable municipal, state, or federal law or regulation, including the TIF Law. The Member County in which a parcel of Park premises is located is specifically authorized to adopt restrictive covenants and land use requirements in accordance with law for each such parcel at that Member County's sole discretion. The ordinances of a Member County shall in no way apply to Park property not located in such Member County.

**Section 6. Savings Clause.** If any portion of this Ordinance shall be held void or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

**Section 7. General Repealer.** Any prior ordinance or resolution of Colleton County Council, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 8. Effectiveness.** This Ordinance shall be effective upon approval following third and final reading.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

Council Vote:  
Opposed:

Sponsor(s): County Council  
First Reading: October 4, 2016  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: November 1, 2016  
Public Hearing: December 6, 2016  
Third Reading: December 6, 2016  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## ORDINANCE NO. 16-O-09

### COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[An Ordinance 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 Road 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.]**

#### WHEREAS:

Colleton County Council deems it to be in the best interest of the County to grant an Easement to South Carolina Electric and Gas across a portion of property owned by Colleton County located on Ground Circle near Jonesville Road in Colleton County, SC; such easements are to be used for the installation, operation and maintenance of electrical and gas facilities within Colleton County, SC.

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

- 1) The documents attached and included herein by reference grant Easement No. 895166 to South Carolina Electric and Gas across a portion of property owned by Colleton County located on Ground Circle near Jonesville Road in Colleton County, SC to be used for the installation, operation and maintenance of electrical facilities within Colleton County, SC.
- 2) The County Administrator is hereby authorized to sign said easement on behalf of the County pending final approval of the document by the County Attorney.
- 3) Said easement shall be recorded in the Office of the Register of Deeds for Colleton County.
- 4) Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be 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.

- 5) Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

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Ruth Mayer, Council Clerk

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Steven D. Murdaugh, Chairman

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Approved as to Form  
Sean Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s): County Council  
First Reading: October 4, 2016  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: November 1, 2016  
Public Hearing: December 6, 2016  
Third Reading: December 6, 2016  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## **ORDINANCE NO. 16-O-10**

### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[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.]**

#### **WHEREAS:**

1. Chapter 13, Section 13.04.010 of the Colleton County Code of Laws provides for the adoption of certain codes by reference; and
2. Updated Editions of said Codes have been issued, and in order to keep current with requirements of said Codes, it is necessary to adopt these editions.

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

1. Chapter 13, Section 13.04.010, Part A (1), is hereby amended to read as follows:

#### **13.04.10 Adoption by reference.**

- A. 1. The following codes are adopted by reference as though they were copied herein fully:

International Building Code – 2015 Edition including Chapter 1;  
International Energy Conservation Code – 2009 Edition;  
International Fire Code - 2015 Edition;  
International Fuel Gas Code – 2015 Edition;  
International Mechanical Code – 2015 Edition;  
International Plumbing Code – 2015 Edition;  
International Residential Code – 2015 Edition including Chapter 1 and  
International Swimming and Spa Code - 2012 Edition;  
National Electrical Code – 2014 Edition;  
International Existing Building Code – 2015 Edition;  
Standard for Residential Construction in High-Wind Regions ICC 600-  
2008 Edition;  
Accessible and Usable Buildings and Facilities ICC A117.1-2009 Edition.

2. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstances 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.

3. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

\_\_\_\_\_  
Approved as to Form  
Sean Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : November 1, 2016  
Public Hearing : December 6, 2016  
Third Reading : December 6, 2016  
Effective Date : Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that this  
Ordinance was advertised for  
Public Hearing on \_\_\_\_\_.

## ORDINANCE NO. 16-O-11

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Colleton Habitat for Humanity; and Other Matters Relating Thereto.]**

#### WHEREAS:

1. The property located at 801 N. Lemacks Street was deeded to the Colleton County (the "County") without the County's knowledge on August 28, 2012; and
2. Colleton Habitat for Humanity has completed projects in the area, and has requested that the County sell the property to Colleton Habitat for Humanity; and
3. Colleton County has no use for the property and wishes to sell it to Colleton Habitat for Humanity; and
4. County Council of the County (the "Council") deems it to be in the best interest of the County to sell the real property located at 801 N. Lemacks Street and further described in the legal description attached hereto as Exhibit A to Colleton Habitat for Humanity, on such terms and conditions as set forth herein.

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

1. The County of Colleton hereby authorizes the conveyance to Colleton Habitat for Humanity the property (the "Property") more fully described in attached Exhibit A for a consideration of Five and No/100 Dollars (\$5.00) and other good and valuable consideration, and upon the other terms and conditions as set forth herein.
2. The County Administrator is hereby authorized, empowered, and directed on behalf of the County of Colleton to execute and deliver a deed for the Property pursuant thereto, and to such other documents as may be necessary or desirable in connection with the conveyance of the Property.
3. Conflict:

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

4. Severability:

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect the 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.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

Council Vote:  
Opposed:

Sponsor(s) : County Council  
Adopted : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-78**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Authorize Acceptance and Budgeting of Funds for Various Grants 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 Capital Projects and Purchasing Department, is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY16 for CDBG #4-A-15-001; and
3. The original grant proceeds were not enough for the completion of the project. A request was made and CDBG provided the additional funding for the project.

**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 revenue and expenditures in the following funds for the grants and unbudgeted revenues for FY16 as listed:
  - a. Fund 143 – Capital Projects Sales Tax Fund; Community Development Block Grant; \$75,981; CDBG # 4-A-15-001 for Booster Pump Station Upgrade; 10% Local Match has been provided by the Capital Projects Sales Tax.
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:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-79**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Award the Contract for Turf Maintenance and Insect Control for the Colleton County Recreation Department.]**

**WHEREAS:**

1. The County advertised a Request for Bids, RC-14 for Turf Maintenance and Insect Control for the Colleton County Recreation Department; and
2. Three bids were received for this project, and Wilson and Associates Turf and Ornamental Services, Inc. is the lowest qualified bidder at \$23,920; and
3. Funding for this contract is available in Fund 155 for FY 17.

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

1. County Council hereby awards the contract for turf maintenance and insect control in accordance with RC-14 to Wilson and Associates Turf and Ornamental Services, Inc. in the amount of \$23,920.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-80**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Authorize the Purchase of Equipment by the Fleet Management Department.]**

**WHEREAS:**

1. Colleton County Fleet Management has deemed it necessary to purchase a gyro-track for the Roads and Bridges department; and
2. Colleton County Fleet Management deems it in the best interest of the County to purchase a John Deer demonstration compact track machine with a new gyro-track attachment; and
3. The cost of a new comparable unit would be more than \$21,000 over the requested amount for this demonstration unit. Because the demonstration unit has never been sold, it comes with a full manufacturer's warranty; and
4. The Purchasing Department has reviewed the purchase request and approves such request as outlined in the Code of Ordinances, 3.08.215. Purchase of used vehicles or equipment; and
5. The Fleet Management department requests approval to purchase a 2013 John Deere Compact Track Machine with a 2016 Gyro-Track attachment from Sparrow and Kennedy Tractor Company in the amount of \$106,209.78; and
6. Funding is available in Fund 140 for FY 2017.

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

1. The purchase of a 2013 John Deere Compact Track Machine with a 2016 Gyro-Track attachment from Sparrow and Kennedy Tractor Company in the amount of \$106,209.78 from line item 140-465-465-50-7415-5017, in accordance with County specifications is hereby authorized.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary to complete this purchase.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-81**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Approve Purchase of Equipment for the Jonesville Convenience Site.]**

**WHEREAS:**

1. The Capital Projects and Purchasing Department requested pricing from Rudco Products Inc, for two trash compactors, five 20 yard open top containers and one 20 yard cardboard container; and
2. Rudco Products, Inc. was named as a sole source supplier on August 14, 2012 by Resolution # 12-R-79. The sole source was awarded for a term of five (5) years; and
3. The Capital Projects & Purchasing Department requests approval to purchase two compactors, five 20 yard open top containers and one 20 yard cardboard container for a total cost of \$71,830.48; and
4. Funding was approved from Fund 211 – Solid Waste Fund, for the purchase and development of the Jonesville Convenience Site by Resolution #15-R-113.

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

1. The purchase of two compactors, five 20 yard open top containers and one 20 yard cardboard container for a total cost of \$71,830.48 is hereby approved.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary for the purchases.
3. Funding for the cost of the above equipment was approved from Fund 211 – Solid Waste Fund, for the purchase and development of the Jonesville Convenience Site by Resolution #15-R-113.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

## **RESOLUTION NO. 16-R-82**

### **COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Authorize an Appropriation from the General Fund (Fund 100) Fund Balance in the Amount of \$75,000 to USC Salkehatchie Direct Assistance.]**

#### **WHEREAS:**

1. The University of South Carolina Salkehatchie has requested \$75,000 to support the construction of the USC Salkehatchie Rural Nursing Initiative Clinical Simulation Lab to be constructed at the Walterboro campus; and
2. To meet patient care demands and increase continuity of care in the Salkehatchie region, it is imperative that the USC Salkehatchie Rural Nursing Initiative remain current with educational and technological advancements in the health care field; and
3. The creation of a state-of-the-art, high fidelity simulation lab will provide valuable access to proven experiential methods of clinical education, while allowing Salkehatchie-based students to fulfill their educational requirements close to home; and
4. These resources are not currently available at USC Salkehatchie, forcing students and faculty to travel to and from Columbia weekly each semester for clinical courses; and
5. The total project budget is \$550,000, of which \$225,000 has been secured. The requested funding will allow USC Salkehatchie to move closer to project completion; and
6. Staff recommends that Council approve a fund balance appropriation from the General Fund (Fund 100) to the University of South Carolina Salkehatchie Direct Assistance in the amount of \$75,000.

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

A fund balance appropriation in the amount of \$75,000 from the General Fund (Fund 100) to University of South Carolina Salkehatchie Direct Assistance is hereby approved.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 11, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-83**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Renew the Professional Services Agreement with Tetra Tech, Inc. for Emergency Debris Monitoring.]**

**WHEREAS:**

1. Emergency Debris Monitoring is required for all FEMA disaster recovery funds; and
2. It is necessary to renew said agreement.

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

1. County Council hereby approves the Professional Services Agreement with Tetra Tech, Inc. for Emergency Debris Monitoring.
2. The County Administrator is hereby authorized to execute said Agreement.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 10, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-84**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Authorize the Waiver of Solid Waste Residential Debris Disposal Fees through October 20, 2016.]**

**WHEREAS:**

1. To assist in the debris removal from Hurricane Matthew, Colleton County Council wishes to enact emergency procedures to waive its residential debris disposal fees at the Colleton County Solid Waste construction and debris landfill on Green Pond Highway until at least October 20, 2016; and
2. Effective immediately, the primary Colleton County Solid Waste Facility on Green Pond Highway will be open seven (7) days/week from 8:00AM to 4:30PM to accept storm debris; and
3. Colleton County collection sites and the landfill will be open as scheduled for all other refuse.

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

1. All fees for residential debris disposal related to Hurricane Matthew are hereby waived, effective immediately, until at least October 20, 2016.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED