

**AGENDA AMENDED**  
**COLLETON COUNTY COUNCIL**  
**VIRTUAL REGULAR MEETING**  
**TUESDAY, NOVEMBER 10, 2020**  
**6:00 P.M.**

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
  - a) Regular Meeting October 6, 2020
5. Awards and Recognitions
  - a) Birthday Proclamation for James W. Skardon
6. Appearances & Public Presentations
  - a) Discussion Demolition of Buckner Building – Ed Williams
7. Administrator’s Briefing
8. Public Hearing
  - a) Ordinance 20-O-01, 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
  - b) Ordinance 20-O-08, To Approve Designation of the Colleton County Planning Commission as the Official Planning Commission for the Town of Lodge
9. Old Business
  - a) 3<sup>rd</sup> Reading Ordinance 20-O-01, 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
  - b) 3<sup>rd</sup> Reading Ordinance 20-O-08, To Approve Designation of the Colleton County Planning Commission as the Official Planning Commission for the Town of Lodge
  - c) 2<sup>nd</sup> Reading Ordinance 20-O-09, To Ratify FY20 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

10. New Business
  - a) 1<sup>st</sup> Reading Ordinance 20-O-10, 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) Emergency Ordinance 20-O-11 Requiring That Face Coverings Or Masks Be Worn In Public In The City Of Walterboro And The Unincorporated Areas Of Colleton County During The Covid-19 Public Health Emergency And Recovery.
  - c) Resolution 20-R-48, To Award the Contract for the 2020 SC 64 Pedestrian Enhancement Project
  - d) Resolution 20-R-49, To Award the Contract for Construction Engineering and Inspection Services related to the SC 64 Pedestrian Enhancement Project
  - e) Resolution 20-R-50, To Authorize the Renewal of the Commercial Lease Agreement between Colleton County and South Carolina Department of Corrections Young Offender Parole & Reentry Services for Office Space in the Bernard Warshaw Complex
  - f) Resolution 20-R-51, To Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Cost of 911 Dispatch Center Equipment and Training
  - g) Resolution 20-R-52, To Reschedule December County Council Meeting
  - h) Resolution 20-R-53, To Appoint Member to Board Vacancy
11. Council Time
12. Executive Session - None
13. Adjournment
14. Informal Meeting of the Whole

### **COUNTY COUNCIL MEETING ON NOVEMBER 10, 2020**

Colleton County Council will hold a regular meeting on Tuesday, November 10, 2020, at 6:00 pm. Due to the COVID-19 pandemic, County Council will be holding the meeting virtually and the public will be able to stream the meeting from a link on the County's home page or by going to **[www.colletoncounty.org/live](http://www.colletoncounty.org/live)**. Individuals who would like to participate in public comment can do so at **[www.colletoncounty.org/comment](http://www.colletoncounty.org/comment)**.



## **Birthday Proclamation for James W. Skardon**

**WHEREAS**, our community celebrated the 100<sup>th</sup> birthday of James W. Skardon on November 2, 2020; and

**WHEREAS**, James W. Skardon was born the son of the Rev. Alvin W. Skardon and Genevieve Skardon, and

**WHEREAS**, James W. Skardon was married to Gerrildine Graham Skardon for 60 years; and

**WHEREAS**, James W. Skardon and his late wife, Gerrildine, have four beautiful daughters, 7 grandchildren and 6 great grandchildren; and

**WHEREAS**, James W. Skardon is a devoted member and leader of St. Jude's Church; and

**WHEREAS**, James W. Skardon owned a successful insurance business and he was part of a real estate development group that was instrumental in the growth of our community, and

**NOW, THEREFORE, BE IT RESOLVED**, that Colleton County Council, hereby honor James W. Skardon and proclaim November 2, 2020, as "**James W. Skardon Day**" in Colleton County.

**BE IT FURTHER RESOLVED**, that Colleton County does hereby extend congratulations to Mr. James W. Skardon and encourages all citizens to join in the recognition and celebration of his 100<sup>th</sup> birthday.

**Done**, this 10<sup>th</sup> day of November 2020.

ATTEST: \_\_\_\_\_  
Ruth Mayer, Council Clerk

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

Sponsor(s)	: County Council	I. Ruth Mayer
First Reading	: February 4, 2020	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____
Committee Recommendation	: N/A	
Second Reading	: March 3, 2020	
Public Hearing	: November 10, 2020	
Third Reading	: November 10, 2020	
Effective Date	: Immediately	

**ORDINANCE NO. 20-O-01**

**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:

**13.04.010 Adoption by reference.**

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

International Building Code – 2018 Edition (IBC 2018), including Chapter 1;  
International Fire Code – 2018 Edition (IFC 2018);  
International Fuel Gas Code – 2018 Edition (IFGC 2018);  
International Mechanical Code – 2018 Edition (IMC 2018);  
International Plumbing Code – 2018 Edition (IPC 2018);  
International Residential Code – 2018 Edition (IRC 2018);  
International Swimming Pool & Spa Code – 2018 Edition; and  
NFPA 70 – National Electric Code 2017  
*(These Codes include South Carolina amendments and Modifications enacted at the state level.)*

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

COUNCIL VOTE:  
OPPOSED:

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

Sponsor(s)	: County Council	
First Reading	: September 1, 2020	I, _____,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on_____.
Second Reading	: October 6, 2020	
Public Hearing	: November 10, 2020	
Third Reading	: November 10, 2020	
Effective Date	: Immediately	

**ORDINANCE NO. 20-O-08**

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

**[To Approve Designation of the Colleton County Planning Commission as the Official Planning Commission for the Town of Lodge.]**

**WHEREAS:**

1. The Town of Lodge has requested and Colleton County Council has agreed that the authority and jurisdiction over planning, zoning, subdivision, floodplain, and building code regulations within the limits of the Town of Lodge shall be assumed by the County; and
2. S.C. Code 6-29-330(B) requires that the Town of Lodge designate by ordinance that the Colleton County Planning Commission is the Commission for the Town and that it shall perform all planning functions in the area of jurisdiction of the town, including revision of the comprehensive plan; and
3. The County Council is required to accept and approve this designation by ordinance.

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

1. The designation of the Colleton County Planning Commission as the Planning Commission for the Town of Lodge is hereby approved.
2. Provisions in other County Ordinances, Resolutions, policies or by-laws in conflict with this Ordinance are hereby repealed.
3. 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 shall become effective November 10, 2020, subject to completion of the requirements set forth in the Agreement by and between Colleton County and the Town of Lodge governing the granting of the power and jurisdiction over planning,

zoning, subdivision, floodplain, and building code regulations within the limits of the Town of Lodge to Colleton County.

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 6, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : November 10, 2020  
Public Hearing : December 8, 2020  
Third Reading : December 8, 2020  
Effective Date : Immediately

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

## **ORDINANCE NO. 20-O-09**

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

**[To Ratify FY20 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 FY20 Budget Resolutions and authorizes and directs the County Administrator to amend the FY20 budgetary appropriations as so resolved;
  - b. Ratifies all previously approved FY20 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 6/30/20 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 6/30/20, within Fund 156 to meet the needs of the County.
  - e. Approves acceptance of FEMA and SC Emergency Management Division disaster assistance funds in the amount of \$461,096.01 to cover costs associated with Hurricane Florence and April Tornadoes.

- f. Approves acceptance of Health and Human Services CARES assistance funds in the amount of \$42,426.82 to cover costs incurred in Fire Rescue operations associated with COVID-19.
  - g. 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 6/30/20 audit as identified by CCRFC and approved by the Colleton County Administrator.
  - h. 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 6/30/20 audit as identified and approved by the Colleton County Administrator.
  - i. 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 FY20 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 06/30/2020.

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 : November 10, 2020  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : December 8, 2020  
 Public Hearing : January 5, 2021  
 Third Reading : January 5, 2021  
 Effective Date : Immediately

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

**ORDINANCE NO. 20-O-10**

**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, 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 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 in substantially the form before Colleton County Council (the "County Council") at the meeting at which this Ordinance receives third reading, 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 before the meeting at which this Ordinance receives third reading, 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 before the meeting at which this Ordinance receives third reading. 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 may from time to time consist of non-contiguous properties within each 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 all other Member Counties.

**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 Counties shall be paid to the respective county treasurer (or other designated official) of the other

Member Counties in accordance with the terms of the MCP Agreement. Payments of fees in lieu of *ad valorem* taxes for each year will be due on the due date for property taxes for such 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 same rate of as late tax payments. 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.

**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. 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. Admission of Additional Parties.** The MCP Agreement may be amended from time to time to add additional counties or other political subdivisions located within South Carolina or outside South Carolina, subject to any limitation contained in Article VIII, Section 13 of the Constitution of South Carolina or Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, by ordinances or comparable action of the governing body of each Member County. Upon approval of all Member Counties, the MCP Agreement shall be amended to admit such political subdivision as a party thereto, with such rights and obligations as shall be provided in the MCP Agreement as so amended and applicable law.

**Section 7. 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 8. General Repealer.** Any prior ordinance or resolution, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 9. Effectiveness.** This Ordinance shall be effective upon approval following third and final reading.

ATTEST:

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

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

SIGNED:

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Reading and Adoption : November 10, 2020  
Effective Date : November 10, 2020

**EMERGENCY ORDINANCE NO. 20-O-11**

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

**[AN EMERGENCY ORDINANCE REQUIRING THAT FACE COVERINGS OR MASKS BE WORN IN PUBLIC IN THE CITY OF WALTERBORO AND THE UNINCORPORATED AREAS OF COLLETON COUNTY DURING THE COVID-19 PUBLIC HEALTH EMERGENCY AND RECOVERY.]**

**WHEREAS:**

1. It is well recognized that SARS-CoV-2 the virus that causes the disease COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and
2. On March 11, 2020, the World Health Organization declared a world-wide pandemic; and
3. On March 13, 2020, the President of the United States declared a National Emergency for the United States and its territories to reduce the spread of the virus; and
4. On March 13, 2020, the Governor of the State of South Carolina Henry McMaster declared a state of emergency for the State of South Carolina; and
5. S.C. Code Ann. §4-9-130 empowers Council to enact emergency ordinances affecting life, health, safety, or property; and
6. COVID-19 has spread across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly high risk of exposure and infection creating an extreme public health risk; and,
7. As of November 3, 2020, there were 170,862 confirmed cases throughout the State of South Carolina, 1,247 cases in Colleton County, 3,715 deaths statewide, and 48 deaths in Colleton County; and
8. Colleton County is located on the I-95 corridor and as such is exposed to visitors from across our country and is particularly vulnerable to infection; and
9. The number of cases is growing rapidly and if COVID-19 continues to spread in the County, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and
10. It is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating consequences later; and

11. The Centers for Disease Control and Prevention (“CDC”) and SCDHEC advise the use of cloth face coverings to slow the spread of COVID-19; and
12. SCDHEC data shows that the use of face coverings and masks have proven successful in slowing the spread of Covid-19; and
13. On August, 12, 2020, SCDHEC released data showing that jurisdictions that have mask requirements in place have shown a 46.3% greater decrease in the total number of cases during the four (4) weeks after the mask requirements were implemented compared to jurisdictions that do not have mask requirements; and
14. On September 18, 2020 SCDHEC published an analysis that continues to show the effectiveness of mask use indicating that jurisdictions with mask ordinances experience as much as a 66.5% greater decrease in cases one month after their ordinance initiation; and
15. Taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the County’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and
16. In order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the County, the County is taking steps to try to protect the citizens and employees of the County from increased risk of exposure; and
17. In light of the foregoing, County Council deems it proper and necessary to adopt this emergency Ordinance; and

**NOW, THEREFORE, BE IT ENACTED BY THE COLLETON COUNTY COUNCIL AS AN EMERGENCY ORDINANCE THAT:**

This 10<sup>th</sup> day of November 2020 that facial coverings or masks shall be required in public places and public buildings within the County to slow the spread of the novel coronavirus disease, known as COVID-19 as follows:

1. All persons entering a commercial establishment in the County must wear a face covering while inside the establishment. This paragraph does not apply to religious establishments. However, the use of face coverings is recommended during religious activities as well.
2. All restaurants, retail stores, salons, grocery stores, and pharmacies in the County must require their employees to wear a face covering at all times while having face to face interaction with the public.
3. Any person who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
4. Face coverings are not required in the following circumstances:
  - a) Children under age 2.

- b) Anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.
  - c) In personal vehicles.
  - d) When a person is alone in enclosed spaces.
  - e) During outdoor physical activity, provided the active person maintains a minimum distance of six (6) feet from other people at all times.
  - f) When a person is alone or only with other household members.
  - g) While actively drinking, eating, or smoking.
  - h) When wearing a face covering causes or aggravates a health condition.
  - i) When wearing a face covering would prevent the receipt of personal services.
5. A person who fails to comply with Paragraph 1 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$25.00.
  6. A person who fails to comply with Paragraph 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense. Repeated violations of this Ordinance are additionally hereby declared to be a public nuisance, which may be abated by the County by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of Paragraph 2 of this Ordinance, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the social distancing requirements of the Ordinance within the business, such as an owner, manager or supervisor. "Person" may also include an employee or other designee that is present at the business but does not have the title of manager, supervisor, etc., but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.
  7. Should any provision, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
  8. This Ordinance is effective as of 6:00 a.m., Wednesday, November 11, 2020.
  9. This Emergency Ordinance may be terminated by the enactment of another ordinance terminating same; and if not terminated sooner shall expire automatically as of the sixty-first day following the date of enactment.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:  
OPPOSED:

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

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-48**

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

**[A Resolution to Award the Contract for the 2020 SC 64 Pedestrian Enhancement Project.]**

**WHEREAS:**

1. The County advertised a Request for Bids, CTC-16 2020 SC 64 Pedestrian Enhancement Project; and
2. Four companies responded to the Request for Bids, CTC-16; and
3. The County evaluated the bids, and Wildwood Contractors, Inc. of Walterboro, SC is the lowest qualified bidder, in the amount of \$1,091,849.74; and
4. Funding for this project is budgeted in the FY 2021 CTC Local Paving Fund and a Transportation Alternative Program (TAP) Grant.

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

1. County Council hereby awards the contract in accordance with Bid CTC-16 to Wildwood Contractors, Inc. in the amount of \$1,091,843.74 for the 2020 SC 64 Pedestrian Enhancement Project.
2. The County Administrator is hereby authorized to execute the contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for the County Roads Improvement Project is budgeted in the FY21 CTC Local Paving Fund and a Transportation Alternative Program (TAP) Grant.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-49**

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

**[A Resolution to Award the Contract for Construction Engineering and Inspection Services related to the SC 64 Pedestrian Enhancement Project.]**

**WHEREAS:**

1. The County advertised a Request for Qualifications, CTC-19 2020 SC 64 Pedestrian Enhancement Project; and
2. Five proposals were received for the Request for Qualifications, CTC-19; and
3. A three member committee reviewed and ranked the proposals, and CDM Smith, Inc. was ranked the highest; and
4. Funding for this project is budgeted in the FY 2021 CTC Local Paving Fund.

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

1. County Council hereby awards the contract in accordance with RFQ CTC-19 to CDM Smith, Inc. for Construction Engineering and Inspection Services related to the SC 64 Pedestrian Enhancement Project.
2. The County Administrator is hereby authorized to execute the contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for the County Roads Improvement Project is budgeted in the FY21 CTC Local Paving Fund.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-50**

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

**[A Resolution to Authorize the Renewal of the Commercial Lease Agreement between Colleton County and South Carolina Department of Corrections Young Offender Parole & Reentry Services for Office Space in the Bernard Warshaw Complex.]**

**WHEREAS:**

1. Colleton County Council desires to assist the South Carolina Department of Corrections with its operation of Young Offender Parole and Reentry Services by making certain office space available within the Bernard Warshaw Complex; and
2. The South Carolina Department of Corrections Young Offender Parole and Reentry Services wishes to renew the lease agreement office space and has agreed to maintain said space and operations therein; and
3. The Commercial Lease Agreement provides for annual renewal, at the request of the South Carolina Department of Corrections.

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

The Colleton County Council hereby authorizes the renewal of the Commercial Lease Agreement between Colleton County and the South Carolina Department of Corrections for its operation of Young Offender Parole and Reentry Services.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-51**

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

**[A Resolution to Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Cost of 911 Dispatch Center Equipment and Training.]**

**WHEREAS:**

1. The Sheriff's Office needs to purchase equipment for the 911 Dispatch Center and cover training for staff in the amount of \$74,241.49; and
2. The Sheriff wishes to use funding from the E-911 fund balance (Fund 141) to purchase said equipment and training for the 911 Dispatch Center in the amount of \$74,241.49; and
3. Said equipment is on State contract; and
4. The Sheriff's Office recommends that Council approve a Fund Balance appropriation from E-911 (Fund 141) to cover the costs of the equipment and training.

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

A fund balance appropriation in the amount of \$74,241.49 from E-911 Fund 141 is hereby approved for the purchase of equipment and cover training for the 911 Dispatch Center.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-52**

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

**[To Reschedule December County Council Meeting.]**

**WHEREAS:**

In order to accommodate CDBG bid requirements for the Buckner Building Demolition Project, Council deems it in the best interest for its citizens to change the date for the December regular meeting.

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

County Council hereby reschedules the December 1, 2020 meeting to December 8, 2020.

ATTEST:

SIGNED:

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

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

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council  
Adopted : November 10, 2020  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 20-R-53**

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

**(To Appoint Member to Board Vacancy.)**

**WHEREAS:**

1. Colleton County Memorial Library has one **Un-Expired Term Vacancy**; and Applicants: L. David Martin, Jr.
2. The County Council is the appointing authority for Boards.

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

The Council Hereby Appoints the following:

Colleton County Memorial Library: L. David Martin, Jr.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer

\_\_\_\_\_  
Steven D. Murdaugh