

AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, FEBRUARY 7, 2023
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Post-Election Actions:
 - a) Chairman's Appointment of Standing Committees
5. Approval of Minutes
 - a) Regular Meeting January 10, 2022
6. Awards and Recognitions
 - a) Proclaiming March 20, 2023 as "Barry McRoy Day" in Colleton County
7. Appearances & Public Presentations
 - a) Neyles Community Center- Mark Pinckney, Community Center Board Chairman
8. Administrator's Briefing
9. Public Hearing
10. Old Business
 - a) 2nd Reading Ordinance 23-O-01, To Amend Title 14-Land Management, Section 14.08-2 Zoning District Regulations and Section 14.08-4 Landscaping, Buffering and Environmental Protection, of the Colleton County Code of Ordinances. **This ordinance will have a public hearing on March 14, 2023.**
 - b) 2nd Reading Ordinance 23-O-02, To Provide for the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto
11. New Business
 - a) 1st Reading Ordinance 23-O-03, By Title Only, To Provide for the Issuance and Sale of Not to Exceed \$40,355,000 General Obligation Capital Project Sales Tax Bonds of Colleton County, South Carolina; to Prescribe the Purposes for which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto

- b) 1st Reading Ordinance 23-O-04, By Title Only, Authorizing Colleton County to Join with the Walterboro - Colleton County Airport Commission and the City of Walterboro in Conveying 26.5 Acres of a Portion of Real Property Identified by T.M.S. No. 132-00-00-018 to Fuller Properties, LLC
 - c) 1st Reading Ordinance 23-O-05, To Authorize the Rezoning of a 20 Acre Parcel Located at 2824 Jefferies Highway, Identified as T.M.S. No. 147-00-00-008, from Urban Development – 1 (UD-1) to Urban Development – 2 (UD-2).
 - d) 1st Reading Ordinance 23-O-06, 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
 - e) Resolution 23-R-06, To Officially Name the Colleton County Fire-Rescue Station 19, Located at 1118 Thunderbolt Drive the “W. Gene Whetsell Fire Station.”
 - f) Resolution 23-R-07, To Declare the Results of a Referendum held on November 8, 2022, in Colleton County, South Carolina, for the Purpose of Determining Whether or Not, Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") Should be Imposed Within Colleton County for Not More Than Seven (7) Years, the Proceeds of Which Would be Expended for the Purpose of the Costs of Certain Capital Projects Within Colleton County as Set Forth in the Capital Project Sales Tax Referendum (The “Referendum Projects”) Pursuant to the Capital Project Sales Tax Act
 - g) Resolution 23-R-08, To Declare Colleton County’s Support for Four Holes Indian Organization’s Application for the Social and Economic Development Strategies Grant from the Administration for Native Americans
 - h) Resolution 23-R-09, To Establish Priorities for the 2023 Annual CDBG County Needs Assessment
 - i) Resolution 23-R-10, To Award the Contract for the Harrelson Building New Entrance and Improvements Project
 - j) Resolution 23-R-11, To Reschedule the March Council Meeting
 - k) Resolution 23-R-12, To Advertise Board Vacancies
 - l) Resolution 23-R-13, To Appoint Members to Board Vacancies
- 12. Items for Information and Public Record
 - 13. Public Comments (3 minutes per person/max time 20 min.)
 - 14. Council Time
 - 15. Executive Session

16. Adjournment
17. Informal Meeting of the Whole

COUNTY COUNCIL MEETING ON FEBRUARY 7, 2023

Colleton County Council will hold a regular meeting on Tuesday, FEBRUARY 7, 2023, at 6:00 pm. 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. Individuals who would like to participate in public comment can do so at www.colletoncounty.org/comment.

MINUTES
TUESDAY, JANUARY 10, 2023
REGULAR MEETING
6:00 P.M.

Colleton County Council
Council Chambers, Old Jail Building
109 Benson Street
Walterboro, SC 29488

Present: Sean Thornton, County Attorney called the meeting to order with Council Members Steven Murdaugh, Dr. Joseph Flowers, Bubba Trippe, and Scott Biering in attendance, with Council Member Phillip Taylor appearing virtually.

Others Included: Kevin Griffin, Meagan Utsey, Jon Carpenter, Kaela Brinson, Barry McRoy, Kimberly Mullinax, JoAnn Goodhope, Cathy Hiers, Mary Cox, Bobbie Urick, Felicia Johnson, Amber Guera, Ashley Pennington, Jamie Jordan, Destiny Chamblin, Nikki Nettles, Sandra J. Riberiro, Mychael Tucker, Carol Seigler, Michelle Hudson, and Alexis Delong.

Councilman Phillip Taylor gave the invocation and led the Pledge of Allegiance.

Election of Council Chairman & Vice Chairman

Mr. Thornton stated at this time we will accept nominations from council on who the Chairman should be.

Dr. Flowers stated, I nominate Councilman Murdaugh. Councilman Trippe seconded that motion.

Mr. Thornton stated, hearing a motion and a second, do we have any other nominations?

Councilman Taylor stated, move to close nominations and Councilman Biering seconded that motion. The motion carried unanimously and Councilman Murdaugh was appointed as chairman by acclamation.

Mr. Thornton turns gavel over to Chairman Murdaugh.

Chairman Murdaugh stated, that at this time we need to open the floor for nominations for Vice Chairman of County Council.

Dr. Flowers stated, I would like to move to nominate Councilman Taylor as Vice Chairman. Councilman Biering seconded that motion.

Chairman Murdaugh moved to close nominations and Councilman Biering seconded. The motion carried unanimously and Councilman Taylor was appointed as Vice Chairman by acclamation.

Chairman Murdaugh gives welcoming remarks and introduces the two new Council Members, Bubba Trippe and Scott Biering.

Post 2022 Election & Formative Actions:

A. Chairman's appointment of Standing Committees

Chairman Murdaugh: Stated, there are five standing committees. If you go on to the county's code of ordinances you will see under section 2.30.060 that there are five committees listed under there. The Administrative Committee, the Finance Committee, the Capital Projects Committee, the Planning and Development Committee, and the Public Health and Safety Committee. I ask that between now and the next meeting that each one of you would look through those committees, and see if you have any preference of committee that you would like to serve on. If I do not hear from anymore, then I will appoint three council members to each committee. These committees are used if the committee chairman has an issue and would like to have the committee form a meeting. This is a council member committee and would be a quorum, so you would need to follow those procedures. However, if you would review the sections on those committees and let me know which one of the committees you have an interest in, and I will make those appointments at the next meeting.

B. Chairman's Designation of three members of Council to LCAA Board

Chairman Murdaugh: Stated, we will also need to appoint three members to the Lowcountry Community Action Agency Board. Currently, the assigned council members for this board are Mr. Williams, Councilman Taylor, and Mr. Whetsell. Councilman Taylor, do you desire to stay on that board?

Councilman Taylor: Stated, yes, I do.

Chairman Murdaugh: Stated, do we have anyone who would like to volunteer? This board does allow for you to have a designee to serve in your place. We will need a replacement for Mr. Whetsell and Mr. Williams for that board.

Councilman Trippe: Stated, I am okay with serving on that board.

Chairman Murdaugh: Stated, I will also serve on this board. So, it will be Councilman Taylor, Councilman Trippe, and myself.

Councilman Taylor: Stated, I would like to make my designee Mr. Romeo Edwards. This is a young man from the Green Pond area.

Chairman Murdaugh: Stated, I have not spoken to the person whom I would like to serve as my designee, but I will have that information before the next meeting. Councilman Trippe, you may do the same or serve.

C. Election of three members of Council to LCOG

Chairman Murdaugh: Stated, we also have the Lowcountry Council of Governments board with Dr. Flowers and Councilman Taylor serving. If you desire to stay on this board, that is okay, but we will have to have one other appointment to this board in Mr. Whetsell's place.

Councilman Biering: Stated, I will serve on this board.

Chairman Murdaugh; Stated, Councilman Biering has volunteered. Councilman Taylor, you are okay with staying on this board?

Councilman Taylor: Stated, yes, I am.

Chairman Murdaugh: Stated, that will be Councilman Taylor, Dr. Flowers, and Councilman Biering being a member on the LCOG board.

Approval of Minutes

A. Regular Meeting December 6, 2022— Dr. Flowers moved to approve the minutes of the Regular Meeting held on November 1, 2022. The motion was seconded by Councilman Trippe and the motion carried unanimously.

Awards and Recognitions

A. Government Finance Officers Association— Certificate of Achievement for Excellence in Financial Reporting

Mr. Carpenter: Stated, this is the seventh year in a row that we have received this award for the county. This award is for the 2021 report. The county effort goes from administration down to every department, and the county Treasurer. We appreciate the opportunity, and are glad that we are able to receive this award.

Chairman Murdaugh: Stated, we would like to thank you and all the other departments heads and administrator for all the work that they do. Mr. Griffin, do you have anything you would like to add?

Mr. Griffin: Stated, I would like to make sure that we recognize Mrs. Becky Hill, our Treasurer. She is on the front end of taking in the funds, and Mr. Carpenter makes sure it goes to all the right places.

Councilman Taylor: Stated, thank you all very much.

Dr. Flowers: Stated, I would like to thank you all for keeping things in order. This award is a great award. It shows that we are doing the right things with the tax money, and that is very important.

Appearances & Public Presentations

A. STOP Pedophiles Housing on Barracada Road

Ms. Langdale presented council with a presentation on Shield Ministries in the form of a binder.

***The information included in this binder is attached herein.

Mr. Kevin Lyles also spoke briefly on statistics and further information on Shield Ministries.

Ms. Megan Bishop shared her story and experience with mother, Melody Truluck, and step-father and abuser, David Truluck.

Ms. Sarah Lightner, licensed professional counselor in Charleston, spoke about her experience with Shield Ministries.

Chairman Murdaugh: Stated, that there is time later on the agenda for Councilmen to speak, as well as, public comment for the public to speak.

Administrator's Briefing

Mr. Griffin: Stated, I would like to ask that item "B" under "New Business" be remanded to Executive Session. I would like to give more details about that transaction prior to council taking any action. Otherwise, I would like to thank Coastal Electric Cooperative for their continued support toward the rural development fund. Each year they donate anywhere from \$100,000 to \$200,000 back to our economic development efforts. We see that effort paying off with the announcements from Kontrolmatik Technologies, over the last couple of weeks, of the battery operation plant. I would be glad to take any questions at this time.

Chairman Murdaugh: Stated, hearing no question, is there a motion to amend the agenda to move item "12. New Business, B. 1st Reading Ordinance 23-O-01" to executive session? Dr. Flowers made a motion to move item "12. New Business, B. 1st Reading Ordinance 23-O-01" to executive session. Councilman Biering seconded that motion and the motion carried unanimously.

Public Hearing

Dr. Flowers made a motion to move into Public Hearing. Councilman Biering seconded that motion and the motion carried unanimously.

A. **Community Development Block Grant Public Hearing Concerning Needs Assessment - Kimberly Mullinax**

***Please see attachment with detailed information.

Chairman Murdaugh: Stated, is there anyone present who would like to address this Community Development Block Grant? Hearing none, are there any council members who has any questions or suggestions currently.

Chairman Murdaugh: Stated, we spoke about not being able to have three projects open at one time. We can apply and submit for multiple applications, we just can't have an open grant, correct?

Ms. Mullinax: Stated, you are able to have three open grants and no more than that at one time, nothing can be more than thirty months old. The one we have open now is over thirty months old, so that will limit us until we can get that closed, but we are in the process of doing that now.

Chairman Murdaugh: Asked, is it considered open only once the grant is awarded?

Ms. Mullinax: Stated, once it is awarded.

Chairman Murdaugh: Stated, if we have ten applications submitted and none are awarded yet...inaudible...am I misinterpreting?

Ms. Mullinax: Stated, you could apply for that many...you would work us to death, but you can apply for that many. Generally, we try to keep it to one, maybe two, in a year.

Dr. Flowers: Stated, Gadsden Loop...when will that be closed? It has been going on for a long time.

Ms. Mullinax: Stated, yes it has been. It is in the process of being closed now. We've got a couple final things to do on the construction contract. All the work has been completed, and we are finishing up the paperwork. We are hoping to have it done in time for spring round. We are pushing as hard as we can.

Chairman Murdaugh: Stated, thank you.

No further comments were made. Dr. Flowers made a motion to close Public Hearing. Councilman Trippe seconded that motion and the motion carried unanimously.

New Business

- A. **1st Reading Ordinance 23-O-01, To Amend Title 14-Land Management, Section 14.08-2 Zoning District Regulations, of the Colleton County Code of Ordinances related to Residential Care Facilities. This issue shall be submitted to the planning commission on January 23, 2023 for a recommendation to Council. This ordinance will have a public hearing on March 7, 2023.**

Dr. Flowers moved to approve the 1st reading Ordinance 23-O-01, To Amend Title 14-Land Management, Section 14.08-2 Zoning District Regulations, of the Colleton County Code of Ordinances related to Residential Care Facilities. This issue shall be submitted to the planning commission on January 23, 2023 for a recommendation to Council. This ordinance will have a public hearing on March 7, 2023. The motion was seconded by Councilman Trippe.

Chairman Murdaugh: Stated, item "B" has been tabled until after executive session.

- B. 1st Reading Ordinance 23-O-02, By Title Only, To Provide for the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the

property identified by TMS No. 185-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto

***Moved to executive session.

C. **Resolution 23-R-01, To Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 During the Fiscal Year Ending June 30, 2023 and Other Matters Related Thereto**

Dr. Flowers moved to approve Resolution 23-R-01, Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 during the Fiscal Year Ending June 30, 2023 and Other Matters Related Thereto. The motion was seconded by Councilman Biering.

The motion carried unanimously.

D. **Resolution 23-R-02, To Approve Acceptance of a Grant from Coastal Electric Cooperative, Inc. in the amount of \$139,000 for Industrial Infrastructure Development**

Dr. Flowers moved to approve Resolution 23-R-02, To Approve Acceptance of a Grant from Coastal Electric Cooperative, Inc. in the amount of \$139,000 for Industrial Infrastructure Development. The motion was seconded by Councilman Taylor. The motion carried unanimously.

E. **Resolution 23-R-03, To Declare February as Black History Month in Colleton County**
Dr. Flowers moved to approve Resolution 23-R-03, To Declare February as Black History Month in Colleton County. The motion was seconded by Councilman Taylor. The motion carried unanimously.

F. **Resolution 23-R-04, To Advertise Board Vacancies**

Dr. Flowers moved to approve Resolution 23-R-04, To Advertise Board Vacancies. The motion was seconded by Councilman Trippe. The motion carried unanimously.

G. **Resolution 23-R-05, To Appoint Members to Board Vacancies**

Dr. Flowers moved to approve Resolution 23-R-05, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Biering. The motion carried unanimously.

The following appointments were made by acclimation: Paul Mears – Colleton County Board of Disabilities and Special Needs.

Public Comment

Felicia Johnson: Stated, I am not here tonight to speak about the club. This has been on my mind for years now. We need a traffic light at the four way stop where Rivers meets Robertson Blvd. People have been killed right there on my street. My street is not a street anymore, it is a highway. There are races in front of my house.... policemen are having to come out. I almost got hit, and I did get hit in the past. We need street lights also going up Rivers Street. Mr. Taylor, he should know how it is where I live at. Near where I live is a cemetery, and it is pure black. Standing by the stop sign leaving my house is very dangerous. I have to stand way over, because I am afraid that I am going to get hit. A man got killed right there.... hit and run. The person kept right on going. We truly need a traffic light to these 4 ways at Rivers and Robertson Boulevard, and we need a street light. My son will tell you, after you pass the cemetery, it is pure darkness. I got hit in the past, and I was on the right side of the road and he came over to me and hit me. Please take this in consideration and get us a light and a street light. It is very dangerous right there, and I walk and ride my bike. Thank you for your time.

Ashley Pennington: Stated, I came here principally to listen tonight. One thing that is abundantly clear is that everyone here is against crime, sex offenses, and sin. I am the former chief public defender for Berkeley and Charleston County. I worked in criminal justice for the last 42 years until I retired. I am now in private practice. For the last 20 years, I have been a volunteer on Friday evening, without compensation, to provide spiritual mentoring to the men that are in the Shield Ministries program in North Charleston. So, I have a fair amount of knowledge about it. I would urge this council that if it is going to consider taking any action, that it explore what this program is and is not. It is not on the agenda tonight and obviously there is not time to address the many questions. I will say it is perfectly understandable for the community to ask good and hard questions about any kind of rehabilitating program. Everyone always feels the not in my back yard reaction when you hear about things, particularly off-putting things involving people that you do not have any history with. I will say that you can rest assured that this is not a program that relies on government grants. It will not be a tax burden to the community. It does rely on men who have to go through an exhaustive vetting process before they are accepting. The question is, is this a program that is responsible? You will hear from their board chair in just a moment. The men themselves are randomly drug tested and have their phone monitored. They have curfews and they are required to go to active counseling. The professional counselors require polygraph testing. South Carolina has never embraced the surge of sexual offenses by having these types of programs run by the state. Fortunately, in my opinion, Mr. Truluck, who is a sex offender, recognized that this is a persistent unmet need. What he did was through his faith and working with Dr. Burke, an expert in addressing sex offenses in South Carolina, they have developed a comprehensive, rigorous, and very demanding program. There is one other question that is obviously on everyone's mind. Does everybody succeed? The answer is no. From what I understand from the board, and Mr. Jordan can address this, is that people will be escorted off the property and transported back to Charleston to go to where ever they would need to go, but they would not be released to the community here. I would encourage you to contact me and in a public forum provide specific information. Thank you.

Mr. Jordan: Stated, I have been involved in Shield Ministries for about five years. Like many in this room, I was hesitant. I am a volunteer; I do not get paid anything. I believe in the program and what they are doing. I have heard the story of Megan, and I do not support sex abuse of children, adults, or anyone. That is not what this program is about. This is not a half way house, and they don't have a lot of freedom there. I have seen that they have a zero-recidivism rate for those that stay in the program for the 18 months. That is the program that has been around a while. They work diligently to take these people off the street. Those who are seeking help, they are very With them. I have seen it with David and Melody. The things that happened that he did was over 20 years ago. He not only went through the three years of court mandated counseling, but he went for an additional two. He continues and provides a high level of accountability. I wouldn't be associated with any kind of program that was a jeopardy to any community. When you look around within three miles of the property, there is fifty-one registered sex offenders in that area. I would rather have people who are going to be in a program, curfewed, polygraphed on a regular basis, and help to a higher accountability level. This is a community that we would want to protect and be a good citizen for. Some of the facts that are stated here are not exactly true. We want to be a good citizen for the community and we feel like we can be an asset to the community.

JoAnn Goodhope: Stated, I was notified of the Barracada half-way house on December 31st at 10 PM. By January 1st, I had a petition. I would like to submit to you 1500 signatures, and they are steady coming in. (Inaudible...audience clapping). I was not blessed with children of my own, but I have agreed to all of these woman and men that have children in your community that I will give my life up to protect their children. I have had woman call and beg me for something for their children to do, because it is about the children. This is your community and their parents speaking out loud to you. Do not allow this in your community, if you do, none of you will be reelected. (Inaudible...audience clapping). Do you have any questions from me? Who can I reach out to with the next 500 signature because we are not stopping?

Chairman Murdaugh: Stated, you may give them to the Clerk to Council.

JoAnn Goodhope: Stated, I would like to give a personal thank you to Miranda Yocum, Cathy Grim, and Catherine Hiers. They beat that street to death.

No further comments made.

Council Time

Chairman Murdaugh: Stated, I know the public is aware now of the passing of Mr. Whetsell this past week. Mr. Whetsell in this very chamber told me the last time he was here that his goal was to make it to the end of his term. Well, he made it by one day. He will definitely be missed. Anyone that was present at his funeral heard his legacy of his community service, being a father, a husband, and a grandfather. He served on county council for 22 years and I served all 22 years with him. Councilman Whetsell impacted a lot of lives in this community and he will always be remembered for that. He always said that he talked so much when he was around us because when he was with

Mrs. Kathie he couldn't get a word in edgewise. Somehow, I don't quite believe that. (Audience laughed). Some things I do remember specifically about Mr. Whetsell, and I don't know if any of you have ever had the opportunity to look inside his vehicle, but the first time I road with him I told Gene that if he ever got in an accident I was afraid we would never find him. (Audience laughed). The biggest thing I remember about Gene is that when you had a conversation with him you always felt better after the conversation. There are only a few people in your lives that had that kind of impact on you. He will be remembered for many years to come on this council.

Dr. Flowers: Stated, I echo what you just said. He was a great dear friend of mine. I treated him for many years. He was a fine man and we will sure miss him. I miss him already. Certainly, his legacy will live on and on for a long time with his care for the community and his helping to get fire rescue where it is today. (Inaudible) While I am talking, thank you all for coming tonight. This is the way government is supposed to work by listening to the people in the community. I assure you that this council will listen.

Councilman Trippe: Stated, I ran Gene Whetsell's seat. He was such a good friend and a great person. I tried to talk to him every couple of days, and to Mrs. Kathie when he got too sick. I also wanted to say that we are listening to the community.

Councilman Biering: Stated, I wanted to echo that as well. Sitting in the council chambers where Mr. Gene Whetsell set, there is a heavy burden and shoes that can't be filled. We will be listening to the community, we have been listening, I will be serving the community in the best capacity that I can, and thank you for coming here tonight.

Councilman Taylor: Stated, I certainly echo those fine comments concerning the late Councilman Gene Whetsell. I want to show the community that we hear the voices within the community. We do not have blank checks to do everything that everybody wants, we have to work through things. Matter of fact Jerry Bright and I grew up together and rode the bus together. So, I am very familiar with River St. and Robertson Blvd. In fact that is why I made the investment in lights at our church, and we pay the bill for those lights there. I want to show the community that we do take an interest in the things that we hear. There are times that we can get grant funds to get things done. We hear your concerns and we hear your cries. I am available to listen and to work through those projects. Those things that we are able to do, we will do. I want you all to know that you have a hard working council. They work more than at this meeting. They work at many other places and at various times and on many different things. We have a good council and I look forward to working with the new members of council. I have enjoyed working the last twelve years with the council (Audience applauding).

Chairman Murdaugh: Stated, that I did not address this specific issue and I just wanted to say to the public like Ms. Goodhope I found out about this on January 1st. This council has not received any applications that I am aware of pertaining to this project. I will say that I have some grave concerns. I understand that the gentleman said that they have to leave the premises and go have treatment, but what about when you return? I have some concerns about treatment ethnicity and clinical competence along with a bunch of issues that could create problems. Not to mention the main concern that most of you have, the boundary maintenance. How do you maintain the boundary of the property? Council has heard your message and I know that the request was made,

and I want to speak specifically to the request, that council adopt a resolution. I do not want you all to leave here thinking we are not responding to that. I do not think that it is appropriate for council to adopt a resolution to take an opinion one way or another against any organization. We haven't received an application or a permit application related to this specific project. That being said, I think we all have grave concerns and when the time comes I think council has heard the message (audience applauded).

Executive Session

Dr. Flowers moved to go into executive session to discuss the following: Personnel – Sheriff's Office and proposed Ordinance 23-O-02, by title only. Councilman Taylor seconded the motion. The motion carried unanimously.

Councilman Taylor moved to exit executive session. Dr. Flowers seconded the motion, which carried unanimously.

Councilman Murdaugh stated, during executive session we discussed Personnel – Sheriff's Office and proposed Ordinance 23-O-02, by title only.

Dr. Flowers moved to approve 1st Reading Ordinance 23-O-02, By Title Only, To Provide for the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 185-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto. The motion was seconded by Councilman Biering.

Adjournment

Dr. Flowers moved to adjourn the meeting, Councilman Taylor seconded the motion, which carried unanimously.

This 7th day of February, 2023.

Steven D. Murdaugh, Chairman

ATTEST:

Kaela Brinson, Clerk to Council



Proclaiming March 20, 2023 as “Chief Barry McRoy Day” in Colleton County

WHEREAS, Chief Barry McRoy, is the oldest son of Bill and June McRoy of the Walterboro and Edisto communities, and founders of BMK, Inc. He is an active member of Bethel Presbyterian Church, where he serves as head usher each Sunday and photographer for all things great and small; and

WHEREAS, Chief Barry McRoy is a classic example of a “hero.” He is a “Hometown Hero” by virtue of his relentless commitment to the citizens of his hometown. His selfless dedication to his profession, department, city, county, and humanity saves lives each and every day. The people of Colleton County and the countless passers-through are direct recipients of Chief McRoy’s hard work, innovations, altruistic dedication; and

WHEREAS, Chief Barry McRoy, began his Fire Service Career as a teenager in 1977 in Savannah, Georgia as a volunteer with the Chatham County Fire Department. Later he moved to Atlanta to expand his education and experience in his chosen profession with the Dr. Kalb Fire-Rescue, obtaining the rank of Lieutenant; and

WHEREAS, He joined his family in Walterboro in 1991 as an active volunteer with the Colleton Rural Fire Department, while supporting the family business, BMK distributors; and

WHEREAS, In his early days he constructed the County’s first map book-road atlas for fire departments, law enforcement, and EMS using rulers and legend cut-outs without the use of computers or electronic media; and

WHEREAS, As the Fire-Rescue Department grew over time, it was due in large measure to Barry’s experience and knowledge that shepherded in innovations such as Enhanced 911 service, central dispatch, etc. In 1999, he was named the full-time director of Colleton County Fire-Rescue; and

WHEREAS, several new fire stations were constructed enabling many citizens to obtain ISO Class 10 insurance, lowering the rates significantly. A fleet management program was initiated, a hazardous materials response team was established, a logistics program for standardization of equipment was implemented, and Fire-Rescue relocated to Mable T. Willis Blvd; and

WHEREAS, In 2004, Chief McRoy, also a Paramedic, assumed the responsibility for Emergency Medical Services and immediately began implementing improvements, such as cross training all personnel in Fire-Rescue and EMS, introduced 12/15 lead ECG and CPAP, and a set of standing orders that would lead the way to competent patient care in the prehospital setting; and

WHEREAS, In 2018, Chief McRoy guided the Fire-Rescue Department in assuming the Emergency Management responsibilities for Colleton County, including all its municipalities, to ensure that the county’s resources were best poised to prepare for, respond to, and recover from emergencies and disasters that affect all Colleton County citizens.

WHEREAS, In 2019, under the direction of Chief McRoy, a prehospital whole blood administration program was conceived, approved, and implemented. This was one of only four such programs authorized in the USA at the time. This is lifesaving benefit for certain trauma victims; and

WHEREAS, In 2021, the South Carolina Municipal Association recognized CCFR for its Whole Blood Administration Pilot Program; and

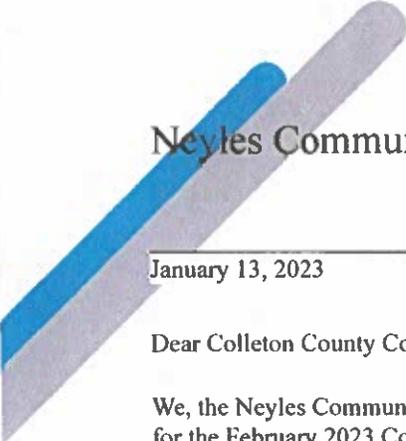
WHEREAS, In 2022, Colleton County was named a “Fire Safe Community” by the State Fire Marshall’s Office for the CCFR Risk Reduction Plan for 2023. Also, CCFR was awarded the South Carolina EMS Large System of the Year for 2023; and

THEREFORE, County Council hereby proclaims March 20, 2023 as “Chief McRoy Day” in Colleton County.

Adopted this 7th day of February, 2023.

ATTEST: _____
Kaela Brinson, Clerk to Council

BY: _____
Steve D. Murdaugh, Chairman



Neyles Community Center

PO Box 724
Walterboro, SC 29488
communitycenterneyles@gmail.com

January 13, 2023

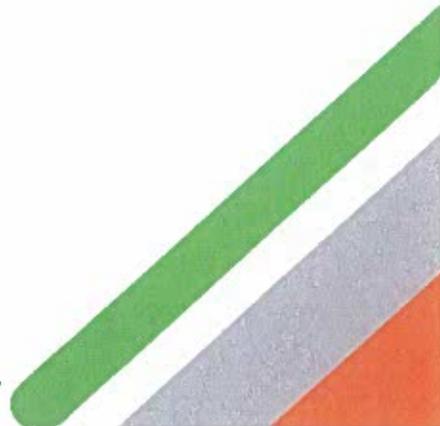
Dear Colleton County Council ,

We, the Neyles Community Center Board and citizens are requesting to be added to the agenda for the February 2023 County Council meeting.

Sincerely,

Mark Pinckney 
Neyles Community Center Board Chairman
843-635-2544

Juliette Williams 
Neyles Community Center Vice Chair
843



Sponsor(s) : County Council
First Reading : January 10, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : February 7, 2023
Public Hearing : March 14, 2023
Third Reading : March 14, 2023
Effective Date : Immediately

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

ORDINANCE NO. 23-O-01

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 14.08-4 Landscaping, Buffering and Environmental Protection, of the Colleton County Code of Ordinances.]

WHEREAS:

1. Due to increased development activity throughout Colleton County, staff reviewed the use of Building Materials and supply as currently this use is only allowed in the RD-1 district, which is intended to be one of the most rural and protected residential districts. Staff believes this support use should be allowed in locations closer to development patterns, and has proposed that the Rural Development-2, Urban Development-1 and Light Industrial Zoning Districts be amended to allow for Building Material and Supply as a conditional use; and
2. County Council requested the review of Health Care Services, Boarding and Rooming Houses, and Residential Care Facilities under special exception. This request is designed to allow for additional oversight and public comment to these types of uses to allow for a more harmonious balance with existing neighborhoods and development patterns within this district; and
3. Due to increased large scale development opportunities, the current landscaping standards (Section 14.08-4.020(A)(1) and Section 14.08-4.020(A)(2)(h)) are not expressly defined to address these types of projects, and that special considerations should be addressed for these types of developments as the property size in question are typically significantly larger than the other zoning districts defined in the code; and
4. After review of the above issues, amendments to Title 14-Land Management of the Colleton County Code of Ordinances, Article 14.08-2 – Zoning District Regulations and Article 14.08-4 – Landscaping, Buffering and Environmental Protection were unanimously approved by the Planning Commission; and
5. There has been an increase in activity in regards to solar farm projects. Staff has requested that the code changes related to solar farm projects be reviewed by the Planning Commission at their February Meeting.

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:

Amend 14.08-2.060 Rural Development-2. Insert Building Materials and Supply as a conditional use under Section 14.08-2.060(B)(2).

Amend 14.08-2.100 Urban Development-1. Insert Building Materials and Supply as a conditional use under Section 14.08-2.100(B)(2).

Amend 14.08-2.130. Light Industrial. Insert Building Materials and Supply as a conditional use under Section 14.08-2.130(B)(2).

Amend 14.04-6.040 Definitions to include: *Building Materials and Supply:* A facility used for the storage, distribution, and sale of building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are stored and sold. Lumberyards may also process lumber by performing millwork, planing, cutting, and other customizing processes. Lumberyards may provide for the sale of associated products including tools and fasteners.

Amend 14.08-2.100. Urban Development-1. Move Health Care Services from a permitted use under Section 14.08-2.100(B)(1) to special exception use under section 14.08-2.100(B)(3).

Amend 14.08-2.100. Urban Development-1. Move Boarding and Rooming Houses from a conditional use under Section 14.08-2.100(B)(2) to special exception use under section 14.08-2.100(B)(3).

Amend 14.08-2.100. Urban Development-1. Move Residential Care Facilities from a Conditional use under Section 14.08-2.100(B)(2) to special exception use under section 14.08-2.100(B)(3).

2. Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Article 14.08-2 Zoning District Regulations, Section 14.08-2.150(C) Solar Farm Floating Zone (ZFFZ) is hereby amended as follows:

C. Solar Farm Floating Zone (ZFFZ)

1. *Purpose:* The intent of the Solar Farm Floating Zone (SFFZ) is to promote the use of solar energy as a source of electricity and facilitate the construction, installation, and operation of Solar Energy Systems (SES) in Colleton County in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands. The SFFZ adds an extra layer of land use regulation over the underlying zoning which adds safeguards to ensure

the proper development of facilities that generate electricity by means of solar power. This ordinance is not intended to supersede regulations from local, state, or federal agencies. Some important examples of such regulations include, but are not limited to: International Building Code, International Fire Code, National Electric Code, South Carolina Department of Health and Environmental Control, and Colleton County Flood Damage Prevention Ordinance.

2. *Applicability:* A Solar Farm Floating Zone requires a zoning map amendment and requires a recommendation from the Planning Commission to County Council in accordance with 14.08-10 of the Colleton County Zoning Ordinance.
 - a. The Solar Farm Floating Zone (SFFZ) may be utilized in any zoning district except for the Resource Conservation District, provided:
 - b. The solar farm consists of a minimum of five (5) acres;
 - c. Any portion of the solar farm property boundary is within two (2) miles of an existing electrical transmission line; and
 - d. A conceptual plan which illustrates that the solar farm can meet the design and development standards set forth in Article 14.08-2.150(C)
 - e. Colleton County Council may require, at its sole discretion, a development agreement between the County and developers for properties developed as a SFFZ as a prerequisite to Development Plan Approval.

Unless a deviation from such restrictions are provided elsewhere in this Article 14.08-2.150, property within the SFFZ shall be required to adhere to all provisions of the Colleton County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district, including all subdivision plats and development plan applications.

3. *Development Standards:*
 - a. Unless otherwise addressed through private land covenants and agreements with adjacent property owners setting specific standards for setbacks, buffers, and fencing/landscaping requirements which are approved by Colleton County Council and recorded in the Colleton County Register of Deeds Office, the establishment and operation of a solar farm shall comply with the following design and development standards:
4. *Bufferyard:*

Bufferyard Requirements	
	Existing Use of Adjacent Properties

Proposed Use	Agricultural	Single Family Dwelling	All Other Residential Uses	Office / Institutional	Commercial / Non Effluent Industry	Effluent Producing Industry	Street
Solar Farm	50'	*200'	*200'	50'	25'	25'	*100'

* Single Family Dwelling and All Other Residential Use buffers may, at the Council's discretion, be increased, or reduced with an approved berm and or landscaping and screening plan, which will screen the solar farm equipment from being seen from the exterior of the property.

*Street buffer may, at the Council's discretion, be reduced to 50' with an approved berm and or landscaping and screening plan, which will screen the solar farm equipment from being seen from the exterior of the property; see also §14.08-2.150(c)(9)(i).

This buffer is separate and distinct from the buffering requirements of Colleton County Zoning Ordinance, Article 14.08-4 and shall be measured from the property line. Only the following activities shall be permitted within the landscaped buffer:

- a. Vehicular access drives which tie into approved access points as determined by SCDOT and/or Colleton County
- b. Landscaping and landscaping fixtures
- c. Lighting
- d. Fencing
- e. Signage
- f. Underground utility lines
- g. Overhead utility lines
- h. Drainage or stormwater detention or retention areas

5. *Landscaping and Screening Requirements:*

- a. In addition to buffering, screening shall be required by providing landscape within the buffer which achieves a minimum height of ten feet (10') within three (3) years. The intent is to provide sufficient screening, through a combination of buffers, fencing, landscaping, and/or landscaped berms to obscure the solar equipment from exterior view from adjoining property owners and public right of ways.

- b. A visually opaque screen shall be provided for any adjacent property that is zoned Residential, has an existing residential use, and/or is zoned Rural Development and has been subdivided to 5 acres or less (these are protected properties). An opaque screen is intended to exclude a visual contact with the solar equipment from any protected property, public street or public right of way. An opaque screen may be composed of a wall, fence, building, landscaping, landscaped berm, or combination thereof. Natural areas as detailed below may also be used to meet screening requirements.
- c. Natural areas: An existing vegetated area located on the same property as the solar farm; is within or includes the required buffer; and is of sufficient height, length, and depth and contains adequate and sufficient healthy vegetation to provide a visually opaque screen where required. The Director may determine that further screening improvements shall not be required.

6. *Setbacks:*

- a. The setbacks for solar equipment associated with the solar energy system shall be 25' larger than the applicable bufferyard to allow for an access road around the perimeter of the property.

7. *Fencing:*

- a. A security fence shall be required at least six feet (6') in height to secure the solar equipment unless a taller fence is needed in order to obscure the solar equipment from exterior view (see also §14.08-2.150(5)); the fence can be on top of the berm in order to achieve this goal. A chain link fence shall not be allowed unless it is screened from exterior view from adjoining property owners and public right of ways; screening may include plantings to create a "living fence", or to obscure the view of the fence. Breaks in fencing may be allowed or required by Council to facilitate wildlife needs where natural features provide appropriate barriers to access by humans for security and safety purposes.

8. *Height:*

- a. The Solar Energy System shall not exceed ten feet (10') in height, as measured from the ground to the foremost/tip end of the solar collector, provided there is a demonstration that the screening prevents the system from being visible from the exterior of the property. Ancillary non solar collector structures, such as inverters, transformers, etc., may be taller than ten feet (10') in height, provided that such are not visible from the exterior of the property.

9. *General Requirements:*

- a. Solar collectors shall be designed with anti-reflective coating to minimize glare. Mirrors are prohibited.
- b. On-site electrical interconnections and powerlines shall be installed underground to the extent feasible. Existing above ground utility lines shall be allowed to remain in their current location.

- c. A warning sign concerning voltage must be placed at the main gate that states the address of the site, the name of the solar farm operator, and a local phone number for the solar farm operator in the case of an emergency.
- d. Access to the site must be controlled by a six foot (6') wooden fence or gate if the fencing is visible from the exterior of the property. If the fencing/gate is within the interior 25% of the buffer, or is not visible from the exterior of the property, chain link gate and fencing may be used.
- e. Entrance roadway should include a dog leg or meander to obscure vision from the roadway.
- f. If lighting is provided at site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.
- g. Adequate provisions to reduce average/constant noise levels at the property boundary not to exceed 50dBA at the property line, except during construction.
- h. A solar collection device or combination of devices are to be designed and located to avoid directing glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.
- i. Planning Commission may include special conditions in their recommendation to County Council to implement the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare set forth in Article 1 of the Colleton County Zoning Ordinance. County Council may accept, modify, reject, or add additional conditions at its sole discretion.

10. Site Restoration/Stabilization:

- a. Unless otherwise agreed by County Council in its concept plan or development agreement approval process, the applicant shall submit a ten percent (10%) Site Restoration/Stabilization Guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County prior to issuance of the Development Permit. The Site Restoration/Stabilization Guarantee shall insure satisfactory grading, seeding, and stabilization of the site in case of default by the applicant and/or if the applicant does not install the required site improvements in a timely fashion as determined by the Director, including the costs of landscaping, screening, and or fencing for the site or such portion thereof being permitted. The Developer shall provide the County with an itemized engineer's estimate of the approved site improvements in conformity with Article 1.8 of the Colleton County Land Development Regulations for approval and calculation of the bond amount. The Site Restoration Guarantee may be refunded upon issuance of a Certificate of Project Close-Out for the site stabilization and improvements.

11. Decommissioning:

- a. Unless otherwise agreed by County Council in its concept plan or development agreement approval process, the applicant must provide a decommissioning

plan signed by the party responsible for decommissioning and the landowner (if different) that describes the anticipated life of the solar farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated timeline and manner in which the solar farm project will be decommissioned and the site restored to its condition prior to the development of the solar farm or such other conditions approved in the concept plan or required in a development agreement. If the property has been timbered within two (2) years of re-zoning to the SFFZ, original condition means replanted with timber. Decommissioning will be required following a continuous period of twelve (12) months in which no electricity is generated by the facility other than for mechanical, repair, replacement and/or maintenance purposes.

- i. The permit holder will have twelve (12) months to complete decommissioning of the solar farm. Decommissioning shall include removal of solar panels, foundations, structures, cabling, electrical components, conduit, and any other associated facilities as described in the decommissioning plan.
- ii. Prior to issuance of Development Permit, the applicant must provide the County with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County in the amount of 125% of the estimated decommission cost minus the salvageable value, or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.
- iii. Every five (5) years a new engineer's estimate of probable cost of decommissioning shall be submitted for approval in the same manner as the initial submission, and the bond, letter of credit, or other financial security acceptable to the county shall be adjusted upward or downward as necessary.
- iv. Proof that the decommissioning plan has been recorded with the Colleton County Register of Deeds.

3. Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Article 14.08-4 Landscaping, Buffering and Environmental Protection is hereby amended as follows:

Amend 14.08-4.020(A)(1) Landscape, Buffering, and Environmental Protection. Remove LID and ID reference. Insert Properties located in the LID and ID district shall only comply to type A landscaping requirements for any portion of the property that is adjacent to properties zoned RS, CC, VC, UD-1, UD-2

Amend 14.08-4.020(A)(2)(h) Landscape, Buffering, and Environmental Protection. Remove LID and ID reference. Insert Properties located in the LID and ID district

shall only comply to type A landscaping requirements for any portion of the property that is adjacent to properties zoned RS, CC, VC, UD-1, UD-2.

4. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
5. 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.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
First Reading : January 10, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : February 7, 2023
Public Hearing : March 14, 2023
Third Reading : March 14, 2023
Effective Date : Immediately

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

ORDINANCE NO. 23-O-02

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Provide for the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto.]

WHEREAS:

1. The County owns a remnant of the old right-of-way along Cooks Hill Road that is a portion of the property identified by TMS No. 195-00-00-181.000; and
2. Mr. Jason McMillan is purchasing the adjoining property, but there is no legal access from the sale area parcel to Cooks Hill Road due to the fact that the County owns a remnant of the old right-of-way along Cooks Hill Road; and
3. The Council deems it to be in the best interest of the County to provide for the transfer of a portion of the real property located on Cooks Hill Road, identified by T.M.S. No. 195-00-00-181.000 and containing 0.59 acres +/- to Jason McMillan.

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

1. The County of Colleton hereby authorizes the conveyance to Jason McMillan the property more fully described in attached Exhibit A for a consideration of One Thousand and No/100 Dollars (\$1,000.00) 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:

Kaela Brinson, 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 : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : March 14, 2023
Public Hearing : April 4, 2023
Third Reading : April 4, 2023
Effective Date : Immediately

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

ORDINANCE NO. 23-O-03

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$40,355,000
GENERAL OBLIGATION CAPITAL PROJECT SALES TAX BONDS OF COLLETON
COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE
PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF;
AND OTHER MATTERS RELATING THERETO.]**

Sponsor(s) : County Council
First Reading : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : March 14, 2023
Public Hearing : April 4, 2023
Third Reading : April 4, 2023
Effective Date : Immediately

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

ORDINANCE NO. 23-O-04

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance Authorizing Colleton County to Join with the Walterboro – Colleton County Airport Commission and the City of Walterboro in Conveying 26.5 Acres of a Portion of Real Property Identified by T.M.S. No. 132-00-00-018 to Fuller Properties, LLC.]

Sponsor(s)	: County Council	
First Reading	: February 7, 2023	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	: March 14, 2023	
Public Hearing	: April 4, 2023	
Third Reading	: April 4, 2023	
Effective Date	: Immediately	

ORDINANCE NO. 23-O-05

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of a 20 Acre Parcel Located at 2824 Jefferies Highway, Identified as T.M.S. No. 147-00-00-008, from Urban Development – 1 (UD-1) to Urban Development – 2 (UD-2).]

WHEREAS:

1. County Council pursuant to Title 6, Chapter 29, Code of Laws of South Carolina, 1976 as amended, has the legal authority to periodically amend the Official Colleton County Zoning Ordinance and Maps; and
2. The Colleton County Zoning Ordinance authorizes County Council to amend the official Zoning Maps for Colleton County; and
3. The owner of the property located at 2824 Jefferies Highway and identified as T.M.S. No. 147-00-00-008 has requested that the property be rezoned from Urban Development-1 (UD-1) to Urban Development-2 (UD-2) to allow for the potential of a Manufactured Home Dealer; and
4. The Planning Commission at their Monday, January 23, 2023 meeting, voted unanimously to recommend that Council approve the request for the rezoning of T.M.S. No. 147-00-00-008, located at 2824 Jefferies Highway from Rural Development – 1 (RD-1) to Rural Development (RD-2); however the use will still have to be approved by the Zoning Board of Appeals.

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

1. The 20 acre tract, located at 2824 Jefferies Highway, identified as T.M.S. No. 147-00-00-008, is hereby rezoned from Urban Development – 1 (UD-1) to Urban Development - 2 (UD-2) on the official Zoning Maps for Colleton County.
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:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
First Reading : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : March 14, 2023
Public Hearing : April 4, 2023
Third Reading : April 4, 2023
Effective Date : Immediately

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

ORDINANCE NO. 23-O-06

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 – 2021 Edition (IBC 2021), including Chapter 1;
International Fire Code – 2021 Edition (IFC 2021);
International Fuel Gas Code – 2021 Edition (IFGC 2021);
International Mechanical Code – 2021 Edition (IMC 2021);
International Plumbing Code – 2021 Edition (IPC 2021);
International Residential Code – 2021 Edition (IRC 2021);
International Swimming Pool & Spa Code – 2021 Edition; and
NFPA 70 – National Electric Code 2020
2017 Accessible and Usable Buildings and Facilities ICC A117.1 – 2017 Edition
(These Codes include South Carolina amendments and Modifications enacted at the state level.)

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.

ATTEST:

Kaela Brinson, Council Clerk

SIGNED:

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-06

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Officially Name the Colleton County Fire-Rescue Station 19, Located at 1118 Thunderbolt Drive the “W. Gene Whetsell Fire Station.”]

WHEREAS:

1. Fire-Rescue Station 19 is a County-owned facility located at 1118 Thunderbolt Drive, and it has not currently been named or dedicated to any individual; and
2. County Councilman W. Gene Whetsell spent a life time as a dedicated public servant, who served for a decade as Vice Chairman of the Colleton County Fire-Rescue Commission, followed by 20 years on County Council; and
3. Mr. Whetsell recently passed away after serving the citizens of Colleton County in many roles for over five decades; and
4. Due to his many positive contributions to Colleton County, its citizens and the Fire-Rescue operations, the Fire-Rescue Commission has requested that Station 19 should be named in honor of W. Gene Whetsell.

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

1. The Colleton County Council hereby endorses the Fire-Rescue Commission’s recommendation that the Fire-Rescue Station 19 located at 1118 Thunderbolt Drive be named to honor W. Gene Whetsell.
2. Fire-Rescue Station 19 located at 1118 Thunderbolt Drive is hereby named “W. Gene Whetsell Fire Station.”

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-07

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO DECLARE THE RESULTS OF A REFERENDUM HELD ON NOVEMBER 8, 2022, IN COLLETON COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT, PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, A ONE PERCENT (1%) SALES AND USE TAX (THE "TAX") SHOULD BE IMPOSED WITHIN COLLETON COUNTY FOR NOT MORE THAN SEVEN (7) YEARS, THE PROCEEDS OF WHICH WOULD BE EXPENDED FOR THE PURPOSE OF THE COSTS OF CERTAIN CAPITAL PROJECTS WITHIN COLLETON COUNTY AS SET FORTH IN THE CAPITAL PROJECT SALES TAX REFERENDUM (THE "REFERENDUM PROJECTS") PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT.]

WHEREAS, the Colleton County Council has received a certification of the Board of Elections and Voter Registration for Colleton County certifying that a Referendum was conducted on November 8, 2022 (the "Referendum"), in Colleton County, South Carolina, as described in the attached Exhibit A; and

WHEREAS, the Colleton County Council has reviewed the proceeding and actions taken by the Board of Elections and Voter Registration of Colleton County in order to declare the results of the Referendum;

NOW, THEREFORE, BE IT RESOLVED by the Colleton County Council in meeting duly assembled:

Section 1. As an incident to the adoption of this Resolution, the Council find that the facts set forth in the recitals hereof, as the preamble hereto, and the statements therein made, are true and correct.

Section 2. The Referendum resulted favorably on the question presented by a vote of 5,958 in favor of the question and 5,859 votes in opposition to the question. Council accordingly hereby declares that the Referendum resulted favorably on the question presented.

Section 3. Governing Law. This Resolution shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption by the County Council.

DONE IN MEETING DULY ASSEMBLED this 7TH day of February, A.D. 2023.

(SEAL)

COLLETON COUNTY, SOUTH CAROLINA

Steven D. Murdaugh, Council Chairman

Kaela Brinson, Council Clerk

COUNCIL VOTE: UNANIMOUS
OPPOSED:

EXHIBIT A

STATE OF SOUTH CAROLINA
COLLETON COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
GENERAL ELECTION RECOUNT

ELECTION DATE: NOVEMBER 8, 2022

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Queen L. Crawford _____

Patricia A. Grant _____

Dorinda Williams _____

Certification Date: 11-11-2022

Election Results Report
Statewide General Election
November 8, 2022

OFFICIAL RESULT

Colleton County, S

Capital Project Sales Tax Referendum

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	Absentee Mail	Failsafe	Provisional	Failsafe Provisional
Yes, In Favor of the Question	5,958	50.42%	3,848	1,950	160	0	0	0
No, Opposed to the Question	5,859	49.58%	3,914	1,750	194	0	0	1
Total Votes Cast	11,817	100.00%	7,762	3,700	354	0	0	1

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Declare Colleton County’s Support for Four Holes Indian Organization’s Application for the Social and Economic Development Strategies Grant from the Administration for Native Americans.]

WHEREAS:

1. The Edisto Natchez-Kusso Tribe has been recognized by the State of South Carolina since 1984, and the members have been living in this community along the Edisto River since before the Europeans settled here; and
2. The Edisto Natchez-Kusso Tribe Cultural Advancement Program will ensure that tribal members will be strongly connected to their culture, fostering cohesion and wellbeing; and
3. The grant application seeks to better serve the community by increasing tribal capacity to develop and administer historical, cultural, and wellbeing programming; and
4. Colleton County Council applauds and supports the Four Holes Indian Organization’s grant application for the Social and Economic Development Strategies Grant from the Administration for Native Americans.

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

The Colleton County Council hereby endorses the application of this grant and knows that the Edisto Natchez-Kusso Tribe and the greater community will all benefit from expanded capacity. We appreciate all your tribal members offer to our greater population.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Establish Priorities for the 2023 Annual CDBG County Needs Assessment.]

WHEREAS:

1. County Council is required to set priorities for the County in the annual CBDG needs assessment; and
2. A Public Hearing was held at the Regular Meeting on January 10, 2023; and
3. Eight areas have been identified as County priorities.

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

1. Colleton County Council hereby identifies the following areas as priorities for the 2023 CDBG Needs Assessment:
 - a) **Public Facilities and Infrastructure** - landfill recycling, boat landing upgrades, Walterboro and rural water and sewer implementation/upgrades and infrastructure, demolition in blighted areas, technology research and/or infrastructure, library technology upgrades, technology center expansion/upgrades, and educational classroom technology
 - b) **Economic Development** – development of speculative buildings, infrastructure, rail access, yards and spurs, roads, water, sewer and airport improvements
 - c) **Tourism and Marketing** – beautification and litter control, billboard and other signage, video advertising.
 - d) **Housing** – affordable housing.
 - e) **Public Safety** – fire substations, fire training facilities, sheriff substations, and coronavirus preparedness, response and recovery
 - f) **Roads/Bridges/Drainage** – road drainage improvements, dirt road improvements, culvert repairs
 - g) **Recreation** – pedestrian/bike trails, and boat ramp improvements, parks
 - h) **Transportation** – I-95 corridor, intersection improvements, exit 62/McLeod Road, street improvements sidewalks
2. Colleton County Council has chosen to focus on the following planned actions. It is anticipated that CDBG funds will be sought for the following activities:

- a) Public Infrastructure
- b) Economic Development
- c) Community Facilities/Enrichment.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for the Harrelson Building New Entrance and Improvements Project.]

WHEREAS:

1. The County advertised a Request for Bids, CC-37, for the new entrance and improvements of the Harrelson Building, which is a Capital Projects Sales Tax project; and
2. Two bids were received; and
3. IP Builders, Inc. meets all of the requirements of the bid and is the lowest bidder; and
4. Staff requests authorization to negotiate the contract for services with IP Builders, Inc.

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

1. County Council hereby authorizes the County Administrator to negotiate the contract in accordance with Bid CC-37 with IP Builders, Inc. for the Harrelson Building new entrance and improvements project.
2. The County Administrator is hereby authorized to execute said contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from the Capital Projects Sales Tax Fund – Fund 143 in the amount of \$630,202.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Reschedule the March County Council Meeting.]

WHEREAS:

1. County Council members will be attending a Federal Delegation visit in Washington, D.C with the SouthernCarolina Alliance on the first Tuesday in March; and
2. Staff recommends that County Council reschedule the March County Council meeting to March 14, 2023.

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

County Council hereby reschedules the March 2023 County Council Meeting to March 14, 2023.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Council Clerk to Advertise for Board Vacancies]

WHEREAS:

1. Colleton County Edisto River Canoe and Kayak Trail Committee has one vacancy; and
2. Colleton County Keep Colleton Beautiful has one vacancy; and
3. Colleton County Accommodations Tax Advisory Board has one vacancy; and
4. Colleton County Lowcountry of Governments has two vacancies; and
5. Colleton County Land Use Zoning of Appeals has one vacancy; and
6. The County Council is the appointing authority for Boards.

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

The Council Clerk is hereby directed to advertise for the vacancies.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED:

Sponsor(s) : County Council
Adopted : February 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Appoint Members to Board Vacancies.]

WHEREAS:

1. Colleton County Edisto River Canoe and Kayak Trail Committee has one vacancy; and Applicant: Walter Runck
2. Colleton County Keep Colleton Beautiful has three vacancies; and Applicant: Anthony Black
3. 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 Edisto River Canoe and Kayak Trail Committee: Walter Runck

Colleton County Keep Colleton Beautiful: Anthony Black

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE: UNANIMOUS
OPPOSED: