AGENDA COLLETON COUNTY COUNCIL REGULAR MEETING TUESDAY, MARCH 1, 2016 6:00 P.M.

COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

- 1. Call to Order
- 2. Invocation and Pledge of Allegiance
- Roll Call
- 4. Awards and Recognitions
 - a) South Carolina Department of Parks, Recreation & Tourism Charles A. Bundy Award Colleton Museum & Farmers Market
- 5. Approval of Minutes
 - a) Regular Meeting February 2, 2016
- 6. Appearances & Public Presentations
 - a) FY2015 Audit Report, Mauldin & Jenkins, LLC David Irwin, Partner
 - b) SC Department of Mental Health Update Council on new initiatives Susanne Douglas
- 7. Administrator's Briefing
- 8. Public Hearing None
- 9. Old Business None
- 10. New Business
 - a) 1st Reading Ordinance 16-O-01, To Amend Various Sections of Chapter 13.12 Flood Damage Prevention of Title 13, Buildings and Construction, of the Colleton County Code of Ordinances.
 - b) Resolution 16-R-23, To Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2015-2016.
 - c) Resolution 16-R-24, To Approve a Mutual Aid Agreement between the Colleton County Sheriff's Office and the Bamberg County Sheriff's Office.
 - d) Resolution 16-R-25, To Authorize the Waiver of Various Fees for the June 2016 Mission Serve Home Repair Program.

- e) Resolution 16-R-26, To Declare Surplus Various Equipment and to Authorize Their Sale in Accordance with County Policy.
- f) Resolution 16-R-27, To Approve Joint Use Agreements between Colleton County and the Neyles Community Center and between Colleton County and the Jonesville Community Center for Recreation Improvements Provided by the 2015 PARD Grant.
- g) Resolution 16-R-28, To Authorize the Sole Source Purchase of Generac Generators for a Period Not to Exceed Five Years.
- h) Resolution 16-R-29, To Approve a Services Agreement between Colleton County, the Colleton County Sheriff's Office and Colleton Medical Center for Hospital Security.
- i) Resolution 16-R-30, To Approve the Amended Facility Operation Agreement between Colleton County and the Lowcountry Council of Governments for the Operation of the Colleton County Career Skills Center.
- j) Resolution 16-R-31, To Approve Amendment Of The Agreement For Development Of A Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park.
- k) Resolution 16-R-32, To Authorize the Purchase of Equipment by the Fleet Management Department.
- I) Resolution 16-R-33, To Appoint Member to Board Vacancy.
- 11. Items for Information and Public Record
- 12. Public Comments (3 minutes per person/max time 20 min.)
- 13. Council Time
- 14. Executive Session
 - a) Economic Development
 - 1) Project Deck
 - 2) Project Wrapper
 - 3) Project Strick
 - 4) Project Global
 - b) Real Estate Mable T. Willis Blvd.
 - c) Contractual Colleton County Law Enforcement Center
- 15. Adjournment

16. Informal Meeting of the Whole

South Carolina museums win state tourism awards

The South Carolina State Museum in Columbia and the Colleton Museum and Farmer's Market in Walterboro are winners of South Carolina's tourism awards.

The State Museum received the Governor's Cup, the state's highest tourism award, for its 2014 expansion that included a planetarium and observatory.

During 2015, the first full year the expansion was open, museum revenue grew almost 85 percent and attendance almost 45 percent.

The Charles Bundy Award, which recognizes rural tourism, honored the Colleton Museum and Farmers Market. Five years ago the museum was moved into a renovated storefront and added the farmer's market.

In its old location, the museum attracted about 5,000 visitors. That's now more than 18,000 a year.

Gov. Nikki Haley announced the awards Wednesday at the annual Governor's Conference on Tourism & Travel. The three-day conference was held at downtown Charleston this year.

Tourism is now a \$19.1 billion industry in South Carolina, according to an economic impact study released at last week's event.

Sponsor(s) : County Council : March 1, 2016 First Reading Council Clerk, certify that this Committee Referral : N/A Ordinance was advertised for Committee Consideration Date : N/A Committee Recommendation : N/A Public Hearing on Second Reading : April 5, 2016 : May 3, 2016 Public Hearing : May 3, 2016 Third Reading : Immediately Effective Date

ORDINANCE NO. 16-0-01

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Amend Various Sections of Chapter 13.12 - Flood Damage Prevention of Title 13, Buildings and Construction, of the Colleton County Code of Ordinances.]

WHEREAS:

- 1. South Carolina Department of Natural Resources Flood Mitigation Division on behalf of FEMA has recommended the following amendments to the County's Flood Damage Prevention Ordinance; and
- 2. Amending various sections of Chapter 13.12 Flood Damage Prevention of Title 13, Buildings and Construction is deemed to be the best method for instituting said revisions.

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

1. Title 13, Buildings and Construction, of the Colleton County Code of Ordinances, Chapter 13.12 – Flood Damage Prevention is hereby amended, as recommended by the South Carolina Department of Natural Resources Flood Mitigation Division in order to meet requirements set forth by FEMA, as follows:

13.12-1.040 Lands to which this chapter applies

REPLACE, "...by the Federal Emergency Management Agency in its Flood Insurance Study, dated November 7, 2001 November 20, 2015, with accompanying maps and other support data that are hereby adopted by reference and declared to be a part of this chapter."

13.12-3.030 Designation of party responsible for biennial report.

ADD, "The floodplain administrator is hereby designated as the party responsible to submit the biennial report to FEMA."

2. Severability: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid

provision or application and to this end, the provisions of this Ordinance are severable.

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

| ATTEST: | SIGNED: |
|--------------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| Approved as to Form | COUNCIL VOTE: OPPOSED: |
| Sean Thornton, County Attorney | |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-23

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2015-2016.]

WHEREAS:

- 1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
- 2. The Capital Projects and Purchasing Department, is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY16 for CDBG #4-A-15-001; and
- 3. The Sheriff's Office is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY16 for VOCA #1V14127.

- 1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenue and expenditures in the following funds for the grants and unbudgeted revenues for FY16 as listed:
 - a. Fund 143 Capital Projects Sales Tax Fund; Community Development Block Grant; \$482,928; CDBG # 4-A-15-001 for Booster Pump Station Upgrade; 10% Local Match has been provided by the Capital Projects Sales Tax.
 - **b.** Fund 120 Special Revenue Fund; Victims of Crime Act Program Grant; \$32,000; VOCA Vehicle Grant #1V14127; Local Match is available in the Victims Witness Services Fund.
- 2. The above listed OPRs (Offices of Primary Responsibility) are responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY16 as requested for this grant/non-budgeted revenue received.

| ATTEST: | SIGNED: | |
|---------------------------|------------------------------|--|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman | |
| | COUNCIL VOTE: OPPOSED: | |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve a Mutual Aid Agreement between the Colleton County Sheriff's Office and the Bamberg County Sheriff's Office.]

WHEREAS:

- 1. A Supreme Court ruling found that for a Sheriff's Office Mutual Aid Agreement to be valid, it must be approved by the County Council; and
- 2. The Sheriff's Office has the Mutual Aid Agreements currently held between the Office and neighboring jurisdictions; and
- 3. There is one agreement that requires Council approval (copy is attached); and
- 4. Staff recommends that Council approve the Mutual Aid Agreement with the Bamberg County Sheriff's Office.

- 1. The Mutual Aid Agreement with Bamberg County Sheriff's Office (attached and included herein by reference) is hereby approved.
- 2. The County Administrator is hereby authorized to sign said agreement on behalf of Colleton County.

| ATTEST: | SIGNED: |
|---------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: |

Sponsor(s) Adopted : County Council : March 1, 2016

Committee Referral

: N/A

Committee Consideration Date
Committee Recommendation

: N/A : N/A

RESOLUTION NO. 16-R-25

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Waiver of Various Fees for the June 2016 Mission Serve Home Repair Program.]

WHEREAS:

- 1. For several years now Mission Serve, formally World Changers, has sponsored a volunteer-staffed home repair project in Colleton County working on homes in the unincorporated and incorporated areas of the County; and
- 2. The 2016 Program, scheduled for June 11-18, will have between sixteen and eighteen crews working to complete needed home repairs for low income, senior adults, and people with special needs; and
- 3. The organization is requesting that the Council authorize the waiving of building department and Solid Waste disposal fees for this project as has been done in the past.

- 1. All fees for required building permits obtained by Mission Serve for the project period in June 2016, are hereby waived.
- 2. All inspections required by the International Building Code will be provided free of charge.
- 3. All Solid Waste disposal fees for waste generated by the June 2016 Mission Serve project, in an amount not to exceed 20 tons, are hereby waived.

| ATTEST: | SIGNED: | |
|---------------------------|------------------------------|--|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman | |
| | COUNCIL VOTE: | |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-26

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Declare Surplus Various Equipment and to Authorize Their Sale in Accordance with County Policy.]

WHEREAS:

- 1. Facilities Management has evaluated various equipment, and deemed it to be no longer suitable for County operations; and
- 2. The Technology department has evaluated various computer equipment, and deemed it to be no longer suitable for County operation; and
- 3. It is recommended that Council declare said vehicles and equipment surplus and authorize its sale through GovDeals or for trade in on upgraded equipment.

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

1. The following vehicles and equipment submitted by the Fleet Management Department are hereby declared surplus to the needs of the County.

| Year | Make | Model | VIN | Description |
|------|------------|-------------|-------------------|------------------|
| | Kneipheide | 6108-50D54J | 077410-2004S | Truck Box |
| 2004 | Ford | Crown Vic | 2FAHP71W94X166198 | Cruiser |
| 2004 | Volvo | G710B | X037110X | Motor Grader |
| 2002 | JCB | 214S | SLP214FC2U0901591 | Back Hoe |
| 1989 | Dresser | 520B | 3600008-007422 | Front End Loader |
| 1996 | Ford | Ranger | 1FTCR10A8TUD04417 | Pick-up |

2. The following equipment submitted by the Technology Department is hereby declared surplus to the needs of the County.

| Item | Quantity |
|----------------------|----------|
| Desktop/Tower PCs | 5 |
| Flat Screen Monitors | 8 |
| CRT Monitors | 2 |
| Printers/Facsimiles | 7 |
| Scanners | 1 |
| Telephone Equipment | 4 boxes |
| Miscellaneous Items | 1 box |

| 3. Said vehicles and equipment shall be placed for equipment. | sale on GovDeals or for trade in on upgraded |
|---|--|
| ATTEST: | SIGNED: |
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: OPPOSED |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-27

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve Joint Use Agreements between Colleton County and the Neyles Community Center and between Colleton County and the Jonesville Community Center for Recreation Improvements Provided by the 2015 PARD Grant.]

WHEREAS:

- 1. Council Resolution 15-R-114 approved the application and twenty percent local match for 2015 PARD grant funds; and
- 2. Because the County neither owns nor has a long-term lease on the Community Center properties at Jonesville and Neyles, a Joint Use Agreement with said Community Centers must be included with the grant package.

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

1. The Joint Use Agreements with the Neyles Community Center and the Jonesville Community Center, attached and included herein by reference, are hereby approved, and the County Council Chairman is authorized to execute said agreements on behalf of the County pending approval of same by the County Attorney.

| ATTEST: | SIGNED: |
|---------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: OPPOSED: |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-28

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Sole Source Purchase of Generac Generators for a Period Not to Exceed Five Years.]

WHEREAS:

- 1. Colleton County Capital Projects & Purchasing, Fire-Rescue and Facilities Management Departments request the sole source purchase of Generac Generators for mobile applications and stationary use on buildings; and
- 2. The Generac Generators currently used within the County have outperformed the competitors. The units have less maintenance and repair requirements. The Generac units are also supported locally, which minimizes the time and labor when repairs and or maintenance are needed; and
- 3. Staff is seeking Council authorization for the sole source purchase of Generac Generators for a period not to exceed five years.

- 1. County Council hereby authorizes the designation of Generac Generators as the official sole source for the County's generators.
- 2. Said designation shall extend for a period not to exceed five years.

| ATTEST: | SIGNED: | |
|---------------------------|------------------------------|--|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman | |
| | COUNCIL VOTE: OPPOSED: | |

Sponsor(s) : County Council Adopted Committee Referral

: March 1, 2016 : N/A

Committee Consideration Date : N/A Committee Recommendation

: N/A

RESOLUTION NO. 16-R-29

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

A Resolution to Approve a Services Agreement between Colleton County, the Colleton County Sheriff's Office and Colleton Medical Center for Hospital Security.]

WHEREAS:

1. The Colleton Medical Center wishes to renew the agreement with Colleton County for two deputy positions to provide security at the hospital.

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

1. The Colleton County Council hereby approves the Services Agreement between Colleton County, the Colleton County Sheriff's Office and Colleton Medical Center for Hospital Security.

| ATTEST: | SIGNED: |
|---------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: OPPOSED: |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-30

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve the Amended Facility Operation Agreement between Colleton County and the Lowcountry Council of Governments for the Operation of the Colleton County Career Skills Center.]

WHEREAS:

- 1. In November 2014, Colleton County and the Lowcountry Council of Government entered into a Facility Operation Agreement to establish conditions for the operation of the Colleton County Career Skills Center; and
- 2. Said agreement sets out the responsibilities of the building owner, Colleton County, and those of the tenant, Lowcountry Council of Governments; and
- 3. The Lowcountry Council of Governments requires additional telephone and internet services beyond what was agreed to in the original agreement; and
- **4.** The Facility Operation Agreement has been amended to reflect the addition of these services by increasing the monthly lease payment to be paid by Lowcountry Council of Governments; and
- 5. It is deemed in the best interest of both parties to enter into this Amended Facility Operation Agreement.

- 1. County Council hereby approves the Amended Facility Operation Agreement (included herein and by reference) between Colleton County and the Lowcountry Council of Governments for the Operation of the Colleton County Career Skills Center.
- 2. The County Administrator is hereby authorized to execute said Agreement.

| ATTEST: | SIGNED: |
|---------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: OPPOSED: |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-31

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A RESOLUTION TO APPROVE AMENDMENT OF THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.]

WHEREAS, Colleton County, South Carolina (the "County") and Charleston County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the "Original Agreement"), to develop jointly an industrial and business park (the "Park"), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the "Act"); and

WHEREAS, the Original Agreement was initially approved by Colleton County Council Ordinance 95-O-21, adopted December 5, 2006; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by (i) that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Colleton County Council Ordinance 06-O-20 adopted January 2, 2007; and (ii) the Second Modification to Agreement for Development of Joint Industrial Park, dated as of December 31, 2014 (the "Second Modification"), which Second Modification was approved by Colleton County Council Ordinance 14-O-13, adopted on December 11, 2014; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the "Agreement," and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfil commitments made to companies which are considering expansion or location decisions; and

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

<u>SECTION 1.</u> The Agreement is hereby amended so as to expand the Park premises located within Charleston County. Attached hereto as <u>Exhibit A</u> is the property description of the parcels to be added to the Park premises within Charleston County.

<u>SECTION 2.</u> All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This amendment to the Agreement shall become effective on adoption hereof.

SECTION 4. Should any part of this resolution be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this resolution as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to survive.

| Adopted thisday of, 2010 | 5. |
|---------------------------|------------------------------|
| ATTEST: | SIGNED: |
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: OPPOSED: |

Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-R-32

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Purchase of Equipment by the Fleet Management Department and the Transfer of Funds for Said Purchase.]

WHEREAS:

- 1. Colleton County Fleet Management has deemed it necessary to purchase a motor grader for the Roads and Bridges department; and
- 2. Flint Equipment Company of Walterboro, SC has agreed the meet the State contract pricing on a John Deere 670G Motor Grader in accordance with the Colleton County Purchasing Code §3.08.225; and
- 3. A transfer within the FY16 Capital budget is necessary for this purchase.

- 1. A transfer in the amount of \$223,028.66 from Capital Fund line item 115-410-413-30-7447-000 to Capital Fund line item 115-431-431-00-7415-0000 is hereby approved.
- 2. The purchase of a John Deere 670G Motor Grader in the amount of \$223,028.66, from Capital Fund line item 115-431-431-00-7415-0000, from Flint Equipment Company in accordance with County specifications is hereby authorized.
- **3.** The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary to complete this purchase.

| ATTEST: | SIGNED: |
|---------------------------|------------------------------|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman |
| | COUNCIL VOTE: |

Sponsor(s) Adopted:

: County Council : March 2, 2016

Committee Referral Committee Consideration Date: N/A

: N/A

Committee Recommendation : N/A

RESOLUTION NO. 16-R-33

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Member to Board Vacancy.)

WHEREAS:

- 1. Colleton County Board of Disabilities & Special Needs has three vacancies; and Applicants: Patti B. Lohr
- 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 Board of Disabilities & Special Needs: Patti B. Lohr

| ATTEST: | SIGNED: | |
|---------------------------|------------------------------|--|
| Ruth Mayer, Council Clerk | Steven D. Murdaugh, Chairman | |