

AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 26, 2018
5:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a) Regular Meeting May 8, 2018
 - b) Special Meeting June 2, 2018
5. Appearances & Public Presentations
 - a) Colleton County – Governmental Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting.
6. Administrator’s Briefing
7. Public Hearing
 - a) Ordinance 18-O-02, To Amend Title 14-Land Management, Section 14.08-3.020(A)(7) – Accessory Structures and Uses, of the Colleton County Code of Ordinances to Address Commercial Accessory Structures and Selected Residential Uses
 - b) Ordinance 18-O-04, To Authorize the Rezoning of the Parcel Identified as T.M.S. No. 044-00-00-083, from Rural Development-2 (RD-2) to Industrial (ID)
 - c) Ordinance 18-O-05, To Authorize the Rezoning of the Parcels Identified as Tax Map Numbers 262-00-00-032 and 262-00-00-002, from Village Commercial (VC) to Industrial (ID)
 - d) Ordinance 18-O-06, Authorizing And Establishing A Program To Grant Special Property Tax Assessments To Certain Rehabilitated Historic Properties; And Other Matters Related Thereto
8. Old Business
 - a) 2nd Reading Ordinance 18-O-07, To Authorize the Rezoning of a Parcel Identified as Tax Map Number 310-00-00-014, from Resource Conservation – 1 (RC-1) Resource Conservation – 2 (RC-2)

- b) 2nd Reading Ordinance 18-O-08, 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 and Residential Care Homes
- c) 2nd Reading Ordinance 18-O-09, To Establish, Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended, A Multi-County Industrial/Business Park, In Conjunction With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, South Carolina, And Jasper County; To Provide For A Written Agreement By Colleton County With Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, And Jasper County As To The Sharing Of The Revenues And Expenses Of The Park; To Provide For The Distribution Of Revenues From The Park Among Taxing Entities Having Jurisdiction Over The Park; To Provide For A Fee In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto
- d) 3rd Reading Ordinance 18-O-02, To Amend Title 14-Land Management, Section 14.08-3.020(A)(7) – Accessory Structures and Uses, of the Colleton County Code of Ordinances to Address Commercial Accessory Structures and Selected Residential Use
- e) 3rd Reading Ordinance 18-O-04, To Authorize the Rezoning of the Parcel Identified as T.M.S. No. 044-00-00-083, from Rural Development-2 (RD-2) to Industrial (ID)
- f) 3rd Reading Ordinance 18-O-05, To Authorize the Rezoning of the Parcels Identified as Tax Map Numbers 262-00-00-032 and 262-00-00-002, from Village Commercial (VC) to Industrial (ID)
- g) 3rd Reading Ordinance 18-O-06, Authorizing And Establishing A Program To Grant Special Property Tax Assessments To Certain Rehabilitated Historic Properties; And Other Matters Related Thereto

9. New Business

- a) 1st Reading Ordinance 18-O-10 by Title Only, To Amend Title 2 – Administration and Personnel and Title 3 – Revenue and Finance of the Colleton County Code of Ordinances
- b) 1st Reading Ordinance 18-O-11 by Title Only, To Provide For The Issuance And Sale Of Not Exceeding \$5,300,000 Fire Protection Service General Obligation 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
- c) 1st Reading Ordinance 18-O-12 by Title Only, Authorizing the Acquisition of Certain Property by Colleton County, South Carolina by Lease-Purchase Financing in the Amount Of Not Exceeding \$2,500,000; the Execution and

Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto

- d) Resolution 18-R-35, To Adopt a Continuing Budget for the Fiscal Year Beginning July 1, 2018 and To Authorize the Expenditure of Funds
- e) Resolution 18-R-36, To Approve Appointments to the Lowcountry Workforce Investment Board
- f) Resolution 18-R-37, To Authorize the Waiver of Various Fees for the July 2018 Mission Serve Home Repair Program
- g) Resolution 18-R-38, To Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2017-2018
- h) Resolution 18-R-39, To Authorize Renewal of the Lease Agreements By and Between Colleton County and Colleton Genealogy Society and By and Between Colleton County and the Lowcountry Community Action Agency (LCAA) for the Use of County Facilities Located on Black Street in Walterboro
- i) Resolution 18-R-40, To Authorize the Council Clerk to Advertise Board Vacancies
- j) Resolution 18-R-41, To Award the Contract for Purchase for the Replacement of Current Information Technology and Service Support Contracts Currently being used by the Treasurer, Auditor and Delinquent Tax Functions for Tax Billing, Collection, Processing and Record Conversion to QS/1, Inc. and to Authorize the Purchase of QS/1 Governmental Tax Management Software and Certain Required Hardware/Equipment
- k) Resolution 18-R-42, To Award the Contract for Purchase for the Replacement of Computer Aided Dispatch/NG911 and Phone Communications System to be Installed within the Sheriff's Office New Dispatch Center to Zuercher Technologies, LLC.
- l) Resolution 18-R-43, To Authorize the Sole Source Electrical Installation and Repairs of Generac Generators
- m) Resolution 18-R-44, To Award the Contract for the Replacement of the Roof on the Coroner's Office Building
- n) Resolution 18-R-45, To Appoint Members to Board Vacancies
- o) Resolution 18-R-46, To Authorize the Waiving of C&D Landfill Fees for the Town of Cottageville for the Disposal of Debris related to the Fire at Old Cottageville School Gym

- p) Resolution 18-R-47, To Authorize the Execution of an Intergovernmental Agreement for Dispatching Services by and between the City of Walterboro, Colleton County and the Colleton County Sheriff's Office
 - q) Resolution 18-R-48, To Authorize Renewal of an Agreement Between Colleton County and the South Carolina Department of Juvenile Justice for the Housing/Detention of Juveniles
10. Items for Information and Public Record
 11. Public Comments (3 minutes per person/max time 20 min.)
 12. Council Time
 13. Executive Session
 - a) Contractual – LCOG, Colleton Career Skills Center
 - b) Economic Development
 - 1) Project Global
 - 2) Project EPS
 - 3) Project Colony
 - 4) Project Calabash
 14. Adjournment
 15. Informal Meeting of the Whole



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Colleton County
South Carolina**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2017

Christopher P. Morrill

Executive Director/CEO

Sponsor(s)	: County Council	
First Reading	: May 8, 2018	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	: June 26, 2018	
Public Hearing	: August 14, 2018	
Third Reading	: August 14, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 18-O-07

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of a Parcel Identified as Tax Map Number 310-00-00-014, from Resource Conservation – 1 (RC-1) Resource Conservation – 2 (RC-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 Planning Commission has reviewed an application to rezone from Resource Conservation – 1 (RC-1) to Resource Conservation – 2 (RC-2), the parcel identified as T.M.S. No. 310-00-00-014; and
4. The Planning Commission voted unanimously to recommend that Council approve the requested rezoning from Resource Conservation – 1 (RC-1) to Resource Conservation – 2 (RC-2).

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

1. The parcel identified as Tax Map Number 310-00-00-014 hereby rezoned from Resource Conservation – 1 (RC-1) to Resource Conservation – 2 (RC-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:

Ruth Mayer, Council Clerk

Approved as to Form
Sean Thornton, County Attorney

SIGNED:

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: May 8, 2018	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	: June 26, 2018	
Public Hearing	: August 14, 2018	
Third Reading	: August 14, 2018	
Effective Date	: Immediately	

ORDINANCE 18-O-08

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance 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 and Residential Care Homes.]

WHEREAS:

1. Amending the Rural Development-1, Rural Development-2, Urban Development-1 and Urban Development-2 Zoning Districts to modify the location and review of Residential Care Facilities and Residential Care Homes by district is designed to simplify and consolidate the use of where these facilities are allowed and avoid confusion with other related health facilities; and
2. After review of the above issue, amendments to Title 14-Land Management of the Colleton County Code of Ordinances, Article 14.08-2. Zoning District Regulations were unanimously approved by the Planning Commission.

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

1. **Title 14-Land Management of the Colleton County Code of Ordinances, Chapter 14.08-Zoning, Article 14.08-2 Zoning District Regulations** is hereby amended as follows:

14.08-2.050 Rural Development-1, B.2.p., Delete. Residential care homes.

14.08-2.060 Rural Development-2, B.1.aa., Delete Residential Care Facilities and Replace B.2.n Residential Care Homes with Residential Care Facilities.

14.08-2.100 Urban Development-1, B.1.rr Delete Residential Care Facilities and Replace B.2.t Residential Care Homes with Residential Care Facilities.

14.08-2.110 Urban Development-2, B.2.u Delete Residential Care Homes and Replace with Residential Care Facilities.

14.08-3.020 Conditional use regulations. BB.3 Delete “Residential care facilities shall

be located within two miles of any acute care hospital”.

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:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: May 8, 2018	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	: June 26, 2018	
Public Hearing	: August 14, 2018	
Third Reading	: August 14, 2018	
Effective Date	: Immediately	

ORDINANCE 18-O-09

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

AN ORDINANCE TO ESTABLISH, PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK, IN CONJUNCTION WITH ALLENDALE COUNTY, BAMBERG COUNTY, BARNWELL COUNTY, BEAUFORT COUNTY, HAMPTON COUNTY, SOUTH CAROLINA, AND JASPER COUNTY; TO PROVIDE FOR A WRITTEN AGREEMENT BY COLLETON COUNTY WITH ALLENDALE COUNTY, BAMBERG COUNTY, BARNWELL COUNTY, BEAUFORT COUNTY, HAMPTON COUNTY, AND JASPER COUNTY AS TO THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; TO PROVIDE FOR THE DISTRIBUTION OF REVENUES FROM THE PARK AMONG TAXING ENTITIES HAVING JURISDICTION OVER THE PARK; TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Colleton County, South Carolina (“Colleton County”) and Allendale County, South Carolina (“Allendale County”) Bamberg County, South Carolina (“Bamberg County”), Barnwell County, South Carolina (“Barnwell County”), Beaufort County, South Carolina (“Beaufort County”), Hampton County, South Carolina (“Hampton County”), and Jasper County (“Jasper County”); (collectively, the “Counties” and together with any additional counties that become parties to the MCP Agreement described below, the “Member Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), propose to establish jointly a multi-county industrial/business park within the geographical boundaries of Jasper County to be known as the “Jasper Ocean Terminal Multi-County Industrial/Business Park” (the “Park”); and

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

WHEREAS, in order to promote the economic development of Colleton County, Allendale County, Bamberg County, Barnwell County, Beaufort County, Hampton County, and Jasper County, the Counties have initially agreed to include in the Park properties located in Jasper County and described in Exhibit A hereto (the “JOT Property”) and as more particularly described in Exhibit A to that certain Agreement for the Establishment of the Jasper Ocean

Terminal Multi-County Industrial/Business Park to be entered into by the Counties as of such date as may be agreed to by the Counties (the "MCP Agreement"); and

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

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

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

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

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

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

(c) As of the effective date of the MCP Agreement, the Park shall consist of the JOT Property located in Jasper County.

Section 2. Payment of Fee-in-lieu of Taxes. (a) In accordance with Article VIII, Section 13(D) of the South Carolina Constitution, the area comprising the Park and all property having a situs therein is exempt from all *ad valorem* taxation. All owners and lessees of property situated in the Park (that would otherwise pay property taxes if the property were not in the Park) will pay a fee in lieu of *ad valorem* taxes as provided for in the MCP Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the county treasurer of the county in which such property is located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the MCP Agreement to the other Member Counties shall be paid to the respective county treasurer (or other designated official) of the other Member Counties in accordance with the terms of the MCP Agreement. Payments of fees in lieu of *ad valorem* taxes will be due on the due date for taxes for a particular year. Penalties for late payment will be at

the same rate as late tax payments. Any late payment beyond the due date will accrue interest at the rate of statutory judgment interest. The Member Counties, acting by and through the appropriate official, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes.

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

Section 3. Sharing of Expenses and Revenues. Sharing of expenses and revenues of the Park by the Member Counties shall be as set forth in the MCP Agreement.

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

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

Section 6. Admission of Additional Parties. The MCP Agreement may be amended from time to time to add additional counties or other political subdivisions located within South Carolina or outside South Carolina, subject to any limitation contained in Article VIII, Section 13 of the Constitution of South Carolina or Title 4, Chapter 1 of the Code, in accordance with the terms of the MCP Agreement. The MCP Agreement may be amended to admit such political subdivision as a party thereto, with such rights and obligations as shall be provided in the MCP Agreement as so amended and applicable law.

Section 7. Savings Clause. If any portion of this Ordinance shall be held void or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

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

Section 9. Effectiveness. This Ordinance shall be effective upon approval following third and final reading; provided, however, that the effective date of the MCP Agreement shall be the date upon which the first County that is contiguous to Jasper County gives its approval to the MCP Agreement.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s): County Council
First Reading: March 6, 2018
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: April 3, 2018
Public Hearing: June 26, 2018
Third Reading: June 26, 2018
Effective Date: Immediately

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

ORDINANCE 18-O-02

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

1. Among small scale commercial uses are accessory structures, which are often placed throughout the property based on need and the internal flow of vehicle traffic. Used for storage or other ancillary activities, these buildings should not be subject to required front yard restrictions. Simply, their placement should be determined by business needs. On the residential side, because of the variety of accessory structures that could reside in the required front yard some exceptions to the rule should be provided related to use. These include ground mounted solar panels, gazebos, gate houses or other non-storage facilities; and
2. After review of the above issue, amendments to Title 14-Land Management of the Colleton County Code of Ordinances, Article 14.08-3. Conditional Uses, Section 14.08-3.020 (A)(7) were unanimously approved by the Planning Commission.

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

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

14.08-3.020 Conditional Use Regulations

For purposes of this Section, the following shall be **deleted**:

“Nonresidential accessory structures shall meet the dimensional requirements for the district in which they are located.”

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

14.08-3.020 (A)(7) Table

Accessory Use/Structure	Allowed Location	Allowable Encroachment	Required Setback	Other
Handicap Access Ramps, Ground mounted Solar Panels, Gate Houses, Hunting Stands, Gazebos, Landscaping Features and Commercial Accessory Structures	All yards	All yard setbacks	3 feet from property line	Single-family; mobile homes; Business, Office, Industrial

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:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	I, _____,
First Reading	: April 3, 2018	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Second Reading	: May 8, 2018	
Public Hearing	: June 26, 2018	
Third Reading	: June 26, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 18-O-04

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of the Parcel Identified as T.M.S. No. 044-00-00-083, from Rural Development-2 (RD-2) to Industrial (ID).]

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 Planning Commission has reviewed an application to rezone from Rural Development-2 (RD-2) to Industrial (ID), the parcel identified as T.M.S. No. 044-00-00-083; and
4. The Planning Commission voted unanimously to recommend that Council approve the requested rezoning from Rural Development-2 (RD-2) to Industrial (ID).

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

1. The parcel identified as Tax Map Number 044-00-00-083, is hereby rezoned from Rural Development-2 (RD-2) to Industrial (ID) 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:

Ruth Mayer, Council Clerk

Approved as to Form
Sean Thornton, County Attorney

SIGNED:

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: April 3, 2018	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	: May 8, 2018	
Public Hearing	: June 26, 2018	
Third Reading	: June 26, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 18-O-05

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of the Parcels Identified as Tax Map Numbers 262-00-00-032 and 262-00-00-002, from Village Commercial (VC) to Industrial (ID).]

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 Planning Commission has reviewed an application to rezone from Village Commercial (VC) to Industrial (ID), the parcel identified as T.M.S. No. 044-00-00-083; and
4. The Planning Commission voted unanimously to recommend that Council approve the requested rezoning from Village Commercial (VC) to Industrial (ID).

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

1. The parcels identified as Tax Map Numbers 262-00-00-032 and 262-00-00-002 are hereby rezoned from Village Commercial (VC) to Industrial (ID) 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:

Ruth Mayer, Council Clerk

Approved as to Form
Sean Thornton, County Attorney

SIGNED:

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	I, _____,
First Reading	: April 3, 2018	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Second Reading	: May 8, 2018	
Public Hearing	: June 26, 2018	
Third Reading	: June 26, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 18-O-06

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE AUTHORIZING AND ESTABLISHING A PROGRAM TO GRANT SPECIAL PROPERTY TAX ASSESSMENTS TO CERTAIN REHABILITATED HISTORIC PROPERTIES; AND OTHER MATTERS RELATED THERETO.]

WHEREAS, the Colleton County, South Carolina (the “*County*”) was created as a municipal corporation under the laws of the State of South Carolina (the “*State*”); and

WHEREAS, the County is authorized pursuant to Sections 5-21-140 and 4-9-195 of the Code of Laws of South Carolina 1976, as amended (collectively, the “*Bailey Bill*”), to grant special property tax assessments to real property that qualifies as a “rehabilitated historic property;” and

WHEREAS, the Bailey Bill provides for certain procedures that the County and the owner of qualifying historic property must follow in order to receive the benefits of the Bailey Bill; and

WHEREAS, County Council of the Colleton County, the governing body of the County (the “*Council*”), through the adoption of its 2010 Comprehensive Plan, has established as a matter of policy that the County’s historic areas are great assets that should be fostered, maintained and redeveloped, and expressly supported the use of incentives to encourage the appropriate rehabilitation of and additions to existing historic buildings; and

WHEREAS, in furtherance of the County’s policies regarding its historic resources, the County Council, the governing body of the County (the “*Council*”), has determined that the development and establishment of the Bailey Bill will achieve the following goals (collectively, the “*Goals*”): (i) encourage the restoration of historic properties; (ii) promote community development and redevelopment; (iii) encourage sound community planning; and (iv) promote the general health, safety and welfare of the County; and

WHEREAS, the County Council hereby finds that the value of the benefits that will accrue to the citizens of the County due to the achievement of the Goals will exceed the value of the special property tax assessments to those who receive them; and

WHEREAS, the Council further finds that the provisions of the Bailey Bill that permit the rescission of the special property tax assessments in certain instances ensures that the benefits will, in fact, accrue to the citizens of the County.

NOW, THEREFORE, BEING DULY ASSEMBLED, BE IT ORDAINED BY THE MAYOR AND THE COUNTY COUNCIL OF THE COLLETON COUNTY AS FOLLOWS:

Section 1. There is hereby enacted by the County, for the purposes discussed above, the Special Property Tax Assessment Program for Rehabilitated Historic Properties (the "***Bailey Bill Program***"). Absent some change to the Bailey Bill which affects or preempts the Bailey Bill Program established herein, any amendments, modifications and clarifications to the Bailey Bill shall become effective, only if approved and enacted by the County.

Section 2. The Bailey Bill Program shall be codified into the County's Code of Ordinances. By and through the enactment of this Ordinance, Article XI, entitled "SPECIAL PROPERTY TAX ASSESSMENT PROGRAM FOR REHABILITATED HISTORIC PROPERTIES" shall be added to Chapter 2 "ADMINISTRATION" of the County's Code of Ordinances of the County's Code of Ordinances.

Chapter 2 "ADMINISTRATION", Article XI "SPECIAL PROPERTY TAX ASSESSMENT PROGRAM FOR REHABILITATED HISTORIC PROPERTIES" shall be added to the County's Code of Ordinances as follows

Sec. 2-260 – Title.

This ordinance shall be titled "Special Property Tax Assessment Program for Rehabilitated Historic Properties."

Sec. 2-261 – Authority.

Pursuant to Sections 5-21-140 and 4-9-195 of the Code of Laws of South Carolina 1976, as amended (collectively, the "***Bailey Bill***"), the County is enacting and establishing its Special Property Tax Assessment Program for Rehabilitated Historic Properties (the "***Bailey Bill Program***").

Sec. 2-262 – Definitions.

As used in this Article XI, unless the context shall otherwise require, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Bailey Bill.

Sec. 2-263 – Creation of Special Tax Assessment; Term.

(a) Special Tax Assessment Created.

A special tax assessment is hereby created wherein real property that has complied with all provisions of the Bailey Bill Program shall receive a property tax assessment for such real property and any improvements thereon that is based upon the fair market value of such property during the year that Preliminary Certification of the historic rehabilitation of such property is granted (the “**Special Assessment**”). Only work that is performed after the Preliminary Certification is granted shall be considered for purposes of determining the Special Assessment.

(b) Term.

The “**Assessment Term**” means a period of up to 20 years. The Assessment Term is contingent upon the Expense Percentage (as defined below) of each qualifying property. “**Expense Percentage**” means the percentage determined by dividing the rehabilitation expenses occurring after the Preliminary Certification by the fair market value of the qualifying property as provided in the Preliminary Certification. If the Expense Percentage equals 50% or greater, the Assessment Term shall be 20 years.

Any Special Assessment granted pursuant to the provisions of this Bailey Bill Program shall remain the assessment applicable to such historic property for the purposes of *ad valorem* taxes for the applicable Assessment Term. If an application for Preliminary Certification is filed by May 1 of any year, or Preliminary Certification is granted by August 1 of any year, the first year of the Assessment Term shall be the year in which such application was filed or Preliminary Certification was granted, as applicable. Otherwise, the first year of the Assessment Term shall be the year following the year in which such application was filed or Preliminary Certification was granted, as applicable.

Sec. 2-264 – Eligibility.

(a) Eligible Properties.

In order to be eligible to receive the Special Assessment, a property must be granted a historic designation by the County Council based upon one or more of the following reasons (“**Eligible Properties**”):

- (i) the property is at least fifty years old; and
- (ii) it also qualifies under the following:
 - (1) the property is listed on the National Register of Historic Places;
 - (2) the property has been designated as a historic property by the County Council; or
 - (3) the property is located within the Walterboro Historic Preservation Overlay District.

(iii) the principal use of the property is commercial.

(b) Historic Designation.

Each property included within the descriptions provided for in Section 123.05(a) is hereby granted a “Historic Designation” for the purposes of the Bailey Bill and the Bailey Bill Program (a “**Historic Property**”).

Sec. 2-265 – Eligible Rehabilitation.

(a) In order to be eligible to receive the Special Assessment, a property must undergo a historic rehabilitation (a “**Historic Rehabilitation**”) that adheres to the Secretary of the Interior’s Standards for Rehabilitation, together with the Design Guidelines for Historic Districts in Walterboro, South Carolina, as provided for in Sections 4.6 and 4.7 of the County’s Unified Development Ordinance (together, the “**Rehabilitation Standards**”).

(b) Rehabilitation Work to be Evaluated Based Upon the Rehabilitation Standards.

The following elements of any Historic Rehabilitation shall be reviewed according to the Rehabilitation Standards:

- (i) repairs to the exterior of the designated building;
- (ii) alterations to the exterior of the designated building;
- (iii) new construction on the property on which the building is located; and
- (iv) for public or commercial buildings, interior alterations for primary public spaces.

(c) Expenditures for Rehabilitation

Qualified expenditures for any Historic Rehabilitation include the actual costs of rehabilitation related to one or more of the following:

- (i) improvements located on or within the historic building as designated;
- (ii) improvements outside of and directly attached to the historic building which are necessary to make the building fully usable; such improvements shall not include rentable/habitable floor space attributable to new construction;
- (iii) architectural and engineering services attributable to the design of the improvements; and

- (iv) costs necessary to maintain the historic character or integrity of the building.

(d) For purposes of Section 2-265(c)(3) above, the costs of architectural or engineering services shall be limited to a maximum of twenty percent (20%) of the total qualified rehabilitation costs. To the extent that the architectural or engineering costs exceed 20% of the qualified rehabilitation costs of a Historic Property, such additional costs shall not be includable when determining the Expense Percentage or the Minimum Expenditure (as defined below).

Sec. 2-266 – Minimum Expenditures; Fair Market Value.

In order to be eligible to receive the Special Assessment, the total expenditures that an owner of a Historic Property must incur applicable to a Historic Rehabilitation shall equal or exceed 50 percent of the fair market value of the Historic Property at the time in which Preliminary Certification is granted (the “*Minimum Expenditure*”). Fair market value shall be based upon (i) the appraised value of the Historic Property as certified by a licensed real estate appraiser and as submitted as part of an application for Preliminary Certification; (ii) the sales price of the Historic Property delineated in a bona fide, arms-length real estate transaction taking place within 12 months of the time that an application for Preliminary Certification is submitted; or (iii) the most recent appraised value determined by the Colleton County Assessor.

Sec. 2-267 – Reviewing Authority Designation; Jurisdiction.

The County’s Historic Preservation Commission (the “*HPC*”), as the board of the County with jurisdiction over historic properties pursuant to Section 6-29-870 of the Code of Laws of South Carolina 1976, as amended, is hereby designated as the “Reviewing Authority,” as such term is used in the Bailey Bill, for the purposes of the Bailey Bill Program. The jurisdiction of the HPC, as provided for in Section 2.7.3.2 of the County’s Unified Development Ordinance, is hereby expanded to the extent necessary to permit the HPC to review and oversee any Historic Rehabilitation authorized hereunder.

Sec. 2-268 – Approval Process.

- (a) Application.

In order to be eligible to receive the Special Assessment, a Historic Property proposing a Historic Rehabilitation must receive Preliminary Certification by the County Council using the application and review process provided for in this Section. Any owner of a Historic Property may apply to the County for Preliminary Certification of a proposed Historic Rehabilitation by submitting an Application for Preliminary Certification (an “*Application*”), the form of which is attached hereto as Exhibit A, to the planning department of the County. In order to receive consideration, all Applications must be complete and must include the following fees and other information:

- (i) a completed Application, including any application fees that may be required in the discretion of the County's staff based upon the budget then in effect;
- (ii) an application fee (such amount to be determined in the County's annual budget process);
- (ii) a plan detailing the proposed Historic Rehabilitation detailing the scope of work that is to be performed and demonstrating compliance with the Rehabilitation Standards;
- (iv) sufficient evidence of the current fair market value of the Historic Property (see Sec. 2-237 herein); and
- (v) the total amount that the owner anticipates will be expended on the Historic Rehabilitation.

(b) HPC Review.

Provided the finished Application (as to all form and content) has been filed with the Planning and Development Department at least seven calendar days before the regularly scheduled meeting of the HPC, the HPC shall review the submitted application at its next regular meeting; otherwise consideration shall be deferred until the next occurring meeting of the HPC. Any applicant may be present at any such meeting to offer further explanation regarding the proposed Historic Rehabilitation and answer any questions of the HPC. The HPC shall affirm that the Minimum Expenditure is expected to be met and that the property meets the standard for a Historic Property. The HPC shall review each Application and proposed Historic Rehabilitation to ensure that the proposed scope of work complies with the Rehabilitation Standards. In the event that all criteria are met, the HPC may recommend to the County Council that the Historic Rehabilitation be approved. In the event that the HPC declines to recommend approval to the County Council, the HPC shall provide the applicant with specific reasons for its denial and the applicant may re-apply under the terms of this Section.

(c) Certificate of Appropriateness.

In no instance shall a recommendation to County Council for the approval of a Historic Rehabilitation be construed as a grant of a Certificate of Appropriateness by the HPC as required by Section 11.5 of the County's Unified Development Ordinance; however, applicants are encouraged to submit applications for Preliminary Certification and applications for a Certificate of Appropriateness for any Historic Rehabilitation at the same time and the HPC is hereby authorized to defer the consideration of either application for no more than one regularly scheduled meeting in order to permit both applications to be considered in conjunction.

(d) County Council Preliminary Certification.

Upon an Application receiving a recommendation of approval by the HPC, the application shall be considered at the next regularly scheduled meeting of the County Council, provided that sufficient time remains to include such an Application on the upcoming meeting agenda. County Council may, by ordinance, approve the Application and proposed Historic Rehabilitation and, in such event, shall make specific findings of the following facts regarding the following:

- (i) The property constitutes an Eligible Property;
- (ii) The Minimum Expenditures are expected to be met; and
- (iii) The fair market value of the Historic Property that is to be used to calculate the Special Assessment and the Expense Percentage.

(e) Substantive Changes.

If at any time during the application process or after Preliminary Certification is granted, the scope of work considered or approved thereunder is substantively changed in any way, the applicant must promptly notify the County's Planning and Development Department who shall make a determination as to whether such a change required the prior approval of the County Council. In the event that such approval is necessary, such a change may be brought directly before the County Council at its next available regularly scheduled meeting for consideration. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the property from eligibility for the Special Assessment.

(f) Assessment for Two Years During Work.

Once a proposed Historic Rehabilitation has received Preliminary Certification, the Historic Property shall receive the Special Assessment for an initial period of two years during which the proposed Historic Rehabilitation is undertaken. Any such period shall apply towards the applicable Assessment Term in Section 2-263(b) herein. In the event that, after the expiration of two years, the Historic Rehabilitation is not complete but the Minimum Expenditure has been met, the Special Assessment shall continue for such time as it is necessary to complete the Historic Rehabilitation. In the event that after the expiration of two years, the Minimum Expenditures have not been met, the County Council may, at its discretion, disqualify the property from eligibility for the Special Assessment and any monies not collected due to the special assessment must be returned to the County and other affected taxing districts, as applicable.

Sec. 2-269 – Rehabilitation Monitoring; Final Certification.

(a) Monitoring.

During the period of time during which the Historic Rehabilitation is underway, staff of the County's Planning and Development Department may inspect the work in progress to ensure that the Historic Standards are met. Inspections of any exterior work may be made at any time and inspections of any interior work may be made upon 24-hours-notice. The refusal of an applicant to permit inspection shall serve as grounds for the disqualification of the property from eligibility for the Special Assessment. In the event that such an inspection shows substantive deviations from the approved scope of work or a failure to comply with the Historic Standards, the County Council may disqualify the property from eligibility for the Special Assessment.

(b) Final Certification.

Upon completion of the Historic Rehabilitation, the applicant must notify the Planning and Development Department and request that the property be granted Final Certification. The Planning and Development Department staff shall inspect the Historic Property to ensure compliance with the approved scope of work and the Historic Standards. If compliance is found, the planning department staff shall grant Final Certification and shall provide the property owner with sufficient documentation of such Final Certification.

Sec. 2-270 – Notification of the Colleton County Tax Assessor.

Upon receipt of Final Certification, it shall be the responsibility of the property owner to provide such Final Certification to the Colleton County Assessor in order to secure the Special Assessment.

Sec. 2-271 – Additional Work; Decertification.

(a) For the remainder of the applicable Assessment Period, the property owner shall notify the Planning and Development Department staff of any additional exterior work undertaken on the Historic Property, other than ordinary maintenance. The Planning and Development Department staff will present the proposed work to the HPC at its next regularly scheduled meeting who will review the work and determine whether the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent, the property owner shall withdraw his request and cancel or revise the proposed additional work.

(b) Once the Historic Property has received Final Certification, it shall remain so certified and must be granted the Special Assessment until the property becomes disqualified by any one of the following:

- (i) the expiration of the applicable Assessment Term;
- (ii) written notice from the property owner to the planning department staff and the Colleton County Auditor requesting removal of the Special Assessment;

- (iii) removal of the historic designation by the County Council; or
- (iv) rescission of the approval of the Historic Rehabilitation by the HPC because of alterations or renovation by the owner or the owner's estate which causes the property to no longer possess the qualities and features which made it eligible for Final Certification.

(c) Notification of any change affecting eligibility must be given immediately to the Colleton County Assessor, Auditor, and Treasurer.

Section 3. If any section, subsection, sentence, clause or phrase of the Bailey Bill Program or this Ordinance is, for any reason, held or determined to be invalid, such decision shall not affect the validity of the remaining portions of the Bailey Bill Program and/or this Ordinance.

Section 4. Nothing in this Ordinance or in the Bailey Bill Program hereby enacted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict or inconsistency. This Ordinance and the provisions of the Bailey Bill Program shall take effect immediately upon its enactment by the Council.

ADOPTED, this ____ day of _____, 2018.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	I, _____,
First Reading	: June 26, 2018	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Second Reading	: August 14, 2018	
Public Hearing	: September 11, 2018	
Third Reading	: September 11, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 18-O-10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 2 – Administration and Personnel and Title 3 – Revenue and Finance of the Colleton County Code of Ordinances.]

Sponsor(s) : County Council
First Reading : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : August 14, 2018
Public Hearing : September 11, 2018
Third Reading : September 11, 2018
Effective Date : Immediately

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

ORDINANCE NO. 18-O-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$5,300,000
FIRE PROTECTION SERVICE GENERAL OBLIGATION 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 : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : August 14, 2018
Public Hearing : September 11, 2018
Third Reading : September 11, 2018
Effective Date : Immediately

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

ORDINANCE NO. 18-O-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[Authorizing the Acquisition of Certain Property by Colleton County, South Carolina by Lease-Purchase Financing in the Amount Of Not Exceeding \$2,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto.]

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-35

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A RESOLUTION TO ADOPT A CONTINUING BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND TO AUTHORIZE THE EXPENDITURE OF FUNDS.]

WHEREAS:

It now appears that the fiscal year 2018-2019 budget of the State of South Carolina, will likely not be approved by July 1, 2018 due to the fact the State Legislature does not plan to re-convene a conference committee until June 27th, 2018. Colleton County has not, and likely will not receive the necessary State revenue totals to the Counties from the State of South Carolina in time to calculate the millage rate as required by law. The County has been informed by the State that the figures should be forthcoming in July 2018, which will then permit the County to calculate the millage and adopt an accurate budget.

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

Section 1 – The budget amounts set forth and approved in the fiscal year 2017-2018 budget are hereby continued and the Administration, Elected Officials, and other Appointed positions of Colleton County are authorized to expend funds at the same level as the previous fiscal year. This in effect authorizes the County to operate based on our most recent budget information. The Continuation Budget will be based on the approved 2017-18 budget with projected adjustments as reflected in the preliminary Colleton County Budget Ordinance for FY 2018-2019, including cost of living and Solid Waste fee adjustments, the proposed State budget and the Federal Grant allotments as regularly distributed.

Section 2 – No funds can be expended or obligated that exceed the previous year’s annual budget appropriation until a new budget is finally adopted. Expenditures mandated by State laws, rules or regulations are incorporated into this continuing budget and the Administration shall be permitted to expend funds necessary to meet State mandates and cost of living adjustments notwithstanding the previous year’s budget authorization.

Section 3 - This resolution shall take effect from and after its passage and its provisions will be in force from July 1, 2018 until the budget for fiscal year 2018-2019 is finally adopted.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-36

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Approve Appointments to the Lowcountry Workforce Investment Board.]

WHEREAS:

1. Two vacancies exist on the Colleton County Lowcountry Workforce Investment Board: one for a Business Representative and one for a an Economic Development Representative;
2. The Workforce Development Director recommends that Council approve the appointments as nominated.

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

County Council hereby approves the following appointments to the Lowcountry Workforce Investment Board:

Business Representative: Kevin Pak- Pak Net, Inc.
Economic Development Representative: Heyward Horton-Colleton County Economic Development

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-37

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Waiver of Various Fees for the July 2018 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 2018 Program, scheduled for July 7-14, will have 188 participants 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.

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

1. All fees for required building permits obtained by Mission Serve for the project period in July 2018 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 July 2018 Mission Serve project, in an amount not to exceed 20 tons, are hereby waived.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-38

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Acceptance and Budgeting of Funds for Various Grants for FY 2017-2018.]

WHEREAS:

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Fire-Rescue Department is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY18 received from the South Carolina Emergency Management Division for 2018 LEMPG Allocations and from Federal Emergency Management Agency (FEMA) for the Hazard Mitigation Grant Program; and
3. The Solid Waste Department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY 18 received from the South Carolina Department of Health and Environmental Services for a Waste Tire Grant, Grant #15WT179.

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

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenue and expenditures in the following fund for the grant and unbudgeted revenues for FY 2018 as listed:
 - a. Fund 156 – Fire-Rescue Fund; South Carolina Emergency Management Division; 2018 Local Emergency Management Performance Grant; \$59,995; match is included in the FY 2018-2019 budget.
 - b. Fund 156 – Fire-Rescue Fund; Federal Emergency Management Agency; Hazard Mitigation Grant Program; \$30,012.75 for Colleton County Middle School Generator Replacement; match is available in the Capital Fund in the amount of \$10,004.25.
 - c. Fund 211 – Solid Waste Fund; South Carolina Department of Health and Environmental Services – \$38,850; FY 2018 Waste Tire Grant #15WT18.
2. The above listed OPR (Office of Primary Responsibility) is responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible party for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY 2018 as requested for this grant/non-budgeted revenue received.

ATTEST:

Ruth Mayer, Council Clerk

SIGNED:

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-39

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Renewal of the Lease Agreements By and Between Colleton County and Colleton Genealogy Society and By and Between Colleton County and the Lowcountry Community Action Agency (LCAA) for the Use of County Facilities Located on Black Street in Walterboro.]

WHEREAS:

1. Colleton County currently has a lease agreement with Colleton Genealogy Society for their rental of a portion of the building at 609 Black Street in Walterboro, and said lease will expire on June 30, 2018; and
2. Colleton County currently has a lease agreement with the Lowcountry Community Action Agency for use of the County's facility at 615 Black Street in Walterboro as a homeless shelter, and said lease will expire on June 30, 2018; and
3. In accordance with the terms of the lease, Colleton Genealogy Society and LCAA have requested renewal of the agreement; and
4. County Council deems it to be in the best interest of the County to renew said lease agreements.

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

1. Colleton County Council hereby approves renewal of the Lease Agreement (copy attached and included herein by reference) by and between Colleton County and Colleton Genealogy Society for a portion of the facility at 609 Black Street in Walterboro.
2. Colleton County Council hereby approves renewal of the Lease Agreement (copy attached and included herein by reference) by and between Colleton County and the Lowcountry Community Action Agency for the facility at 615 Black Street in Walterboro.
3. The County Administrator is hereby authorized to execute the lease agreements on behalf of the County pending approval of the documents by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-40

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Authorize the Council Clerk to Advertise for Board Vacancies.)

WHEREAS:

1. Board of Adjustments & Appeals (Building Dept.) has six vacancies (One Heating/Air Condition, one Plumbing, one Electrical & three general citizenry); and
2. Board of Assessment Appeals has one vacancy; and
3. Keep Colleton Beautiful has one vacancy; and
4. Colleton County Memorial Library has three vacancies; and
5. Colleton County Land Use Zoning Board of Appeals has one vacancy; and
6. Colleton County Planning Commission has four vacancies; and
7. Colleton County Board of Disabilities & Special Needs has one vacancy; and
8. Colleton County Resource & Development has two vacancies; and
9. Colleton County Commission of Alcohol & Drug Abuse has Five vacancies; and
10. The County Council is the appointing authority for Boards.

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

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

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-41

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Award the Contract for Purchase for the Replacement of Current Information Technology and Service Support Contracts Currently being used by the Treasurer, Auditor and Delinquent Tax Functions for Tax Billing, Collection, Processing and Record Conversion to QS/1, Inc. and to Authorize the Purchase of QS/1 Governmental Tax Management Software and Certain Required Hardware/Equipment.]

WHEREAS:

1. Per Section 3.08.220 of the Colleton County Purchasing Code the Information Technology Department has reviewed and recommended the replacement of current information technology and service support contracts currently being used by the Treasurer, Auditor and Delinquent Tax functions for Tax Billing, Collection, Processing, and Record Conversion; and
2. The Information Technology Review Committee, comprised of the Technology Director, Auditor, Treasurer and Delinquent Tax Collector, has evaluated available technologies for the highest in overall compliance, performance and suitability for County operations and has recommended QS/1 Governmental Tax Management Software; and
3. Funding for the system purchase will be provided by the Colleton County Capital Fund 115 in the amount of \$454,759.07; and
4. Staff recommends County Council approve award of the purchase of said system to QS/1, Inc. and further approve the purchase of required information technology to include software, hardware, and other equipment to be provided by QS/1.

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

1. Per Section 3.08.220 of the Colleton County Purchasing Code the replacement of current information technology and service support contracts currently being used by the Treasurer, Auditor, and Delinquent Tax functions Tax Billing, Collection, Processing, and Record Conversion is hereby awarded to QS/1, Inc. pursuant to their proposal in the amount of \$454,759.07, with the final cost and financing terms to be established during contract negotiations.
2. Funding for this purchase shall come from monies appropriated in the Colleton County Capital Fund 115.
3. The County Administrator is authorized to execute all contracts required for purchase and implementation of this system and relate equipment pending approval of said documents by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-42

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for Purchase for the Replacement of Computer Aided Dispatch/NG911 and Phone Communications System to be Installed within the Sheriff's Office New Dispatch Center to Zuercher Technologies, LLC.]

WHEREAS:

1. The Sheriff's Office is currently using a system which is over 28 years old and is not fully compliant with current information technology standards and systems for Computer Aided Dispatch/NG911. This system is outdated, has no available updates and is not capable of interfacing with any other required system that is being used in the current dispatch center; and
2. The Sheriff's Office is seeking to replace its Computer Aided Dispatch/NG911 and phone communications system. In addition, the vendor shall not only provide but also maintain the software and servers (including OS and DBMS) under the vendor's standard maintenance and service agreement; and
3. An Computer Aided Dispatch/NG911 Information Technology Review Committee comprised of three members from the Sheriff's Office, including the Sheriff's Information Technology Director, and two members from Fire-Rescue reviewed the technologies, and it was determined by the review committee that systems provided by Zuercher Technologies, LLC. best met the needs of the new Dispatch Center; and
4. The County has properly advertised Per Section 3.08.220 of the Colleton County Purchasing Code and Procurement item CCSO-06 for this technology. The Sheriff's Information Technology Department has reviewed and recommended the replacement of current information technology and service support contracts with Computer Aided Dispatch and NG911 Public Safety Systems provided by Zuercher Technologies, LLC. This Computer Aided Dispatch and NG911 Public Safety System is to be installed in the new Law Enforcement Dispatch Center, which is to be completed in August of 2018; and
5. The Capital Projects and Purchasing Department negotiated with the vendor to add needed modules and deduct for non-needed items, and the total price for the Computer Aided Dispatch and NG911 Public Safety System is \$846,047.44; and

6. Staff requests that County Council awards the bid for the Computer Aided Dispatch and NG911 Public Safety System to Zuercher Technologies, LLC in the amount of \$846,047.44.

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

1. County Council hereby awards the contract for the Sheriff's Office Computer Aided Dispatch and NG911 Public Safety System to Zuercher Technologies, LLC in the amount of \$846,047.44.
2. The County Administrator is hereby authorized to execute the contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this expenditure will be paid from 2019 Lease Purchase Financing and the 2018 Fire Bond.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-43

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Sole Source Electrical Installation and Repairs of Generac Generators.]

WHEREAS:

1. Generac was named as a sole source supplier on March 1, 2016 by Resolution 16-R-28. The sole source was awarded for a term of five (5) years; and
2. H & H Electrical Services, LLC is the only local approved vendor authorized to install and repair Generac generators; and
3. The Capital Projects & Purchasing Department requests that H & H Electrical Services, LLC be named as the sole source vendor for the electrical installation and repair of Generac Generators.

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

1. County Council hereby authorizes the designation of H & H Electrical Services, LLC as the sole source vendor for the electrical installation and repair of Generac Generators.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-44

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for the Replacement of the Roof on the Coroner's Office Building.]

WHEREAS:

1. The County advertised a Request for Bids, FM-49, for the replacement of the roof on the Coroner's office building; and
2. Seven bids were received; and
3. JB's Roofing and Construction meets all of the requirements of the bid and is the lowest bidder at \$25,746; and
4. Staff recommends that the contract be awarded to JB's Roofing and Construction for the replacement of the Coroner's office building roof.

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

1. County Council hereby awards the contract for the Coroner's office building roof replacement to JB's Roofing and Construction in the amount of \$25,746.
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 project is included in the FY 2018 Capital Fund Budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-45

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Members to Board Vacancies.)

WHEREAS:

1. Colleton County Recreation Commission one vacancy; and
Applicants: Rodney Blaine Colson, Sr.
2. Colleton County Commission of Alcohol & Drug Abuse has one vacancy for unexpired term; and
Applicants: Leigh Cook
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 Recreation Commission: Rodney Blaine Colson, Sr.
Colleton County Commission of Alcohol & Drug Abuse: Leigh Cook

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-46

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Waiving of C&D Landfill Fees for the Town of Cottageville for the Disposal of Debris related to the Fire at Old Cottageville School Gym.]

WHEREAS:

1. The Town of Cottageville has requested that County Council waive C&D Landfill fees, in the amount of \$22,886.46, related to disposal of debris as a result of the Fire at the Old Cottageville School Gym; and
2. Generally, insurance policies cover fire-related debris removal fees for commercial properties; therefore, Colleton County's approved policies only allow for the removal of debris for residential properties; and
3. As Colleton County's nuisance ordinance does not apply within the Town of Cottageville; County Council must approve the waiver of such fees; and
4. The Town of Cottageville has requested that these fees be waived.

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

The C&D Landfill fees generated as a result of the fire at the Old Cottageville School, in the amount of \$22,886.46 are hereby waived.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-47

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Execution of an Intergovernmental Agreement for Dispatching Services by and between the City of Walterboro, Colleton County and the Colleton County Sheriff's Office.]

WHEREAS:

1. The County's 911 Communication/Dispatch Center is the public safety answering point for all law enforcement, fire, rescue, emergency medical and emergency management services within the County; and
2. The City of Walterboro has historically provided certain personnel and equipment to the Sheriff to aid and assist in the operations of the Dispatch Center and the provision of Dispatch Services; and
3. The City of Walterboro and the Sheriff's Office believe that full operation of the Dispatch Center by the County will result in more efficient service and a better work environment for the employees of the Dispatch Center, and will likely improve the health, safety and welfare of all County residents; and
4. County Council deems it to be in the best interest of the County to enter into said Intergovernmental Agreement for Dispatching Services by and between the City of Walterboro, Colleton County and the Colleton County Sheriff's Office.

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

1. The Intergovernmental Agreement for Dispatching Services by and between the City of Walterboro, Colleton County and the Colleton County Sheriff's Office is hereby approved.
2. The County Administrator is hereby authorized to execute this agreement on behalf of the County pending approval of the document by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

R.A. Strickland, Sheriff

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 26, 2018
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 18-R-48

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Renewal of an Agreement Between Colleton County and the South Carolina Department of Juvenile Justice for the Housing/Detention of Juveniles.]

WHEREAS:

1. County Council entered into an agreement with the South Carolina Department of Juvenile Justice for the housing/detention of juveniles; and
2. Said agreement is up for renewal; and
3. County Council deems it to be in the best interest of the County to renew said agreement for Fiscal Year 2018-2019.

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

1. Colleton County Council hereby approves renewal of the Agreement (attached and included herein by reference) between Colleton County and the South Carolina Department of Juvenile Justice for the housing/detention of juveniles.
2. Funding for the Agreement is included in the FY19 Budget.
3. The County Administrator is authorized to execute the agreement on behalf of the County pending approval of the document by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:
OPPOSED: