

**AMENDED AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 7, 2022
6:00 P.M.**

COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
 - a) Regular Meeting May 3, 2022
5. Awards and Recognitions
 - a) Proclaiming the Week of July 30 – August 6, 2022 as Gullah-Geechee Nation Appreciation Week
6. Appearances & Public Presentations
 - a) South Carolina American Revolution Sestercentennial Commission – Bill Davis, Vice Chair
 - b) Pillars4Hope – Nikeyia Hammonds, Executive Director
7. Administrator’s Briefing
8. Public Hearing
 - a) Ordinance 22-O-01, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and Gehl Foods Southeast, LLC (formerly known to the County as Project Ruby), Whereby Colleton County will Enter Into a Fee-In-Lieu of Taxes Arrangement with Gehl Foods Southeast, LLC; Providing for Payment by Gehl Foods Southeast, LLC of Certain Fees In Lieu of Ad Valorem Taxes; Providing for Assignment of Certain Existing Economic Development Incentives to Gehl Foods Southeast, LLC; Providing for Certain Special Source Revenue or Infrastructure Credits; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Gehl Foods Southeast, LLC Under the Agreement for Establishment of Multi-County Industrial/Business Park; Authorizing the Execution and Delivery of an Assignment and Assumption of Incentive Agreements and Release from Incentive Agreements Among Colleton County, South Carolina, Crescent Dairy & Beverages, LLC, and Gehl Foods Southeast, LLC; and Other Matters Relating Thereto
 - b) Ordinance 22-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2022 through June 30, 2023 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto

9. Old Business
 - a) 3rd Reading Ordinance 22-R-01, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and Gehl Foods Southeast, LLC (formerly known to the County as Project Ruby), Whereby Colleton County Will Enter Into a Fee-In-Lieu of Taxes Arrangement with Gehl Foods Southeast, LLC; Providing for Payment by Gehl Foods Southeast, LLC of Certain Fees In Lieu of Ad Valorem Taxes; Providing for Assignment of Certain Existing Economic Development Incentives to Gehl Foods Southeast, LLC; Providing for Certain Special Source Revenue or Infrastructure Credits; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Gehl Foods Southeast, LLC Under the Agreement for Establishment of Multi-County Industrial/Business Park; Authorizing the Execution and Delivery of an Assignment and Assumption of Incentive Agreements and Release from Incentive Agreements Among Colleton County, South Carolina, Crescent Dairy & Beverages, LLC, and Gehl Foods Southeast, LLC; and Other Matters Relating Thereto
 - b) 3rd Reading Ordinance 22-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2022 through June 30, 2023 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto
 - c) 2nd Reading Ordinance 22-O-08, To Impose, Subject to Referendum Approval and Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") Within Colleton County for Not More Than Seven (7) Years; To Order a County-Wide Referendum On The Question of Imposing the Tax and to Prescribe the Contents of the Ballot Question; To Specify the Purposes For Which the Proceeds From the Tax Are To Be Used, the Maximum Time For The Imposition Of The Tax; and To Provide For Other Matters Relating Thereto.
 - d) 2nd Reading Ordinance 22-O-09, To Authorize the Rezoning a 4.3 Acre Parcel at Bennett's Point, Identified as T.M.S. No. 334-00-00-74, from Community Commercial (CC) to Rural Conservation-2 (RC-2).
10. New Business
 - a) 1st Reading Ordinance 22-O-10, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, by and between Colleton County, South Carolina and a Company Known to the County as Project Waterfall, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; the Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to Include Certain Property Located in Colleton County, South Carolina Now or to be Hereafter Owned and/or Operated by Project Waterfall, or One or More Companies Related Thereto; and Other Related Matters
 - b) Resolution 22-R-29, 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

- c) Resolution 22-R-30, To Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 During the Fiscal Year Ending June 30, 2022 and Other Matters Related Thereto
 - d) Resolution 22-R-31, To Authorize the Waiver of Various Fees for the Summer 2022 Mission Serve Home Repair Program
 - e) Resolution 22-R-32, To Award the Contract for Construction Engineering and Inspection Services for Local and State Road Resurfacing
 - f) Resolution 22-R-33, To Support the South Carolina American Revolution Sestercentennial Commission and to Recognize and Approve the Colleton County 250 Committee
 - g) Resolution 22-R-34, To Advertise Board Vacancies
 - h) Resolution 22-R-35, To Appoint Members to Board Vacancies
- 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) Legal – LCAA
 - b) Legal – Opioid Litigation
 - c) Economic Development – Project Waterfall
 - 15. Adjournment
 - 16. Informal Meeting of the Whole

COUNTY COUNCIL MEETING ON JUNE 7, 2022

Colleton County Council will hold a regular meeting on Tuesday, June 7, 2022, at 6:00 pm. The public will be able to stream the meeting from a link on the County’s home page or by going to www.colletoncounty.org/live. Individuals who would like to participate in public comment can do so at www.colletoncounty.org/comment.

MINUTES
TUESDAY, MAY 3, 2022
REGULAR MEETING
6:00 P.M.

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

Present: Chairman Steven Murdaugh called the meeting to order with Council Members Dr. Joseph Flowers, Phillip Taylor, and Art Williams in attendance, with Council Member Gene Whetsell appearing virtually.

Others Included: Kevin Griffin, Sean Thornton, Meagan Utsey, Jon Carpenter, Kaela Brinson, Jimmy Syfrett, Laura Clark, Joshua Rowland, Angie Salley, Andrea Miley, Ulysses Robinson, Mark Wysong, and David Gar Linder.

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

Chairman Murdaugh made a motion to amend the agenda and to add a legal matter involving the Lowcountry Community Action Agency as line item “C” under executive session. The motion was seconded by Dr. Flowers and the motion carried unanimously, and the agenda will be amended accordingly.

Approval of Minutes

- A. Regular Meeting April 12, 2022— Dr. Flowers moved to approve the minutes of the Regular Meeting held on April 12, 2022. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Appearances and Public Presentation

- A. Coastal Empire Community Mental Health Center – Angie Salley and Andrea Miley gave an overview/presentation on the local mental health center. There will be an event on May 19, 2022 from 12 p.m.-1:30 p.m. ***See attached presentation.

Administrator’s Briefing

Mr. Griffin stated tomorrow night the Capital Sales Tax Commission will be hearing presentations not only on the county’s CPST projects, but all the municipalities. That will be held at 6 P.M. at the Walterboro Wildlife Center. Also, we almost have a day worked out for a budget work session for next week on Thursday. We will get the time and venue nailed down and back out to you all on tomorrow. I did want to report to council that both our litter team and Keep Colleton Beautiful picked up another roughly 35 miles of road and this week we are focusing strongly around the convenient site areas. Also, when we get the land management ordinance and other association

ordinances passed tonight, it will give us some weight to go out and start doing some other things as far as enforcement is concerned.

Councilman Taylor asked if Mr. Griffin knew if the CPST Commission went to the schools and talked with the students prior to the interviews tomorrow.

Mr. Griffin stated that he was not aware.

Dr. Flowers made a motion to move into public hearing. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Public Hearing

- A. Ordinance 22-O-02, Authorizing the Execution of a Temporary Lease Agreement Between Colleton County and Causie Contracting, Inc. for the Staging of Personnel and Equipment related to the I-95 Construction and Repaving from St. George to Point South.**
- B. Ordinance 22-O-03, To Amend Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisance Generally and Chapter 9.04 – Littering, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan**
- C. Ordinance 22-O-04, To Amend Title 13 – Buildings and Construction, Chapter 13.04 – Construction Codes Adopted, Chapter 13.12 – Flood Damage Prevention, Chapter 13.16 – Manufactured Homes and Chapter 13.20 – Uniform Ordinance Summons, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan**
- D. Ordinance 22-O-05, To Amend Title 14 – Land Management, Chapter 14.04 – Land Development Regulations And Chapter 14.08 – Zoning, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan**

Councilman Taylor made a motion to move out of public hearing. The motion was seconded by Councilman Williams. The motion carried unanimously.

Old Business

- A. 3rd Reading Ordinance 22-O-02, Authorizing the Execution of a Temporary Lease Agreement Between Colleton County and Causie Contracting, Inc. for the Staging of Personnel and Equipment related to the I-95 Construction and Repaving from St. George to Point South.**

Councilman Williams moved to approve the 3rd Reading Ordinance 22-O-02, Authorizing the Execution of a Temporary Lease Agreement Between Colleton County and Causie Contracting, Inc. for the Staging of Personnel and Equipment related to the I-95 Construction and Repaving from St. George to Point South. The motion was seconded by Councilman Whetsell. The motion was carried unanimously.

B. 3rd Reading Ordinance 22-O-03, To Amend Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisance Generally and Chapter 9.04 – Littering, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan

Dr. Flowers moved to approve the 2nd Reading Ordinance 22-O-03, To Amend Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisance Generally and Chapter 9.04 – Littering, To Coincide with the Ten Year Update of the Colleton County Comprehensive Plan. The motion was seconded by Councilman Taylor. The motion was carried unanimously.

C. 3rd Reading Ordinance 22-O-04, To Amend Title 13 – Buildings and Construction, Chapter 13.04 – Construction Codes Adopted, Chapter 13.12 – Flood Damage Prevention, Chapter 13.16 – Manufactured Homes and Chapter 13.20 – Uniform Ordinance Summons, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan

Councilman Taylor moved to approve the 2nd Reading Ordinance 22-O-04, To Amend Title 13 – Buildings and Construction, Chapter 13.04 – Construction Codes Adopted, Chapter 13.12 – Flood Damage Prevention, Chapter 13.16 – Manufactured Homes and Chapter 13.20 – Uniform Ordinance Summons, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan. The motion was seconded by Councilman Williams. The motion was carried unanimously.

D. 3rd Reading Ordinance 22-O-05, To Amend Title 14 – Land Management, Chapter 14.04 – Land Development Regulations And Chapter 14.08 – Zoning, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan

Dr. Flowers moved to approve the 2nd Reading Ordinance 22-O-05, To Amend Title 14 – Land Management, Chapter 14.04 – Land Development Regulations And Chapter 14.08 – Zoning, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan. The motion was seconded by Councilman Taylor. The motion was carried unanimously.

E. 2nd Reading Ordinance 22-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2022 through June 30, 2023 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto

Councilman Williams moved to approve the 2nd Reading Ordinance 22-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2022 through June 30, 2023 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. This motion was seconded by Councilman Taylor. The motion carried unanimously.

New Business

- A. **1st Reading Ordinance 22-O-08, By Title Only, To Impose, Subject to Referendum Approval and Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") Within Colleton County for Not More Than Seven (7) Years; To Order a County-Wide Referendum On The Question of Imposing the Tax and to Prescribe the Contents of the Ballot Question; To Specify the Purposes For Which the Proceeds From the Tax Are To Be Used, the Maximum Time For The Imposition Of The Tax; and To Provide For Other Matters Relating Thereto.**

Dr. Flowers moved to approve the 1st Reading Ordinance 22-O-08, By Title Only, To Impose, Subject to Referendum Approval and Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") Within Colleton County for Not More Than Seven (7) Years; To Order a County-Wide Referendum On The Question of Imposing the Tax and to Prescribe the Contents of the Ballot Question; To Specify the Purposes For Which the Proceeds From the Tax Are To Be Used, the Maximum Time For The Imposition Of The Tax; and To Provide For Other Matters Relating Thereto. The motion was seconded by Councilman Whetsell.

Councilman Williams stated that with the bill that is being brought to the floor, I find it hard for us to continue to pursue the Capital Sales Tax Projects when we do not have anything from the school district. We haven't had a conversation with anyone other than ourselves, and we weren't even into details when we thought about the Capital Project Sales Tax. We were off for a while and now were back on. Even when we went and prioritized things, and everyone had the right to prioritize the way they wanted to... I know the people that I have spoken with and the people that I represent, and I hope that I represent everyone in Colleton County, regardless to me being apart of District 23. They feel that this is something that we are pushing down their throat and many of them have asked me not to support it, and I find it hard to support something that the citizens don't really want. I know that the bad part about this is that there are some facilities on here that I know the county definitely needs and there are some on there that are almost like a wish list, and for that reason, I want it to be on record that I cannot support it.

Dr. Flowers moved to approve the 1st Reading Ordinance 22-O-08, By Title Only, To Impose, Subject to Referendum Approval and Pursuant to the Capital Project Sales Tax Act, a One Percent (1%) Sales and Use Tax (The "Tax") Within Colleton County for Not More Than Seven (7) Years; To Order a County-Wide Referendum On The Question of Imposing the Tax and to Prescribe the Contents of the Ballot Question; To Specify the Purposes For Which the Proceeds From the Tax Are To Be Used, the Maximum Time For The Imposition Of The Tax; and To Provide For Other Matters Relating Thereto. The motion was seconded by Councilman Whetsell. The motion carried 4 to 1, with Councilman Williams being opposed.

- B. **1st Reading Ordinance 22-O-09, To Authorize the Rezoning a 4.3 Acre Parcel at Bennett's Point, Identified as T.M.S. No. 334-00-00-74, from Community Commercial (CC) to Rural Conservation-2 (RC-2).**

Dr. Flowers moved to approve the 1st Reading Ordinance 22-O-09, To Authorize the Rezoning a 4.3 Acre Parcel at Bennett's Point, Identified as T.M.S. No. 334-00-00-74, from Community Commercial (CC) to Rural Conservation-2 (RC-2). The motion was seconded by Councilman Taylor. The motion carried unanimously.

C. **Resolution 22-R-25, To Award the Contract in Accordance with Bid FM-56 for Fleet Maintenance Bay Door Replacement**

Councilman Williams moved to approve Resolution 22-R-25, To Award the Contract in Accordance with Bid FM-56 for Fleet Maintenance Bay Door Replacement. The motion was seconded by Councilman Taylor. The motion carried unanimously.

D. **Resolution 22-R-26, To Reschedule the July County Council Meeting and Cancel the August County Council Meeting**

Councilman Taylor moved to approve Resolution 22-R-26, To Reschedule the July County Council Meeting and Cancel the August County Council Meeting. The motion was seconded by Dr. Flowers. The motion carried unanimously.

E. **Resolution 22-R-27, To Advertise Board Vacancies**

Dr. Flowers moved to approve Resolution 22-R-27, To Advertise Board Vacancies. The motion was seconded by Councilman Williams. The motion carried unanimously.

F. **Resolution 22-R-28, To Appoint Members to Board Vacancies**

Councilman Taylor moved to approve Jaqueline Harvey-Brown to the Keep Colleton Beautiful Board by acclamation. The motion was seconded by Councilman Williams and the motion carried unanimously.

Chairman Murdaugh stated that Mr. Lonnie Martin, Ms. Vennie Mitchell, and Ms. Celeste Stone received five votes. Councilman Taylor moved to appoint Lonnie Martin, Vennie Mitchell, and Celeste Stone. Councilman Williams seconded the motion. The motion carried unanimously.

Council Time

Chairman Murdaugh stated that we are in council time where we have listed discussion on Capital Project Sales Tax Project discussion. The clerk has provided a list of the projects, at the top you can see these are the ones designated by the county. At this time I would like to open it up for questions about the projects and if we wanted to, for example, reduce the request for the Colleton County Detention Center.

Councilman Taylor stated that he spent some time looking at some of the facilities after receiving the request. After looking at the foot print and what we're doing, the jail we have now is not so old. It is a relatively newer facility, however I did see some of what I would consider neglect with maintenance over the years. I believe that it could be possible that we look at how we can, this is just a way of discussion, add a waiting room and create a portal to create a way for the inmates to go to court from the back of the facility via a covered walk area. There is space inside the current center area where court is being held, and down stairs is not actually being used. Maybe we can look at a way to massage the foot prints that we have now instead of a brand-new development. If we have a way to take what we have now and expand it and use it then I think we should consider it before we abandon it and make another vacant building downtown that no one else can use. I really do believe that the Emergency Operations Center (Anyone that has had to work there during these weather events can see that it is something that is really needed, it is really small.) Some of the other facilities, we may be able to take some time, with the demand that we are having to have safe schools, saying we want children to be safe and reduce the number of fights, people are fighting, it is amazing to me that we could put a 6th grade academy together and provide STEM and STEAM technology in there to advance education of our youth and have a vibrant work force. I think this is something we need to sink our teeth into. Maybe it is not CPST, but we need to find a way that we as a county can support our children. Not supporting them in this way with all the recreation things at the end of our list, as it relates to children. If we don't support anything related to children in the top end except the emergency areas. So, if we are going to support the youth, we need to think really hard about this list as a county. I cannot speak for the city and other municipalities, maybe we could message our list and look at can we expand our buildings we currently have in a way to reduce the foot printed money. I do realize that the 13 million is not the 22 million I was looking at before.

Councilman Flowers stated that certainly as we move down the road it will be a number of years before these projects that we are looking at here will be completed and by this time these facilities will have several more years of deterioration. Certainly, animal control facilities are deplorable right now and needs some upgrades and so does the Emergency Operations Center. I think the jail we are going to have to use what we got now, because it is going to be a number of years before we have that...13 million is half of what we said that would probably cost. Of course if you look at it, we have the largest amount of cost increase in building supplies in the last 24 months than we have in many years. I do not think this is a sustainable thing, and I think that bubble is going to break before long. I think we are going to be back in a 2008 type situation. Looking at this sales tax thing, I think we need to certainly look down the road at the things we will need and I think these are. Councilman Taylor mentioned the school system and we have spent millions and millions of dollars on schools in this county in the last several years and still owe a lot of money on that. I think we need to look twice about any kind of new construction, and also we have less students than we used to have...our student population is diminishing over the last several years quite a bit. I think that is something you have to think about also.

Councilman Williams stated that he is back on it again. We wonder why we don't have young people in the area and why we're not retaining the young people as they graduate from school. They take the next flight out and they leave. We never give them any input to the things we're actually trying to accomplish. When I look at this CPST list, someone had to put it together and it is not in alphabetical order or numerical order so why are all the things that could benefit our young

people and the community, listed at the very bottom. It sends a bad signal out to our young people and our community that wish to have a better way of life, if they have to keep going out of town to have a better social life. If we don't retain the young people that we actually get, then we're always going to struggle to get things done without adequate funding. I have had an opportunity to go out to several sites, and I challenge my colleagues to do the same, if you have not already. It has been years of neglect for the facilities that we have. I went into one last week and was out right embarrassed, but we will talk about that at a different time. There is no way I can think about investing in new buildings when we don't take care of the ones we have, it is deplorable in the ones I have seen in the last couple of days. I think that there are some needs that we have on here, the emergency operations center, it is like a match box. If there is a true emergency I would want them to be comfortable while they are there, but aside from that I think we should invest in our youth.

Councilman Whetsell stated that the amount of money we have spent on the schools is an outrageous figure compared to what some of your private schools educate the children with. I don't know if you're talking about the money to educate a child or if you're talking about money to build them some new buildings or what you're talking about, but the amount of money they get is mighty large.

Chairman Murdaugh stated we're not here to talk about schools. The school district submitted that project. The purpose of the Capital Project Sales Tax Committee is set by state statute and their entire existence and purpose is to operate completely independent from this council to keep politics out of it. The projects on this list are submitted from the City of Walterboro, Edisto Beach, The Town of Cottageville, The Town of Smoaks, The Town of Williams, also The School District Projects, and the Airport Project, which I understand they have both been removed because they do not qualify based on statute. That was work done by the committee, not by this Council. We are not supposed to get into the politics of schools and all these things. The Projects that the County submitted...the reason they are in the order that they are, is because we as a council, the 5 of us met one night and we prioritized these projects and they're in the exact order that we prioritized them in. If something is at the bottom, it is at the bottom because that is how we ranked the project. I will say this, regardless of how we rank the projects, and I know the chairman of the Capital Projects Sales Tax Committee is here tonight, their job is to go in and they can totally disregard what we think. They operate completely independent of this council so that there is no politics involved. So, they can go in and choose to do any project that they want to do that is on this list. Our job when we submit the list, is to submit something that is fair and reasonable. Councilman Taylor brought up the jail, which is a fair discussion. We should be deciding if we want to submit a 13 million dollar request for a new jail, can we put some current amount of money in the current jail and get by for a few years, or is that a foolish decision. It is a problem that we are ultimately going to have to fix and were going to be stuck with 5 million dollars. I am not making a recommendation, I think that what Councilman Taylor is a legitimate issue to discuss, it is on our list, now the school is not on our list. We are not getting into the school discussion here tonight because we are not supposed to be influencing the committee, and I hope you stuck your fingers in your ears when we were having that discussion because that is not our purview. Now the projects that are on here I think certainly are fair and projects that we can discuss. As I look at this list and the projects that are at the bottom, the stand-alone YMCA 8.45 million dollars, Recreation Center-New Gym 2.9 million, and Pool Facility. In my personal opinion if we are going to do a pool and

a gym then we do not need to do a YMCA. That takes 8 million out of the request, and I don't know if other council members feel that way. As far as the jail is concerned, I'll be honest I don't know the answer to that question. At some point we are going to have to build a new gym, but can we get by doing something less...I don't know the answer to that question. Maybe that is something that the committee may explore more in detail when the projects are presented to them. That maybe something that they can discuss. Is there anybody that feels that we should have a discussion specifically about the jail and whether we think we need to leave the request as is or reduce the request?

Dr. Flowers stated that he thinks we should leave the request as is. This facility, Councilman Taylor stated that it was not that old, however I think it is obsolete for what we need. I think we should leave it there because this is going to be a big project and if we don't get some help with this it'll be a big tax on the people in this county. So personally think we should leave it where it is and let the chips fall where they may. Like you say this council rated these projects and it is what we have to work with.

Councilman Taylor stated that I was one that ranked, and I pretty much lean on the county on how they thought we needed to look at these projects. They submitted it and gave us a list, so I called and asked why the list was in this order. Well we got these priorities, look at these priorities. So I looked at the priorities, if it is an issue that we are throwing money into it on a regular basis, running out of space, were at capacity, then that is a real issue that we are looking at. We got a letter from the jailer, just so happens she is my wife but this had nothing to do with the fact that she is my wife, we got a letter as a council to go take a tour of the jail. Councilman Williams and I took a tour of the jail we actually walked through all the areas we had eyes on. We could actually see things that we could not see on paper when we had already voted and already ranked them but we hadn't looked at the projects. I have been in the EOC when there have been storms and things when there is 18-20 teams sitting in a cramped room standing in the corner trying to get on a video chat, I have been there. So, a lot of these places I have gone. You may not get the calls about people wanting to do things with their children in this county with recreation beyond what we have. When they say they go to the gym and the gym is full with gymnastics and they want to play basketballs. We may have some areas that we need to grow, but we need to talk about things as a council and things that we can actually see. Maybe we need to take tours before we pull out and start writing a check. Let's go as a council and take a look at these places.

Councilman Murdaugh stated to address the issues that Councilman Taylor raised about the last three items on the list, the standalone facility and the new gym and pool. Obviously we can't view those things because they don't exist. There certainly is a need. The problem I see with a YMCA is that the YMCA as an organization is having their own difficulties and if we build a YMCA and were going to partner with some organization I don't know how we could expect to make a determination on that. Now having a new gym and a pool sort of corrects some of the same issues I think as the standalone YMCA. I am only voicing my opinion, however I think the YMCA verses the other too, that is 8.5 million dollars. Obviously the committee is not going to be able to do all these projects, there just isn't enough money. Between that and the jail...now we are going to have to build a jail at some point. I haven't been in every area of the jail but I do have to go in there because of my work at times. There is issues with the jail, we have received letters about the jail,

and speaking with the Sheriff he would like to see a new jail built. The new jail project is 22 million, even if we get 13 million and we are not able to close that gap, what happens to the money?

Mr. Griffin stated the way the statute is written that would be the first project on the next CPST referendum and it would roll over. We have to complete this bill so to speak. This was a big issue up in Florence back in 2007-08. They ran out of money and didn't have the projects finished and then tried to submit a new set of projects, and the supreme court said no, you have to go back and finish the original. So, if we couldn't bridge that gap some other kind of way with different financing, then it would roll over to the next referendum as a project. The other thing we can do if we can get that amount of money in a different way then we could set it aside to try and do it down the road. The big thing down the road is that is a big number.

Councilman Williams stated that one of the things I want people to understand is a YMCA or a YMCA type structure is more than just a pool and a gym. There are other functions that could be used in that facility. Again, we are also putting our young people and our families behind 8 Ball, last. When we talk about the committee and putting the weight on the shoulders of the committee about ranking the facilities or projects when they know our vote. We are the ones that appointed the committee and if we're going to do that and give the committee the final burden of making that decision for the county then we should've been more diversified in the selection process that we made. When we select people to do things and were talking about being fair and being transparent then let's make the appointments more unified and reflective of the community. We have three white males, one black male, and one white female. That is not diversity if we are talking about having them make the decision. I don't know what communities or where all the appointees came from but let's put some thought into what we are trying to accomplish in this county. We always wonder why Colleton County can have all the accessories to grow but we are not moving forward. Right next to I-95 with a beautiful airport. Something is causing us not to grow because we are using the same methods that we've used for the last 200 years to make decisions. So, unless we change our method of decision making and be more inclusive with everybody and all of us move in the same direction then we're going to always struggle and not get what we should get and always have that problem of people wanting to leave. If you go back and check the last two censuses, you'll see that Colleton hasn't grown, in fact the numbers have gone down...why? We have everything. A new building is not going to attract people to the community. Yes, we need to maintain the facilities that we have. I challenge all decision makers to take a tour and go see what we have and I can assure you once you go take a look you're going to realize that building a new building to be treated the same way we've treated the ones that we have now, we're going to be right back into the situation that we have now.

No further discussion.

Executive Session

Councilman Taylor moved to go into executive session to discuss the following: Airport Commission – Airport Hanger, Airport Commission – State Legislative Action, and Legal – Lowcountry Community Action Agency. Councilman Williams seconded the motion. The motion carried unanimously.

Councilman Williams moved to exit executive session. Councilman Whetsell seconded the motion, which carried unanimously.

Chairman Murdaugh stated that we were back in open session, during Executive Session we discussed: Airport Commission – Airport Hanger, Airport Commission – State Legislative Action, and Legal – Lowcountry Community Action Agency.

Adjournment

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

This ___ day of June, 2022.

Steven D. Murdaugh, Chairman

ATTEST:

Kaela Brinson, Clerk to Council

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Proclaiming the Week of July 30 – August 6, 2022 as Gullah-Geechee Nation Appreciation Week

WHEREAS, Colleton County is one of the Lowcountry counties in which Africans had been enslaved and created the Gullah/Geechee culture; and

WHEREAS, the Gullah/Geechee culture has had a powerful impact on the Lowcountry of South Carolina and;

WHEREAS, the preservation and celebration of the Gullah/Geechee culture has gained momentum due to the Gullah/Geechee Cultural Heritage Act, created by United States Representative James Clyburn, as well as the efforts of others such as Queen Quet, of the Gullah/Geechee Nation, and Kwame Sha, co-founders of the Gullah/Geechee Nation International Music & Movement Festival™; and

WHEREAS, Queen Quet has provided Gullah/Geechee educational presentations at the Colleton County Memorial Library for the past 22 years; and

WHEREAS, these presentations have taught about sustaining Gullah/Geechee land; and

WHEREAS, the Gullah/Geechee Sustainability Plan has been created to sustain the land and the Gullah/Geechee culture; and

WHEREAS, Queen Quet, who became the first Gullah/Geechee to speak before the United Nations on behalf of Gullah/Geechees, lead the creation of this plan; and

WHEREAS, it is appropriate to recognize the importance of bringing awareness and appreciation for this rich culture and history in order to increase understanding of all the contributions the Gullah/Geechee have given to our area; and

WHEREAS, the “Gullah/Geechee Nation International Music & Movement Festival™” moves to various parts of the Gullah/Geechee Nation and the African Diaspora each year to educate the world about and to celebrate the continuation of Gullah/Geechee traditions; and

WHEREAS, the “Gullah/Geechee Nation International Music & Movement Festival™” will be the culmination of “Gullah/Geechee Nation Appreciation Week;” and

WHEREAS, a series of activities will take place throughout Colleton County and virtually to honor the history and legacy of the Gullah/Geechee Nation and are part of the United Nations Decade of People of African Descent; and,

WHEREAS, Colleton County joins in celebrating the lives of Gullah/Geechees that have left such a rich legacy of our county, region, and nation by joining in with the theme this year, “**Celebrating Gullah/Geechee Land & Living Legacy;**”

NOW, THEREFORE, BE IT RESOLVED that the **COLLETON COUNTY COUNCIL**, does hereby proudly proclaim the week of July 30 - August 6, 2022 as **GULLAH/GEECHEE NATION APPRECIATION WEEK** in Colleton County and encourages all citizens to actively participate in educational activities aimed at increasing both knowledge and appreciation of this rich culture.

Adopted this 7th day of June, 2022.

ATTEST: _____
Kaela Brinson, Clerk to Council

BY: _____
Steven D. Murdaugh, Chairman

Sponsor(s) : County Council
 First Reading : February 1, 2022
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : March 1, 2022
 Public Hearing : June 7, 2022
 Third Reading : June 7, 2022
 Effective Date : Immediately

I, Kaela Brinson, Council Clerk, certify that this Ordinance was advertised for Public Hearing on May 19, 2022.

ORDINANCE NO. 22-O-01

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN COLLETON COUNTY AND GEHL FOODS SOUTHEAST, LLC (FORMERLY KNOWN TO THE COUNTY AS PROJECT RUBY), WHEREBY COLLETON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH GEHL FOODS SOUTHEAST, LLC; PROVIDING FOR PAYMENT BY GEHL FOODS SOUTHEAST, LLC OF CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; PROVIDING FOR ASSIGNMENT OF CERTAIN EXISTING ECONOMIC DEVELOPMENT INCENTIVES TO GEHL FOODS SOUTHEAST, LLC; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY GEHL FOODS SOUTHEAST, LLC UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AND ASSUMPTION OF INCENTIVE AGREEMENTS AND RELEASE FROM INCENTIVE AGREEMENTS AMONG COLLETON COUNTY, SOUTH CAROLINA, CRESCENT DAIRY & BEVERAGES, LLC, AND GEHL FOODS SOUTHEAST, LLC; AND OTHER MATTERS RELATING THERETO.]

WHEREAS, Colleton County, South Carolina (the “County”), acting by and through its County Council (the “County Council”) is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the “FILOT Act”), to designate real and tangible personal property as “economic development property” and to enter into an arrangement which provides for payment in lieu of taxes (“Negotiated FILOT Payments”) for a project qualifying under the FILOT Act; and

WHEREAS, the County, acting by and through the County Council, is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1 of the Code (the “MCIP Act”), to provide for payments in lieu of taxes (“PILOT Payments”) with respect to property situated or having a situs in a multi-county business or industrial park created under the MCIP Act, and pursuant to Section 4-1-175 and 4-29-68 of the Code (the “SSRC Act”), to permit investors to claim infrastructure or special source revenue credits against their PILOT Payments (including any Negotiated FILOT Payments) to reimburse such investors for expenditures for infrastructure serving Colleton County and improved or unimproved real estate and personal

property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Colleton County (“Infrastructure Improvements”), to facilitate the grant of infrastructure or special source revenue credits, and to provide certain enhanced tax credits to such investors; and

WHEREAS, in order to promote the economic welfare of the citizens of Colleton County and Hampton County (collectively, the “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 executed on December 11, 2007 by Colleton County and on January 22, 2008 by Hampton County (the “Original Park 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 the MCIP Act; and

WHEREAS, the Original Park Agreement, as amended, is referred to herein as the “Park Agreement,” and

WHEREAS, Gehl Foods Southeast, LLC (formerly known to the County as Project Ruby), a Delaware limited liability company (the “Company”), intends to acquire, construct, renovate, furnish, equip and expand the existing industrial facility (the “Existing Facility”) owned by Crescent Dairy & Beverages, LLC (the “Existing Industry”), located at 181 Crescent Way, Walterboro, South Carolina and a second building to be part of the Project located at 325 Global Place, Walterboro, South Carolina. The Existing Facility and existing investment acquired by the Company are referred to herein as the “Acquired Project,” the new facilities, acquisitions, construction, renovation, furnishings, equipment and expansions are referred to herein as the “New Project,” and the Acquired Project and New Project are referred to herein collectively as the “Project”. The Project is to be located at 181 Crescent Way and 325 Global Place, Walterboro, South Carolina (collectively, the “Project Site”); and

WHEREAS, the New Project when completed will represent an anticipated new “investment” (as defined in the FILOT Act) (the “Investment”) by the Company in the aggregate amount of not less than \$44,825,000, of which \$15,885,000 will be in real property (land and building) and \$28,940,000 will be in tangible business personal property (new machinery and equipment) to be located at the Project Site, which will be in addition to the \$30,000,000 investment made previously by the Existing Industry in the Acquired Project located at the Project Site; and

WHEREAS, the County has been advised that upon the completion of the Project, the Project is anticipated to employ an additional approximately 106 full-time employees within five (5) years of the completion of the New Project, which will be in addition to maintaining the current level of 60 employees which are part of the Acquired Project; and

WHEREAS, the County is authorized to include the site of the Project Site within a multi-county industrial and business park pursuant to the MCIP Act and to provide special source revenue or infrastructure credits pursuant to the SSRC Act; and

WHEREAS, the Project Site is located entirely within Colleton County and will be

included in and subject to the multi-county park and fee-in-lieu of tax arrangements as described herein; and

WHEREAS, the Project Site has been previously designated by the County as a portion of the Park; and

WHEREAS, the County has made specific proposals, including proposals to offer certain economic development incentives set forth herein, for the purpose of inducing the Company to invest its funds to acquire, construct, renovate, furnish, equip, and expand the Project (the “Incentives”); and

WHEREAS, it is in the public interest, for the public benefit, and in furtherance of the public purposes of the FILOT Act, and the SSRC Act that the County Council provide final approval for qualifying the Project under the FILOT Act, and the SSRC Act for the Incentives;

WHEREAS, the County has previously entered into a Fee Agreement, dated as of January 1, 2013 (the “Prior Agreement”), with the Existing Industry relating to an “investment” (as defined in the FILOT Act) previously made by the Existing Industry in the County (the “Prior Project”), which the Existing Industry wishes to assign to the Company and the Company wishes to assume, and the County has agreed to consent to such assignment and assumption of the Prior Agreement, and to the extension of the term of the Prior Agreement to a final termination date of December 31, 2048, and pursuant to which the County has agreed to accept and the Company and has agreed to pay to the County a fee-in-lieu of taxes with respect to the Prior Project (as described in the Prior Agreement) all in accordance with FILOT Act; and

NOW, THEREFORE, BE IT ORDAINED by the County Council as follows:

Section 1. Evaluation of the Project. County Council have evaluated the Project on the following criteria based upon any advice and assistance of the South Carolina Department of Revenue and the Revenue and Fiscal Affairs Office, as necessary:

- (a) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon information provided by and representations of the Company, County Council’s investigation of the Project, including the criteria described in Section 1 above, and any advice and assistance of the South Carolina Department of Revenue and the Revenue and Fiscal Affairs Office, as necessary, County Council hereby find that:

- (a) the New Project constitutes a “project” as that term is defined in the FILOT Act;

- (b) the New Project will serve the purposes of the FILOT Act, the SSRC Act;
- (c) the Investment by the Company in the New Project will be approximately \$44,825,000, all to be invested within the “investment period” (as defined in the FILOT Act); and the Company will employ 106 new full-time employees at the Project within 5 years of the completion of the New Project;
- (d) the Project will be located entirely within Colleton County and is anticipated to be located in the Park created pursuant to the MCIP Act;
- (e) the Infrastructure Improvements to be financed or reimbursed from the SSRCs (as defined in Section 5 hereof) consist of infrastructure serving Colleton County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Colleton County; and
- (f) the Project is anticipated to benefit the general welfare of Colleton County by providing services, employment, or other public benefits not otherwise adequately provided locally;
- (g) the Project gives rise to neither a pecuniary liability of the County nor a charge against its general credit or taxing power;
- (h) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (i) the inducement of the location of the New Project is of paramount importance; and
- (j) the benefits of the Project to the public are greater than the cost to the public.

Section 3. Fee-in-Lieu of Taxes Arrangement. Pursuant to the authority of the FILOT Act, the New Project is designated as “economic development property” under the FILOT Act and there is hereby authorized a fee-in-lieu of taxes arrangement with the Company which will provide Negotiated FILOT Payments to be made with respect to the New Project based upon a 6% assessment ratio with the millage rate which is the lower of (a) the cumulative property tax millage rate levied on behalf of all taxing entities within the county in which the New Project is located on June 30 of the year preceding the calendar year in which the FILOT Agreement (as defined below) is executed or (b) the cumulative property tax millage rate levied on behalf of all taxing entities within the county in which the New Project is located on June 30 of the calendar year in which the FILOT Agreement is executed, such rate to be fixed for the entire 25-year term of the fee-in-lieu of taxes, all as more fully set forth in the Fee-in-lieu of Tax Agreement between the County and the Company (the “FILOT Agreement”). The FILOT Agreement shall be a “Fee Agreement” within the meaning of Section 12-44-30(10) of the FILOT Act.

Section 4. Multi-County Park Incentive.

(A) By separate ordinance (the “MCIP Ordinance”) of the County Council, the County, in cooperation with Hampton County (the “Partner County”) has previously designated the Project Site as a multi-county business park pursuant to Article VIII, Section 13 of the South Carolina Constitution, the MCIP Act, and the terms of the Agreement for the Development of a Joint County Industrial Park between the County and Hampton County, South Carolina, executed on December 11, 2007 by Colleton County and on January 22, 2008 by Hampton County, as further amended, supplemented, or replaced from time to time (the “MCIP Agreement”).

(B) The County will provide for 25 years that the annual allocation of the PILOT Payments generated by the New Project will be distributed (after distribution of a portion of the PILOT Payments to the Partner County in accordance with the MCIP Agreement) as follows:

- (i) To the County, for providing the SSRCs (as defined in Section 5 hereof), an amount equal to the annual SSRC provided in Section 5 of this Ordinance and in the FILOT Agreement; and
- (ii) Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the PILOT Payments to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

Section 5. Special Source Revenue Credits.

(A) After the identification of qualifying public infrastructure located solely within Colleton County and the costs thereof to the satisfaction of the County, the County will provide to the Company an infrastructure or special source revenue incentive (the “SSRCs”) all as more fully set forth in the FILOT Agreement.

(B) The documents providing for the SSRCs shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds are not achieved (a “clawback” provision); (ii) that the Company will pay the County’s administrative expenses associated with the approval and administration of the SSRC; (iii) that under certain terms and conditions, the County will have access to certain information of the Company; and (iv) that the Company will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project.

Section 6. Execution of the FILOT Agreement. The form, terms, and provisions of the FILOT Agreement presented to the meeting at which this Ordinance received third reading and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if such FILOT Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized and directed to execute and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in

substantially the form before the meeting of County Council at which this Ordinance received third reading and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder, upon the advice of legal counsel, by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of FILOT Agreement presented to said meeting.

Section 7. Approval of Transfer, Extension, and Release.

(a) Pursuant to the authority of the FILOT Act and the terms of the Prior Agreement, the County agrees (i) to the assignment of the Prior Agreement from the Existing Industry to the Company as a Sponsor (as defined in the FILOT Act), (ii) to extend the term of the Prior Agreement to a final termination date of December 31, 2048, (iii) that as of the effective date of this Ordinance, the Existing Industry is in full compliance with the Prior Agreement, and (iv) to release the Existing Industry from unaccrued liability under the Prior Agreement with respect to the Transferred Assets, all as more fully set forth in the Assignment and Assumption of Incentive Agreements and Release From Incentive Agreements (the "Assignment Agreement") among the County, the Existing Industry, and the Company.

(b) The form, terms, and provisions of the Assignment Agreement presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if such Assignment Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized and directed to execute and deliver the Assignment Agreement in the name and on behalf of the County, and thereupon to cause the Assignment Agreement to be delivered to the Existing Industry and the Company. The Assignment Agreement is to be in substantially the form now before this meeting of County Council and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder, upon the advice of legal counsel, by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of Assignment Agreement now before this meeting.

Section 8. Miscellaneous.

(a) The Chairman and all other appropriate officials of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions authorized by this Ordinance.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council.

(d) The provisions of this Ordinance are hereby declared to be severable and if any

section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

(e) All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

COLLETON COUNTY, SOUTH CAROLINA

By: _____
Steven D. Murdaugh, Chairman,
County Council
Colleton County, South Carolina

ATTEST:

Kaela Brinson, Clerk to County Council
Colleton County, South Carolina

First Reading: February 1, 2022
Second Reading: March 1, 2022
Public Hearing: June 7, 2022
Third Reading: June 7, 2022

Sponsor(s) : County Council
 First Reading : April 12, 2022
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : May 3, 2022
 Public Hearing : June 7, 2022
 Third Reading : June 7, 2022
 Effective Date : July 1, 2022

I, Kaela Brinson, Council Clerk,
 certify that this Ordinance was
 advertised for Public Hearing on
 May 19, 2022.

ORDINANCE NO. 21-O-06

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2022 through June 30, 2023 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.]

WHEREAS:

1. Colleton County Council, pursuant to state statutes, is authorized and required to adopt an annual budget for all departments, offices, and agencies (hereinafter collectively termed offices) of the County Government; and
2. Pursuant to state statutes, total funds appropriated in fiscal year 2022-2023 for the above purposes do not exceed estimated revenues and funds available for expenditure in fiscal year 2022-2023.

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

SECTION 1. APPROPRIATIONS

a. Procedures Compliance: The fiscal year 2022-2023 County Budget for Colleton County South Carolina and the Colleton County School District local appropriations are hereby adopted, and detailed budget appropriation documentation attached hereto is incorporated herein by reference. The Colleton County Council certifies that it has complied with all state laws and regulations regarding readings, notices, and public hearings for mills levied herein, and that it will comply in the case of mill levies, which may be adjusted by resolution based on more current information at the time of final issuance of the levies and after the adoption of this ordinance.

b. Levy Process: In all cases, all property shall be taxed unless otherwise exempt from taxation pursuant to Title 12, South Carolina Code of Laws, 1976, as amended. The taxes shall be collected in the manner as provided for collection of taxes by Title 12, Chapter 45 of the South Carolina Code of Laws, 1976, as amended, and in accordance with procedures established in County enacting ordinances. All property taxes are due and payable between the thirtieth day of September through the fifteenth day of January after their assessment in each year. Before the tax bills are issued, the County Auditor shall provide to the County Administrator a reconciled summary by levy of all taxes billed, and the County Treasurer shall provide monthly an apportionment report with refunds (computer system printout) for all taxes collected. Additionally, the Finance Office shall be provided with “read only” access to tax computer modules for the purpose of report generation. Tax levy mill information shall be supplied to the County Auditor for purposes of preparing the tax books for Colleton County.

(1) Motor Vehicle Taxes: Taxes levied on motor vehicles shall be collected pursuant to the schedules and procedures as established by State Statute and nothing herein shall be deemed to extend or defer the time of payment for such motor vehicle taxes.

(2) Motor Vehicle Owner Responsibility for Taxes: No motor vehicle registered in the State of South Carolina and being the property of a person, a resident of the County, shall be operated on the streets and public ways of the County unless all the motor vehicle taxes and fees duly assessed against such vehicle shall have first

been paid. In the event that any person violates the provisions of this Section, he shall be guilty of a misdemeanor and subject to the penalties prescribed in Title 46, 1976 South Carolina Code of Laws, as amended. Nothing in this section shall preclude the collection of taxes and fees upon such motor vehicle after the prosecution of the offender for failure to pay such tax.

c. Appropriation Management:

(1) Reallocation: Unless otherwise restricted by state law or specific limitation of accounting standards, all of the appropriations hereinafter and those in the budgetary detail incorporated herein by reference are subject to adjustment and reallocation by County Council by voice motion or resolution. Any amount appropriated in this Ordinance may be discontinued at any time by appropriate action of a majority of the County Council. Expenditures from the Council’s contingency in non-departmental shall typically be done by resolution or voice motion.

(2) Duplication: If any of the items, or portions thereof, for which funds are herein appropriated is taken over by the State or Federal government and appropriations therefrom be made by either or paid by either directly to a County Office, or if the same shall become available in any manner, then the amounts for said Office herein appropriated shall be reduced in the amount of said appropriation, direct payment, or other available funds or support.

(3) Direct Assistance: All agencies receiving direct assistance payments from the County shall be funded quarterly in arrears no more than twenty-five (25%) percent of their direct assistance line item except at the discretion of the County Administrator. The quarterly allotments shall be paid around the 15th of the month following the end of each quarter. The final 4th quarter funding may be withheld by the Chief Financial Officer pending the reconciliation of outstanding obligations between the County and the Agency receiving funding or in the case of grant irregularities. Agencies, boards, and commissions, which are partially funded by Colleton County Government, must provide annual audited financial statements to include a copy of the management letter and a copy of Title 2 U.S. Code of Federal Regulation Part 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards report, if applicable. State funded agencies must provide an annual report or a summary of local office-specific funding. Quarterly funding may be withheld pending the County’s receipt of an agency’s annual audited financial statements.

d. Funds: The following funds are hereby established for the purposes set forth with appropriations/budgeted amounts where applicable. Other funds may be delineated elsewhere:

<u>Fund</u>	<u>Fund Name</u>	<u>Appropriation</u>	<u>Millage</u>
100	County General Fund**	\$ 33,655,166	116.31
115	Capital Fund*	\$ 1,453,300	
120	Special Revenue Fund*	\$ 1,339,090	
121	State Aid to Library Fund*	\$ 150,000	
122	Colleton County Memorial Library Fund*	\$ 814,573	
124	IV-D Sheriff Unit Costs**	\$ 14,900	
125	Solicitor Special Revenue Fund*	\$ 0	
126	IV-D Clerk of Court – Unit Costs**	\$ 175,000	
127	IV-D Clerk of Court’s Fund – Incentives*	\$ 0	
128	Victim Witness Services Fund*	\$ 110,494	
129	Animal Care & Control Fund*	\$ 15,000	
130	County Debt Service Fund*	\$ 2,059,700	10.24
131	Fire Debt Service Fund*	\$ 2,562,300	22.66
134	Non-GOB Related Debt Service*	\$ 1,130,476	
135	Capital Project Sales Tax Debt Service Fund*	\$ 4,111,950	
141	Emergency Telephone Fund*	\$ 559,182	
142	Infrastructure/Industrial Development Fund***	\$ 222,500	
143	Capital Projects Sales Tax Fund*	\$ 0	

144	CC 2015 \$5.4M GOB Proceeds*	\$	172,782	
146	Fire Bond \$6M 2018*	\$	0	
147	Fire Bond \$5M 2022*	\$	0	
150	American Rescue Plan*	\$	3,898,828	
152	Accommodations Tax Tourism Infrastructure*	\$	41,000	
153	County Hospitality Tax Fund*	\$	645,800	
155	County Accommodations Tax Fund*	\$	755,975	
156	Fire-Rescue Commission Operations Fund*	\$	13,371,849	37.56
204	Recreation Fund*	\$	1,732,409	
210	Road & Bridges Fund*	\$	2,298,284	
211	Solid Waste Fund*	\$	3,454,314	
303	CCSO Drug Enforcement Operations*	\$	0	
306	Sheriff's Special Revenue Fund*	\$	0	
308	Sheriff Federal Asset Fund*	\$	0	
446	Transportation Commission Fund*	\$	0	
457	School District Operating****	\$	XXXXXX	116.42

* At the close of the fiscal year, any unexpended monies within these funds and within all capital project funds shall be carried forward with the respective fund balance for the continued established use of that fund subject to appropriations, unless specifically authorized otherwise by ordinance or directed by State law

**At the close of the fiscal year, any unexpended monies within these funds shall be turned over to the General Fund Balance.

***Industrial or Infrastructure Development Fund appropriations are hereby amended to include the prior year Fund Balance and must be adjusted by the County Administrator to include all revenues received for economic development and any other revenues designated by County Council. Such funds shall require authorization of the County Administrator or his designee prior to obligation. At the close of the fiscal year, any unexpended monies within said funds shall be carried forward within the respective fund for continued economic development use.

e. County General & Debt Service Funds: The Colleton County Auditor is authorized and directed to levy upon all taxable property in Colleton County, South Carolina, and the Colleton County Treasurer is directed to collect, taxes sufficient to meet all County General Fund appropriations directed by this Ordinance, except as provided for by other revenue sources for the operation of the County Government for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023.

The Colleton County Auditor is authorized and directed to levy upon taxable property in Colleton County, South Carolina and the Colleton County Treasurer is directed to collect taxes in the amount of \$2,025,200 to meet the Debt Service appropriation (Fund 130). To further meet the Debt Service (Fund 130) appropriation provided by this Ordinance in (d) directly above, the sum of \$34,500 is hereby appropriated from various sources and shall be collected to make a total County Debt Service (Fund 130) appropriation of \$2,059,700.

Sufficient mills to support these tax levies can be established by County Council Resolution before September 1st of this Fiscal Year, if anticipated to vary from what is set within this ordinance or if not set within this ordinance.

f. School Operations and Debt Service Funds:

**** To meet the appropriation provided by this Ordinance to cover School District Operating purposes, the Colleton County Auditor is authorized and directed to levy upon all taxable property in Colleton County, South Carolina, and the Colleton County Treasurer is directed to collect millage in the amount of 116.42. Any money generated by said levy shall be provided to the School District to cover operating costs. Millage may be adjusted by County Council Resolution before September 1st of this Fiscal Year should Council deem that to be in the best interests of the County.

Pursuant to 59-71-150 of the South Carolina Code of Laws, 1976 as amended, the Colleton County Auditor shall levy and the Colleton County Treasurer shall collect a tax, without limit, upon all taxable property in Colleton County, South Carolina, sufficient to pay the principal and interest of School Debt and to create such sinking fund as may be necessary therefore as provided by the School District to the County Auditor. Any funds accumulated for the School Debt Fund, which exceed the amounts required as provided to the County Auditor by the School District shall be carried forward in a School Debt Service Fund and shall be subject to appropriation by County Council only for School Debt Service.

(1) **Financial Reporting:** The Department of Education for Colleton County shall provide to the County Treasurer, the County Administrator, and the County Chief Financial Officer detailed financial reports on a monthly basis. These monthly reports should clearly indicate all budgeted and year to date revenues and expenditures for each fund discreetly, including year to date amounts and original budgeted amounts.

(2) **Debt Service Reporting/Processing:** During the budget process each fiscal year, the School District shall provide to the County Treasurer and the County Chief Financial Officer a bank certified amortization listing of outstanding bond obligations and projected debt obligations. The School District shall require managing banks to directly provide to the County Treasurer and the County Chief Financial Officer all notices of payments due.

(3) **Funds Transfer Requirements:** The Treasurer shall notify both the School District (in the case of School District funding) and the County Administrator (in all cases) within five (5) days of receiving notification of any cuts in State or other revenues, or upon discovering any evidence of shortfall or deficit, or in the case of a decision to delay funds transfers.

g. Fire and Rescue District and Debt Service Funds: To meet the appropriation provided by this Ordinance to cover Fire and Rescue District Operating (Fund 156), the Colleton County Auditor is authorized and directed to levy upon all taxable property located in the unincorporated areas of the County and in the Towns of Cottageville, Lodge, Smoaks, Williams, and the City of Walterboro and the Colleton County Treasurer is directed to collect taxes of \$4,152,500 for Fire and Rescue District Operations (Fund 156). To further meet the Operating (Fund 156) appropriation provided by this Ordinance in (d) directly above, additional revenue from various sources in the amount of \$2,026,327 shall be collected. In addition, intergovernmental transfers in the amount of \$7,193,022 are also appropriated from Fund 100, Fund 131, and Fund 150 for transfer into Fund 156 upon requisition by the Finance Office to make a total Fire and Rescue District Operations appropriation of \$13,371,849.

To meet the appropriation provided by this Ordinance to cover Fire and Rescue District Debt Service (Fund 131), the Colleton County Auditor is authorized and directed to levy upon all taxable property located in the unincorporated areas of the County and in the Towns of Cottageville, Lodge, Smoaks, Williams, and the City of Walterboro and the Colleton County Treasurer is directed to collect taxes of \$2,525,300. To further meet the Debt Service (Fund 131) appropriation provided by this Ordinance in (d) directly above, the sum of \$37,000 is hereby appropriated from various sources and shall be collected to make a total Fire and Rescue District Debt Service (Fund 131) appropriation of \$2,562,300.

Sufficient mills to support these tax levies can be established by County Council Resolution before September 1st of this Fiscal Year, if anticipated to vary from what is set within this ordinance or if not set within this ordinance.

At the close of the fiscal year any unexpended or unobligated funds and any funds accumulated for the Fire and Rescue Operating (Fund 156) or Debt Service (Fund 131) Funds above the provided appropriation amounts or collected in prior years, shall be carried forward in the respective fund balance and shall be subject to appropriation by County Council for Fire and Rescue Operations or Fire and Rescue Debt Service only.

h. Emergency Telephone Fund: To meet the appropriations provided by this Ordinance to cover the Emergency Telephone Fund, the \$1.00 E-911 subscriber billing fee per billed access line, up to 50 lines, and the tariff on wireless communication devices are hereby continued for this purpose. These E-911 fees will be accounted for in the E-911 Tariff Fund (Fund 141) to be expended in accordance with the 1976 South Carolina Code of Laws, Chapter 47, as amended, and Colleton County Ordinance 93-O-05. At the close of the fiscal year, any

unexpended funds with any other funds collected in prior years shall be carried forward within this fund and shall be subject to appropriation by County Council.

i. Roads & Bridges Maintenance Fund: To meet the appropriation provided by this Ordinance for the Roads & Bridges Fund (Fund 210), a vehicle user fee of \$25.00 per vehicle is hereby continued for road and bridge maintenance and repair. To further meet the Fund 210 appropriation provided by this Ordinance, supplemental operating transfers from Fund 100 and Fund 150 in the total amount of \$1,249,324, are hereby appropriated for transfer into Fund 210. The Roads and Bridges Fund 210 shall be a separate accounting fund with a corresponding Treasurer's bank account to administer this fund. Collection of delinquent vehicle user fees will be in accordance with the Colleton County Code of Ordinances, as amended, and annual budget ordinances.

All appropriated interfund operating transfers shall be made during the year as required to maintain orderly operations. At the close of the fiscal year all unexpended funds will be carried forward within the fund balance of this fund and shall be subject to appropriation by County Council for current and future operating costs connected to Roads & Bridges Department activities.

j. Solid Waste Fund: To meet the appropriation provided by this Ordinance for the Solid Waste Fund (Fund 211), a Solid Waste user fee of \$75 per residential unit County-wide, a commercial Municipal Solid Waste Disposal Fee of \$55 a ton and a Construction and Debris disposal rate of \$45 a ton is hereby established. To further meet the Fund 211 appropriation provided by this Ordinance, supplemental operating transfers in the total amount of \$938,209 is hereby appropriated from Fund 100 and Fund 150 for transfer into Fund 211. Fund 211, the Solid Waste Fund, shall be a separate accounting fund with a corresponding Treasurer's bank account to administer it. Collection of delinquent Solid Waste user fees shall be conducted in accordance with the Colleton County Code of Ordinances, as amended, and annual budget ordinances.

All appropriated interfund operating transfers shall be made during the year as required to maintain orderly operations. At the close of the fiscal year, all unexpended funds will be carried forward within the fund balance of this fund and shall be subject to appropriation by County Council for current and future operating costs connected to solid waste disposal including but not limited to the Landfill, Transfer Station, and Convenience Sites.

k. Recreation Fund: Rental and membership fees, concession stand revenues, sponsorships, golf course revenues, restaurant revenues, donations, and program income generated by Recreation programs are hereby provided to meet the appropriation established in this Ordinance for the Recreation Fund (Fund 204). To further meet the Fund 204 appropriation provided by this Ordinance, supplemental operating transfers in the total amount of \$1,017,544 are hereby appropriated from Fund 100, Fund 150, Fund 153 and Fund 155 for transfer into Fund 204. Fund 204, the Recreation Fund, shall be a separate accounting fund with a corresponding Treasurer's bank account to administer it.

All appropriated interfund operating transfers shall be made during the year as required to maintain orderly operations. At the close of the fiscal year, all unexpended funds will be carried forward within the fund balance of this fund and shall be subject to appropriation by County Council for current and future operating costs connected to Recreation Department needs.

l. Hospitality Tax: Revenue generated by the Hospitality Tax established by Ordinance 2000-O-28 is hereby designated to meet the appropriation provided by **Section 1. Appropriations, d. Funds**, of this Budget Ordinance for the Hospitality Tax Fund. Fund 153, County Hospitality Tax Fund shall be a separate accounting fund with corresponding Treasurer's bank account to administer it. Collection of delinquent Hospitality Taxes by the Treasurer shall be in accordance with the Colleton County Code of Ordinances, as amended. At the close of the fiscal year, any unexpended funds and collections shall be carried forward in the Hospitality Tax Fund balance for continued use as provided by the Colleton County Code of Ordinances, as amended, subject to appropriation by County Council.

m. Accommodations Tax: Revenue generated by the County Accommodations Tax established by Ordinance 2001-O-15 is hereby designated to meet the appropriation provided by **Section 1. Appropriations, d. Funds**, of this Budget Ordinance for the County Accommodations Tax Fund. Fund 155, the Accommodations Tax Fund, shall be a separate accounting fund with corresponding Treasurer's bank account to administer it. Collection of delinquent County Accommodations Taxes by the Treasurer shall be in accordance with the Colleton County Code of Ordinances, as amended. At the close of the fiscal year, any unexpended funds and collections shall be carried forward within this fund for continued use as provided by the Colleton County Code of Ordinances, as amended, subject to appropriation by County Council.

n. Major Funds Determination: In accordance with Governmental Accounting Standards Board (GASB) 34 and other appropriate regulations requiring Government-wide Financial Statements, major funds will be determined annually at the end of the fiscal year during the audit process.

o. Colleton County Transportation Committee: The Legislative Delegation's Colleton County Transportation Committee (CTC) is responsible for the budgeting and monitoring of expenditures related to the State "C" fund's appropriated budget (Fund 446). The Colleton County Transportation Committee Funds are considered Capital Projects Fund under Governmental Accounting Standards Board (GASB) regulations though are not required to be appropriated by Council action.

The County Engineer is assigned by County Council the function of Clerk for the CTC. Assigned duties include responsibility for preparing CTC's minutes, authorizing invoice vouchers and requisitions for C-Funds, monitoring contracts approved by the CTC, monitoring CTC related expenses, requesting specific project accounts be set up in the County's financial management system in accordance with accounting standards, monitoring the account balances, preparing financial reports to the CTC, providing contract and transaction documentation to the County's Independent Auditors as requested, working with the Treasurer's Office to report reconciled cash balances to the CTC, preparing from records and CTC accounts the detail required for reporting expenditures, obligations, and other data which SCDOT, CTC, County Finance, independent auditors, or Council requests regularly. In addition, the County Engineer shall provide to the Finance Office annually by July 15th for the prior fiscal year and for inclusion in County record of roads, all CTC contractor certified costs and right-of-way information and documentation on the CTC's County road projects, listed by road and documenting the total improvement costs including the related engineering costs for each County road project.

Under a contractual agreement the CTC agrees to reimburse the County from "C" fund monies (Fund 446) on a standard hourly rate for engineering and management services by the County Engineer who is to be a certified Professional Engineer necessary for CTC operations. Colleton County agrees to cover certain ancillary expenses as contained herein.

p. Grants Management:

(1) Grant Fund Balances: Notwithstanding any other provisions of this ordinance, all unexpended balances in excess of \$1,000 from previous appropriations of state and federal grant funds, any State Accommodations Tax Funds not committed to the County General Fund, State Lottery Funds, and capital improvement or special project appropriations outstanding as of June 30th in the calendar year in which this budget ordinance is effective, shall be carried forward into the subsequent fiscal year budget appropriations. Any unexpended grant monies for grants which have had no spending for the current and prior fiscal years, are to be returned the grantor or transferred to the County General Fund. All grants are to be budgeted and accounted for in a special revenue fund and authorized local match transfers will be completed by the County Chief Financial Officer based on County Council's acceptance of the grant.

(2) County Acceptance: The expenditure of funds for grant programs included in this budget shall not be authorized unless evidence that the respective grants have been approved by the grantor agency is provided to the County Administrator, and the grant has been accepted and funded by proper action of County Council. In all cases, total program expenditures shall be limited to the lesser of the total grant award(s), or the amount(s)

designated in the current budget appropriations, as amended, or as approved by County Council Grant Resolutions. County Chief Financial Officer must be listed as a contact on all grant applications and awards; all correspondence must be copied to the County Chief Financial Officer.

(3) **Budgeting:** Grant funds requiring matching County funds not specifically budgeted shall be authorized by passage of Council Resolution approving the grant application and identifying matching expenditure funds from other previously appropriated funds. Grants not exceeding \$50,000 and requiring no new local match appropriation may be budgeted by the County Administrator or his designee. If the amount is greater than \$50,000, then the amount shall be budgeted by Council Resolution. The Chief Financial Officer is authorized to create the necessary general ledger accounts; the opening of bank accounts, when necessary, shall be executed by the County Treasurer in coordination with the Chief Financial Officer. When grant award payments are received, the Treasurer's Office or County Offices shall provide the Chief Financial Officer with copies of all checks received for the reimbursement of grant expenditures and any other related documentation determined by the Chief Financial Officer as necessary to ensure audit compliance. All grant revenues shall be credited to the appropriate revenue line item as established by the Chief Financial Officer. Grant revenues will not be applied directly to expenditure line items. All grant disbursements shall be authorized only through the Finance Office unless State or Federal law specifically provides otherwise and the County is exempt from financial reporting on those funds at both the State and Federal levels. Positions approved by County Council and supported through Grant funding, particularly where grant funding periods do not follow the County fiscal year term, may not appear in Budget detail.

(4) **Federal Reporting:** In accordance with Federal Part 200 Uniform Reporting Requirements related to Federal grants, all County offices, Component Units and other pass-through Organizations must report the expenditures and provide copies of grant awards and any other grant related reports to the Chief Financial Officer. Prior to the disbursement of any funds, the Finance Office must be provided with all requested documents to verify the accuracy and validity of the requested grant funds disbursement. County offices, Component Units or other pass through Organizations that do not comply with this ordinance and any other published administrative procedures necessary for complete and timely reporting of grants such that the County incurs additional independent audit costs or loses grants funds will either have these costs deducted from the Office or Component Unit's budget appropriations annually or will be forbidden to receive County sponsored grants or other funds until full recoupment has been made.

SECTION 2. FUND BALANCE MANAGEMENT

a. Compliant Fund Balance Policy: Colleton County Council utilizes a compliant fund balance methodology based on the cash-flow needs of the County to maintain sufficient reserves in order to maintain County operations. End of year fund balance estimations and associated cash flow projections for all cash-discrete funds are developed annually in the budget process to maintain a minimum of 20% of annualized appropriations in operational funds to ensure routine operations remain uninterrupted and in sinking funds (debt service fund) balances as required to timely service all scheduled debt.

b. Tax Anticipation Note Authority: The County is hereby empowered to borrow in anticipation of tax or other revenues for County purposes any sum not exceeding the amount anticipated to be received from taxes and other revenues during the current or following fiscal year, and not only to pledge the taxes or other revenues anticipated in the current or succeeding fiscal year, but to pledge, also, the full faith and credit of Colleton County for the repayment of any sums so borrowed. Such sums shall be borrowed from any banking institution or lending agency and shall be payable at such time, upon such terms, and in such sums as may be negotiated between the County and the lender.

c. Temporary Inter-Fund Loans: Interfund cash transfers are prohibited except as noted elsewhere herein and where implementation of the budget and accounting conventions dictate. Should the Treasurer determine that a temporary inter-fund loan is required to support cash flow of any fund, the Treasurer must provide to the County Administrator documentation and a written requisition for the funds needed, to include a year-to-date, by month,

cash flow analysis of the shortage, and the County Administrator is authorized to approve said short-term transfer and its reversal. Temporary inter-fund loans and transfers shall be reported to County Council.

SECTION 3. BUDGET YEAR END

a. Purchase Authority Cutoff: The budget year shall expire on June 30 of this fiscal year. No monies shall be disbursed pursuant to this Ordinance unless such funds have been obligated (i.e. an order has been placed or a contract signed for the delivery of goods or services in accordance with County procurement procedures) prior to the close of the fiscal year, which is June 30th. The County Administrator will take action to preclude all purchase order activity except business required for expedient operations and emergencies after June 15th of the fiscal year; no capital purchases other than emergencies will be initiated after May 31st of the fiscal year without the express written approval of the County Administrator. In addition, all items must be received and invoiced June 30th or earlier, or the items will be deducted from the originating office’s subsequent fiscal year budget.

b. Purchase Order Liquidation: All offices are responsible for providing documentation regarding outstanding obligations for this fiscal year to the Finance Department on or before June 15th to facilitate the proper accrual of outstanding obligations of the County or the obligation(s) may be deducted from the office’s budget for the subsequent fiscal year.

c. No Roll-Forward: Budget line-item balances shall under limited circumstances roll forward at the end of this fiscal year into the next fiscal year’s budget, except for capital project funds, bond funds and grant funds crossing the fiscal year or as otherwise specified or appropriated within this budget ordinance.

d. Unexpended Funds: At the close of this fiscal year, any unexpended funds shall be turned over to General Fund Balance unless the County Treasurer is otherwise directed herein or specifically restricted by other County ordinances, State or Federal Law, or grant terms.

SECTION 4. NATURE OF REVENUES, EXPENDITURES, AND CHART OF ACCOUNTS

a. Chart of Accounts: Appropriation and expenditure of the funds outlined in Section 1 above shall be by object category in the County’s central accounting system as listed below:

Personal Services – Salaries & Wages	1xxx
Personal Services – Employee Benefits	2xxx
Purchased Professional & Technical Services	3xxx
Purchased-Property Services	4xxx
Other Purchased Services	5xxx
Supplies	6xxx
Property – Fixed Asset Guidelines	7xxx
Other Objects	8xxx
Colleton Transportation Committee	9xxx

b. Transfers Prohibited: Unbudgeted transfers are prohibited except as approved herein and in accordance with generally accepted accounting principles.

c. Overspending: Any office, which overspends its straight-line spending levels for two consecutive months, shall be reviewed by the County Administrator, who may freeze position vacancies, capital expenditures, and funds transfers, and remove sufficient personnel from the County payroll to offset fully the impending budget overrun prior to the close of the fiscal year.

d. Reallocation:

(1) Funds: The Council may transfer any appropriations by resolution. The County Administrator or his designee may authorize individual transfers as needed not to exceed \$25,000. Each fund recipient Office Head must monitor expenditures daily and exercise caution to prevent over-expenditures. Primary responsibility for monitoring expenditures rests with each such Official individually. All requests for

transfers from payroll accounts must be submitted in writing with detailed explanation to the County Administrator for consideration.

(2) **Functions:** The County Administrator, in consultation with County Council, is hereby authorized to transfer County Government functions and allocated appropriations among the various County divisions and offices in order to combine compatible employee positions and functions, eliminate duplicate work, gain performance efficiencies, or reduce overall operating costs of the County Government.

SECTION 5. FIXED ASSETS

a. Reporting: The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend the useful life of the asset are not capitalized. The threshold for determining if an item is considered to be a fixed or capital asset is the value or the purchase price (whichever is higher) of \$5,000 or greater and the item must have a useful life of more than one year. Appropriate depreciation schedules are maintained on the straight-line basis over the estimated useful life of each asset in accordance with Generally Accepted Accounting Principles (GAAP). The estimated useful life is determined by guidelines developed by the State of South Carolina Office of Comptroller General, and in some cases, applicable Federal IRS regulations and/or Governmental Accounting Standards Board (GASB) 34 implementation guidelines. Fixed Asset and Capital reporting for the County is based on the following categories:

- Land
- Buildings and Improvements
- Infrastructure or Improvements Other Than Buildings
- Vehicles
- Furniture
- Machinery and Equipment

b. Inventory Control: Each County Office is responsible for verification of all of its items required to be listed in the Fixed Asset System maintained by County Finance and for providing paperwork/documentation to the Finance Department when the asset is received.

c. Donated Assets: Each County Office is responsible for verification of all items donated to that Department and required to be listed in the Fixed Asset System (valued at \$5,000 or more). Further each Office is responsible for providing paperwork/documentation to the Finance Department when such asset is received.

d. Insurance Proceeds: In order to comply with GASB regulations, all insurance payments will be processed by the County Finance Office and will be applied towards vehicle/equipment repairs when sufficient documentation/invoices are received from the department to justify the repair cost. If assets are considered impaired under GASB42 regulations and the impaired items will not be repaired or placed back into service, the insurance proceeds will be deposited into the Colleton Capital Fund 115 for future capital acquisitions of Colleton County unless the terms and conditions of the original funding source (Federal Asset Funds, grants, etc) require deposit of the insurance proceeds back to that particular funding source.

SECTION 6. RECEIPT, MANAGEMENT, AND REPORTING OF CASH:

a. Depositories option: The Council by resolution may elect to designate the banks to be used as checking depositories of County Funds through a bid procedure.

b. Timely deposit: All service charges, fees, fines, reimbursements, grant funds etc. received by County Offices shall be deposited with the County Treasurer as soon as possible after collection. All County Offices that collect funds on a daily basis shall reconcile receipts to funds received and submit funds to the Treasurer's Office by the following business day in the format as prescribed by the County Treasurer. Offices collecting less than \$200 on any single day may delay one business day. This policy does not apply where State law specifically provides authority for other actions to a specific official.

c. Bank Reconciliation: The Treasurer will record the County's cash receipts in accordance with the Chart of Accounts as authorized by County Council and as amended by the Chief Financial Officer. On or before the 15th day of each month, the Treasurer will provide the County Administrator's designee, the Chief Financial Officer, with the prior month's bank reconciliation recap for the County and other banking information on which revenue entries into the general ledger are to be based. These reports will be in a format as prescribed by the Chief Financial Officer and must contain sufficient detail to fully identify revenue and cash transfers for audit and reporting purposes, in accordance with State Law and GASB regulations. The Treasurer is responsible for reconciling bank accounts maintained in the Treasurer's Office in order to properly record revenues to the books of the County in accordance with the County's chart of accounts and properly allocating interest and all other funds to various funds and bank accounts as required by SC Law, and for properly segregating funds in accordance with SC Law so as to avoid any commingling of cash at all times. The Treasurer's Office is also responsible for maintaining sufficient funds on hand to cover due to/from balances from various funds to the General Fund to cover interfund transfer liabilities created during the payroll and accounts payable processes and is responsible for completing timely the transfer of funds to reimburse the General Fund, and for documenting all cash transactions in detail as required by GASB and audit standards. Significant additional costs, if any, related to bookkeeping functions within the Treasurer's Office such as bank reconciliations, revenue accruals, reversal of revenue accruals, preparation of various audit schedules and the reconciliation of due to/from account balances related to interfund transfers and tax collection transfers will be identified and billed separately by the County's Independent Auditors from the general and actual audit costs of the County.

d. Cash Accounting: As is required by SC State law, the Treasurer shall report to the County Administrator's designee, the Chief Financial Officer, by the 15th of every month, the complete and full nature of all monies, as well as all investments, tax levy distributions, and other cash movements. Such reports shall be in the form prescribed by the Chief Financial Officer and the Treasurer shall make available copies of bank reconciliations of each of the County bank accounts, copies of the monthly bank statements, copies of any brokerage account statements, and any other Treasurer's Office records which the Chief Financial Officer requires to ensure that the County's books are balanced and that transactions have been properly recorded. In addition, the County Treasurer's Office is responsible for annual external audit reporting of revenues to the State Comptroller's Office and for providing the Finance Office and External Auditors with sufficient data to convert revenues from the cash basis of accounting to the modified accrual basis of accounting in order to ensure legal and annual audit compliance with Governmental Accounting Standards Board (GASB) regulations, in particular GASB Statement No. 34 which requires revenue reporting on the modified accrual basis of accounting during the fiscal year and year-end conversion to accrual basis to produce Government-Wide Financial Statements. All monies collected by the Treasurer are designated for specific accounting funds established by this Ordinance and shall not be commingled. All interfund loans and transfers must be approved and executed in accordance with the provisions of this Ordinance.

e. NSF Check Management: All non-sufficient funds (NSF) checks related to the payment of vehicle or property taxes, which are returned to the Treasurer shall be handled timely and in accordance with State Law. Tax Receipts issued against the NSF check payment shall be voided in the County's Tax System the same day the NSF check is received, and a different receipt issued at a later date for any subsequent payment. If the funds are not redeemed in full by the taxpayer and the taxes become delinquent, that tax levy shall be immediately flagged as delinquent in the County's Tax System and, where appropriate under South Carolina Law, turned over to the Delinquent Tax Department for collection. The Treasurer is responsible for the proper handling of non-sufficient funds checks and for the proper reconciliation of NSF checks to the Colleton County Tax Levy Collection system and reports and for providing reconciled data to external auditors at the end of the fiscal year showing the proper handling of NSF checks received. All county offices will immediately void any receipts issued, so recording in any automated system tracking the payment or receipt, and proceed with collections of the amounts due and the NSF check charge established by the County. Additionally, no check may be "held" in any fashion at any time, to avoid NSF charges or receipt revocation.

f. Investments: All Funds clearly not needed for a period of ninety days or longer shall be invested by the Treasurer in accordance with SC Law in the highest yield, collateralized, interest bearing accounts, or County, State and United States short-term obligations, the SC LGIP, or any instruments specifically permitted by SC State Law, subject to maintaining sufficient cash balances to meet current and anticipated expenses and accruing obligations of the County. Interest earned by interest bearing accounts and investment income will be recorded to the applicable funds and reported monthly by the County Treasurer to the Finance Office for inclusion in the monthly financial reports. No funds will be invested in CD's whenever overnight investments are earning interest at a higher rate.

g. Title IV-D (Child Support Enforcement) Federal Funds: The County Administrator, Clerk of Court, and Sheriff are authorized to enter jointly into agreements with the South Carolina Department of Social Services for receipt of Title IV-D (Child Support Enforcement) Federal Funds. No single individual signature on these agreements will obligate the County to comply with the terms of the agreements in any manner or fashion.

h. New and Unbudgeted Revenues: In accordance with State Law, all non-budgeted revenues received during the year shall be routed through the Finance Office to be allocated to an appropriate revenue line item as determined and approved by the County Chief Financial Officer. If the dollar amount exceeds \$50,000, the budgeting of said funds will be established by Council Resolution, Ordinance or through the annual Budget Amendment Ordinance. The Chief Financial Officer will designate funds to the appropriate revenue line item and create corresponding expenditure line authorizations to enable expenditure by the designated office. Only under very limited circumstances, such as the refund for overpayment on a vendor account, reimbursements for travel, or short-term insurance claim settlements on replacements or repairs, will the Chief Financial Officer have the authority to approve the direct posting of income to an expenditure line item. (Additional grant procedures are referenced separately in this Ordinance.)

i. Delinquent Tax Collections: The Delinquent Tax Collector is responsible for reconciling monthly all bank accounts maintained by the Delinquent Tax Collector's Office in order to properly record revenues to the books of the County in accordance with the County's chart of accounts and properly allocating interest and all other funds to various funds and bank accounts as required by SC Law, and for properly segregating funds in accordance with SC Law so as to avoid any commingling of cash at all times. Significant additional costs related to bookkeeping functions within the Delinquent Tax Collector's Office such as bank reconciliation's, revenue accruals, reversal of revenue accruals, preparation of various audit schedules and the reconciliation of delinquent tax collection transfers will be identified and billed separately by the County's Independent Auditors from the general and actual audit costs of the County. By the 15th of every month the Delinquent Tax Collector shall report to the County Administrator's designee, the Chief Financial Officer, the complete and full nature of all monies on hand, as well as all investments, tax levy distributions, and other cash transfers or movements, in the form determined by the Chief Financial Officer.

SECTION 7. DISBURSEMENT OF FUNDS

a. General: All funds shall be disbursed only in accordance with appropriations herein, and in accordance with Colleton County Procurement Policies, Colleton County Financial Policies and Procedures, Colleton County Personnel Policy, Colleton County Administrative Directives and with state and federal laws and regulations. All continuing service contracts previously approved by County Council and within existing contract terms are hereby approved for vendor payment.

The County Administrator or his designee is authorized to approve Purchase Orders not to exceed the maximum amount defined by SC Code of Laws Title 11, Chapter 35 Section 11-35-1550 (1) for Small Purchases or budgeted State or GSA contracts and eligible purchases that meet or are less than the South Carolina State contract purchase amount for the current year. All purchasing limits described in the county purchasing code shall be increased by the Bureau of Labor Statistics Consumer Price Index from the date of the inception of the code in January 2003 to May 2021. The Administrator may authorize designees for approval of Purchase Orders at such lower amounts as he deems appropriate.

b. Warrant Required: The Treasurer shall disburse all grant and other County funds only pursuant to a warrant from the Colleton County Administrator in accordance with South Carolina State Law and this ordinance. The County Chief Financial Officer shall have checks prepared for each item listed on the warrant. The listing on the warrant will include the name of the payee, the amount of the payment, and the date of the payment. The warrant will be signed by the County Administrator or his designee and the County Chief Financial Officer, directing the Treasurer to disburse County funds pursuant to the warrant in accordance with the list therein. The Treasurer or the Treasurer's designee will sign the Finance Office copy of the warrant certifying that sufficient funds are on deposit and available to issue the checks authorized by said warrant.

c. Warrant and Check Processing: The Treasurer shall deposit sufficient authorized monies timely in each respective account to cover expenses as contained in the warrants and to cover interfund (due to/from) liabilities created through the accounts payable and payroll processes. The Treasurer shall assign the custody of the check-signing device to the Chief Financial Officer or their designee to prepare checks for each item on the warrant. The warrant cover sheet shall be made in duplicate, the original being kept by the Treasurer and the copy being kept by the Finance Office as a matter of record.

d. Payments to Vendors: The Finance Office shall deliver checks in payment of County expenditures to vendors. Vendors shall be paid by either (1) Delivery of such check by U.S. Mail or comparable postal service to the vendor, (2) County issued procurement or other virtual payment card or (3) On a limited basis as in the case of many debt service payments, by wire transfer.

e. Treasurer Refunds: The Treasurer will maintain a refund account from which all property tax refunds shall be made. In addition, the Treasurer shall maintain sufficient records to provide detail regarding which taxing units should be charged for the refunds and make arrangement to recoup the funds appropriately as soon as possible.

f. Debt Service Payments: All County debt service fund payments shall be processed through the Finance Office by presentation of a warrant to the Treasurer for payment, which warrant should be initiated by the Treasurer if a payment notice is received in the Treasurer's Office. The County Treasurer is responsible for ensuring sufficient funds are on hand in appropriate accounts to maintain debt service requirements. The Treasurer is responsible for reporting the balance of debt service funds available to the County Administrator by the 15th of each month, to include any pending tax levy transfers.

g. Payments to Employees: The Finance Office shall process all approved travel advances and reimbursements of travel and other approved and appropriated operating expenses to County employees on a bi-weekly basis as a distinct payment amount that is included on the employee's payroll voucher. These amounts will not be subject to tax or other withholding except as otherwise noted in Section 9e.

SECTION 8. ANNUAL FISCAL REPORTING REQUIREMENTS

a. Boards, Commissions, Agencies, and Institutions: All boards, commissions, agencies, and institutions receiving County funds shall make a full detailed annual fiscal report to the County Council at the end of the fiscal year. The County governing body, the County Administrator, or the Finance Office may require reports, estimates, and statistics from any County office as may be necessary in the preparation of annual budgets or supplemental appropriations. Prior year audits are required for acceptance of annual budget requests.

b. Alcohol & Drug Abuse Commission: In accordance with the Colleton County Code of Ordinances, as amended, the Alcohol & Drug Abuse Commission is considered a Component Unit of the County and shall be included in the Annual Audited Financial Statements of the County. In the case of the Alcohol and Drug Abuse Commission, Colleton County Council hereby directs the Chief Financial Officer to impose a 1% surcharge to the total outstanding payroll reimbursement due to the County, to be effective thirty (30) days after the date of the payroll billing submission from the County Finance Office to the Alcohol and Drug Abuse Commission. Any variances in the amount paid versus the actual billing related to payroll must be submitted in writing to the County Chief Financial Officer prior to the receipt of funds from the Alcohol and Drug Abuse Commission or the

variance will be considered outstanding for the purposes of this Ordinance and the surcharge. This surcharge will be deducted from the Direct Aid line item on an ongoing basis, and in future budget years until paid in full.

c. Solicitor's Office: Pursuant to a Memorandum of Understanding between the Fourteenth Circuit Solicitor's Office and Colleton County, the County has agreed to process the Solicitor's Office payroll in accordance with the County's normal payroll procedure and to act as the insurance benefits administrator for the employees of that Office. All employees of the Office are considered political appointees and are not subject to the County's policies, rules, or procedures other than those directly related to the manner of payroll processing and benefits administration. The Solicitor's Office shall deposit in advance on a monthly basis with the County all monies necessary to cover Solicitor's Office payroll. Any interest collected on said monies shall be the property of the County and shall be used to offset the administrative costs associated with the processing of payroll and benefits administration.

d. Library: Colleton County Memorial Library is considered a component unit of the County and shall be included in annual audited financial statements of the County.

SECTION 9. COMPENSATION AND CLASSIFICATION PLAN AND PERSONNEL

a. General: All County Departments, Offices, designated Agencies, and Component Units are included in the County Class and Compensation Plan administered by consultants. Neither the County Administrator nor any office head may establish or fund any new position without the knowledge and consent of County Council except that the County Administrator may approve temporary personnel based on County needs and available funding.

b. Compensable Accruals: When hourly employees who have accrued compensatory time leave County employment, they shall be paid for this time from the office's regular salary funds. The position the employee is vacating shall be frozen until the amount of money to be paid for the compensatory time of the terminating employee has been paid out of the budgeted funds in that Office. If sufficient funds are clearly available in the Office budget to offset the compensatory time expense and to cover future payrolls for the Office, the position need not be frozen. Neither accrued compensatory time nor any other form of leave may be used in conjunction with worker's compensation benefits except during the mandatory waiting period. In no event shall the aggregate total of compensation and annual leave payments at separation exceed the maximum legally accruable total of compensatory time. Unused holiday leave is not compensable at the time of separation.

c. Effective Date of Personnel Action Requests (PARs): Personnel actions involving salary adjustments generally shall be effective the first day of the first pay period following approval by the County Administrator.

d. General Pay Adjustments: Pay adjustments for employees covered by S-1 and S-2 legislation as mandated by State law and adjustments based on position reevaluations by independent consultants or employment contract adjustments by Colleton County Council are included. In the case of rounding or other minor variances caused by calculation nuances subject to interpretation, the County Administrator shall be the final authority in determining the actual salary or hourly wage in accordance with and within appropriations of County Council. All pay adjustments in this budget, unless specifically stated otherwise, are effective June 20, 2022 as processed and paid on July 8, 2022.

e. Travel: When employees are required to travel on official business, the County pays reasonable amounts for transportation, meals, and lodging in accordance with the County's Personnel Policies, Administrative Directives, and this ordinance. When an office has County Vehicles assigned to it or a County Pool Vehicle is available, employees should utilize a County Vehicle if this use does not impede County Operations. If the employee's personal vehicle is utilized with prior approval of the County Administrator, the employee shall be reimbursed at a rate of fifty-one (.51) cents per mile traveled. Meal expenses may not exceed \$32.00 per calendar day for in-state travel or \$54.00 for out-of-state travel and no per diem reimbursement will be provided for travel that is less than two days. Under this section no more than one day of per diem will be provided for travel each way to/from a business destination. Per diem meal reimbursement is only provided when an overnight stay at the conference or business destination is required and the employee must provide the appropriate documentation to substantiate

the business connection as outlined in Section 12.4A(2) of the Colleton County Personnel Policy. County Policy provides for no per diem for any travel within the County, including no meal reimbursements within the County.

For a Law Enforcement employee transporting a prisoner, the employee will be reimbursed at per diem rates for his own meal at any food stop mandated by statute on behalf of the prisoner. In all other cases, Law Enforcement employees shall be required to follow the regular requirements for reimbursement of meal expenses provided for other County employees.

There is no provision for advance per diems to the individual for Hotel Reservations, Airline Tickets, Conference/Seminar registration costs or any other costs directly related to travel; all such costs will normally be paid directly to the vendor providing the service. Travel advances to the employee for meals shall not include per diem for the day of departure and return and for any partial days. Travel advances to employees will not be paid more than two weeks in advance and full accounting of the funds must be sent to the Finance no later than (15) days after the dates of travel or the advanced funds will be withheld from the employees next scheduled payroll check.

Requests for reimbursements must be presented within (15) days of return from the trip. Original, dated, detailed receipts must accompany all travel reimbursement requests; limited exceptions to this policy will be allowed as approved by the County Administrator or his designee when sufficient reason is provided, and the Department Head or Elected Official involved approves. Where exceptions are considered taxable income under IRS regulations, the reimbursed funds will be processed through the payroll system as taxable income. County Department Heads and Elected Officials shall have no authority to waive the requirement for receipt of original, dated, detailed receipts under this section except with written approval by the County Administrator or his designee. Under no circumstances shall the County reimburse any persons eligible for travel reimbursement by the County for alcoholic beverages, personal purchases of any kind not specifically authorized in the personnel policy, or any amounts for which appropriated funds are not available or where such reimbursement would be a violation of the State Ethics Laws and regulations.

f. Credit Cards and Accounts: The Colleton County Capital Projects/Procurement office has a purchasing/procurement card program with established controls and procedures, credit cards which obligate Colleton County are expressly not permitted. Credit accounts in the name of the County must be forwarded to the County Finance Office which is responsible for establishing credit accounts with vendors upon written approval by the County Administrator or the Chief Financial Officer. The County Finance Department is also responsible for the control and monitoring of all credit accounts in the County's name, verification of goods received and reconciling of such credit purchases to invoices received. Accounts not established in accordance with this ordinance are the sole responsibility of the initiating person, and the County shall not be liable or obligated to make payment on behalf of the initiator or the person using the account.

g. Assistance to Retirees: Persons retiring after the effective date of this ordinance may be eligible to receive for this year only, up to 50% of the cost of their individual health/dental insurance purchased through the SC State health insurance program this year provided that:

- (1) The person is employed by Colleton County at the time of his/her retirement, is at least 62 years of age, and is covered at that time under Colleton County's health/dental insurance program; and
- (2) The employee had twenty years of qualifying, full-time employment with Colleton County prior to the retirement; and
- (3) The employee is retiring under the South Carolina Retirement System or the South Carolina Police Retirement System.
- (4) The specified Council appropriation made by and within this ordinance for said assistance is sufficient to fund the full 50% of all costs of all those eligible for and receiving assistance under this provision for this fiscal year. This retiree assistance is for this year only and remains subject to appropriation by County Council.

- (5) Any person, who retires from County employment meeting all the requirements except the age requirement, will be eligible for this funded percentage of cost assistance upon reaching the age of 62.

h. County Attorney: The County Attorney may represent all agencies, boards, and officials in Colleton County that are employees of the County and subject to the budgetary controls of the County Council. Said attorney shall not represent any other organization, agency, or individual in any matter coming before the County Council. Specialized counsel may be retained when such representation is deemed to be in the best interests of the County.

i. Fire and Rescue: Any volunteer response cost assistance program must be based on specific written procedures and criteria adopted by the Fire Commission and approved by the County Council. Appropriations for all medical and firefighting positions in Fire-Rescue are for dual-certified positions only. Non-dual-certified candidates with no prior service with Colleton County may be hired as PRN and underslotted in an open position for up to one year, during which time dual certification must be achieved to be eligible for retention and transfer into the regular position status.

j. Family Medical Leave Act: Personnel will be removed from the County payroll when the initial FMLA mandated leave period is exhausted, before the extension period begins.

k. Drug Testing: Any candidate selected for employment with Colleton County shall be drug tested prior to being placed on any payroll processed by the County. Failure to report for the initial drug test scheduled by Human Resources shall result in discontinuation of any further consideration of the candidate.

l. Position Re-evaluations: Department Heads and Elected Officials, who wish to submit positions within their department for evaluation for Council consideration during the next fiscal year's budget process, must complete and deliver to the Chief Financial Officer the job descriptions or Comprehensive Position Questionnaires no later than November 30th in order that the consultant's evaluation can be completed and recommendations presented to Council with the First Reading of the Budget Ordinance.

m. Thirty-Year Service Recognition Awards: As provided in the Personnel Policy Manual, any regular full-time employee who achieves thirty continuous years of service in Colleton County government shall receive a \$5,000 Service Recognition Award. All such awards shall be paid contingent upon budget appropriation, and such payment shall be scheduled for the first pay period following the employee's thirty-year anniversary.

n. Election Commission Stipends: In accordance with IRS regulations, Election Commission Stipends will be processed through the Colleton County Payroll System quarterly in arrears based on funding received from the South Carolina Elections Commission. The Colleton County Voter Registration/Elections Office must provide to County Human Resources and Finance a detailed quarterly list with the name, address, and term in office for each Election Commissioner appointed in accordance with Section 7-5-10 of the South Carolina Code of Laws, as amended. Each Commissioner must complete all required payroll-record paperwork through the County Human Resources Office, including forms for tax withholdings, retirement election, etc., before payments can be issued. In addition, prior to payment processing, the County Treasurer must validate receipt of stipend revenue from the State Elections Commission.

o. Furlough: In the event that the economic situation creates a revenue shortfall for the County, the County Administrator is hereby authorized to institute a furlough program in the manner and for the length of time, up to fifteen days, deemed to be in the best interest of the County. Funds from the payroll and benefits account line items unexpended as a result of such furlough may be transferred at the County Administrator's discretion to cover essential operations.

SECTION 10. INDEPENDENT AUDIT

An independent annual audit of all financial records and transactions of the County shall be made by a Certified Public Accountant or firm of public accountants with no personal interest, direct or indirect in the fiscal affairs of the government of Colleton County or any of its officers. The County Council may, without requiring competitive bids, designate such accountant or firm. Unless included in the annual County audit, an annual audit of each county agency, board, bureau, or commission of Colleton County, funded in whole or in part by County funds, shall be made. Copies of the annual County audit shall be available on the County website and provided for Colleton County Administration and every member of the County governing body.

SECTION 11. FEES AND CHARGES

a. Disposition of Collections: All taxes, fees, charges, and assessments not otherwise allocated specifically by this ordinance with the supporting detail incorporated herein by reference or by law shall be deposited in the Colleton County general fund with other general fund revenues. All such taxes, fees, charges, and assessments shall be appropriated and allocated by the Colleton County Council in the same manner as other general revenues. No such taxes, fees, charges, or assessments shall be paid to or shall accrue to the personal benefit of any officer or employee of Colleton County. Use of fees, fines, and charges to reimburse expenditure budget line items through deposit credits is prohibited. The following fees are hereby established and continued hereafter until otherwise discontinued by action of County Council by ordinance:

b. Fee Changes: The following fee changes are included in the respective fund appropriations.

- (1) Fund 210 Roads and Bridges driveway culvert installation fees are budgeted at the most recent State of South Carolina contracted cost plus applicable sales tax per foot for both concrete and plastic pipes.
- (2) Fund 211 Solid Waste waste tire disposal costs are budgeted at \$150 per ton.

c. Payment by Credit Card: A Credit Card Convenience Charge of 2.35% is necessary to fully offset the costs to the County for credit card payments and processing, and is hereby directed to be assessed and collected by the County Treasurer in accordance with applicable State Laws, with all related collections and costs to be reported specifically to Finance to be included in the monthly financial reports.

d. Museum and Recreation Department: The Colleton County Museum, and Recreation Department are authorized to maintain cash drawers and petty cash accounts. An accounting of the monies in each account will be conducted on the last business day of each month and signed by the director or their designee attesting to the accuracy of the accounting. A copy will be forwarded to the Finance office no later than 5 calendar days of the month following. These accounts are subject to unannounced internal audits by the Finance Office, and its inclusion in the annual County external audit is required.

e. Library Petty Cash Accounts: The Colleton County Library is authorized to maintain an account for donations and petty cash of less than \$1,000. An accounting of the monies in this account, including a copy of the monthly bank reconciliation, is to be provided to the Finance Office by the 15th of each month for the prior month. This fund is subject to unannounced internal audits by the Finance Office, and its inclusion in the annual County external audit is required. The Library is responsible for the proper accounting and reconciliation of the bank account.

f. Sheriff Federal Asset Accounts: The Colleton County Sheriff's Office is authorized to maintain account(s) as required by Title 2 U.S. Code of Federal Regulations Part 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards for the accounting of Federal Asset/Seizure Funds. An accounting of the monies in this account, including a copy of the monthly bank reconciliation, is to be provided to the Finance Office by the 15th of each month for the prior month. This accounting fund is subject to unannounced

internal audits by External Auditors in order to ensure compliance with Federal A-133 reporting and for inclusion of this information in the annual County external audit report as required by law. Any additional audit charges related to Federal Asset account(s) will be billed separately to the Sheriff's Office.

g. Fire and Rescue Fire Insurance Billing: The Colleton County Fire Rescue Commission is authorized to complete and submit where applicable insurance company billings following a response to a structure fire, car fire, auto accident, extrication, establishment of Helicopter Landing Zone, HazMat response, medical first response and rescue in accordance with specific written procedures developed and adopted by the Fire Commission and approved by the County Council. Insurance payments received shall be utilized for provision of fire/rescue service.

h. GIS/Map Copies: Any surveyor whose business office is headquartered in Colleton County is eligible to receive free of charge any GIS Map copy (8 ½ x 11" or 11 x 17", color or black and white) as required in the performance of his work.

SECTION 12. DEBT COLLECTION

a. Setoff Debt: Colleton County is hereby authorized to participate in the Setoff Debt Program through the South Carolina Association of Counties on an annual basis as approved by the Colleton County Administrator, who is authorized to execute all documentation and direct all designations of personnel participating as necessary.

b. Solid Waste and Fire-Rescue Services: County Council approval is required to write off any current debt related to Fire-Rescue Services in connection with the provision of ambulance services or to Solid Waste in connection with the provision of waste disposal. The County Administrator is authorized to write off debts which are no longer collectible under SC State Law due to related statute of limitations or judicial decision. The Solid Waste Director and Fire-Rescue Services Director are responsible for providing detailed debt status information to the Chief Financial Officer before June 30th each fiscal year for inclusion in the 3rd Reading of the Annual Budget Amendment Ordinance.

SECTION 13. EDISTO AREA FIRE SERVICES CONTRACT

The Chairman of County Council is authorized to execute a contract, as appropriated herein, with the Town of Edisto Beach for the provision of fire protection services for those portions of Edisto Island falling within the unincorporated area of Colleton County or within the Town of Edisto Beach, subject to appropriations herein and/or in the annual budget of the Town of Edisto Beach and subject to the approval of the contract by the County Attorney.

SECTION 14. NO SOLICITATION ON COUNTY PROPERTY

No vendors or solicitors may display, sell, or solicit for the purpose of selling to employees or the public any goods, wares, or services within County offices or on County property unless specifically authorized by County Council or in accordance with appropriately designated uses, as in the case of the Recreation Center, the Museum/Farmers Market, and the Edisto Beach Education and Civic Center facilities. No insurance agents, including representatives from agencies providing coverage through payroll deduction, may solicit from, sell to, visit, or contact County employees in any manner during work hours or in the work place. No vendors or solicitors may post or hand out within County offices or on County property to employees or the public any materials for the purpose of selling or soliciting any goods, wares, or services unless specifically authorized by County Council or in accordance with appropriate designated uses. Anyone found guilty of violating this Section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$500 per incident, or less than \$100 per incident. Such violators shall be ticketed by a Sheriff's Deputy or Code Enforcement Officer and tried in Magistrate's Court. Only open enrollment meetings schedule by Human Resources and authorized in writing shall be permitted, and such meetings shall be restricted to the time, place, and date indicated by the Human Resources Manager.

SECTION 15. CONTRACTING AND FUNDS OR OTHER COMMITMENTS

Except where otherwise designated by County Council, only the County Administrator (or the County Administrator's designee) may obligate the county in any manner through signature on contracts, purchase orders, or other such agreements or documents as an authorized agent.

SECTION 16. AGRICULTURAL ASSESSMENT EXTENSION PROCESS – PRIVATE CITIZENS

A fixed Agricultural Assessment Extension Policy for private citizens is hereby authorized. Any private citizen may apply for agricultural assessment for no more than two tax years prior to the then current tax year. Businesses, including partnerships, corporations, etc., are not eligible to receive consideration under this fixed policy, but must continue to make application to Council demonstrating to Council's satisfaction that the business had reasonable cause for not filing timely. The County Administrator shall administer the program with forms and procedures as necessary in accordance with South Carolina Law.

SECTION 17. VEHICLES – OFFICIAL COUNTY FLEET RECORD

An authorized list of all County-owned vehicles providing make, model, year, serial and tag numbers, and assigned department/office shall be established as the official County Fleet Record and shall be approved by County Council Resolution. Only vehicles included in the official County Fleet Record shall be insured and maintained by the County. The approval by written resolution of County Council or authorization as provided in annual budget ordinances shall be required to place any additional vehicles in the County Fleet Record. Without such authorization, no vehicle shall be added to the CFR or to the County's insurance policies except where a currently insured vehicle is being removed from same. Vehicles removed from the CFR and the insurance policies must be surplus, through Council resolution, and placed for sale according to County Purchasing Policy.

SECTION 18. JUROR PAY

Citizens selected for Jury duty within the Colleton County Court System shall be paid a flat rate of \$20.00 per day for those days when appearance in Court is required. No mileage or other such payment shall be made.

SECTION 19. FIRE-RESCUE, S.C. MEDICAID TRADING PARTNER AGREEMENT

The County Administrator is authorized to execute the annual contract between South Carolina Department of Health and Human Services (SCDHHS) and Colleton County on behalf of the Fire-Rescue Commission to comply with HIPAA requirements for electronic billing.

SECTION 20. FLEXIBILITY PROVISIO

Colleton County hereby provides that it may reduce its support to any outside direct assistance payments and/or State mandated programs or requirements by up to a percentage equal to the percentage of reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30 of the State Code of Laws, and in accordance with the State Flexibility Proviso.

SECTION 21. All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 22. 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.

SECTION 23. At the time this was passed, the following Elected Officials were in office for Colleton County:

Official	Seat
Gene Whetsell	Council Seat at Large
Art Williams	Council Seat #2 Eastern District
Phillip M. Taylor, Sr.	Council Seat #3 Eastern District
Steven D. Murdaugh	Council Seat #4 Western District
Joseph F. Flowers, MD	Council Seat #5 Western District
Jeff Slocum	Auditor
Richard Harvey	Coroner
Rebecca H. Hill	Clerk of Court
Ashley Amundson	Probate Judge
Guerry Hill	Sheriff
Becky S. Hill	Treasurer

This Ordinance shall become effective on July 1, 2022.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s)	: County Council	
First Reading	: May 3, 2022	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 7, 2022	
Public Hearing	: July 26, 2022	
Third Reading	: July 26, 2022	
Effective Date	: Immediately	

ORDINANCE NO. 22-O-08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO IMPOSE, SUBJECT TO REFERENDUM APPROVAL AND PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, A ONE PERCENT (1%) SALES AND USE TAX (THE "TAX") WITHIN COLLETON COUNTY FOR NOT MORE THAN SEVEN (7) YEARS; TO ORDER A COUNTY-WIDE REFERENDUM ON THE QUESTION OF IMPOSING THE TAX AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTION; TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS FROM THE TAX ARE TO BE USED, THE MAXIMUM TIME FOR THE IMPOSITION OF THE TAX; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.]

BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1: Findings.

The County Council (the "Council") of Colleton County, South Carolina (the "County"), hereby find and determine:

- (a) Counties are authorized by the Capital Project Sales Tax Act, codified as Sections 4-10-300 through 390, Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), subject to approval by a majority of the votes cast in a referendum, to impose county-wide a one percent sales and use tax (the "Tax") for the purpose of generating funds to pay for certain capital improvements;
- (b) The Enabling Act establishes a procedure for imposing the Tax, including the passage of an enacting ordinance ("Enacting Ordinance") and the creation of a commission for the purpose of considering proposals for funding capital projects and formulating the referendum question that is to appear on the ballot;
- (c) By passage of a Resolution adopted on April 6, 2021, Council created the Colleton County Capital Project Sales Tax Commission (the "CPST Commission"), and the CPST Commission has submitted to the Council a referendum question; and

(d) The purpose of this ordinance is to serve as the Enacting Ordinance in accordance with the Enabling Act.

Section 2: Imposition of Sales and Use Tax.

It is imposed in the County a one percent sales and use tax (the “Tax”) in accordance with and pursuant to the Enabling Act, provided, that, a majority of the votes cast in the referendum are in favor of imposing the Tax. If approved in the referendum, the Tax is imposed on the first of May following the date of the referendum.

Section 3: Referendum; Ballot Question.

(a) There is hereby ordered a referendum to be held in the County on November 8, 2022 (the “Referendum”), at which there shall be submitted to all electors qualified to vote under the Constitution and laws of the State of South Carolina, the question set forth in Section 3(b) hereof. The Colleton County Board of Elections and Voter Registration (the “Board”) shall supervise and conduct the Referendum.

(b) As formulated by the CPST Commission, the referendum question to be on the ballot is:

Must a special one percent sales and use tax be imposed in Colleton County for not more than seven (7) years to raise the amounts specified for the following purposes:

The cost of acquiring (including, in certain instances, the acquisition of real property), constructing, furnishing, and equipping:

<u>No.</u>	<u>Project Description</u>	<u>Amount</u>
1	Colleton County Animal Services Facility	\$ 3,330,550.00
2	Veteran's Park	\$ 988,200.00
3	Town of Smoaks - Johnsville/Smoaks Community Center	\$ 937,000.00
4	Colleton County Emergency Operations Center	\$ 2,719,185.00
5	Colleton County Recreation Center Additions (New Gym and Activity Rooms)	\$ 2,953,575.00
6	Colleton County Recreation Center Additions (Pool Facility)	\$ 2,029,690.00
7	Town of Cottageville - Park Expansion	\$ 455,000.00
8	Town of Williams - Water Infrastructure Improvements	\$ 250,000.00
9	City of Walterboro - I-95 Business Loop Project Phase 3	\$ 6,802,045.00
10	Edisto Municipal EOC and Town Hall Complex Phase 1	\$ 10,000,000.00
11	City of Walterboro - Ireland Creek Greenway Park and Stream Restoration	\$ 9,889,816.00
	Total Amount of Sales and Use Tax Proceeds for All Capital Projects	\$ 40,355,061.00

and must the County Council of Colleton County be authorized to issue not exceeding \$40,355,061.00 principal amount of general obligation bonds of Colleton County, provided that the proceeds of such bonds shall be applied to defray the costs of the foregoing purposes, plus issuance costs, and provided further that in the event the sales and use tax to be imposed as stated herein is inadequate for the payment of such bonds, the bonds shall be payable from an ad valorem tax imposed on all taxable property in Colleton County?

Yes

No

INSTRUCTIONS TO VOTERS: If you are in favor of the question, touch the screen next to the word “Yes”; if you are opposed to the question, touch the screen next to the word “No.”

Section 4: Required Information.

The Enabling Act requires the Enacting Ordinance to specify certain information. The following information is provided to satisfy the content requirements:

- (a) Use of Proceeds: The proceeds of the Tax are to be used to pay the costs of the projects set forth in the question above or to pay debt service for bonds issued to fund such costs.
- (b) Maximum Time: The Tax will be imposed for a period not to exceed seven years from the date of imposition.
- (c) Maximum Amount of Bonds: The maximum amount of general obligation bonds of the County to be issued pursuant to the Referendum, in one or more series, to pay the costs of the projects is \$40,355,061.00. The proceeds of the Tax are to be pledged to the payment of bonds issued to pay the costs of the projects. The bonds shall be additionally secured by a pledge of the full faith, credit, and taxing power of the County.
- (d) Sources of Funds to Pay for Projects: Revenues from the Tax shall be used and expended to pay debt service on the bonds or to defray the costs of the projects. The County anticipates that other sources of funds will also pay a portion of the costs of some of the projects, including, without limitation, the United States Department of Agriculture (USDA), the South Carolina Department of Natural Resources (SCDNR), the South Carolina Department of Commerce Rural Infrastructure Fund, the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development (CDBG), U.S. Department of Commerce Economic Development Administration (EDA), the South Carolina Rural Infrastructure Authority (RIA), the South Carolina Department of Transportation (SCDOT) Transportation Enhancement Funds, South Carolina Department of Parks, Recreation and Tourism, United States Department of Homeland Security, United States Department of the Treasury, and Federal Community Project Funding Grants.

- (e) Maximum Amount of Project Costs to Be Funded from the Tax: The maximum amount of the costs of each project to be funded from the Tax are the respective amounts set forth in section 3(b) above with respect to each project.
- (f) Maximum Amount of Net Proceeds: The maximum amount of net proceeds to be raised by the Tax expected to be used to pay the cost of the projects or debt service on the bonds is \$48,000,000.00.
- (g) Priority of Projects: The priority of funding of the projects shall be the numerical order set forth in section 3(b) above. If bonds are issued for all or a portion of the projects, however, it is anticipated that those projects funded with bonds may be funded simultaneously.

Section 5: Ordinance to Election Commission.

The Clerk to Council shall send a certified copy of this ordinance to the Colleton County Board of Elections and Voter Registration no later than August 15, 2022.

Section 6: Controlling Ordinance.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Colleton County Code or other County Ordinances, the provisions of this Enacting Ordinance supersede all other provisions and this ordinance is controlling.

Section 7: Severability.

If any provision of this Enacting 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.

Section 8: Effective Date.

Enacted this ____ day of July, 2022.

COLLETON COUNTY, SOUTH CAROLINA

Steven D. Murdaugh
Chairman, County Council

ATTEST:

Kaela Brinson
Clerk, County Council

COUNCIL VOTE:
OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s)	: County Council	
First Reading	: May 3, 2022	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 7, 2022	
Public Hearing	: July 26, 2022	
Third Reading	: July 26, 2022	
Effective Date	: Immediately	

ORDINANCE NO. 22-O-09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of a 4.3 Acre Parcel at Bennett’s Point, Identified as T.M.S. No. 334-00-00-074, from Community Commercial (CC) to Rural 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 Community Commercial (CC) to Rural Conservation-2 (RC-2), an approximately 4.3 acre, parcel identified as T.M.S. No. 334-00-00-074 located at Bennett’s Point, also owned by the applicant; and
4. The applicant wishes for the parcel to be zoned Rural Conservation-2 (RC-2) to ensure that the zoning of the property preserves its character and use; and
5. The Planning Commission at their Monday, April 25, 2022 meeting, voted unanimously to recommend that Council approve the requested rezoning, as the Rural Conservation-2 District is compatible with the Comprehensive Plan description of the area, and the rezoning would serve to maintain Bennett’s Point’s rural setting.

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

1. The 4.3 acre tract at Bennett’s Point, identified as Tax Map Number 334-00-00-074, is hereby rezoned from Community Commercial (CC) to Rural 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:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: June 7, 2022	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	: July 26, 2022	
Public Hearing	: September 6, 2022	
Third Reading	: September 6, 2022	
Effective Date	: Immediately	

ORDINANCE NO. 22-O-10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AS PROJECT WATERFALL, AS SPONSOR, TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; THE ENLARGEMENT OF THE BOUNDARIES OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK PREVIOUSLY CREATED BY COLLETON COUNTY AND HAMPTON COUNTY TO INCLUDE CERTAIN PROPERTY LOCATED IN COLLETON COUNTY, SOUTH CAROLINA NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY PROJECT WATERFALL, OR ONE OR MORE COMPANIES RELATED THERETO; AND OTHER RELATED MATTERS.]

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-29

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, 2022; 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, 2022; 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:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-30

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 During the Fiscal Year Ending June 30, 2022 and Other Matters Related Thereto.]

WHEREAS:

1. At their meeting on May 19, 2022, the Accommodations Tax Committee received three requests for funding as follows:
 - a) The Colleton County Museum and Farmers Market—“WHAM Festival”, \$20,000;
 - b) The South Carolina Artisans Center—“Shop Handcrafted”, \$15,000;
 - c) Colleton County Historical Society—Accessibility and Tourism at the Bedon-Lucas House, \$6,000.
2. The Accommodations Tax Committee voted to recommend approval of the request from the Colleton County Museum and Farmers Market—“WHAM Festival” in the amount of \$20,000, the South Carolina Artisans Center—“Shop Handcrafted” in the amount of \$15,000, and The Colleton County Historical Society - Accessibility and Tourism at the Bedon-Lucas House in the amount of \$6,000.00.

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

1. The Colleton County Museum and Farmers Market is hereby appropriated \$20,000 for “WHAM Festival” from the State Accommodations Tax Fund – Fund 152 during the fiscal year ending June 30, 2022.
2. The South Carolina Artisans Center is hereby appropriated \$15,000 for “Shop Handcrafted” from the State Accommodations Tax Fund – Fund 152 during the fiscal year ending June 30, 2022.
3. The Colleton County Historical Society is hereby appropriated \$6,000 for Accessibility and Tourism at the Bedon-Lucas House from the State Accommodations Tax Fund – Fund 152 during the fiscal year ending June 30, 2022.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-31

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Waiver of Various Fees for the Summer 2022 Mission Serve Home Repair Program.]

WHEREAS:

1. For several years now Mission Serve, formerly 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 2022 Program will have 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 the summer 2022 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 summer 2022 Mission Serve project, in an amount not to exceed 20 tons, are hereby waived.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-32

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for Construction Engineering and Inspection Services for Local and State Road Resurfacing.]

WHEREAS:

1. The County advertised a Request for Qualifications, CTC-25 Construction Engineering and Inspection Services for Local and State Road Resurfacing; and
2. Nine proposals were received for the Request for Qualifications, CTC-25; and
3. A three member committee reviewed and ranked the proposals, and CDM Smith, Inc. was ranked the highest; and
4. Funding for this project is budgeted in the FY 2022 CTC Local Paving Fund.

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

1. County Council hereby awards the contract in accordance with RFQ CTC-25 to CDM Smith, Inc. for Construction Engineering and Inspection Services Local and State Road Resurfacing.
2. The County Administrator is hereby authorized to execute the contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for the County Roads Improvement Project is budgeted in the FY22 CTC Local Paving Fund.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-33

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Support the South Carolina American Revolution Sestercentennial Commission and to Recognize and Approve the Colleton County 250 Committee.]

WHEREAS:

1. South Carolina created the South Carolina American Revolution Sestercentennial Commission (250th Anniversary Commission also known as SC250); and
2. The mission of the SC250 Commission is to celebrate and promote South Carolina's role in the American Revolution by educating, engaging, and inspiring South Carolinians and visitors; and
3. The SC250 Commission is seeking partnerships with counties and municipalities to further its mission; and
4. This partnership will be formed by creating a local committee called the Colleton County 250 Committee; and
5. The Colleton County 250 Committee will focus on important events, people, and places during the Revolutionary Era within Colleton County to promote, observe and celebrate Colleton County's role in the American Revolution by educating, engaging, and inspiring South Carolinians and visitors; and
6. Local projects (i.e. creating visitable historical sites to attract tourists, supporting celebrations, restoring local historical markers, rebuilding local historical infrastructure, etc.) will enhance historical tourism opportunities

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

1. County Council hereby recognizes the Colleton County 250 Committee as its official committee.
2. The members of the Colleton County 250 Committee will be the Colleton Museum, the Colleton County Historical Preservation Society, the South Carolina Department of Parks, Recreation and Tourism and Dr. Sarah Miller from USC Salkehatchie.

3. The Colleton County 250 Committee will partner with the South Carolina American Revolution Sestercentennial Commission (SC250), and will support the initiatives of the SC250 Commission.
4. Will support the Colleton County 250 Committee in its local efforts to educate, engage and inspire South Carolinians and our visitors, thereby enhancing historical tourism opportunities in Colleton County.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-34

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

1. Colleton County Board of Adjustments and Appeals has four vacancies; and
2. Colleton County Board of Assessment Appeals has one vacancy; and
3. Colleton County Library Board of Trustees has three vacancies; and
4. The County Council is the appointing authority for Boards.

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

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

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 7, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 22-R-35

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Appoint Members to Board Vacancies.]

WHEREAS:

1. Colleton County Board of Disabilities and Special Needs has one vacancy; and
Applicant: Patti Lohr
2. Colleton County Board of Assessment Appeals has one vacancy; and
Applicant: Gary Stroble
3. Colleton County Resource and Development Board has two vacancies; and
Applicants: James C. Bryan and Jason Legare
4. Colleton County Keep Colleton Beautiful Board has four vacancies; and
Applicant: Joseph Heyward
5. 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 and Special Needs: Patti Lohr

Colleton County Board of Assessment Appeals: Gary Stroble

Colleton County Resource and Development Board: James C. Bryan and Jason Legare

Colleton County Keep Colleton Beautiful Board: Joseph Heyward

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED: