AGENDA COLLETON COUNTY COUNCIL VIRTUAL REGULAR MEETING TUESDAY, OCTOBER 5, 2021

FUESDAY, OCTOBER 5, 202: 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 September 7, 2021
- 5. Awards and Recognitions
 - a) Proclamation Patricia Grant, Order of the Palmetto
- 6. Appearances & Public Presentations
 - a) Michelle Gadsden Service Corps of Retired Executives
 - b) Charles Bright Ritter Community Revitalization Project
- 7. Administrator's Briefing
- 8. Public Hearing
 - a) Ordinance 21-O-09, Authorizing the Acquisition of Certain Heavy Equipment and Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$5,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto
 - b) Ordinance 21-O-10, To Amend the Colleton County Code of Ordinances, Chapter 3.08 Purchasing, to Provide for the Adoption of Section 3.08.175 for Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements
 - c) Community Development Block Grant (CDBG) Public Hearing Concerning Program Performance and Accomplishments
- Old Business
 - a) 3rd Reading Ordinance 21-O-09, Authorizing the Acquisition of Certain Heavy Equipment and Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$5,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto

- b) 3rd Reading Ordinance 21-O-10, To Amend the Colleton County Code of Ordinances, Chapter 3.08 – Purchasing, to Provide for the Adoption of Section 3.08.175 for Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements
- c) 2nd Reading Ordinance 21-O-11, To Provide for the Issuance and Sale of Not Exceeding \$6,500,000 Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto
- d) 2nd Reading Ordinance 21-O-12, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located at 15583 Bennetts Point Road, County Colleton, SC, and Identified by TMS No. 340-00-00-022.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto
- e) 2nd Reading Ordinance 21-O-13, By Title Only, To Provide for the Issuance and Sale of Not Exceeding \$2,000,000 General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto

10. New Business

- a) 1st Reading Ordinance 21-O-14, By Title Only, To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto
- b) Resolution 21-R-48, to Authorize the Acceptance of a Grant from the South Carolina Department of Social Services for the Child and Adult Care Food Program Grant for 2022
- c) Resolution 21-R-49, To Declare October 24th October 30th as Garnet and Gold Week in Colleton County
- d) Resolution 21-R-50, To Authorize the Sole Source Purchase of Wheeled Coach Ambulances for Colleton County Fire-Rescue
- e) Resolution 21-R-51, To Award the Contract for Design Build Services for the Colleton County Food Assistance Facility
- f) Resolution 21-R-52, To Appoint Members to the Colleton County Safety Committee

- g) Resolution 21-R-53, To Authorize the Council Clerk to Advertise for Board Vacancies
- h) Resolution 21-R-54, 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) Personnel
 - 1) Facilities
 - 2) Solicitor
 - 3) Clerk of Court
- 15. Adjournment
- 16. Informal Meeting of the Whole

COUNTY COUNCIL MEETING ON OCTOBER 5TH

Colleton County Council will hold a regular meeting on Tuesday, October 5th, 2021, at 6:00 pm. Due to the COVID-19 pandemic, County Council will be holding the meeting virtually and the public will be able to stream the meeting from a link on the County's home page or by going to www.colletoncounty.org/live. Individuals who would like to participate in public comment can do so at www.colletoncounty.org/comment.

MINUTES TUESDAY, SEPTEMBER 7, 2021 VIRTUAL 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, Art Williams, Gene Whetsell, and Phillip Taylor in attendance.

Others Included: Kevin Griffin, Sean Thorton, Meagan Utsey, Jon Carpenter, Kaela Brinson, Barry McRoy and Johnny Stieglitz.

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

Approval of Minutes

A. Regular Meeting Minutes, August 10, 2021 — Councilman Taylor moved to approve the minutes of the Regular Meeting held on August 10, 2021. The motion was seconded by Councilman Williams and the motion carried unanimously.

Awards and Recognitions

- A. Proclamation for Colleton County Council's Recognition and Memory of Judge Richard B. Wood, Sr. and his Service to Colleton County— Chairman Murdaugh read the Proclamation aloud. Dr. Flowers moved to approve the motion, and it was seconded by Councilman Whetsell. The motion carried unanimously.
 - All of the Councilmen reminisced about their relationships with Judge Wood.

Appearances and Public Presentations

A. Michelle Gatson- Service Corps of Retired Executives was unable to attend, as a result this was tabled until Council Time. She will be present at the October meeting.

Administrator's Briefing

Mr. Kevin Griffin stated that with the historically low rates right now, the County is looking into refinancing some general obligation bonds that we have from the reconstruction of the Ace Basin Sports Complex, as well as a current fire bond that we can refinance for a shortened term. With the fire bond we are also looking at taking out some additional funds to help finish some fire stations that we were unable to finish due to construction prices, the one in Green Pond being one that got left of the list. Although there will be new funding, there will be no tax increase, as the

millage will not change. He stated that on the GO bond, we are looking at saving roughly \$200,000 over the term of the bond.

Mr. Griffin went on to state that Council will be awarding the contract tonight for the Design Build Services for the Green Pond Community Center. There is a small update on this, they are steadily working on demolishing the current school, and they did run into some more asbestos that was not found during the testing phase as it was masked under some concrete. This is going to take about another 45 days to get it out, but this should not delay the project.

Mr. Griffin also stated that we are awarding the Venture Park Water and Wastewater Improvements after getting the easements needed. The Gadsden Loop Neighborhood Revitalization – Sidewalk Project bidder was non responsive so we will be moving to award this project to the second lowest bidder.

No Comments were made.

Old Business

A. 2nd Reading Ordinance 21-O-09, Authorizing the Acquisition of Certain Heavy Equipment and Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$5,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto.

Dr. Joseph Flowers moved to approve the 2nd reading of Ordinance 21-O-09, Authorizing the Acquisition of Certain Heavy Equipment and Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$5,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto The motion was seconded by Councilman Taylor, which was approved unanimously.

B. 2nd Reading Ordinance 21-O-10, To Amend the Colleton County Code of Ordinances, Chapter 3.08 – Purchasing, to Provide for the Adoption of Section 3.08.175 for Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements

Councilman Taylor moved to approve the 3rd reading of Ordinance 21-O-10, to Amend the Colleton County Code of Ordinances, Chapter 3.08 – Purchasing, to Provide for the Adoption of Section 3.08.175 for Protest Procedures Related to Purchasing for State and Federal Grants in Order to Meet Federal Grant Requirements. The motion was seconded by Councilman Whetsell. The motion carried unanimously.

Chairman Murdaugh asked Mr. Griffin if it was a requirement to adopt Section 3.08.175.

Mr. Griffin responded that this is a requirement. They do an audit from both CDBG and Federal Grant requirements, and this is one of the things that came up recently that we had to add in order to receive funds.

Chairman Murdaugh comments on the lack of time this allows for when producing an estimated dollar amount in the event of a Protest.

Councilman Flowers stated he had some concerns.

New Business

A. 1st Reading Ordinance 21-O-11, By Title Only, To Provide for the Issuance and Sale of Not Exceeding \$______ Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto.

Dr. Flowers moved to approve the 1st reading of Ordinance 21-O-11, By Title Only, to Provide for the Issuance and Sale of Not Exceeding \$______ Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto. The motion was seconded by Councilman Williams. The motion carried unanimously.

B. 1st Reading Ordinance 21-O-12, By Title Only, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located at 15583 Bennetts Point Road, County Colleton, SC, and Identified by TMS No. 340-00-00-022.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.

Councilman Taylor moved to approve the 1st reading of Ordinance 21-O-12, By Title Only, Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located at 15583 Bennetts Point Road, County Colleton, SC, and Identified by TMS No. 340-00-00-022.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion was seconded by Councilmen Williams, which was approved unanimously.

C. 1st Reading Ordinance 21-O-13, By Title Only, To Provide for the Issuance and Sale of Not Exceeding \$_____ General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto.

Councilman Williams moved to approve the 1st reading of Ordinance 21-O-13, By Title Only, To Provide for the Issuance and Sale of Not Exceeding \$2 Million General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto. The motion was seconded by Councilman Whetsell, which was approved unanimously.

D. Resolution 21-R-41, To Officially Name Colleton County Fire-Rescue Station 6, Located at 503 Fire Station Road in Green Pond, "Judge Richard B. Wood Fire Station"

Councilman Whetsell moved to approve Resolution 21-R-41, to Officially Name Colleton County Fire-Rescue Station 6, Located at 503 Fire Station Road in Green Pond, "Judge Richard B. Wood Fire Station" The motion was seconded by Councilman Taylor. The motion carried unanimously.

E. Resolution 21-R-42, To Authorize Acceptance and Budgeting of Various Grants for FY 2021-2022.

Councilman Taylor moved to approve Resolution 21-R-42, to Authorize Acceptance and Budgeting of Various Grants for FY 2021-2022. The motion was seconded by Councilman Williams, which was approved unanimously.

F. Resolution 21-R-43, To Award the Contract for Construction Engineering and Inspections Services related to the Gadsden Loop Neighborhood Revitalization – Sidewalk Project

Councilmen Williams moved to approve Resolution 21-R-43, to Award the Contract for Construction Engineering and Inspections Services related to the Gadsden Loop Neighborhood Revitalization – Sidewalk Project. The motion was seconded by Councilman Whetsell.

Councilman Taylor asked who the bid was awarded to.

Chairman Murdaugh responded with CDM Smith Inc.

This motion was approved unanimously.

G. Resolution 21-R-44, To Award the Contract for Design Build Services for the Green Pond Community Center

Councilman Whetsell moved to approve Resolution 21-R-44, to Award the Contract for Design Build Services for the Green Pond Community Center. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Councilman Williams abstained from voting due to his involvement with the project.

H. Resolution 21-R-45, to Award the Contract for Venture Park Water and Wastewater Improvements

Councilman Taylor moved to approve Resolution 21-R-45, to Award the Contract for Venture Park Water and Wastewater Improvements. The motion was seconded by Councilman Whetsell, which was approved unanimously.

I. Resolution 21-R-46, To Appoint Members to Board Vacancies

Councilman Taylor moved to approve Resolution 21-R-46, to Appoint Members to Board Vacancies. The motion was seconded by Councilman Williams. The motion carried unanimously.

The following appointments were made by acclimation: Dolphus Pinckney and Tamara Berry – Colleton County Commission of Alcohol and Drug Abuse, and Lillian Thomas – Colleton County Keep Colleton Beautiful Commission.

Councilman Taylor suggests that more reaching out be done to fill these vacancies within the Commission of Alcohol and Drug Abuse due to the high volume of drug addiction.

No further discussion.

J. Resolution 21-R-47, To Award the Contract for Gadsden Loop Neighborhood Revitalization Sidewalk Project

Councilman Taylor moved to approve Resolution 21-R-47, to Award the Contract for Gadsden Loop Neighborhood Revitalization Sidewalk Project. The motion was seconded by Councilman Williams, which was approved unanimously.

Chairmen Murdaugh stated that the contract was awarded to Palmetto Sitework Services, LLC, the second lowest bidder, after KTC Enterprises, Inc. were non-responsive.

K. Discussion of Covid-19 Prevention Measures

Chairman Murdaugh opened discussion with mentions of what surrounding counties are requiring for Covid-19 precautions, specifically, requiring masks for those who interact with the public.

Dr. Flowers stated we should encourage individuals to wear masks and avoid large crowding indoors.

Councilman Whetsell agreed with Dr. Flowers.

Councilman Williams asked if County employees can refuse field services, such as inspections, in the event that a customer approaches an employee unmasked, based on how that employee feels about being around unmasked customers.

Chairman Murdaugh stated that the County cannot instate a County wide mask mandate, but we can certainly instate a requirement for our County Buildings.

Councilman Taylor agreed that we can require masks in County facilities with the exception of employees while they are alone in their individual offices.

Chairman Murdaugh asked if there was a proposal from Council.

Councilman Taylor proposed that the County require masks in County facilities for employees when addressing the public and while they are around other County employees, as well as, requiring masks for the public to enter County Facilities and in the field when County employees are performing responsibilities.

The motion was seconded by Councilman Williams.

Chairman Murdaugh addressed Mr. Kevin Griffin on instating such requirement.

Mr. Kevin Griffin responds by stating that upon a motion we can enact the mask requirement in County facilities effective the following day.

Chairman Murdaugh confirmed that there was a motion and a second and asked if there was any other discussion.

Councilman Williams replies for clarification. Masks will be required to come into County facilities. Will masks be required for employees engaging the public behind a shielded area?

Chairman Murdaugh replied that yes, employees will be required to wear a mask at any time they are working with the public, regardless of a standalone shield.

Dr. Flowers clarified that this is only County facilities and employees and that no other businesses are involved.

All of the Councilmen agreed that this is only for County facilities and employees.

Councilman Taylor asks about employees that have returned to work after their suggested quarantine period.

Councilman Williams responded by referencing the motion made earlier in the discussion, which all employees are required to wear a mask when around other County employees as well as the public.

No further discussion, the motion carried unanimously.

Public Comments

No comments were made.

Council Time

A. Service Corps of Retired Executives

Councilman Taylor stated that Ms. Michelle Gaston, who serves as the chair of the minority outreach program has announced that September 8th is the launch of the SCORE SC Lowcountry minority small business support program; a competitive program that offers grants to Beaufort, Colleton, Hampton, and Jasper County. The application package does include the submission of a business plan. Ms. Buckner of Colleton County High School, who serves as a business educator for the school, was appointed to help prepare the business plans for applicants. They are also asking people who are retired or have banking or business experience to contact Michelle Gaston. They are reaching out to Colleton County to ensure that they have the opportunity to participate in the grant awards. The business has to be 51% or more minority with 25 or less employees. There are also other services for those who do not meet these requirements, and should still reach out to SCORE SC Lowcountry. Applications are available at https://sclowountry.score.org/Minority-Small-Business-Program.

Chairman Murdaugh asked if Ms. Gatson is local.

Councilman Taylor stated that she resides in Jasper County, but works in the main office located in Hilton Head, South Carolina.

Executive Session

Councilman Taylor moved to go into executive session to discuss the following: Real Estate - Voter Registration; and Personnel - Recreation. Councilman Williams seconded the motion. The motion carried unanimously.

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

Adjournment

County Council Meeting September 7, 2021

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

The public/media was informed of the location, date, and time of the meeting on Friday, September 3, 2021 in accordance with the provisions of the Freedom of Information Act.

This ___ day if ______, 2021.

Steven D. Murdaugh, Chairmen

ATTEST:

Kaela Brinson, Clerk to Council

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To: Colleton County Council

Walterboro, SC 29488

From: Ritter Community Revitalization Project

Walterboro, SC 29488

Dear Colleton County Council

The Ritter Community Revitalization Project is a nonprofit LLC organization that was establish in 2019 in Ritter, SC. Our purpose is to restore community unity and to build a community center that will support educational, social economical, job development needs of our residents. In the Ritter community, a large percentage of the population is living at or below the poverty limit without proper access to basic resources. As such, it is our duty to help them and improve their standards of living through education and job skills development. We are requesting your financial assistance in building a future for our community residents and to bring some working resources within our community. For this purpose, I would appreciate if the County Council members from Colleton County would actively take part in this mission and help us make a real difference in the lives of the Ritter Community.

September 13, 2021

Sincerely,

Charles Bright Jr.

Community Development Block Grant Notice of Public Hearing Concerning Program Performance and Accomplishments

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, October 5, 2021, Colleton County will hold a public hearing to review program performance and accomplishments conducted under a Community Development Block Grant (CDBG) project known as the Floyd Buckner Building Demolition Project, CDBG #4-A-20-002, wherein the following activities were undertaken.

Due to Covid-19 concerns, the closeout public hearing will be held at 6:00 pm as part of the zoom meeting for the safety of the public. The virtual hearing will be held using an application accessible through your computer or mobile device. The meeting ID and link to view the meeting will be displayed on the County's

website at <u>www.colletoncounty.org</u>. The public will not be able to attend via zoom, they will be able to submit comments and questions via colletoncounty.org/comment.

Colleton County proposed to use CDBG funds to demolish the Floyd Buckner Building that was damaged in a tornado in April 2020. The building's roof was taken off and the building was deemed structurally unsafe. This building was on the corner of Jefferies Boulevard and West Washington Street in downtown Walterboro. The three-story building was demolished. The lot was filled in with dirt and grass has been planted where the buildings wase. This project was eligible due to the spot slum/blight national objective and benefited approximately 5,165 residents of which 2,530 (@49%) were considered low-to-moderate income persons.

This public hearing and the matters to be discussed are subject to the provisions of the County's Citizens Participation Plan, developed in anticipation of participation in the State of South Carolina's Community Development Block Grant (CDBG) Program, providing for the participation of the citizens of the Colleton County in the planning and implementation of community and economic development projects which will involve CDBG funds.

The Citizen Participation Plan is available for review at Colleton County Administration, 109 Benson Street, Walterboro, SC between the hours of 9:00 am and 5:00 pm, Monday through Friday. Persons with questions or comments concerning the public hearing or the Citizen Participation Plan may contact Kimberly Mullinax, Lowcountry Council of Governments, Post Office Box 98, Yemassee, SC 29945, (843) 473-3964.

Colleton County does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Deadgrea Sadler, Colleton County, 109 Benson Street, Walterboro, SC, 843-549-5221, has been designated to coordinate compliance with the nondiscrimination requirements contained in the U. S. Department of Housing and Urban Development's regulations and implementing Section 5002 (24 CFR Part 8, dated June 2, 1988).

Note: Assistance will be provided to accommodate the special needs of disabled and/or LEP persons, upon request.

Sponsor(s) : County Council First Reading : June 1, 2021

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

Second Reading : September 7, 2021
Public Hearing : October 5, 2021
Third Reading : October 5, 2021
Effective Date : Immediately

ORDINANCE NO. 21-O-09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[Authorizing the Acquisition of Certain Heavy Equipment and Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$5,500,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto.]

WHEREAS, Colleton County, South Carolina, a body politic and corporate and a political subdivision organized and existing under the laws of the State of South Carolina (the "County"), acting by its governing body, the County Council of Colleton County ("County Council"), is authorized to enact ordinances in relation to health and order in Colleton County or respecting any subject as appears to County Council necessary and proper for the security, general welfare, and convenience of Colleton County or for preserving health, peace, order, and good government in Colleton County; and

WHEREAS, the County is authorized to acquire and lease personal property (excluding any real property and permanent improvements thereon) (the "Property") by means of lease-purchase financing which does not count against the limitation set forth in Article X, Section 14, paragraph 7(a) of the South Carolina Constitution and Section 11-27-110 of the Code of Law of South Carolina 1976, as amended; and

WHEREAS, County Council has determined that it is in the best interest of the County to acquire certain heavy equipment and vehicles, as set forth in Schedule A attached hereto, to be financed by means of a lease-purchase arrangement or lease-purchase agreements pursuant to which all lease payments are made with respect to all Property so financed and secured by a security interest in such Property so financed; and

WHEREAS, County Council has determined that it is in the best interest of the County to engage the services of Raymond James & Associates, Inc., as independent registered municipal advisor to the County (the "Financial Advisor") to assist the County in obtaining competitive proposals from banks and other lending institutions for the lease-purchase financing; and

WHEREAS, County Council intend that the specific terms of such lease-purchase financing arrangement, including the principal amount to be financed, interest rate, term, and other financing terms, and the selection of the financial institution or institutions providing the

financing, will be approved by the County Administrator, subject to the parameters set forth herein, without further action of County Council, upon the advice of the Financial Advisor and counsel; and

WHEREAS, the terms of the lease-purchase financing arrangement are to be set forth in a lease purchase agreement (the "Lease Purchase Agreement"), as approved by the County Administrator upon the advice of counsel.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, SOUTH CAROLINA,

- Section 1. The County shall, with the assistance of the Financial Advisor, conduct a process to obtain competitive proposals from banks and other lending institutions for the lease-purchase financing. The form of the Municipal Advisor Agreement presented to the County by the Financial Advisor is hereby approved and its execution ratified. The County Administrator shall select, upon the advice of the Financial Advisor, the proposal deemed by him to be most responsive to the County's request for proposals and in the best interest of the County.
- Section 2. The lease purchase of the Property set forth in Schedule A attached hereto by the County pursuant to the terms set forth in the Lease Purchase Agreement is hereby approved. The County Administrator is hereby authorized and directed to execute and deliver the Lease Purchase Agreement, in form and substance satisfactory to him upon the advice of counsel, his execution being conclusive evidence of his approval.
- Section 3. The consummation of all transactions contemplated by the Lease Purchase Agreement are hereby approved.
- Section 4. All property which may be acquired by the County pursuant to the Lease Purchase Agreement, or designated by the County as subject to the Lease Purchase Agreement, in addition to the Property set forth in Schedule A, shall be identified and approved by the County Council by separate ordinance or resolution. The County Administrator is hereby authorized to approve, on behalf of the County, the specific terms of financing any particular Property, including the principal amount to be financed, interest rates, term, and other financing terms, and the selection of the financing institution or institutions providing the financing, as he deems in the best interest of Colleton County Government.
- Section 5. The Chairman, the County Administrator, and all other appropriate officials and employees 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 contemplated by the Lease Purchase Agreement and the Purchase Contract.
- Section 6. The County Administrator is hereby authorized to issue Purchase Orders for the order of equipment with an over 180-day lead time, as provided by Schedule A, with purchase resolutions to be approved at a later date.

Section 7. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 8. This Ordinance shall become effective immediately upon approval after third reading by County Council.

Section 9. 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 hereof.

<u>Section 10</u>. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

Attest:	Signed:
Kaela Brinson, Clerk to Council	Steven D. Murdaugh, Chairman
Approved as to Form Sean P. Thornton, County Attorney	
	Council Vote: Opposed:

Colleton County
Lease Purchase of 2021
Schedule A

[Attach Schedule of Planned Purchases]

Sponsor(s) : County Council First Reading : August 10, 2021 Council Clerk, certify that Committee Referral : N/A this Ordinance was advertised Committee Consideration Date : N/A for public hearing on Committee Recommendation : N/A Second Reading : September 7, 2021 Public Hearing : October 5, 2021 Third Reading : October 5, 2021

: Immediately

ORDINANCE 21-O-10

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE TO AMEND THE COLLETON COUNTY CODE OF ORDINANCES, CHAPTER 3.08 – PURCHASING, TO POVIDE FOR THE ADOPTION OF SECTION 3.08.175 FOR PROTEST PROCEDURES RELATED TO PURCHASING FOR STATE AND FEDERAL GRANTS IN ORDER TO MEET FEDERAL GRANT REQUIREMENTS.]

WHEREAS:

Effective Date

- 1. In order to establish clear and transparent criteria for protest procedures related to purchasing for state and federal grants in order to meet federal grant requirements, it is necessary to establish Section 3.08.175 of the County's Code of Ordinances; and
- 2. By establishing this section of the County Code, the County will be able to continue to receive State and Federal Grant Funds.

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

1. Section 3.08.175 - Protest procedures related to state and federal grant funds is hereby adopted as follows:

3.08.175. Protest procedures related to state and federal grant funds.

- A. Right to protest; exclusive remedy.
 - 1. A prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the solicitation of a contract shall protest to the Chief Procurement Officer within three days of the date of issuance of the invitation for bids or requests for proposals or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue. An invitation for bids or request for proposals or other solicitation document, not including an amendment to it, is considered to have been issued on the date required notice of the issuance is given in accordance with this Code. The written protest must set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided.
 - 2. Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall protest to the Chief Procurement Officer within three days of the date the award or notification of intent

to award, whichever is earlier, is posted in accordance with this code; except that a matter that could have been raised pursuant to paragraph (1) above as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract. The written protest must set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided.

- 3. The fee required for a vendor to protest the solicitation of a contract pursuant to paragraph (1) above or (2) above is one percent of the estimated dollar amount of the contract or the recommended award, whichever is greater, up to a maximum of \$5,000.00. The fee must accompany the appeal documents. Only a check or money order will be accepted. The appeal fee will be returned if the appeal is found meritorious and relief is granted to the appellant. The appeal fee will not be returned if the appeal is denied.
- 4. The rights and remedies granted in this article to bidders, offerors, contractors, or subcontractors, either actual or prospective, are to the exclusion of all other rights and remedies of the bidders, offerors, contractors, or subcontractors against the County.
 - a) Duty and authority to attempt to settle protests. Before commencement of an action in court concerning the controversy, the Chief Procurement Officer may attempt to settle by mutual agreement a protest of an aggrieved bidder, offeror, contractor, or subcontractor, actual or prospective, concerning the solicitation or award of the contract. The County Administrator has the authority to approve any settlement reached by mutual agreement.
 - b) Decision. If, after reasonable attempt and within five days of receipt, a protest cannot be settled by mutual agreement, the Chief Procurement Officer shall issue a decision in writing within ten days of completion of the review. The decision must state the reasons for the action taken.
 - c) Notice of decision. A copy of the decision must be sent by certified mail to the protestor at the address provided in the protest or bid form first submitted.
 - d) Finality of decision. A decision is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests in writing a further administrative review by the County Administrator within three days' receipt of the notice of the decision or attempted delivery via certified mail of said notice of decision to the address on the bid form first submitted. The County Administrator, after review of the documents and such other information as he shall request, shall provide a written decision sent to the protestor by certified mail. Notwithstanding any other provision of law, the decision of the County Administrator is final as to administrative review and may be appealed only to the Circuit Court.
 - e) Automatic stay of procurement during protests. In the event of a timely protest the County shall not proceed further with the solicitation or award

of the contract until five days after delivery of the notice of the decision or attempted delivery via certified mail of said notice of decision to the address on the bid form first submitted, or, in the event of timely appeal to the County Administrator, until a decision is rendered by the County Administrator except that solicitation or award of a protested contract is not stayed if the Chief Procurement Officer, after consultation with the County Administrator, makes a written determination that the solicitation or award of the contract without further delay is necessary to protect the best interests of the County.

- 2. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
- 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

	By:
	Steven D. Murdaugh, Chairman of County Council
ATTEST:	APPROVED AS TO FORM:
Ву:	By:
Kaela Brinson, Clerk to County Council	Sean Thornton, County Attorney

Sponsor(s) : County Council First Reading : September 7, 2021

Second Reading : October 5, 2021
Public Hearing : November 2, 2021
Third Reading : November 2, 2021
Effective Date : Immediately

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

ORDINANCE NO. 21-0-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$6,500,000 FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS OF COLLETON COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, INCLUDING THE REFUNDING OF FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS FOR DEBT SERVICE SAVINGS AND THE ACQUISITION OF CERTAIN PROPERTY FOR FIRE PROTECTION PURPOSES; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.]

Sponsor(s) : County Council First Reading : September 7, 2021

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

Second Reading : October 5, 2021
Public Hearing : November 2, 2021
Third Reading : November 2, 2021
Effective Date : Immediately

Ī,	_ ,
Council Clerk, certify that	this
Ordinance was advertised	for
Public Hearing on	

ORDINANCE NO. 21-0-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance Granting an Easement to Palmetto Rural Telephone Cooperative on a Portion of Property Owned by Colleton County Located at 15583 Bennetts Point Road, County Colleton, SC, and Identified by TMS No. 340-00-00-022.000; Such Easement is to be Used for the Installation, Operation and Maintenance of a Fiber Distribution Hub within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.]

WHEREAS:

Colleton County Council deems it to be in the best interest of the County to grant an Easement to Palmetto Rural Telephone Cooperative on a portion of property owned by Colleton County located at 15583 Bennetts Point Road, Colleton County, SC; such easement is to be used for the installation, operation and maintenance of a fiber distribution hub within Colleton County, SC.

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

- 1. The documents attached and included herein by reference grant an Easement to Palmetto Rural Telephone Cooperative on a portion of property owned by Colleton County located 15583 Bennetts Point Road, Colleton County, SC to be used for the installation, operation and maintenance of a fiber distribution hub within Colleton County, SC.
- 2. The County Administrator is hereby authorized to sign said easement on behalf of the County pending final approval of the document by the County Attorney.
- 3. Said easement shall be recorded in the Office of the Register of Deeds for Colleton County.

4. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be 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.

5.	Conflict:		
	Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.		
ATTE	EST:	SIGNED:	
Kaela	Brinson, Council Clerk	Steven D. Murdaugh, Chairman	
	oved as to Form Thornton, County Attorney	COUNCIL VOTE: OPPOSED:	

Sponsor(s) : County Council First Reading : September 7, 2021

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

Second Reading : October 5, 2021
Public Hearing : November 2, 2021
Third Reading : November 2, 2021
Effective Date : Immediately

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

ORDINANCE NO. 21-0-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$2,000,000 GENERAL OBLIGATION REFUNDING BONDS OF COLLETON COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.]

Sponsor(s)	: County Council	
First Reading	: October 5, 2021	I,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised
Committee Recommendation	: N/A	for Public Hearing
Second Reading	: November 9, 2021	-
Public Hearing	: December 7, 2021	
Third Reading	: December 7, 2021	
Effective Date	: Immediately	

ORDINANCE NO. 21-0-14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.]

Sponsor(s) Adopted : County Council : October 5, 2021

Committee Referral

: N/A

Committee Consideration Date

: N/A

Committee Recommendation

N/A

RESOLUTION NO. 21-R-48

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Acceptance of a Grant from the South Carolina Department of Social Services for the Child and Adult Care Food Program Grant for 2022.]

WHEREAS:

- 1. Colleton County Council deems it to be in the best interest of the County to sponsor/administer a Child and Adult Care Food Program with meal preparation at the Colleton Commercial Kitchen, delivered meals, in-house reporting and financial management; and
- 2. The Child and Adult Care Program will service students in after school programs within the County; and
- 3. The program is set to run from October 5, 2021 through May 30, 2022 and September 1, 2022 through September 30, 2022, and requires that the County hire two temporary employees to be funded by the grant; and
- 4. The program is projected to have no local match requirement.

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

- 1. Acceptance of the South Carolina Department of Social Services Grant for FY22 for the operation of the Child and Adult Care Food Program under the sponsorship and administration of the County, as well as the hiring of two temporary employees to be funded by said grant, is hereby approved.
- 2. The County Administrator is hereby directed to implement the Child and Adult Care Food Program and to amend the FY22 budget to reflect the appropriations in connection with the grant.

ATTEST:	SIGNED:
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairman
	COUNCIL VOTE:

Sponsor(s) Adopted

: County Council

Committee Referral

: October 5, 2021 : N/A

Committee Consideration Date

: N/A

Committee Recommendation

: N/A

RESOLUTION NO. 21-R-49

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Declare October 24th - October 30th as Garnet and Gold Week in Colleton County.]

WHEREAS:

- 1. The University of South Carolina Salkehatchie is a vital component of our educational system. providing access to higher educational programs offered through the University of South Carolina in Walterboro and Colleton County; and
- 2. The innovative programs such as the Opportunity Scholars Program and University of Possibilities help low-income and first generation students succeed; and
- 3. The University of South Carolina Salkehatchie provides opportunities for qualified high school students to dually earn college credit through its early college program; and
- 4. The University of South Carolina Salkehatchie is a resource to the community providing leadership training, summer enrichment programs, and community interest classes to adults and area youth;
- 5. The week of October 24 30 as "Garnet and Gold Week" recognizing all the significant contributions to education, business, industry and civics rendered by the University of South Carolina Salkehatchie.

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

County Council hereby declares the week of October 24th, 2021 through October 30th, 2021 as "Garnet and Gold Week" in Colleton County.

ATTEST:	SIGNED:
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairman
	COUNCIL VOTE:

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

RESOLUTION NO. 21-R-50

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize the Sole Source Purchase of Wheeled Coach Ambulances for Colleton County Fire-Rescue.]

WHEREAS:

- 1. A portion of the 2021 lease purchase financing is allocated for the purchase of ambulances for Colleton County Fire-Rescue; and
- 2. The Fire-Rescue Commission wishes to replace the four remaining, aging International Ambulances with units meeting the current specifications on the reliable Kenworth chassis; and
- 3. The Commission wishes to sole source the purchase of the four ambulances with the same manufacturer (Wheeled Coach) to maintain the standardization of the fleet and the equipment the Fire-Rescue personnel and Fleet Management mechanics are trained on; and
- 4. County Council has continually supported this standardization, purchasing Wheeled Coach Ambulances in previous Resolutions (15-R-43, 18-R-62 & 19-R-56); and
- 5. The Fire-Rescue Commission and Fleet Management recommend that Council authorize the purchase of four Wheeled Coach/Kenworth ambulances from Wheeled Coach Corporation through its authorized dealer (Atlantic Emergency Solutions) at a total cost of \$1,333,588 (including SC Sales Tax).

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

- 1. The purchase of four Wheeled Coach/Kenworth Ambulances at a cost of 1,333,588 (including SC Sales Tax) is hereby approved.
- 2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary for the purchases.
- 3. Funding for these purchases is included in the 2021 Lease Purchase.

ATTEST:	SIGNED:	
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairman	
	COUNCIL VOTE: OPPOSED:	

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

RESOLUTION NO. 21-R-51

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for Design Build Services for the Colleton County Food Assistance Facility.]

WHEREAS:

- 1. The County advertised a request for qualification, CC-34, for the design build of the Colleton County Food Assistance Facility; and
- 2. Two proposals were received; and
- 3. Staff have ranked the proposals and found IP Builders, Inc. to have the highest score; and
- 4. Staff requests authorization to negotiate the contract for services with IP Builders, Inc.

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

- 1. County Council hereby authorizes the County Administrator to negotiate the contract in accordance with CC-34 with IP Builders, Inc. for the design build of the Colleton County Food Assistance Facility project.
- 2. The County Administrator is hereby authorized to execute said contract on behalf of the County pending approval of same by the County Attorney.
- 3. Funding for this project shall come from the Special Revenue Fund Fund 120, in the form a Sports Development Marketing Program Grant.

ATTEST:	SIGNED:
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairman
	COUNCIL VOTE: OPPOSED:

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

RESOLUTION NO. 21-R-52

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Appoint Members to the Colleton County Safety Committee.]

WHEREAS:

- 1. The Safety Committee was established in 2002 by Ordinance 02-O-15 and amended in 2006 by Ordinance 06-O-21; and
- 2. Amendment of committee membership shall be changed by County Council resolution.

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

1. Colleton County Council hereby appoints the following employees to the County Safety Committee in accordance with Ordinance 02-O-15 as amended by Ordinance 06-O-21:

Laura Clark Animal & Environmental Control Robbie Williams Facilities Maintenance Darryl Wilcox Magistrate's Office Library Sierra DeFoor Helen Bowers Roads & Bridges Jack Wright Fleet Management Roger Johnson Fire-Rescue George Rouix Sheriff's Office Janet Dillard-Smith EOC/VA/Coroner

Kaye Syfrett Finance
Johnny Bartley Solid Waste
Deagdrea Sadler Human Resc

Deagdrea Sadler Human Resources George Welch Risk Management

ATTEST:	SIGNED:
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairman
	COUNCIL VOTE:

OPPOSED:

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

RESOLUTION NO. 21-R-53

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

- 1. Colleton County Recreation Commission has four vacancies; and
- 2. Colleton County Board of Disabilities and Special Needs has one vacancy; and
- 3. Colleton County Library Board of Trustees has two 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:

Sponsor(s) Adopted

: County Council

Committee Referral

: October 5, 2021 : N/A

Committee Consideration Date : N/A

Committee Recommendation

: N/A

RESOLUTION NO. 21-R-54

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Appoint Members to Board Vacancies.]

WHEREAS:

- 1. Colleton County Keep Colleton Beautiful Board has three vacancies; and Applicant: Angela McAdoo
- 2. Colleton County Commission of Alcohol and Drug Abuse has three vacancies; and Applicants: Vera Bodison, Leigh Cook, and Lillian Thomas
- 3. Colleton County Planning Commission has one vacancy; and Applicant: R. Ian Padgett
- 4. Colleton County Board of Adjustments and Appeals has three vacancies; and Applicant: Kimberly Crouse
- 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:

Keep Colleton Beautiful: Angela McAdoo

Colleton County Commission of Alcohol and Drug Abuse: Vera Bodison, Leigh Cook, and Lillian Thomas

OPPOSED:

Colleton County Planning Commission: R. Ian Padgett

Colleton County Adjustments and Appeals Board: Kimberly Crouse

ATTEST:	SIGNED:
Kaela Brinson, Council Clerk	Steven D. Murdaugh, Chairmen
	COUNCIL VOTE: