

MINUTES  
TUESDAY, JULY 26, 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, Joshua Rowland, Iris Hill, Mark Aakhus, Crawford Moore, Jacqueline Harvey Brown, Sintclair Brown, Anderson Grant, Frank Santorella, Leila Williams, Paula Todd, Samuel Aiken, Sallie Aiken, Sylvia Aiken, Chriss Johnson, Charles Davis, Dawn Davis, Felicia Johnson, Suzanne Grant, Torsha Anderson, Carl Doyle, Constance Nelson Barnes, Bubba Tripp, Scott Biering, Johnny Bartley, Johnny Holmes, Brittany McMillian, Linda Singleton, Elicia Ford, and Sherman Gethers.

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

**Approval of Minutes**

- A. Regular Meeting June 7, 2022— Councilman Taylor moved to approve the minutes of the Regular Meeting held on June 7, 2022. The motion was seconded by Councilman Williams and the motion carried unanimously.

**Appearances and Public Presentation**

- A. Department of Juvenile Justice – Torsha Anderson, County Director gave an overview and update, as well as statistical information. \*\*\*See attached.

Councilman Taylor: Stated, Thank you very much. I was reading through the information and thought to myself, “Did she add more staff, because they are doing about 15 different services.” I was thinking through the amount of work you all do, and talking with the other agencies. It is commendable how well you all work with the community.

Councilman Williams: Stated, I would like to say thank you for the work that you have been doing. We see the difference since you have been there. I know how passionate you are toward the children of the community because you show it in your face, you show it in your voice, and you show it in your body language. This is what it’s about, if we can save one youth in Colleton County it is worth more than having two to three of them incarcerated. It is a lot cheaper for us to invest in the youth prior to going to jail than it is for us to have to feed them, clothe them, and whatever

else we have to do for them while they're in there for those who don't have health insurance or healthcare. It becomes a burden to society. Like the old Fram Oil guy said, "Pay me now or pay me later." I think we need to start paying up front rather than paying later. Thank you.

Ms. Anderson: Stated, Thank you. I would like to let the Council members know, as well as the community that if a youth leaves this community detained our county pays \$50 a day, which adds up. We can fix a pot hole instead of that.

Chairman Murdaugh: Stated, thank you for being here today. We will continue to look into the office space situation.

Ms. Anderson: Stated, thank you all again.

No further comment.

B. NAACP – Anderson Grant, Jr., 1<sup>st</sup> Vice Chairman: Stated, Mr. Williams was not able to be here tonight as planned due to some health issues this evening. I am here on behalf of the concerned citizens of Colleton County. Council, you should have received packets of petitions from concerned citizens of Colleton County. Those present may not have received these packets, but we as the concerned citizens of Colleton County are requesting the County Council Members and the Capital Projects Sales Tax Commissioners to reevaluate the recreational needs for the benefit of all Colleton County Citizens. For us to consider supporting the Sales Tax Referendum on November 8, 2022, the Council and Commission must support our request by building a YMCA in a more populated area with easy accessibility to help meet the recreational needs of our underserved population. Councilman Taylor, I want to thank you for your prayer. That prayer touched on the same subjects that I will be touching on. For my council to make decisions for the benefit of the residents and citizens of Colleton County...to do those things that can improve the quality of life of the citizens of Colleton County. You are making an investment so that we don't have a need for a lot of the services. When I see that we put more emphasis on an animal than a human being, I find that a problem. I had to pray over this thing and like I said my prayer had some of the same things as you. When I have elected individuals who are supposed to represent me and my fellow citizens and they seek to invest 4 million dollars in an animal shelter, a public project that has nothing to improve the quality of life for the citizens; I find that very serious. I have prepared some statistics regarding the area surrounding the recreational facility. (\*\*\*)See attached for statistical information prepared by Mr. Grant.) I also prepared some information from Mr. Joe Williams's previous presentation on establishing a YMCA from 2008, and it went back and forth and the reply was "It's just not time". If not now, when? We can't continue to put it off. We see a need for animals, but aren't I more important than an animal. Thank you. Pray fully hope you take these concerns to your heart, because that is the soul of a man.

No further comment.

### **Administrator's Briefing**

Mr. Griffin: Stated, on the agenda tonight there is an ordinance for first reading, by title only, for the board of assessment appeals to establish a new set of guidelines for them. This is the tax assessment appeals board just to be clear. The enabling legislation went back to 1963, prior to County Council. Most all counties have been working on, and have encouraged them to change those rules and get them up to date. There are some new processes they are putting into place, so this will be the first part. We will have a first draft at the next reading. The only other item I wanted to point out was Runner Lane. That is a road off of Green Pond Hwy, probably about 4 miles out of town on the right. There is a 5-acre piece at the end of runner lane and that piece has now been acquired by the owner of the surrounding land. There is no other property owner or connections, so the owner has asked that we abandon maintenance.

### **Public Hearing**

- A. 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.**
  
- B. 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).**

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

No comments made.

Councilman Williams moves to close public hearing. The motion was seconded by Dr. Flowers. The motion carried unanimously.

### **Old Business**

- A. 3<sup>rd</sup> 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.**

Councilman Taylor to approve the 3<sup>rd</sup> 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. The motion was seconded by Dr. Flowers.

Councilman Taylor: Stated I have received calls, maybe even at 1 o'clock in the morning. I want to help, if I can, in clearing my name. Though I do not stand in defense as myself and God is my defense. I have been hearing some things about myself in the community, and I do not want it to be in the vacuum somewhere. I want the community to know that I want as much recreation for our children as everyone else. I would love to see a YMCA type project in place for Colleton County and I have made that known. Particularly now as I see what I see on this matter. August the 15<sup>th</sup> is the final date that any matter can go on a November ballot; that is the end date. If we disrupt this process now it will be two years before you will see any project(s) show up, as I understand it. Now, I may be wrong and I am good to stand corrected on that. I have talked with attorneys with the Association of Counties, local attorneys, and I have researched the matter to see if there is a way that we can get it done. The best way that I think it could possibly be done is if the county, the City of Walterboro, and the business community will work together to get it done. If building the building is not the problem, as I see it, the 8 million dollars, give or take, it is to build the building. We have actually talked to some business owners who actually have some buildings. I think some of you know the Belk building over there has a tall enough ceiling and we probably could do an aquatic center there, but that building right now is under contract. Looking for available spaces and talking with local business owners, I found that we have a local business owner that got a very large swimming project done in Charleston County that said I am willing to help get projects done in Colleton County. I think it is going to take everyone working together, not in a silo, this is not something that the county can do on its own. You are looking at fiscally 3-4 mils added to your taxes that is going to happen, and Green Pond is where I have got the angriest phone calls about taxes. In relation to the animal shelter, the Black Street and Gruber Street community, people can't even get to their cars to go to their doctors' appointments because of aggressive dogs. The seniors are at home and people are letting their vicious dogs attack them. So, to think if we had a place that people need a response for dogs, I am getting the phone calls. I don't know if anyone else are getting the phone calls when people can't get in their car. I have to drive over to the community to help and wait on law enforcement to aid in getting that senior citizen in their car, and I have done it. So, to say that I don't care about seniors when making a decision with this capital project sales tax to let the voters vote in November. The voters can vote is up or down I say. I don't see a way, and maybe someone else here sees a way that we can disrupt this process now and still get it to ballot for November. I could say a whole lot more, and I could read the nastygrams that I have received by text on a

Sunday morning when I have to go preach, from people in this community. I would hope that we could be civil and work through a process together to see what we want for our children. I grew up in a community where we played together. We went outside and played kick ball in the yard, and basketball. We did things as a family. We weren't fighting on the phone at one another. We went to the rec center after church on Sunday and played baseball every week. So, lets as a community work through all the issues. If it is transportation issues, recreation issues, let's work on it together with the City, the County, and the business community. I have a nephew that died at Edisto Beach, and you think I don't want people to swim. He is right there from Catholic Hill, Anthony Holmes, that's my nephew. So, I understand and I want all of our children to swim and all of us have access to recreation beyond swimming. There are many more things to do.

Councilman Williams: Stated I wouldn't attempt to debate you Councilman Taylor, but I am glad you are getting the calls late at night instead of me. Maybe I did the right thing during the first and second reading when I voted against the proposal. Maybe I did the right thing when we initially started talking about it again after it had been tabled and we brought it back to the floor without giving the citizens an adequate amount of time to debate it, so maybe I did the right thing. Or maybe I did the right thing when I listened to some of them when they came and called, because my number is one of the public numbers that you can reach me at 24/7. I don't have a house phone or an office phone, but if you ring me now and want to test it, it is (843) 908-3557. I can be reached at any time. Those of you that know me know if you cannot reach me, and you have a relationship with my wife, know that you can reach her. Both of us have been in the community and public sector and have worked for you all for many years. We probably have a combined 70 years of work that we have put in blood, sweat, and tears. We may not have been well received in the process of doing what was right for you all, but we protected your interest. I am still here trying to fight to protect your interest. It disturbs me when I see that people have to go out to get signatures to petition us as a council to do what is right. It bothers me to listen to the news media, and I hear the media talk about the educational gap between minorities and majorities. It bothers me because I have been a minority all my life and when I die I will still be a minority, but first of all I am a citizen that is accountable to everyone, a minority and majority because that is what I am. I am a citizen, not a minority to the extent that I am only looking out for the minority community. I look out for all the communities, but if we are the ones that are charged with doing what we are supposed to do for the young people then let's step up to the plate. We talk about a millage increase, and this is not going to be a millage increase because this is something that the penny sales tax is going to cover. We are looking for 40 plus million to build these projects and we are estimating that we are going to generate in the next 7 years 48 million dollars, so where are the other 8 million going to go? I understand that it is just an estimate, hypothetical, and I do expect at some point that we are going to have problems with the economy, but right now we do not have problems with the economy. If you look and you check the census that the population of Colleton County has consistently dwindled down every year. Have you ever asked yourself why? As leaders have, we have asked ourselves why? Our population, at a time when

everything else is booming and I look statistically that the population in the United States has grown, other states are growing. The state of South Carolina has grown significantly at 12% or more. Colleton County, if my memory serves me correct, we have lost more than 3% of our citizens since last year. What is the problem with Colleton County? We are right next to I-95, we can walk there, I-16 right around the corner, I-26 right around the corner, I-77... We are right near the Charleston Port... We are right near Savannah port. We have the fourth or fifth largest geographical county in the state and yet we are struggling. Why are we struggling... because we make the same decisions over and over again, which is insane. We don't respect the other people's opinion. I don't know it all and I don't pretend to know it all, but when the citizens speak to me and especially when I see the volumes that are here. There are probably 1000 signature that people put together just so that we could hear their voice. It infuriates me to know that we are going through some of the same things from the articles that are in this packet. I saw where in 2008 Mr. Joe Williams pleaded to this council, and also in 2009 again in 2010. I can also remember back in 1999 when I went to a workshop and I heard people talking about YMCA's. Having traveled quite a bit in my early years, and hearing the importance from my officiating crew about how beneficial a YMCA was to the development of their youth. It made me want one in 1999, and it fell on deaf ears as an administrator trying to present it. What do we have to do in order to get what we need? Now, my recommendation for tonight, for what it is worth because I am one man and one vote, but if we are serious about doing what is right for the citizens, I plead with this council that we move to table this vote for tonight and we work it out with the administrator. We still have, I know Brother Taylor said time has run out on us and I am watching the clock, let the administrator take the last shot at trying to reschedule a meeting before our time is up. If we go to the media, I think we have enough time to have a Public Hearing because I know there is a time line. It has escaped me the length of time, Mr. Griffin what is the time line required to advertise?

Mr. Griffin: Stated, the Capital Project Sales Tax Commission would have to reconvene and have a meeting to make that decision. If there were changes, we would have to present that back to council and then we would have put that back in and have roughly 20 days' notice by the time you get it into the paper. You have to have it in the paper 15 days, by law prior to the public hearing. I am trying to figure out days right now.

Councilman Williams: Stated, if you are saying August 15<sup>th</sup> and today is July the 26<sup>th</sup> and everybody is serious about making this happen we have enough time to make this happen. If we can get involved in trying to make this thing happen, let's do it and not disappoint anyone in the process because we have never given them the opportunity from 2008, when it was initially presented, the time is now. For instance, what Brother Grant said a few moments ago, "If the time is not right now, when is it going to be right?" Let's take this seriously, because like you said Brother Taylor, if we vote it down it means two years before we can do the right thing. Whereas, if we do the right thing in less than 30 days and everybody walks from the table and we have some kind of agreement we don't have to wait the two years before we get it because we can put it on the ballot and it is something

that I think the citizens will support. Otherwise, we are still fighting one another and we are not getting anywhere fighting. You can hold me back, but you are not going to get anywhere either because neither one of us will be moving. Thank you, Mr. Chairman, for your time.

Chairman Murdaugh: Stated, we are all here and have differences of opinion, but I think what we are forgetting and what our ordinance is actually doing. We're just ignoring the process. The process is set by state statute, this County Council has no authority to go in and prioritize the projects to go onto the referendum. That is exclusively the responsibility of the Capital Projects Sales Tax Committee. This Council cannot change that and even if we wanted to, we will have to go back to the committee. I have sat here and listened and the way the process and statute works are that we as a council have to initiate an enabling ordinance or enabling legislature, which we did through a resolution, by establishing the Capital Projects Sales Tax Committee, the same way we did the last time this CPST was adopted. Then that committee themselves are the ones that vest these projects. Now, County Council appoints...there are six members to this committee and, according to state statute, this isn't Steve's Rule or anyone else on this bench's rule, the State of South Carolina says that we appoint three members to that committee, and we did. Back in April of 2021, this council appointed three members to represent the county in that commission. Then there is in the statute this formula for the municipalities within the county to appoint the remaining three members to this committee. I can't tell you that I can sit here and explain to you exactly how that works, but what I will tell you is that in Colleton County, Walterboro is by far the largest populated municipality, so the way it worked out was that they had the authority to appoint two of the remaining three and then those two members elected a third representative from one of the remaining municipalities in the county. So, we had no authority except appointing three. After that occurred, this council went through and we discussed and ranked projects and submitted to that committee a list of projects from this county, not from the municipalities...not from the City of Walterboro, not from Edisto Beach, not from Cottageville, not from Smoaks, not from anywhere, only from this county. We came up with a list and we prioritized those projects, and based on that priority of the five members of council we ranked our projects first to last. Well just so happens the YMCA was ranked dead last, 10 of 10. That is from this council, that is the way it was ranked. That is true, we submitted this to the committee. The committee is not bound by anything that we give them and how we rank our projects from the county. They can accept our order of ranking, they can throw them all out, and in fact they did. The first ranked project that we had was to build a new jail, and they did not vote to put that into the referendum. So, that committee and the intent of that statute is so we do not do exactly what we are doing here tonight and that is to have politics involved in this process. That committee is appointed independent of this council and it is their responsibility to rank those projects. After they do that and they work within the budget and yes, the tax will collect about 48 million and the projects are estimated at 41 million. I suspect the rest will go into debt service, which is my guess.

Mr. Griffin: Stated, you have to have a reserve account.

Chairman Murdaugh: Continued, In the event they come back with the projects they want to put on the referendum...not just the county projects, but the municipal projects as well, they create the wording that goes into the referendum. All we're here to do tonight is to vote and pass this along to the referendum. We pass it to the voters, we don't decide, you decide. That is what we are here to do tonight. This Ordinance simply puts this on the ballot for the referendum. Now, I have my own opinion about it and Mr. Greg got up and spoke and he is correct...well it is not 4 million for the animal shelter, it is 3.3 million, but we need an animal shelter, that is a need of the county. We need a jail and that didn't make the list. We need a lot of things, but I will tell you this there is also on this list a recreation and new gym and activities center, 2.9 million. A swimming pool facility, 2 million dollars. That is 5 million dollars of money that we are going to spend on the youth in this county. So, to say that we are not concerned about the youth or that this committee is not concerned about the youth is just not true. It may not be what we all want, but it is what the committee collectively came up with. There is also a community center for Jonesville. There is an Emergency Operation Center. If you are in a crisis and have an emergency, that has an impact on your life. These are the things that the county has to have. Edisto Beach has an Emergency Operations Center here. They're the most prone area in the county we have to hurricane damage and destruction. Of course, they need an operations center there. The City of Walterboro, this has nothing to do with us...we didn't have anything to do with it, and they have their own projects on there. This committee met, not one time, not two times, but six times this committee met. These were public meetings, notice to the public, that you could attend, had presentations on each of these projects. The YMCA project was presented to this committee. Where was the public outcry then? We are sitting here now and it is the end of July, this referendum has to move forward by August 15<sup>th</sup>. There is a lot of good things on this referendum that is going to help the people in this county and the youth of this county. I have been on this council for 24 years, and I have heard every single year, "We need a swimming pool". I was in support of it a long time ago. Well guess what, we're finally getting a swimming pool, it is on this referendum. So, if you disagree with the referendum, that's fine everyone has a right to have a difference of opinion, but the process that we are here to do tonight is to pass this on to the voters. We're not here to say to the committee, "Wait a minute, you messed up. We need to do this again." That is not our job, in fact we are not supposed to do that. That is not the intent of the South Carolina Legislation. The statute is designed to have this committee go and do their job, and that is exactly what we did. We do not control voters, you have your free will, and I will ask you to look within your heart. If you think these things on this referendum are worthwhile to the county and the youth in this county, then vote for it, if you do not, vote against it that is your choice. We are here tonight to pass this along to the voters; we are not here to go back and revisit this thing. There were six meetings, and everybody had the opportunity to appear at those meetings and have their voices heard, but that is not what we are here to do tonight we are here to send it on to the voters as the statute requires us to do. I don't agree with everything on the list, there are things I would take off and other things I would put



on, but that is just Steve's opinion. The voters will get to decide that. So, I am here to say that I know everyone is upset and passionate about a YMCA. I helped Joe Williams when he was trying to do this before, and I will tell you that you will never...you have to go into contract negotiation with a nonprofit corporation with YMCA, to have a YMCA, and we spent months and months doing that and at the very end it was the folks from Summerville who decided it wasn't going to work, it wasn't us. So, I will tell you this is not a perfect work and this may not be a perfect solution for everybody, but this is the best that we've got and it needs to go to the voters. Again, I want you to understand the process, we are not here and I don't think we are even allowed to go back. They were tasked to do their job and they did their job. It is their job to form the ballot and our job to send it forward.

Dr. Flowers: I certainly have been through this before with the referendum several years ago when we passed the first one, and it worked out very well for the county. It put some things in place we wouldn't have been able to do if we hadn't have done it. It is the best way of moving forward with projects we can't otherwise afford. If we had to pay for this out of the tax payers' pocket, per say, without the 1% sales tax, we would have to raise taxes tremendously on everybody, through their cars, houses, and land. So, we need to move forward with this project. Inaudible...None of us like everything in this project, however, we need to move forward with it, and you are the voters you make the final decision, not us, but the process is in place by law so it is what we have to do...inaudible. The voters can decide do we want this or not...inaudible. So, I think we should move forward with this.

The motion carried 4-1 votes; Councilman Williams opposed.

Councilman Williams: Stated, we had a public hearing and we started speaking out before we gave them an opportunity to say anything didn't, we...

\*\*\*Council members conversing...inaudible. Council agreed that Public Hearing was called and that there were no comments made during Public Hearing.

No further comments.

**B. 3<sup>rd</sup> 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).**

Councilman Taylor moved to approve the 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). The motion was seconded by Councilman Williams. The motion was carried unanimously.

- C. **2<sup>nd</sup> Reading Ordinance 22-O-10, 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; to Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial Business Park, so as to Include Property in Colleton County as part of the Park; and Other Matters Related Thereto**

Councilman Taylor moved to approve the 2<sup>nd</sup> Reading Ordinance 22-O-10, 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; to Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial Business Park, so as to Include Property in Colleton County as part of the Park; and Other Matters Related Thereto. The motion was seconded by Dr. Flowers.

**New Business**

- A. **1st Reading Ordinance 22-O-11, By Title Only, An Ordinance to Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals**

Councilman Williams moved to approve the 1st Reading Ordinance 22-O-11, By Title Only, An Ordinance to Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals. The motion was seconded by Councilman Williams. The motion carried unanimously.

- B. **Resolution 22-R-36, To Declare Surplus Various Vehicles and Equipment and to Authorize Their Sale in Accordance with County Policy**

Dr. Flowers moved to approve Resolution 22-R-36, To Declare Surplus Various Vehicles and Equipment and to Authorize Their Sale in Accordance with County Policy. The motion was seconded by Councilman Williams. The motion carried unanimously.

- C. **Resolution 22-R-37, Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code, so as to Allow Investment Expenditures**

**Incurred by a Company known to the County as Project Waterfall, Its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-in-Lieu of Taxes Arrangement with Colleton County, South Carolina; Providing for Other Related Economic Development Incentives, Including Special Source Revenue Credits; and Other Matters Related Thereto**

Councilman Taylor moved to approve Resolution 22-R-37, Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code, so as to Allow Investment Expenditures Incurred by a Company known to the County as Project Waterfall, Its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-in-Lieu of Taxes Arrangement with Colleton County, South Carolina; Providing for Other Related Economic Development Incentives, Including Special Source Revenue Credits; and Other Matters Related Thereto. The motion was seconded by Councilman Williams. The motion carried unanimously.

Dr. Flowers: Asked, why do we have to have a resolution and an ordinance?

Mr. Griffin: Stated, you have to have a resolution for the special source of revenue credit, and an ordinance for the fee-in-lieu agreement.

Also, you had another question early today about call backs; I spoke with the bond attorney on that. The reason the call backs are not in there yet is because they use that to measure up the job development tax credit application, so they will get that language for third reading from the state for the JBC application so the jobs match up.

Dr. Flowers: Stated, I have some more things that I will bring up during Council Time regarding fee-in-lieu.

No further comments.

**D. Resolution 22-R-38, To Authorize the Abandonment of Maintenance on Runner Lane**

Dr. Flowers moved to approve Resolution 22-R-38, To Authorize the Abandonment of Maintenance on Runner Lane. The motion was seconded by Councilman Williams. The motion carried unanimously.

**E. Resolution 22-R-39, To Appoint Members to Board Vacancies**

Councilman Williams moved to approve Resolution 22-R-39, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Taylor. The motion carried unanimously.

The following appointments were made by acclamation: Michael Shane Moody – Land Use Zoning Board of Appeals, and John S. Rogers, Fred Reed, and William Ponds – Planning Commission.

### **Public Comment**

Scott Biering: Stated, thank you Council for all the work you have put into getting us where we are for this 1% sales tax. Much of what I had on my mind and the research I have done has already been spoken on tonight, but I am going to say this, I wish we would have been on this years ago to get the YMCA on this list because it is much needed. I delivered UPS here in the 1990's, and I saw the lack of functions in recreation for the community. I am a business owner and a lot of children get to come out and have recreation and fun at my place. I am passionate about that. I wish that would've made it here, but that would've taken a lot of time, a lot of effort, and people getting on board a lot sooner than this to make it on this. Just because we are here does not mean this is the end. If this does pass, and I suggest we put it to the voters because we are already here and it is hard to back this train up, it is next to impossible. That pool is going to be built if this goes through; we are going to have a gym out there. There is nothing that says we can't go ahead and start working now as a city, county, and private businesses; and I am saying that I will step up as a private business and I will help with that, to make sure that these shuttles run at different times to get out to these facilities, to make sure that we have YMCA like functions that are provided for communities. There are so many different things at a YMCA; my children grew up in them. I have lived in this county my whole life, but we participated in other places that had them because we wanted to have the kids involved in those different activities. There is so much community building, senior activities, children's activities, and after school programs. We don't have to give up now. If this goes to vote and if the voters pass it; let's get it done. Let's work together to bring as many of those functions to that facility and make shuttles work. I am willing to partner as my business and as a citizen to get it done. I want to thank you for your time and that this is not the end. If this is where we are in this process, let's make the best of it. I am a problem solver.

Mr. Charles Davis: Stated, I am a long time citizen of Colleton County. Hearing all the back and forth, I think we are getting lost in the translation of what is going on and how the process works. Maybe, we did come a little late to the party, but I need more information to understand what is going on. I realize the YMCA is an excellent idea... (Inaudible). My issue is that the place you are considering putting the YMCA. Mr. Grant said that you get more participation if you put it in a more heavily populated area. So, we suggested that you put the YMCA at another location. Put it on the old stadium property. You will get more participation there, develop a community, and have more outreaches there. The activities at the YMCA the county would benefit from. What we are saying we will not benefit from it if you put it so far from where the community base is; that is the issue we are talking about and it has not been addressed. I do not know if that will detain the process or stop the process that is going on now, but if it doesn't, let's consider putting it at that location. The county and the city own that property, so why can't we put the YMCA where the old stadium was? I believe it is a 10-acre tract of land, and we could build a beautiful YMCA there, and expand Walterboro. Maybe it will attract people to come back instead of leaving the county. So, that is my problem with it and I don't know if that has been said or not. We are hard fast at putting it at the recreational facility. Now we have plenty out there already, and quite frankly it doesn't serve the entire county. A large portion of the county doesn't go out there for whatever the reason may be; location or transportation, they are not going. So, lets put it somewhere else because we need the YMCA bad. Just like the council said, this isn't the first time this has been brought to

them. We are tired of waiting for our turn, which is old school stuff. If you want to do that then you need to resign your positions and do something else. Give the community what it needs. Those six commissioners that you selected are all advocating for their own community and their own municipalities. I had the liberty of calling a few of them, the ones that would talk with me. They said no one mentioned another location. If there was mention of another location, we might have considered that. So, it is not that they're opposed to it. For some reason there is not a want to develop the areas that some would say are not desirable for whatever the reason may be. I had a chance to talk to Mr. Whetsell on the phone, said we might have missed the ball on that one. Everyone I have talked to on the phone have said we have dropped the ball on that, and we did not consider everything. I spoke to the ones on the commission and they said, "Why didn't anyone else think of that?" ... (inaudible). That is all I wanted to say, if the process can be slowed down or if we can reconsider the location of the YMCA, then let's do that. That is all that we are asking is to serve our community in a more effect way.

Paula Todd: Stated, I would be remis if I did not get this on the record. Councilman Taylor, you talk about we are not being civil, and I think we are being civil. I think that when I first came up last time there was a story that I wanted to tell and I did not because I wanted to be.... I think sometimes we need to let people sensitze to us, and that is why I want to tell this story. My husband told me a story, he is 83 now. It is a story about Daytona, FL and when they went to the pool. They were at an area by the pool that was allowed for them at that time, but they were not swimming. Caucasians were swimming in the pool and a little dog jumped into the pool and everyone thought it was really cute when the dog was in the pool. The pool man slipped and fell into the pool, he was African American. Everybody had to get out of the pool immediately, and the pool had to be drained and cleaned immediately before everyone could get back into the pool. So, the sensitivity of seeing the ranking of those things, and seeing an animal shelter before some thing may not have impacted you the way it would impact me because of what we have gone through in the South in particular when it comes to water sports in particular and how we have been received with that. So, I think we need to have conversations and we need to be transparent about things we are doing. I will say that I take my responsibility about what you said Chairman Murdaugh about not coming forward for months. I do talk, I just do not talk as an organizer, but now I think I am. I have sold my house in Walterboro and I am moving to Green Pond and I am going to be much more vocal about a lot of things because we need to be seen and heard. We elect you all to do a job for us and we shouldn't have to see it in the paper, we should be hearing from you. Anytime things are coming up that is going to impact this council, you need to reach out to your community and say we are going to be doing this. I know you think that is something that you do not have to do but that is what we elect you for, we really do. Tonight, I feel like...and I used to come here because of my job. I know what public hearings are, and the way that came out tonight. First of all, you do not have enough agendas here for everyone tonight, so they aren't reading it and seeing that it is a public hearing, because I guarantee you there were people here who wanted to speak to that. They were denied that, and this is just one other thing. Please know we are not angry. I think most people are frustrated because we have been going through this long before 2008 and it's not just about a YMCA. It is about accessibility and things that we can actually get to, we can participate in, and it is not going to happen over there. It is a beautiful facility, but it does not meet the need. I do not think people understand how many people want water sports in this county.

Felicia Johnson: Stated, I am not here for anything that has been said today. I reached out to Mr. Art Williams. I am here on behalf of myself, my neighbors, and our community to close the bar and grill Hangtime. I have been reaching out to some of everybody including the Mayor of Walterboro, Senator Margie Bright-Matthews, Mr. Clyburn, and the Governor. The only person who responded was the governor who stated to go to my local law enforcement. Law enforcement here is not helping us. Two people were recently shot on Father's Day weekend. I was under the bed because I thought it was my home. My home has been shot up before in the past. There are kids in our neighborhood and my neighbor told me the guns they are using can go straight through our homes. I know it does because I still have the bullet holes in my house to prove it. I have reached out to Mr. Buddy Hill numerous times since 2020. He keeps telling me the same thing over and over. These people weren't even in their grave and this club "boom...boom...boom". The sad part about it they don't get started until 2 am to 3am. I have insomnia and I don't sleep. Sunday morning on Father's Day, I woke up and hear the music. Before I could make it to my door to peek out the window and back to my bed...gunshots. I hit the floor reaching for my cell phone and hiding under my bed asking law enforcement to please send them out again. The sad part about it is since 2020 we have started a petition, but due to covid I couldn't get but so many. We need help in our community, and it is sad I hate to see Friday come. Last year, we were out there trying to shoot fireworks...guns. This year we didn't even bother. I have grandkids and it's sad I don't want them around on the weekends. I ride the transportation bus and we talk about how sad it is that they ride by at 7am and the club is still open. People need to go home especially when they got children. The owner is Ms. Hazel Sanders, and I have tried to reach out to her. She is thinking about money, not our lives, and she can get killed to when she stays right behind the club. We need help. That is why I have reached out to Mr. Williams and I hope that you all can help our community. Close this club Hangtime, it is a hole in the wall. It does not need to be open, and I am in fear of my life. I am not lying because I hate to see Friday come. I already know what it's going to be. It doesn't make any sense. Please listen and help. Mr. Hill called me last month...still no justice...it is still open. I keep saying you all going to wait until someone gets killed, well two were killed and two were injured. It is getting worse and worse. I am speaking out for everybody.

### **Council Time**

Dr. Flowers: Stated, Administrator, If we could, we need to create a resolution and have someone follow up on the job creations and also on the fee-in-lieu compliance... (Inaudible). Also, we are supposed to be getting money from other county parks, are we getting that?

Mr. Griffin: Stated, we actually have a lot of that information in hand. The donor county information we get from the Treasurer, but yes, that continues to grow every year. We can add that into the council report. We need to know... (Inaudible).

Councilman Williams: Stated, we need to and I know we have law enforcement and Chief Hill out there, and he has stated what he can do but...this isn't the first time that individuals have come before this council in fear for their life. We are the Council, not saying that we are know it all or do it all, but we certainly need to have some type of investigation done and have a report back to us as to what can be done about these outlaw clubs. We had the ladies that came before with the same issues off of Highway 63. Where people have been shooting and she can't sleep at night due

to the loud music and people spinning the wheels. We have the same thing on the opposite end of town where people are getting killed and shot. I mean if you can't have a peaceful night stay in your own home then something is wrong. I would hate to know that I can't rest at home after a hard day's work. I don't know what we can do. When she first spoke to me, I advised her to come before the council and plead her case because I don't have an answer for her. I realize we are in a civilized world and we can't just go in and take over like when I was in the Marine Corp. However, citizens should not have to go through that. We know the stories of what happens at these clubs and we owe it to her to be protective of our citizens.

I would also like to recognize the folks from Edisto Beach, the Mayor and his administrator and deputy administrator. We are happy to have you all from the Town of Edisto Beach, you mean a lot to us and I want everyone in here to understand that you mean a lot to us. You all are isolated in some aspects and separated from the county, but you do your due diligence and we appreciate that. To the other concerned citizens, and were not going to beat the dead horse, but I say do not get weary children. The day is going to come that the thoughts are different. Even if all of us have to die off of this council and get some younger people on there with a different mindset and such. That day is going to come, because Colleton deserves more.

Chairman Murdaugh: Stated, to follow up, we have so many ordinances on the books and in place to charge individuals, but what law enforcement runs into is when they get to the court system. The court systems are sometimes not as forceful as they could be... (Inaudible). I will say one thing, that I have mentioned on this council for years and I may get some stones thrown at me when I say this, but a county wide business license. If we have that, then we can revoke their business license, but without a county wide business license we have no power over these businesses other than our ordinances, and then we are at the mercy of law enforcement and the court system. We could design our own...and I know people think that's another level tax and there is a fee for business licenses to process them. However, it does not have to be a high fee like some have.

Back to the referendum, I am still unclear, but if it is not just the fact that you want a YMCA and it's a YMCA type facility, you're just talking about geography then. We have the issues on the referendum, we can work out the issues on geography.

Councilman Williams: Stated, can we give the administrator the permission to start seeing what it would take to do a county wide business license? If it is going to offend individuals that we are trying to clean up a mess, then let's offend them because first of all, we will be able to tract what businesses are operating. The other day I was on Highway 303, and I saw a lumber yard in Ritter. I was stunned because I thought it was a peat plant. I don't know if those individuals are doing what is right or not, but please allow the administrator to check on what it would take and let us decide from there.

### **Executive Session**

Councilman Taylor moved to go into executive session to discuss the following: Legal – Walterboro-Colleton Chamber of Commerce. Dr. Flowers seconded the motion. The motion carried unanimously.

Councilman Taylor: Stated, I do want to disclose that I serve as the Walterboro-Colleton Chamber of Commerce vice chairman, so I will not vote on any matters related to that.

Chairman Murdaugh: Stated, Mr. Taylor is disclosing on the record that he has a conflict of interest so, in that case it is not appropriate, if we have any action, for him to vote on those matters. This happens from time to time as we live in this community just like you all... (Inaudible).

Chairman Murdaugh stated that we were back in open session, during Executive Session we discussed: Legal – Walterboro-Colleton Chamber of Commerce.

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

**Adjournment**

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

This 6th day of September, 2022.

  
Steven D. Murdaugh, Chairman

ATTEST:

  
Kaela Brinson, Clerk to Council

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