

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

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

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

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

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

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

Approval of Minutes

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

Appearances and Public Presentation

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

Administrator's Briefing

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

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

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

Mr. Griffin stated that he was not aware.

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

Public Hearing

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

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

Old Business

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

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

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

Dr. Flowers moved to approve the 3rd Reading Ordinance 22-O-03, To Amend Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisance Generally and Chapter 9.04 – Littering, To Coincide with the Ten Year Update of the Colleton County Comprehensive Plan. The motion was seconded by Councilman Taylor. The motion was carried unanimously.

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

Councilman Taylor moved to approve the 3rd Reading Ordinance 22-O-04, To Amend Title 13 – Buildings and Construction, Chapter 13.04 – Construction Codes Adopted, Chapter 13.12 – Flood Damage Prevention, Chapter 13.16 – Manufactured Homes and Chapter 13.20 – Uniform Ordinance Summons, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan. The motion was seconded by Councilman Williams. The motion was carried unanimously.

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

Dr. Flowers moved to approve the 3rd Reading Ordinance 22-O-05, To Amend Title 14 – Land Management, Chapter 14.04 – Land Development Regulations And Chapter 14.08 – Zoning, To Coincide With The Ten Year Update Of The Colleton County Comprehensive Plan. The motion was seconded by Councilman Taylor. The motion was carried unanimously.

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

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

New Business

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Council Time

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No further discussion.

Executive Session

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

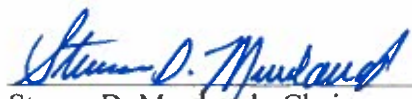
Councilman Williams moved to exit executive session. Councilman Whetsell seconded the motion, which carried unanimously.

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

Adjournment

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

This 7th day of June, 2022.



Steven D. Murdaugh, Chairman

ATTEST:



Kaela Brinson, Clerk to Council

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