

**MINUTES  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, APRIL 7, 2015  
6:00 P.M.  
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

Colleton County Council met in Regular Session on Tuesday, April 7, 2015 at 6:00 PM, at the County Council Chambers, Old Jail Building. Steven Murdaugh called the meeting to order with Council Members, Gene Whetsell, Dr. Flowers, Phillip Taylor, in attendance. Mr. Robinson arrived 6:04PM

Others present included: Kevin Griffin, Ruth Mayer, Sean Thornton, Michelle Knight, Joe Hamilton, David Scott, Eleanor Hodges, Isreal Hodges, Sr., Louise Slater, Tonya R. Williams, Jacqueline A. Williams, Robert J. Williams, Pete Anderson, Keith & Cristy Beasley, Jane Darby, Patti Smyer, James Rutledge, C. Albright

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

**Awards and Recognitions**

Proclamation for Colleton County Council's Support of the Edisto Natchez-Kusso Indian Tribe in their efforts to obtain Federal Recognition.

Chairman Murdaugh asked if Mr. Davidson was present to receive the proclamation.

He was not present and the Chairman said they would get back to this later in the meeting to give Mr. Davidson time to arrive.

**Approval of Minutes**

Regular Meeting March 3, 2015  
Special Meeting February 25, 2015

A motion to approve the minutes was made by Dr. Flowers and seconded by Mr. Whetsell.

The motion carried unanimously.

**Administrator's Briefing**

Mr. Griffin said they have been working very diligently and today we are just about to finish up our Revenue Estimates for our FY2016 year. We are going to be looking at scheduling a 1<sup>st</sup> budget meeting at the end of April. The last Friday in April is what we are looking at that afternoon as we have done in general. I know the chairman has expressed to me as well that he would like to start using the committee structure with the finance committee there and would like to get them together briefly next week for

some general direction and I'll have some more information on next year's budget for you a little later.

Mr. Griffin said there were a couple of other things I'd like to bring to your attention. While we were going through some budget items, one is the Willow Swamp Water Shed and I think a number of you may or may not be familiar with it. It has been around since the late 60's I believe and this is a special tax district to create a drainage plan and water shed plan for the upper part of the county. That district is due to expire this year by ordinance, so we need to get together and speak with the folks in the upper part of the county and take a look to if this is something they feel needs to continue. It is something we did talk a little bit about during the ice storm. They had some issues and we were able to help to get a few of those drainage ways unclogged and things such as that. I don't know with the change in technology and farming practices whether it is needed as much now as it was before or not, but something we certainly need to explore in this budget year to see if we want to continue doing it.

Mr. Griffin said a quick update on the Museum. We are getting close on that down to the last final pieces of equipment; I do want to let the public and council know we are working on a treatment for the windows around the front of it, which faces Wichman Street. We have some brick there that is decaying pretty badly and we are looking at a couple of different options to getting that covered up as some of the other finishing touches that we have issues there.

Mr. Griffin said Eastside Acres Park; we are about done over there as well. We were upgrading that park. We since rebuilt their bridge, created a new shelter there and they got as of past week a new playground equipment installed, which was borrowed from the Edisto Civic Center, which was no longer needed up there and we had a opportunity to move that back over and those folks are excited. Still got a little bit of paint and a few more swing seats to get in and that will be done fairly shortly.

### **Public Hearing**

Ordinance 15-O-04, Authorizing The Acquisition Of Certain Property By Colleton County By Lease-Purchase Financing In The Amount Of \$1,759,724; The Execution And Delivery Of Certain Instruments, Including An Acquisition, Use And Security Agreement By Colleton County; And Other Matters Relating Thereto.

No comments were made.

Colleton County is requesting approximately \$750,000 Community Development Block Grant to carry out the following activities: Colleton County proposes to use CDBG funds to improve drainage in the Bama Road area of Cottageville, Colleton County, SC. The purpose of this project is to improve drainage to an existing county dirt road such that the road can remain traversable in inclement weather. The project road acts as a collector road, connecting two state maintained roads, and collects traffic from several local roads. Identify location of activities, including the local government jurisdiction and service area of beneficiaries. Work will be completed on Bama Road. However, the

benefit area includes Bama, as well as the following streets: White Tail, Whisper Hollow, Rutz, Mercer Lane, Hollow Point Lane, Geechie Club Lane, Cone, Camouflage, and Bird Dog Lane. Exact sizing of all culverts are to be determined by a hydrology study.

Michelle Knight said the actual application grant amount is going to be \$671,500 and there is \$100,000 of matching funds that is coming from your local CTC Committee for that, so your total project is going to be \$771,500 and are benefiting 244 people that live in that area 69% are identified as low to moderate income, which is what we have to do to meet the requirements of the grant and the application will go in on Monday.

No other comments were made.

### **Old Business**

2<sup>nd</sup> Reading Ordinance 15-O-05, Providing For Infrastructure Or Special Source Revenue Credits To Project "C"; Authorizing An Infrastructure Credit Agreement Between Colleton County And Project "C"; Providing For The Allocation Of Fees-In-Lieu Of Taxes Payable Under The Agreement For Development For A Joint County Industrial Park With Hampton County; And Other Matters Relating Thereto.

A motion to approve 2<sup>nd</sup> reading was made by Mr. Taylor and seconded by Dr. Flowers.

The motion carried unanimously.

3<sup>rd</sup> Reading Ordinance 15-O-03, To Provide For The Issuance And Sale Of Not Exceeding \$29,700,757 General Obligation Capital Project Sales Tax 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.

A motion to approve 3<sup>rd</sup> reading was made by Mr. Taylor and seconded by Mr. Whetsell.

The motion carried unanimously.

3<sup>rd</sup> Reading Ordinance 15-O-04, Authorizing The Acquisition Of Certain Property By Colleton County By Lease-Purchase Financing In The Amount Of \$1,759,724; The Execution And Delivery Of Certain Instruments, Including An Acquisition, Use And Security Agreement By Colleton County; And Other Matters Relating Thereto.

A motion to approve 3<sup>rd</sup> reading was made by Mr. Taylor and seconded by Dr. Flowers.

The motion carried unanimously.

### **New Business**

1<sup>st</sup> Reading Ordinance 15-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina for the Fiscal Year July 1, 2015 through June 30, 2016; to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.

A motion to approve 1<sup>st</sup> reading was made by Dr. Flowers and seconded by Mr. Whetsell

The clerk pointed out that the 1<sup>st</sup> reading was by Title Only.  
Mr. Murdaugh said yes that is by title only.

The motion carried unanimously.

Resolution 15-R-34, Supporting State Efforts to Find Solutions to the Funding Needs for State Maintained and Operated Roads and Bridges Without Transferring the Burden to Local Governments and Opposing Any Actions Taken by the General Assembly that through Lack of State Funding will lead to Increased Taxes on the Citizens of Colleton County.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Dr. Flowers.

The motion carried unanimously.

Resolution 15-R-35, To Declare April as Fair Housing Month.

A motion to approve the resolution was made by Mr. Robinson and seconded by Dr. Flowers.

The motion carried unanimously.

Resolution 15-R-36, To Appoint Members to the County's ADA Committee.

A motion to approve the resolution was mad by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-37, To Approve a Policy of Non-Discrimination on the Basis of Disability Status and to Designate an ADA Coordinator.

A motion to approve the resolution was made by Mr. Robinson and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-38, To Declare Surplus Various Equipment and to Authorize Their Sale in Accordance with County Policy.

A motion to approve the resolution was made by Dr. Flowers and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-39, To Authorize the Waiver of Various Fees for the June 2015 Mission Serve Home Repair Program.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Dr. Flowers.

The motion carried unanimously.

Resolution 15-R-40, To Declare Surplus Various Vehicles and Equipment and to Authorize Its Sale in Accordance with County Policy.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-41, To Award the Contract for Request for Proposals CC-17 for Uniform Rental Services for Colleton County Departments.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Dr. Flowers.

The motion carried unanimously.

Resolution 15-R-42, To Appoint a Member to the Fire-Rescue Control Board.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Dr. Flowers.

Mr. Murdaugh said to publish the resolution Mr. James Rushton who was the representative of Station 2 resigned and Mr. Brian Drew has been nominated to replace him and that is what the resolution is doing.

The motion carried unanimously.

Resolution 15-R-43, To Approve Purchase of Three 2015 Wheeled Coach Ambulances.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-44, To Authorize the Sale of Surplused VHF Radio Equipment to Dorchester County.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-45, To Authorize the Budgeting of a Prior-Year Fund Balance Appropriation in the Amount of \$10,000 from Animal Care and Control Donations Fund in Revenue and Expenditure Line Items in Fund 129 – Animal Care and Control Donations Fund in the FY 2015 Budget for Repairs and Maintenance.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Mr. Taylor.

The motion carried unanimously.

Resolution 15-R-48, To Authorize the Purchase of a Parcel of Land in the Jonesville Community for Use as a Solid Waste Convenience Site.

A motion to approve the resolution was made by Mr. Whetsell and seconded by Dr. Flowers.

Member from the audience asked to be heard.

Mr. Murdaugh said this was county council business they were tending to at the present time and she would be welcomed to speak at Public Comments, unless council would like to hear it now.

Council members discussed and Mr. Taylor said we could hear it if you don't mind Mr. Chairman.

Mr. Murdaugh said was this was specifically related to this issue?

She said yes, but we could wait if you

Mr. Murdaugh said, well we are going to vote on it now though, so come on up and let us hear what you have to say before we vote.

Ms. Tonya Williams explained her concerns/problems with the dump site being directly across the street from her elderly father's home.

Mr. Whetsell said he had been there and it is very close and tight.

Mr. Robinson said based on the explanation they have given us, we should table this resolution and not vote on it and ask the council to consider their request to relocate this.

Council members continued discussion on what they should do.

Mr. Griffin gave council members an overview explaining that the site moving was in relation to the public landing site that we had dumpster at. We looked at moving those off. We had a number of ...inaudible... from the Jonesville Community approach us about getting a site in Jonesville. Mr. Ed Williams was the leader of the Community and also runs the Community Center, has approached us as well. We originally looked at locating it next to Fire-Rescue Station there. We ran into issues with SC Department of Transportation, both on the access and on the storm water with DHEC on that particular site, which ran the cost of it up to \$75,000-\$100,000. At that point we temporarily located it at what was our old fire station. The property owner then approached us as to whether we would be interested in purchasing the property and placing it there. At that time my understanding is the community members were canvassed to ask if that would be acceptable and they said it would be. The objections that they had (Williams Family) originally about the site is; it was unmanned and the people were coming 24 hrs. a day. As you know our sites especially our convenience sites are limited to only 3 days a week and limited to the number of hours only during daylight hours that they are operated and they are manned, they are fenced and closed and gated where no one else can get in there. That was the reasoning for putting it there and how we got there. We did talk with numerous members within the community who said they were in support of it being there. Mr. Williams even called me late yesterday to let me know he was having some medical procedures and would not be able to attend tonight to speak on that behalf. With that being said, we are happy to look for other sites, have absolutely no problem with that, we will move forward if that is the direction council wants to take. Step out and see what else we can find within the community to make that work. It is just going to delay it a little longer.

Mr. Murdaugh said I think in the interest of making sure we do the right thing, lets table this and actually I would like to go out and look at it because I am not really that familiar with it. We will table it and then if we can go out and look and see if we can find some other suitable site. We certainly don't want to put a burden on anybody unnecessarily.

Council members nodded in agreement.

### **Public Comments**

David Scott- Head Lane needs to be fixed and would like to find a solution to this without having to go through the courts to do it.

Mr. Whetsell said everybody on the county level knows this is a private road. It is not a county road and the grading from time to time gets done by Mr. Fishburne who is the property owner. Until he brings it up to a standard that the county can accept it that will probably be the status of it.

Mr. Taylor said he would like to reverberate his comments from last month because this is the similar issue that we have been working to try to address because we have to find a plausible solution with over 1,049 square miles of road in the county. That is quite a bit of road to kinda cover, so we hear quite a bit from citizens like Mr. Fralix that live on private roads and need a solution and so I think the administrator is working on some type of idea that is being developed with our engineers and others to try to offer citizens some solution, but give them a little time while they still try to see. You might have to put a little skin in the game, I don't know what it all will look like, but as a community it is a private road. We can't use county equipment on that road. I guess you understand that.

Mr. Scott said it was his understanding that negotiations had been going on for a year.

Mr. Taylor said this is another piece ...inaudible...Mr. Chairman, I just wanted to kinda make him aware. We talked about county roads and private roads last month, right?

Mr. Murdaugh said yes we did. Mr. Scott unfortunately your issues are going to be with Mr. Fishburne and not us because it is a private road. I do concur with Mr. Taylor it is an issue. It is hard I guess to determine in the permitting process what is a development, but one quick fix is when we know there is a development, we just need to make sure that the developers don't just leave the road in these conditions and that the right of way is proper for them to get the permits. That is not the answer they are going to want to hear, but in order for us to prevent it for the citizens in the future we need to make sure to do it right the 1<sup>st</sup> time.

Mr. Griffin said all these roads were done prior to our countywide zoning, which they are not allowed.

Mr. Whetsell said that was in the past.

Dr. Flowers said talking about roads, the State is trying to turn over to the county a bunch of their roads right now. They have legislation in Columbia trying to do it. This resolution we passed tonight is against that. If they do that to us plus all these other roads, we will just be inundated. We will not be able to maintain ...inaudible... much less add more to it. Hopefully all the people here tonight will talk to their representatives in Columbia and ask them to vote against this bill because we certainly can't afford this on a county basis.

?? Williams, eastside spokesperson said he didn't hear what was said because of the air conditioner and wanted to know.

Mr. Griffin said he was just mentioning the improvements we had made in regards to the bridge, and the new shelter and the playground equipment that had been installed last week and that we were working on getting the playground equipment repainted and new seats on the swings. Those type things so we can get finished up there.

Mr. Williams said we still have quite a bit more stuff to be done.

Mr. Griffin said we have done all that we've budgeted to do this year.

Mr. Williams said well it is a long ways to go.

Mr. Griffin said he would advise that you make a proposal back to us because we had a certain amount of CDBG (grant) funds that we were able to allot to that project and those funds are now depleted, so anything additional would have to go into next year and that would be for council to decide within our budget process.

Mr. Williams said that was okay, but he preferred that they come to the park to see what we need. There is still a lot of danger in there and we want it to get taken care of and would appreciate ya'll come to see it.

### **Council Time**

Mr. Robinson said he wanted to make sure he it was noted for the record that he was late, but was in attendance of the meeting.

The clerk said she saw when he arrived and he was four minutes late and had been noted in the record.

Mr. Griffin said Mr. Chairman he did want to remind you in case you didn't remember to amend the executive session for a personnel item regarding the Sheriff's Office and Facilities.

Mr. Murdaugh asked if there was a motion to amend the agenda to add the executive session for personnel – Sheriff's Office and Facilities.

Mr. Taylor made a motion to amend the agenda to add the items as was seconded by Mr. Whetsell.

The motion carried unanimously.

Mr. Murdaugh asked again if Mr. Davidson was present and he was not.

Mr. Murdaugh said for the record this is a Proclamation for Colleton County Council's Support of the Edisto Natchez-Kusso Indian Tribe in their efforts to obtain Federal Recognition and read the proclamation to all present.

Mr. Taylor made a motion to approve the Proclamation and was seconded by Mr. Whetsell.

The motion carried unanimously.

### **Executive Session**

- a) Contractual – Proposed Purchase of Property Dogwood Hills Golf Course
- b) Economic Development
  - a. Project C
  - b. Project Corn
  - c. Project Global
  - d. Project Woody
  - e. Project Candy
- c) *Personnel- Sheriff's Office & Facilities Department*

### **Regular Session**

Mr. Murdaugh said during executive session we discussed all of the matters.

Dr. Flowers made a motion to approve Resolution 15-R-46, to Authorize Amendments to the FY 2015 Budget Related to Fund 153 – County Hospitality Tax Fund and Fund 204 – Recreation Fund and was seconded by Mr. Taylor.

The motion carried unanimously.

Dr. Flowers made a motion to approve Resolution 15-R-47, To Authorize a Sole Source Service Arrangement between Colleton County and New Life Turf for Turf Repair on all Tee Boxes and Putting Greens at Dogwood Hills Golf Course and was seconded by Mr. Taylor.

The motion carried unanimously.

The meeting was adjourned.

Date: \_\_\_\_\_

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

ATTEST:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

**\*\*\*\*\* NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT**