

**AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 6, 2012
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation & Pledge of Allegiance
3. Roll Call
4. Changes to the Agenda
5. Appearances & Public Presentations
 - a) Board of Disabilities & Special Needs requesting to change board membership- Gilda Barnwell, Dean Redd
 - b) Audit Presentation: Baird & Company- Butch Widden
6. Approval of Minutes
 - a) Regular Meeting February 7, 2012
7. Awards and Recognition's-
8. Administrator's Briefing
9. Public Hearing
 - a) Ordinance 12-O-01, Granting an Easement to the City of Walterboro Across a Portion of the Property Located at the Corner of Washington Street and Jefferies Boulevard, the Site of the Colleton County Courthouse; Such Easement to be Used to Construct and Maintain a Part of the City's Planned Streetscape Improvement Project; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto
 - b) Ordinance 11-O-22, Authorizing The Issuance And Sale Of Colleton County, South Carolina, Capital Improvement And Refunding Special Source Revenue Bonds (Industrial Park Project), Series 2012 In The Amount Of Not Exceeding \$4,860,000; The Entering Into Of Certain Covenants And Agreements, And The Execution And Delivery Of Certain Instruments By Colleton County Relating To The Issuance Of The Bonds, Including An Indenture; And Other Matters Relating Thereto.
10. Old Business
 - a) 3rdReading Ordinance 12-O-01, Granting an Easement to the City of Walterboro Across a Portion of the Property Located at the Corner of Washington Street and Jefferies Boulevard, the Site of the Colleton County

Courthouse; Such Easement to be Used to Construct and Maintain a Part of the City's Planned Streetscape Improvement Project; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.

- b) 3rd Reading Ordinance 11-O-22, Authorizing The Issuance And Sale Of Colleton County, South Carolina, Capital Improvement And Refunding Special Source Revenue Bonds (Industrial Park Project), Series 2012 In The Amount Of Not Exceeding \$4,860,000; The Entering Into Of Certain Covenants And Agreements, And The Execution And Delivery Of Certain Instruments By Colleton County Relating To The Issuance Of The Bonds, Including An Indenture; And Other Matters Relating Thereto.

11. New Business

- a) Resolution 12-R-22, To Declare Surplus a Traillite Camper/Trailer and Authorize its Donation to the Coastal Amateur Radio Association.
- b) Resolution 12-R-23, To Authorize the County Administrator to Execute on Behalf of the Colleton Register of Deeds Office a Contract with ACS Enterprise Solutions, LLC for the Compact Book System.
- c) Resolution 12-R-24, To Accept the Grant for the Colleton County Summer Feeding Program for 2012.
- d) Resolution 12-R-25, To Declare Surplus Various Equipment from the Library and To Authorize Its Sale in Accordance with County Policy.
- e) Resolution 12-R-26, To Authorize a Transfer from Council's Contingency Account in the Amount of \$12,000 for Replacement of the Roof at the BZS Community Center.
- f) Resolution 12-R-27, To Approve Renewal of a Contract with ACS Firehouse Software and to Authorize the County Administrator to Execute Same on Behalf of Fire-Rescue.
- g) Resolution 12-R-28, To Approve Placing a 1996 Ford Econoline Van Back into Service.
- h) Resolution 12-R-29, To Declare Surplus Various Vehicles and Equipment/Scrap Metal, and Authorize Their Sale in Accordance With County Policy
- i) Resolution 12-R-30, To Approve Renewal of a Contract with Gabriel Roeder Smith & Company for Actuarial Valuation Services for Post-Employment Benefits.

- j) Resolution 12-R-31, To Authorize Use by the Rice Festival of the Parking Lot Located Along the Washington Street Side of the Garage Area of the Floyd Buckner Building.
 - k) Resolution 12-R-32, To Authorize Acceptance and Budgeting of a Coastal Community Foundation Grant in the Amount of \$12,000 for the Library.
 - l) Resolution 12-R-33, To Approve Renewal of a Contract By and Between Colleton County and Odyssey HealthCare Operating B, LP d/b/a Odyssey Hospice for the Provision of Emergency Transport for Hospice Patients.
 - m) Resolution 12-R-34, To Approve Renewal of a Mutual Aid Agreement Between Colleton County Sheriff's Office and Florence County Sheriff's Office.
 - n) Resolution 12-R-35, To Declare Surplus Various Patrol Vehicle Equipment and to Authorize its Sale in Accordance With County Policy.
 - o) Resolution 12-R-36, To Appoint Members to Board Vacancies.
 - p) Resolution 12-R-37, To Award the Contract for Roof Repair at The Colleton County Jail to the Low Bidder, Feltmann Inc.
 - q) 1st Reading Ordinance 12-O-02, to Amend Chapter 2.28 - Boards, Committees, and Commissions Generally, Section 2.28.020 – Requirements, Duties and Responsibilities for all County-Appointed Boards and Commissions, by Repealing in its Entirety Paragraph H.
- 12. Items for Information and Public Record--**NONE**
 - 13. Public Comments (3 minutes per person/max time 20 min.)
 - 14. Council Time
 - 15. Executive Session
 - a) Legal
 - b) Contractual
 - c) Economic Development
 - 16. Adjournment
 - 17. Informal Meeting of the Whole

Sponsor(s): County Council
First Reading: January 10, 2012
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: February 7, 2012
Public Hearing: March 6, 2012
Third Reading: March 6, 2012
Effective Date: Immediately

I, _____,
Council Clerk, certify that
this Ordinance was advertised
for public hearing on _____.

ORDINANCE NO. 12-O-01

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance Granting an Easement to the City of Walterboro Across a Portion of the Property Located at the Corner of Washington Street and Jefferies Boulevard, the Site of the Colleton County Courthouse; Such Easement to be Used to Construct and Maintain a Part of the City's Planned Streetscape Improvement Project; to Authorize Execution and Recording of the Easement Document; and Other Matters Related Thereto.]

WHEREAS:

Colleton County Council deems it to be in the best interest of the County to grant an easement to the City of Walterboro across a portion of the property located at the corner of Washington Street and Jefferies Boulevard, the site of the Colleton County Courthouse, in order to allow the City to construct and maintain their planned Streetscape Improvement Project.

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

- 1) The document attached and included herein by reference grants an easement to the City of Walterboro across a portion of the property located at the corner of Washington Street and Jefferies Boulevard, the site of the Colleton County Courthouse, in order to allow the City to construct and maintain their planned Streetscape Improvement Project.
- 2) The County Administrator is hereby authorized to sign said easement on behalf of the County pending final approval of the document by the County Attorney.
- 3) Said easement shall be recorded in the Office of the Register of Deeds for Colleton County.
- 4) All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
- 5) If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

By: _____
Evon Robinson, Chairman of County Council
Colleton County, South Carolina

Sponsor(s) : County Council
 First Reading : September 16, 2011
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : October 4, 2011
 Public Hearing : March 6, 2012
 Third Reading : March 6, 2012
 Effective Date : Immediately

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

ORDINANCE NO. 11-O-22

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance Authorizing The Issuance And Sale Of Colleton County, South Carolina, Capital Improvement And Refunding Special Source Revenue Bonds (Industrial Park Project), Series 2012 In The Amount Of Not Exceeding \$4,860,000; The Entering Into Of Certain Covenants And Agreements, And The Execution And Delivery Of Certain Instruments By Colleton County Relating To The Issuance Of The Bonds, Including An Indenture; And Other Matters Relating Thereto.]

WHEREAS, Colleton County, South Carolina (the “County”) acting by and through its County Council (the “County Council”) is authorized and empowered under and pursuant to the provisions of Title 4, Chapters 1 and 29 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), to acquire, own, lease, and dispose of properties through which the industrial development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or expand in and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; and

WHEREAS, the County, subject to the provisions of the Act and subject to the approval of the State Budget and Control Board of the State of South Carolina (the “Budget and Control Board”), is authorized to issue special source revenue bonds payable solely from revenues from a payment in lieu of taxes pursuant to Section 13 of Article VIII of the Constitution of the State for the purpose of paying the cost of designing, acquiring, constructing, improving, or expanding (i) the infrastructure serving Colleton County or the project, (ii) for improved or unimproved real estate and personal property including machinery and equipment used in the operation of a manufacturing or commercial enterprise, or (iii) aircraft which qualifies as a project pursuant to Section 12-44-30(16) of the Code of Laws of South Carolina 1976, as amended, which property is determined by the County to enhance the economic development of the County; and

WHEREAS, the County and Orangeburg County, South Carolina, have heretofore created a multicounty park pursuant Section 13 of Article VIII of the Constitution of the State by entering into an Agreement for Development for Joint County Industrial Park dated May 19, 2003, as amended from time to time (the “Park Agreement”), and entered into certain agreements with South Carolina Electric and Gas Company (the “Fee Payor”) for the payment of a fee-in-lieu of taxes (the “Fee”) in connection with certain investment by the Fee Payor at its Canady’s Steam Plant; and

WHEREAS, the County issued, on June 19, 2003, its Special Source Revenue Bonds (Industrial Park Project) Series 2003A in the aggregate principal amount of \$2,300,000 (the “Series 2003A Bonds”) and Special Source Revenue Bonds (Industrial Park Project) Series 2003B in the aggregate principal amount of \$2,700,000 (the “Series 2003B Bonds”)(the Series 2003A Bonds and its Series 2003B Bonds are hereinafter referred to collectively as the “Series 2003 Bonds”); to defray a portion of the cost of (i) certain real property (the “Land”), grading and site work, (ii) the roads, water, pollution control, sewer facilities and other utilities serving the Land, infrastructure, and improvements thereon, and (iii) buildings and building renovations on the Land for use as an industrial park (the “Industrial Park”); and

WHEREAS, the County subsequently issued its Special Source Revenue Bonds (Industrial Park Project) Series 2008 (the "Series 2008 Bonds") in the initial principal amount of \$4,000,000 (i) to refund the then outstanding Series 2003A Bonds in full, (ii) to defray the costs of (a) grading and site work of the Land, (b) the roads, water, pollution control, sewer facilities and other utilities serving the Industrial Park, and (c) buildings and building renovations on the Land, and (iii) to defray the cost of issuance of the Series 2008 Bonds; and

WHEREAS, the County Council have determined, upon the advice of Morgan Keegan & Company, Inc., the County's financial advisor (the "Financial Advisor"), that the Series 2008 Bonds can now be refunded to achieve a debt service savings, and have determined that capturing such savings is for the benefit and welfare of the people who are residents of Colleton County and for the benefit of the economic welfare and economic improvement of Colleton County and its citizens; and

WHEREAS, the County Council have determined that the purposes of the Act will be promoted through the acquisition and improvement of certain real property, and the improvements thereto, described on the attached Exhibit A, for use in the operation of a manufacturing or commercial enterprise (the "2012 Project"); and

WHEREAS, it has been determined that the estimated amount necessary (i) to refund the Series 2008 Bonds, (ii) pay the costs of the 2012 Project, and (iii) to pay the costs of issuance, requires that special source revenue bonds in the aggregate principal amount of not exceeding \$4,860,000 be issued under the Act and that such bonds be payable from and secured by the Fee; and

WHEREAS, the County has agreed to issue and sell Capital Improvement and Refunding Special Source Revenue Bonds (Industrial Park Project), Series 2012 (the "Bonds"); the Bonds are to (i) be issued under and pursuant to the provisions of the Act, (ii) be secured by and payable solely from the Fee, (iii) contain such terms and provisions as are set forth in an Indenture or Loan Agreement or similar agreement (the "Indenture") by and between the County and the purchaser of the Bonds, and (iv) bear interest at such rate or rates as provided herein; the proceeds from the Bonds are to be advanced (x) for the refunding of the Series 2008 Bonds, (y) the payment or reimbursement of the costs of the 2012 Project, and (z) for the payment of costs of issuance, all as set forth herein or in the Indenture; and

WHEREAS, the Bonds will be secured by a pledge of the Fee on a parity with the pledge securing the Series 2003B Bonds with the consent and agreement of the owner of all the outstanding Series 2003B Bonds;

NOW, THEREFORE, BE IT ORDAINED by the County Council of Colleton County, South Carolina, as follows:

Section 1. (a) Pursuant to the authority of the Act, there is hereby authorized to be issued, and shall be issued (subject to the provisions of Section 2 hereof), Capital Improvement and Refunding Special Source Revenue Bonds (Industrial Park Project), Series 2012 of the County in the aggregate principal amount of not exceeding Four Million Eight Hundred Sixty Thousand dollars (\$4,860,000) in order to provide funds (a) to refund the Series 2008 Bonds, (b) to pay or reimburse the costs of the 2012 Project, and (c) to pay costs of issuance of the Bonds.

(b) The Bonds shall be dated the date of their initial issuance and shall be issued as fully registered Bonds. Principal of, redemption premium, if any, and interest on the Bonds shall be payable upon the terms, at the places, and on the dates and at the rates set forth in the Indenture.

(c) The County Council hereby delegate to the Chairman of County Council, upon the advice of the Financial Advisor and bond counsel, the authority to approve the terms of the Bonds subject to the following parameters:

(i) The interest rate on the Bonds may not exceed 4.37% per annum.

- (ii) The principal amount of the Bonds may not exceed \$4,860,000.
- (iii) The final maturity of the Bonds may not be later than April 1, 2023.

The parameters set forth above may be modified prior to the issuance of the Bonds by resolution duly adopted by the County Council.

(d) The County Council hereby delegate to the County Administrator, upon the advice of the Financial Advisor and bond counsel, the authority to take the following actions with regard to the Series 2008 Bonds:

- (i) To determine the redemption date of the Series 2008 Bonds.
- (ii) To give the notice of redemption of the Series 2008 Bonds.
- (iii) To direct the application of the proceeds of the Bonds for the purposes authorized herein.

(e) The Bonds and the assignment provisions pertaining thereto shall be in substantially the form set forth in the Indenture, with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by the Indenture.

(f) The Bonds shall be subject to optional or mandatory redemption prior to maturity, upon the terms and conditions as approved by the Chairman of County Council prior to their delivery.

Section 2. (a) The Bonds shall be sold at a private sale to Branch Banking and Trust Company (the "Purchaser"), which has been determined by the County Council, upon the advice of the Financial Advisor, to be most advantageous to the County.

(b) The Chairman of County Council is hereby authorized, empowered and directed to execute and deliver the Bonds to the Purchaser in accordance with the terms of the Indenture.

Section 3. (a) The Bonds shall be limited obligations of the County payable by the County solely from, and secured by a pledge of, the Fee. The Bonds are not secured by, or in any way entitled to, a pledge of the full faith, credit, or taxing power of the County. The Bonds do not and shall never constitute an indebtedness of the County within the meaning of any State constitutional provision or statutory limitation but are payable solely from a special source that does not include revenues from any tax or license. The Bonds shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power. Such limitations shall be plainly stated on the face of the Bonds.

(b) Nothing in this Ordinance, the Indenture or the Bonds shall be construed as an obligation or commitment by the County to expend any of its funds other than (i) the proceeds of the Bonds, (ii) the Fee, or (iii) any proceeds accruing to the County on account of insurance on the infrastructure included in the facilities financed or refinanced with the proceeds of the Bonds.

Section 4. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chairman of the County Council and shall be attested by the manual or facsimile signature of the Clerk to the County Council of the County and shall have the seal of the County Council impressed or imprinted thereon. In case the officers whose signature shall appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if such officers had remained in office until delivery.

Section 5. The form of the Indenture, as submitted to this meeting and made a part of this Ordinance as though set forth in full herein, has been approved by the County Council pursuant to this Ordinance. The Chairman of County Council is hereby authorized and directed to execute and deliver the Indenture with such changes, insertions, and omissions as do not impose additional liability upon the County and as may be approved by said Chairman, with the advice of counsel, said execution being conclusive evidence of such approval; and the Clerk of the County Council is hereby authorized and directed to affix the corporate seal of the County to the Indenture and to attest the same.

Section 6. The Chairman of the County Council and the Clerk of the County Council, the County Administrator, and any other proper officer of the County, be and each of them is hereby authorized and directed to execute and deliver any and all documents, agreements, and other instruments and to do and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Ordinance.

Section 7. The County hereby reaffirms and ratifies each of the findings of fact made by the County in the Petition submitted to the Budget and Control Board with respect to the Bonds. The County Council further find, determine, and declare that:

(a) The facilities financed or refinanced with the Bonds, including the 2012 Project, constitute infrastructure or improved or unimproved real property and personal property used in the operation of a manufacturing or commercial enterprise, all of which enhances the economic development of Colleton County and subserve the purposes of the Act;

(b) The facilities benefit the general public welfare of Colleton County by providing services, employment, or other public benefits not otherwise provided locally;

(c) Neither the facilities financed or refinanced with the Bonds, the Bonds, nor any documents or agreements entered into by the County in connection therewith, will constitute or give rise to a pecuniary liability of the County or a charge against the general credit or taxing power of the County;

(d) The costs of the 2012 Project are estimated by the County to be approximately \$1,000,000 and that the issuance of the Bonds in the amount of not exceeding \$4,860,000 will be required to finance the costs of the 2012 Project, the refunding of the Series 2008 Bonds, and the costs of issuance of the Bonds;

(e) Adequate provision will be made in the Indenture for the payment of principal of and interest on the Bonds and any necessary reserves therefore and for the operation, repair, and maintenance of the facilities, including all proper insurance with respect thereto solely from the Fee and other funds pledged or made available therefore;

(f) There is a need for the facilities financed or refinanced with the Bonds in the area in which they are to be located in Colleton County;

(g) The public facilities, including utilities and public services necessary for the facilities financed or refinanced with the Bonds, will be made available; and

(h) The proceeds of the Bonds will be used to finance or refinance infrastructure owned or controlled by the County.

Section 8. No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the County contained in this Ordinance, the Indenture, or the Bonds against any member of the County Council, or any officer or employee, in his or her individual capacity, past, present, or future, of the County, either directly or through the County, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this

Ordinance, the Indenture, and the Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member of the County Council, or any officer or employee, past, present, or future, of the County, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the County and the bondholders or to be implied therefrom as being supplemental hereto or thereto; and that all personal liability of that character against every such member, officer, and employee is, by the enactment of this Ordinance and the execution of the Bonds, and as a condition of, and as a part of the consideration for, the enactment of this Bond Ordinance and the execution of the Bonds, expressly waived and released. The immunity of members of the County Council and any officers and employees of the County under the provisions contained in this Section 8 shall survive the termination of this Ordinance.

Section 9. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 10. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 11. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this ordinance shall take effect and be in full force from and after its passage and approval.

Section 12. This Ordinance shall become effective immediately upon its approval following third reading by the County Council.

COLLETON COUNTY, SOUTH CAROLINA

By: _____
Chairman of County Council
Colleton County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Colleton County, South Carolina

First Reading: September 16, 2011
Second Reading: October 4, 2011
Public Hearing: March 6, 2012
Third Reading: March 6, 2012

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-22

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Declare Surplus a Traillite Camper/Trailer and Authorize its Donation to the Coastal Amateur Radio Association.)

WHEREAS:

1. A number of years ago a camper/trailer was donated to the Sheriff's Office by DRMO; and
2. The camper was never used, and there are no plans to use it; and
3. The Coastal Amateur Radio Association, an organization of radio operators who assist the Sheriff's Office and the Emergency Preparedness Department during emergencies, has requested that the camper/trailer be donated to them for use as a mobile headquarters for such times; and
4. Staff recommends declaring the trailer/camper surplus and authorizing its donation to the Coastal Amateur Radio Association.

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

1. The Traillite 7000, SN: 4WY200J26X1005349, is hereby declared surplus.
2. Its donation to the Coastal Amateur Radio Association is hereby authorized.

ATTEST:

Ruth Mayer, Council Clerk

SIGNED:

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-23

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize the County Administrator to Execute on Behalf of the Colleton Register of Deeds Office a Contract with ACS Enterprise Solutions, LLC for the Compact Book System.]

WHEREAS:

- (1) Colleton County Register of Deeds Office has had a contract with ACS Enterprise Solutions, LLC. for software, hardware, and support for the compact book deed recording system; and
- (2) The current five-year contract has expired, and ACS has presented a renewal five-year contract; and
- (3) The contract has been reviewed by the County Attorney and the Technology Department and has been approved by both.

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

- (1) The County Administrator is hereby authorized to execute on behalf of the Colleton Register of Deeds Office a contract (attached and included herein by reference) with ACS Enterprise Solutions, LLC for provision of the Compact Book System.
- (2) Funding to pay the monthly LandMarc System fee (which has not increased from the current contract amount) is included in the ROD budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Accept the Grant for the Colleton County Summer Feeding Program for 2012.]

WHEREAS:

- (1) Colleton County Council deems it to be in the best interest of the County to continue its sponsorship/administration of the Summer Feeding Program with monitored scattered sites, delivered meals, in-house reporting and financial management; and
- (2) The Summer Feeding Program is in the planning stage now to begin in June of 2012, and is projected to have no local match requirement.

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

- (1) Acceptance of the SCDSS Summer Feeding Program Grant for FY12 and FY13 for operation of the Colleton County Summer Feeding Program under the sponsorship and administration of the County is hereby approved.
- (2) The County Administrator is hereby directed to implement the 2012 Summer Feeding Program and to amend the FY12 and FY13 budgets to reflect the appropriations in connection with the grant.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-25

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Declare Surplus Various Equipment from the Library and To Authorize Its Sale in Accordance with County Policy.]

WHEREAS:

- (1) The Library has various equipment deemed to be no longer suitable for County operations; and
- (2) It is recommended that Council declare such equipment surplus and authorize its sale through GovDeals.

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

- (1) The following equipment is hereby declared surplus to the needs of the County.
 - a. (1) Jamex Vending Unit for a Copier
 - b. (1) IBM Electronic Typewriter
 - c. (1) Dukane Microfilm Reader
- (2) Said equipment shall be placed for sale on GovDeals.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : Phillip Taylor
Adopted : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation: : N/A

RESOLUTION NO. 12-R-26

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize a Transfer from Council's Contingency Account in the Amount of \$12,000 for Replacement of the Roof at the BZS Community Center.]

WHEREAS:

- (1) The BZS Community Center is in need of a new roof; and
- (2) A quote in the amount of \$12,000 for labor and materials needed to tear off and replace the metal roof has been provided; and
- (3) The recommendation from Councilman Taylor is to utilize Council's Contingency funds to pay for this roofing job.

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

- (1) A transfer in the amount of \$12,000 from Council's Contingency to fund the reroofing of the BZS Community Center in Ruffin is hereby approved.
- (2) The Administrator is authorized to issue payment to Hodges Roofing at the completion of the work per specifications shown in the bid submitted and attached hereto.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-27

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Renewal of a Contract with ACS Firehouse Software and to Authorize the County Administrator to Execute Same on Behalf of Fire-Rescue.]

WHEREAS:

- (1) Fire-Rescue has been utilizing Firehouse Software for maintaining fire related data for seventeen years; and
- (2) The current five-year contract is expiring, and ACS-Firehouse has presented a renewal five-year contract for upgraded software; and
- (3) The Fire-Commission recommends approving the renewal of the software contract.

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

- (1) The County Administrator is hereby authorized to execute on behalf of Fire-Rescue a contract (attached and included herein by reference) with ACS – Firehouse Software for provision of their upgraded web-based fire reporting software.
- (2) Funding to pay the annual fee will come from budgeted software line items and Covenant Billing proceeds.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-28

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Placing a 1996 Ford Econoline Van Back into Service.]

WHEREAS:

- (1) A 1996 Ford Econoline Van was declared surplus by Council at the November Meeting; and
- (2) It has been determined that with some mechanical work, the van could be utilized for the litter program; and
- (3) Fleet Management recommends that the van be returned to service and added back to the insurance policies.

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

- (1) The 1996 Ford Econoline Van, VIN 1FBJS31H2B47743, is hereby returned to service.
- (2) Fleet Management is authorized to perform mechanical work required to put the van in shape for use by the Litter Program.
- (3) The County Administrator is authorized to reinstate the vehicle to County insurance policies.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-29

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Declare Surplus Various Vehicles and Equipment/Scrap Metal, and Authorize Their Sale in Accordance With County Policy.)

WHEREAS:

1. The County has various vehicles and old equipment that are no longer suitable for County operations; and
2. In accordance with County policy, all usable equipment has been removed from the vehicles; and
3. Staff recommends that County Council declare the vehicles and equipment (metal) surplus and authorize their sale pursuant to County policy.

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

1. The following vehicles and equipment are hereby declared surplus:

- FMD# 4021 1997 Acura Vin# JHUA3647VC009941
- FMD# 4163 2007 Crown Vic Vin# 2FAFP71W57X148972
- FMD# 4167 2004 Crown Vic Vin# 2FAFP71W74X166149
- FMD# 4004 2004 Trailblazer Vin# 1GND5135X42259482
- FMD# 4153 2002 Crown Vic Vin# 2FAFP71W13X126686
- FMD# 4151 2004 Crown Vic Vin# 2FAFP71W74X159533
- FMD# 4156 2003 Crown Vic Vin# 2FAFP71W83X204972
- FMD# 5005 2002 F-250 Vin# 1FTNF20L32EC06610
- FMD# N/A Scrape blade bent/scrap
- FMD# N/A Bush hog broken/scrap
- FMD# N/A Light poles Old metal poles removed from Recreation

2. Sale of the vehicles is authorized in accordance with County Policy, and the sale of the metal equipment for scrap is also authorized.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-30

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Renewal of a Contract with Gabriel Roeder Smith & Company for Actuarial Valuation Services for Post-Employment Benefits.]

WHEREAS:

- (1) Gabriel Roeder Smith & Company (GRS) contracted with the South Carolina Association of Counties in 2008 to provide actuarial services to member counties for determining OPEB (Post Employment Benefits) liabilities; and
- (2) Colleton County engaged GRS in 2008 for that service; and
- (3) An updated report for the fiscal year beginning July 1, 2012 is required; and
- (4) GRS has provided a quote for completing the report to be used for fiscal years 2012/13 and 2013/14, and staff recommends approving the renewal contract.

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

- (1) The County Administrator is hereby authorized to execute on behalf of the County a contract with Gabriel Roeder Smith & Company for actuarial valuation services for post-employment benefits for fiscal years 2012/13 and 2013/14.
- (2) The contract fee in the amount of \$6,705 shall come from contractual monies as appropriated in the County budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-31

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize Use by the Rice Festival of the Parking Lot Located Along the Washington Street Side of the Garage Area of the Floyd Buckner Building.]

WHEREAS:

- (1) The Rice Festival Committee has requested use of the Parking Lot located along the Washington Street side of the garage area of the Floyd Buckner Building for a special dance for teenagers on the Saturday afternoon (April 28th) of Rice Festival Weekend; and
- (2) The dance would be held from 4:00 to 6:00 pm, and they would need access to electrical service; and
- (3) Council deems it to be in the best interest of County to allow this use.

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

- (1) Use of the parking lot located along the Washington Street side of the garage area of the Floyd Buckner Building by the Rice Festival on Saturday, April 28th for a dance for teenagers is hereby authorized.
- (2) The County Administrator is directed to arrange the needed power source for the event.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-32

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Authorize Acceptance and Budgeting of a Coastal Community Foundation Grant in the Amount of \$12,000 for the Library.]

WHEREAS:

- (1) The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
- (2) The Library is considered the Office of Primary responsibility (OPR) related to the receipt of non-budgeted income for FY12 as described below.

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

- (1) County Council hereby authorizes the designation of appropriate general ledger accounts to record revenue and expenditures in the following fund for the following grant:
 - a. Fund 122 – Library; Coastal Community Foundation of SC; \$12,000 for the Library Children’s Department to be used for supplies, salaries, and honorariums.
- (2) The above listed OPR (Office of Primary Responsibility) is responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY21 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-33

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Renewal of a Contract By and Between Colleton County and Odyssey HealthCare Operating B, LP d/b/a Odyssey Hospice for the Provision of Emergency Transport for Hospice Patients.]

WHEREAS:

- (1) Colleton County Fire-Rescue has been under contract with Odyssey Hospice for the provision of emergency medical transport for hospice patients; and
- (2) The contract is now up for renewal; and
- (3) The Fire-Rescue Commission recommends that Council approve executing the contract and continuing to provide said services.

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

The County Administrator is hereby authorized to execute on behalf of the County a contract with Odyssey HealthCare Operating B, LP d/b/a Odyssey Hospice for the provision of emergency transport for Hospice patients.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-34

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Renewal of a Mutual Aid Agreement Between Colleton County Sheriff's Office and Florence County Sheriff's Office.]

WHEREAS:

- (1) A recent South Carolina Supreme Court decision found that for a Sheriff's Office Mutual Aid Agreement to be valid, it would have to be approved by the County Council; and
- (2) The Colleton County Sheriff's Office entered into a Mutual Aid Agreement with Florence County Sheriff's Office in February of 2011; and
- (3) Staff recommends that Council approve renewal of the Mutual Aid Agreement with Florence County Sheriff's Office in order to enable Colleton County deputies to participate in Operation Strike Force 2012 in Florence County.

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

The Mutual Aid with Florence County Sheriff's Office (attached and included herein by reference) is hereby renewed.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-35

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Declare Surplus Various Patrol Vehicle Equipment and to Authorize its Sale in Accordance With County Policy.]

WHEREAS:

- (1) The Sheriff's Office and Fleet Management have determined that certain equipment removed from previously surplused patrol vehicles is no longer usable by the County; and
- (2) Staff recommends that Council declare the equipment surplus and authorize its sale in accordance with County Policy.

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

Various patrol vehicle equipment including, but not necessarily limited to:

- Power supply boxes
- Siren boxes
- Light switches
- Light bars
- Window guards
- Car cages
- Brush guards

is hereby declared surplus to the needs of the County and its sale in accordance with County policy is hereby authorized.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-36

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Members to Board Vacancies.)

WHEREAS:

1. Colleton County Commission of Alcohol & Drug Abuse has two vacancies; and
Applicants: Nancy W. Breland
2. Keep Colleton Beautiful has four vacancies; and
Applicants: Nancy W. Breland, Deborah McMillen
3. Colleton County Board of Disabilities & Special Needs has four vacancies; and
Applicants: Joan McLauren, Dewey F. Griggs, Nancy W. Breland
4. Colleton County Land Use Zoning Board of Appeals has two vacancies; and
Applicants : Philip N. Rizer, Grahame E. Holmes, M. Barry Savarese
5. Colleton County Recreation Commission has one vacancy due to absentees; and
Applicants: Franklin M. (Matt) Avant
6. Edisto River Canoe & Kayak Trail Committee has three vacancies (1 At-Large, 1 Recreation Commission, 1 Chamber of Commerce; and
7. The County Council is the appointing authority for Boards.

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

The Colleton County Council hereby appoints the following:

Colleton County Commission of Alcohol & Drug Abuse: _____, _____

Keep Colleton Beautiful: _____, _____,
_____, _____

Colleton County Board of Disabilities & Special Needs: _____, _____
_____, _____

Colleton County Land Use Zoning Board of Appeals: _____, _____

Colleton County Recreation Commission: _____

Edisto River Canoe & Kayak Trail Committee: _____ At-Large,

_____ Recreation Commission,
_____ Chamber of Commerce

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

Sponsor(s) : County Council
Adopted: : March 6, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 12-R-37

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Award the Contract for Roof Repair at The Colleton County Jail to the Low Bidder, Feltmann Inc.]

WHEREAS:

- (1) An RFP was advertised seeking companies interested in providing roof repairs for the Colleton County Jail; and
- (2) Ten proposals were received and reviewed for compliance with specifications; and
- (3) Feltmann Inc was the low bidder at \$47,419; and
- (4) Staff recommends awarding the contract for the roof work to Feltmann, Inc.

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

- (1) The contract for repair of the Jail roof, in accordance with specifications provided in Bid: FM-41, is hereby awarded to Feltmann, Inc. for a low bid of \$47,419.
- (2) The County Administrator is hereby authorized to execute a contract, pending approval of same by the County Attorney, for said work on behalf of the County.
- (3) Funding for this purchase shall come from monies previously appropriated by Council.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Evon Robinson, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s): County Council
First Reading: March 6, 2012
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: April 3, 2012
Public Hearing: May 1, 2012
Third Reading: May 1, 2012
Effective Date: Immediately

I, _____,
Council Clerk, certify that
this Ordinance was advertised
for public hearing on _____.

ORDINANCE 12-O-02

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Chapter 2.28 - Boards, Committees, and Commissions Generally, Section 2.28.020 – Requirements, Duties and Responsibilities for all County-Appointed Boards and Commissions, by Repealing in its Entirety Paragraph H.]

WHEREAS:

1. The Colleton County Code of Laws, Chapter 2.28 - Boards, Committees, and Commissions Generally, Section 2.28.020 – Requirements, Duties and Responsibilities for all County-Appointed Boards and Commissions, Paragraph H currently reads:
“Except by unanimous vote of County Council, no member or any board or commission shall serve on that board or commission for more than two consecutive terms or eight years, whichever is the lesser.” ; and
2. County Council deems it to be in the best interest of the County to eliminate this term limit for service on a board or commission.

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

1. Paragraph H of Section 2.28.020 – Requirements, Duties and Responsibilities for all County-Appointed Boards and Commissions, of Chapter 2.28 - Boards, Committees, and Commissions Generally, of the Colleton County Code of Laws is hereby repealed and removed in its entirety.
2. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

By: _____
Evon Robinson, Chairman of County Council

ATTEST:

APPROVED AS TO FORM:

By: _____
Ruth Mayer, Clerk to County Council

By: _____
Sean Thornton, County Attorney