

**AMENDED AGENDA**  
**COLLETON COUNTY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, JULY 25, 2023**  
**6:00 P.M.**  
**COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
  - a) Regular Meeting, June 6, 2023
5. Awards and Recognitions
  - a) Proclaiming the Week of July 29 – August 5, 2023, as Gullah-Geechee Nation Appreciation Week
6. Appearances & Public Presentations
  - a) Colleton Medical Center – James Hiott, CEO
7. Administrator’s Briefing
8. Public Hearing
  - a) Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances
9. Old Business
  - a) 3<sup>rd</sup> Reading Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances
  - b) 2<sup>nd</sup> Reading Ordinance 23-O-12, Authorizing the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement by and Between Colleton County, South Carolina and Project Palmetto Green to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Infrastructure Credits; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Project Palmetto Green, Under the Agreement for Establishment of Multi-County Industrial/ Business Park; and Other Related Matters
10. New Business
  - a) 1<sup>st</sup> Reading Ordinance 23-O-13, By Title Only, To Ratify FY23 Grant and Budget Resolutions and Related Appropriations for All Funds; To Ratify Transfer and Other Resolutions Previously Authorized by Council; And Other Matters Related Thereto

- b) 1<sup>st</sup> Reading Ordinance 23-O-14, By Title Only, to Amend Title 2 - Administration and Personnel, Chapter 2.30 - County Council, Sections 2.30.030 – Meetings and 2.030.060 Committees of the Colleton County Code of Ordinances
  - c) Resolution 23-R-44, To Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024
  - d) Resolution 23-R-45, To Approve the Purchase of a Compactor for the Solid Waste C&D Landfill to Replace a Compactor that has been Declared a Total Loss
  - e) Resolution 23-R-46, To Approve a Change Order for Roof Replacement for the J. P. Harrelson Building New Entrance and Improvements Project
  - f) Resolution 23-R-47, To Approve Renewal of the Axon Enterprise, Inc. Contract for Sheriff's Office Tasers
  - g) Resolution 23-R-48, To Award Indefinite Delivery Contracts for Architectural Design Services
  - h) Resolution 23-R-49, To Award the Contract for the Sale of Scrap Metal, Aluminum Cans and Batteries to Edisto Recycling, LLC
  - i) Resolution 23-R-50, To Request that the Colleton County State Legislative Delegation Recommend to the South Carolina Department of Natural Resources that South Carolina Water Recreation Resource Funds Dedicated to Colleton County be used to Replace the Boardwalk and Dock at the Westbank Boat Landing on the Edisto River in Colleton County
  - j) Resolution 23-R-51, to Award the Contract for the Voter Registration Building Renovation Project
- 11. Items for Information and Public Record
  - 12. Public Comments (3 minutes per person/max time 20 min.)
  - 13. Council Time
  - 14. Executive Session
    - a) Contractual
      - 1. County Plaza and ADA Sidewalk Improvements
      - 2. Tuskegee Monument/Airport
    - b) Personnel
      - 1. Voter Registration
      - 2. Boards and Commissions
      - 3. Clerk of Court
    - c) Economic Development – Sarla Flex
    - d) Real Estate – Hampton Street School

15. Adjournment
16. Informal Meeting of the Whole

#### COUNTY COUNCIL MEETING ON JULY 25, 2023

Colleton County Council will hold a regular meeting on Tuesday, July 25, 2023, at 6:00 pm. The public will be able to stream the meeting from a link on the County's home page or by going to [www.colletoncounty.org/live](http://www.colletoncounty.org/live). Individuals who would like to participate in public comment can do so at [www.colletoncounty.org/comment](http://www.colletoncounty.org/comment).

MINUTES  
TUESDAY, JUNE 6, 2023  
REGULAR MEETING  
6:00 P.M.

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

Present: Vice Chairman Phillip Taylor called the meeting to order with Council Members Dr. Joseph Flowers, Bubba Trippe, and Scott Biering in attendance. Chairman Steve Murdaugh was not present.

Others Included: Kevin Griffin, Meagan Utsey, Sean Thornton, Kaela Brinson, Jon Carpenter, Barry McRoy, Mayor Crawford Moore, Jerome Kizer, Michelle Knight, James Rutledge, Delma Tyus, Anderson Grant, Felicia Johnson, Dr. John Creel, Jessie Gooding, Clarence Wiggins, and Brenda Perkins.

Councilman Bubba Trippe gave the invocation and led the Pledge of Allegiance.

**Approval of Minutes**

- A. Administrative Committee Meeting April 24, 2023— Dr. Flowers moved to approve the minutes of the Administrative Committee Meeting held on April 24, 2023. The motion was seconded by Councilman Trippe and the motion carried unanimously.
- B. Regular Meeting May 2, 2023— Dr. Flowers moved to approve the minutes of the Regular Meeting held on May 2, 2023. The motion was seconded by Councilman Biering and the motion carried unanimously.
- C. Budget Work Session— Dr. Flowers moved to approve the minutes of the Budget Work Session held on May 3, 2023. The motion was seconded by Councilman Trippe and the motion carried unanimously.

**Appearances & Public Presentations**

- A. Eastside Acres Park – Jesse Gooding  
\*\*\*Please see the attached PowerPoint Presentation.

**Administrator’s Briefing**

Mr. Griffin: Stated, Item “A” under “New Business” needs to be removed from the agenda. That is the 1<sup>st</sup> reading for the Fee in Lieu of Tax Agreement for Project Wren. We still have the inducement Resolution, which is item “C” under “New Business”, for Project Wren. We were asked to remove it late this afternoon due to some edits that need to be made to it. Also, we have a number of Economic Development items along with the Budget Ordinance. I was informed by

Barnwell Fishburne that the House, Senate, and Governor have signed off on naming the Ashepoo Bridge at Highway 17 after Mr. Gene Whetsell, a former Councilman here. That unavailing will be on Tuesday, June 20<sup>th</sup> at 11 AM. We are working on arrangements. I believe this is a wonderful way to honor Mr. Gene Whetsell. If you all have any questions, I will be glad to answer them at this time.

No questions.

Vice Chairman Taylor stated that he would entertain a motion to remove item “A” under “New Business”, 1<sup>st</sup> Reading Ordinance 23-O-10. Dr. Flowers moved to remove item “A” under “New Business”. Councilman Biering seconded that motion, and the motion was carried unanimously.

### **Public Hearing**

Dr. Flowers made a motion to move into Public Hearing. Councilman Trippe seconded that motion, and the motion was carried unanimously.

- A. Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. Of Certain Fees In Lieu Of Ad Valorem Taxes; Providing For Certain Special Source Revenue Or Infrastructure Credits; To Further Amend The Agreement For Development Of A Joint County Industrial Park Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Colleton County As Part Of The Park; Providing For The Allocation Of Fee-In-Lieu Of Taxes Paid By Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto**
  
- B. Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023, through June 30, 2024, to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto**

No comments were made. Dr. Flowers made a motion to close Public Hearing. Councilman Taylor seconded that motion and the motion carried unanimously.

### **Old Business**

- A. 3<sup>rd</sup> Reading Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes**

**Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. Of Certain Fees In Lieu Of Ad Valorem Taxes; Providing For Certain Special Source Revenue Or Infrastructure Credits; To Further Amend The Agreement For Development Of A Joint County Industrial Park Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Colleton County As Part Of The Park; Providing For The Allocation Of Fee-In-Lieu Of Taxes Paid By Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto**

Dr. Flowers moved to approve 3<sup>rd</sup> Reading Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. Of Certain Fees In Lieu Of Ad Valorem Taxes; Providing For Certain Special Source Revenue Or Infrastructure Credits; To Further Amend The Agreement For Development Of A Joint County Industrial Park Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Colleton County As Part Of The Park; Providing For The Allocation Of Fee-In-Lieu Of Taxes Paid By Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

**B. 3<sup>rd</sup> Reading Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023 through June 30, 2024 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto**

Dr. Flowers moved to approve 3<sup>rd</sup> Reading Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023 through June 30, 2024 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**C. 2<sup>nd</sup> Reading Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances**

Dr. Flowers moved to approve 2<sup>nd</sup> Reading Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**New Business**

- A. 1<sup>st</sup> Reading Ordinance 23-O-11, By Title Only, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County, South Carolina (The “County”) And Project Marathon, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The “Project”); The Amendment Of The Multi-County Industrial/Business Park Agreement Between The County And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Colleton County As Part Of The Park And Allocating The Fee In Lieu Of Ad Valorem Taxes Paid By The Company Under The Agreement For Establishment Of Multi-County Industrial/Business Park; The Approval Of Providing Certain Special Source Revenue Credits; And Other Matters Relating Thereto**

Dr. Flowers moved to approve 1<sup>st</sup> Reading Ordinance 23-O-11, By Title Only, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County, South Carolina (The “County”) And Project Marathon, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The “Project”); The Amendment Of The Multi-County Industrial/Business Park Agreement Between The County And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Colleton County As Part Of The Park And Allocating The Fee In Lieu Of Ad Valorem Taxes Paid By The Company Under The Agreement For Establishment Of Multi-County Industrial/Business Park; The Approval Of Providing Certain Special Source Revenue Credits; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

- B. Resolution 23-R-35, Authorizing, Under Certain Conditions, The Execution And Delivery By Colleton County, South Carolina Of A Fee In Lieu Of Tax Agreement With A Company Known To The County And Identified For The Time Being As “Project Wren” With Respect To An Industrial Project In The County Whereby The Project Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, And Whereby “Project Wren” Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; And Other Matters Related Thereto**

Dr. Flowers moved to approve Resolution 23-R-35, Authorizing, Under Certain Conditions, The Execution And Delivery By Colleton County, South Carolina Of A Fee In Lieu Of Tax Agreement With A Company Known To The County And Identified For The Time Being As “Project Wren” With Respect To An Industrial Project In The County Whereby The Project

Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, And Whereby “Project Wren” Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; And Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**C. Resolution 23-R-36, A Resolution Identifying A Project In Order To Satisfy The Requirements Of South Carolina Code Section 12-44-40, So As To Allow Investment Expenditures Incurred By Project Marathon To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes And Special Source Revenue Credit Arrangement With Colleton County, South Carolina; And Other Matters Relating Thereto**

Dr. Flowers moved to approve Resolution 23-R-36, A Resolution Identifying A Project In Order To Satisfy The Requirements Of South Carolina Code Section 12-44-40, So As To Allow Investment Expenditures Incurred By Project Marathon To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes And Special Source Revenue Credit Arrangement With Colleton County, South Carolina; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

**D. Resolution 23-R-37, To Approve Amendment Of The Agreement For Development For Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park**

Dr. Flowers moved to approve Resolution 23-R-37, To Approve Amendment Of The Agreement For Development For Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**E. Resolution 23-R-38, To Approve Amendment Of The Agreement For The Establishment Of A Multi-County Industrial/Business Park For Properties Located In A Redevelopment Project Area, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Multi-County Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Multi-County Industrial/Business Park**

Dr. Flowers moved to approve Resolution 23-R-38, To Approve Amendment Of The Agreement For The Establishment Of A Multi-County Industrial/Business Park For Properties Located In A Redevelopment Project Area, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Multi-County Industrial/Business Park, So As To Include Additional Property In Charleston County



As Part Of The Multi-County Industrial/Business Park. The motion was seconded by Councilman Biering. The motion carried unanimously.

**F. Resolution 23-R-39, To Award Bid FR-26 to the Six Lowest Bidders on Protective Firefighting Equipment**

Dr. Flowers moved to approve Resolution 23-R-39, To Award Bid FR-26 to the Six Lowest Bidders on Protective Firefighting Equipment. The motion was seconded by Councilman Trippe. The motion carried unanimously.

The bid was awarded to the six bids that were received, and each of the six companies were the qualified low bidders on the various items: Wally's Fire & Safety – 25 items; Newton's Fire & Safety Equipment – 8 items; Anderson Fire Safety – 14 items; Rhinehart Fire Services – 15 items; Fireline, Inc. – 17 items; and TechnicalRescue.com, Inc. – 1 item; and

**G. Resolution 23-R-40, to Authorize the Sole Source Purchase of One 21 Foot Fiberglass Brunswick Rescue Boat for Colleton County Fire-Rescue**

Dr. Flowers moved to approve Resolution 23-R-40, to Authorize the Sole Source Purchase of One 21 Foot Fiberglass Brunswick Rescue Boat for Colleton County Fire-Rescue. The motion was seconded by Councilman Biering. The motion carried unanimously.

Dr. Flowers: Asked, that money is already available?

Mr. Griffin: Stated, yes, it was in the last Fire Bond that we did.

No further questions.

**H. Resolution 23-R-41, To Advertise Board Vacancies**

Dr. Flowers moved to approve Resolution 23-R-41, To Advertise Board Vacancies. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**I. Resolution 23-R-42, To Appoint Members to Board Vacancies**

Dr. Flowers moved to approve Resolution 23-R-42, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Biering. The motion carried unanimously.

The following appointments were made by acclamation: – Colleton County Commission of Drug and Alcohol: Tamara Chisolm-Dobison.

**J. 1st Reading Ordinance 23-O-12, By Title Only, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and an Entity Currently Known to the County As "Project Palmetto Green", Including Any Related or Affiliated Entities and Any Sponsor Affiliates, Whereby Colleton County Will Enter Into a Fee-In-Lieu of Taxes Arrangement with Project Palmetto Green; Providing for Payment by Project Palmetto Green of Certain Fees In Lieu of Ad Valorem Taxes; Providing for Certain Special Source Revenue or Infrastructure Credits; To Further**

**Amend the Agreement For Development of a Joint County Industrial Park Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid By Project Palmetto Green, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Matters Relating Thereto.**

Dr. Flowers moved to approve 1st Reading Ordinance 23-O-12, By Title Only, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and an Entity Currently Known to the County As “Project Palmetto Green”, Including Any Related or Affiliated Entities and Any Sponsor Affiliates, Whereby Colleton County Will Enter Into a Fee-In-Lieu of Taxes Arrangement with Project Palmetto Green; Providing for Payment by Project Palmetto Green of Certain Fees In Lieu of Ad Valorem Taxes; Providing for Certain Special Source Revenue or Infrastructure Credits; To Further Amend the Agreement For Development of a Joint County Industrial Park Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid By Project Palmetto Green, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

**K. Resolution 23-R-43, Committing to Negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Palmetto Green; Identifying the Project; and Other Matters Related Thereto**

Dr. Flowers moved to approve Resolution 23-R-43, Committing to Negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Palmetto Green; Identifying the Project; and Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

**Public Comment**

Ms. Felicia Johnson: Stated, I received a call from you on Friday and Saturday. I do not know what Buddy Hill is talking about, but my neighbor called the Sheriff’s Department at 1:30 AM, and I called at 4:00 AM. If there is a 1:00 AM curfew, then the people need to go also. You could hear the people over the music the other night. People are selling drugs out there, and if something goes bad more people are going to get shot up, again. I talked to Ms. Sanders; she called me. She claims she went to court against Ms. Bodison for her back pay and lost. So, now she has to go back to court for an eviction against her. I told her she should’ve gone for the eviction first then go for the back pay. Now, we have to still put up with this nuisance club. I didn’t go to sleep after 4 AM Sunday morning. There are kids right next to the club, and my bedroom faces the club.

Also, this situation with these ditches. They need to finish this project. From Wilkey Street to Madison Street, everything stops at my drain. The only thing they did was dig the ditches deeper, which is worse, and put bricks around the pipes. That is all they did. Everything stops at my house. My house flooded out in 2021 and my neighbor's house. My insurance does not cover it, and nobody is going to keep buying my things to replace them. Just like I was at the Stop sign last week; people do not respect that Stop sign. I could've got hit on Saturday on my bicycle waiting to go across the road to go to my home. We need help as soon as possible. I can't afford to keep replacing things in my house, and neither can my neighbor. She had to borrow her mother-in-law's vac to suck all the water out of her house. It is sad. They need to do something for us. Thank you all very much.

**Adjournment**

Dr. Flowers moved to adjourn the meeting, Councilman Trippe seconded the motion, which carried unanimously.

This 25<sup>th</sup> day of July 2023.

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

ATTEST:

\_\_\_\_\_  
Kaela Brinson, Clerk to Council

# Colleton County Eastside Park

---

Franklin Street, Walterboro

Past , Present, & Future

# Past

---



# Past



# Past



# Present





# Future

---

- **Provide new playground equipment**
  - **Replace existing equipment with equipment made of safer material**
  - **New 10 ft basketball goal including backboards, nets, and rims**
  - **Park benches**
  - **Bleachers**
  - **At least 2 barbeque pits/grills**

# Future

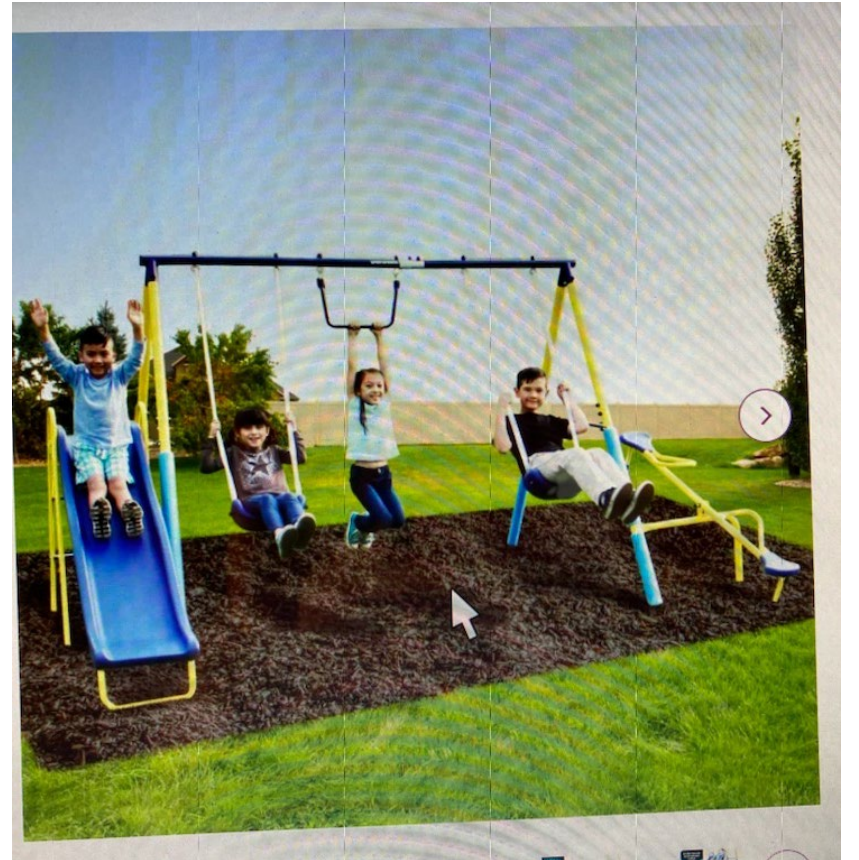
---

- **Resurface basketball court**
- **Resurface or Pave Cul-de-sac parking area**
- **Level Park ground and provide proper irrigation/water runoff**
- **Remove or grind down tree roots through out park**
- **Plant grass throughout park area**
- **Put safe playground mulch or chips in the playground area and around the playground equipment**
- **Cut trees from around the park's fenced area and to property line**

# Future

---

- **Create area for smaller children with mulch or chips**
  - **Child swing and infant swing**
  - **Sliding board**
  - **Seesaw**







# CMC<sup>3</sup> | Coffee, Conversation, Connect to Care

## HEALTHY EATING

**Wednesday, July 26 | 9:30 am**

PRIVATE DINING ROOM | COLLETON MEDICAL CENTER  
**501 Robertson Blvd, Walterboro, SC 29488**

As part of the CMC3 - Coffee, Conversation, Connect to Care series we invite you to connect with Colleton Medical Center's Executive Chef, Claire Womack, and Clinical Nutrition Manager, Donna Brown, for coffee and conversation on eating a healthy sustainable diet.

Topics of discussion will include maintaining a healthy diet to help manage blood pressure, cholesterol, and type 2 diabetes, as well as ways to use healthier ingredients without losing flavor.

Registration is appreciated: [ColletonMedical.com/Events](https://ColletonMedical.com/Events)

**Colleton**  
Medical Center



# Stroke Support Group

---

**First Friday of the Month | 9:30 AM – 11:00 AM**  
PRIVATE DINING ROOM | COLLETON MEDICAL CENTER  
**501 Robertson Blvd, Walterboro, SC 29488**

Join Colleton Medical Center's Award-Winning Inpatient Rehab and Outpatient Therapy Team on the first Friday of each month for a Stroke Support Group.

Our goal is to help survivors learn how to live after a stroke. With survivors, and their caregivers, joining others experiences are shared; bonds of survivorship are strengthened; and friendships are created.

Registration is appreciated: [ColletonMedical.com/Events](https://www.colletonmedical.com/Events)

**Colleton**  
Medical Center

---

# Colleton Medical Center Health Impact Report

## BY THE NUMBERS

2022 data



**67,346**  
Patients Treated



**30,767**  
ER Visits



**541**  
Colleagues



**\$39.1M**  
Salaries, Wages  
and Benefits



**\$7.3M**  
in Charity &  
Uncompensated Care



**\$3.1M**  
in Taxes Paid



**\$9.5M**  
in Capital  
Investments



**271**  
Babies Born

### RECOGNITIONS:

- Earned an "A" grade on the most recent safety scorecard released by The Leapfrog Group.
- The Lown Institute ranks Colleton Medical Center #1 in SC when it comes to community benefit.

**Colleton**  
Medical Center

Sponsor(s)	: County Council	
First Reading	: May 2, 2023	I, Kaela Brinson, Council Clerk,
Committee Referral	: N/A	certify that this Ordinance was
Committee Consideration Date	: N/A	advertised for Public Hearing on
Committee Recommendation	: N/A	July 6, 2023.
Second Reading	: June 6, 2023	
Public Hearing	: July 25, 2023	
Third Reading	: July 25, 2023	
Effective Date	: Immediately	

**ORDINANCE NO. 23-O-09**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[To Adopt Title 5 – Business Licenses & Regulations of the Colleton County Code of Ordinances, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances.]**

**WHEREAS:**

County Council deems it to be in the best interest of the County to adopt Title 5 – Business Licenses and Regulations, Chapter 5.04 – Late Night Establishments Preclearance of the Colleton County Code of Ordinances.

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

1. Title 5 – Business Licenses and Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Laws, is hereby adopted to read as follows:

**Chapter 5.02. – Late Night Establishments Preclearance**

**Sections**

**5.04.010. – Purpose**

**5.04.020. – Definitions**

**5.04.030. – Late night establishment preclearance letter required; application; issuance.**

**5.04.040. – Regulatory fee; expiration and renewal of preclearance letter.**

**5.04.050. – Revocation of late night establishment preclearance letter.**

**5.04.060. – Safety plan contents.**

**5.04.070. – Hearing; preclearance letter denial, revocation; safety plan incompleteness; appeal**

**5.04.080. – Preclearance letter may be required of existing businesses.**

**5.04.090 - Violations; penalties.**

**Sec. 5.04.010. - Purpose.**

The purpose of this chapter is to regulate late night establishments that offer or allow on-premises consumption of alcohol and that operate between the hours of 12:00 midnight and 6:00 a.m. within the unincorporated areas of Colleton County, in order to prevent



personal and property crimes, prostitution, lewdness, violence, illicit drug use and drug trafficking, negative impacts on surrounding properties, blight, litter, and sexual assault and exploitation, and to increase awareness of over-service of alcoholic beverages and curb underage drinking.

#### **5.04-020. - Definitions.**

For purposes of this chapter, the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them unless a different meaning is clearly indicated by the context.

*Administrator* means the Colleton County Administrator or his or her designee.

*Applicant* means any person, firm, corporation, or other legal entity applying for a preclearance letter to operate a late night establishment, as defined herein.

*County* means Colleton County, South Carolina.

*Employee* means any person who works on the premises of a late night establishment on a full time, part time, or contract basis, regardless of whether the person is denominated an employee, independent contractor, agent, lessee, or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises.

*Hearing officer* means a citizen, not employed by the county, appointed by the administrator, deemed to have the requisite training, education, and experience to serve as an independent tribunal to conduct hearings under this chapter, and to justly and fairly hear and decide on matters presented therein.

*Late night establishment* means a commercial establishment that offers or allows consumption of alcoholic beverages on the premises and that is open for use by patrons, for any length of time, between the hours of 12:00 midnight and 6:00 a.m.

*Person* means an individual, proprietorship, partnership, corporation, association, or other legal entity.

*Recipient* means a person in whose name a preclearance letter to operate a late night establishment has been issued, as well as the individual or individuals listed as applicants on the application for a late night establishment preclearance letter.

*Specified criminal activity* means any of the following specified crimes for which less than seven years has elapsed since the date of arrest, the date of conviction, including a plea of nolo contendere or a plea pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), or the date of release from confinement for the conviction, whichever is the later date:

- A. Offenses against the person, listed in S.C. Code, Title 16, Chapter 3 (as amended or recodified from time to time);
- B. Offenses against public justice, listed in S.C. Code, Title 16, Chapter 9 (as amended or recodified from time to time);

- C. Offenses against property, listed in S.C. Code, Title 16, Chapter 11 (as amended or recodified from time to time);
- D. Offenses listed in S.C. Code, Title 16, Chapter 13 (which chapter is titled "Forgery, Larceny, Embezzlement, False Pretenses and Cheats") (as amended or recodified from time to time);
- E. Offenses listed in S.C. Code, Title 16, Chapter 14 (which chapter is titled "Financial Transaction Card Crime Act") (as amended or recodified from time to time);
- F. Offenses against morality and decency, listed in S.C. Code, Title 16, Chapter 15 (as amended or recodified from time to time);
- G. Offenses listed in S.C. Code, Title 16, Chapter 19 (which chapter is titled "Gambling and Lotteries") (as amended or recodified from time to time);
- H. Offenses involving weapons, listed in S.C. Code Title 16, Chapter 23 (as amended or recodified from time to time);
- I. Narcotics and controlled substances offenses set forth in S.C. Code § 44-53-370—44-53-445 (as amended or recodified from time to time);
- J. Alcohol-related offenses listed in S.C. Code, Title 61, Chapter 6, Article 13 (as amended or recodified from time to time);
- K. Any crime if it involved dishonesty or false statement, regardless of the punishment;
- L. Any crime if it involved conduct at a commercial establishment where alcoholic beverages are consumed on the premises, regardless of the punishment;
- M. Any attempt, solicitation, or conspiracy to commit one of the foregoing offenses; or
- N. Any offense in another jurisdiction that, had the predicate act(s) been committed in South Carolina, would have constituted any of the foregoing offenses.

**5.04.030. - Late night establishment preclearance letter required; application; issuance.**

- A. *Late night establishment preclearance letter.* It shall be unlawful for any person to commence operating, after July 25, 2023, a late night establishment in the county without a valid late night establishment preclearance letter. No person shall apply for a certificate of zoning compliance or approval of a special exception to operate a late night establishment before obtaining a late night establishment preclearance letter. It shall be unlawful for any person to operate a late night establishment after a nuisance declaration without a valid late night establishment preclearance letter issued after such revocation or declaration. The issuance of a preclearance letter does not authorize the recipient to operate a late night establishment. Rather, after receiving a preclearance letter, the recipient must also obtain a valid certificate of zoning compliance or special exception issued in accordance with Colleton County's zoning laws.

For all late night establishments in existence prior to July 25, 2023, as a condition of continued or renewed operation of such establishment, a written safety plan, acceptable to the county, containing the information required by section 5.04.060., must be filed at the office of the Colleton County Administrator (or such office as the administrator may designate), during regular business hours, together with a one-time nonrefundable administrative fee of two hundred fifty dollars (\$250.00), it being unlawful for any person to continue operating such establishment in the absence of such safety plan. The information provided shall be supplemented in writing by certified mail, return receipt requested, to the administrator (or such office as the administrator may designate) within ten working days of a change of circumstances which would render the information originally submitted false or incomplete. The late night establishment must also operate in compliance with all other laws and regulations.

- B. *Application.*** All applicants for a late night establishment preclearance letter shall file in person at the office of the Colleton County Administrator (or such office as the administrator may designate), during regular business hours, a completed application made on a form approved by the administrator. The application shall be signed as required by subsection (C) herein and shall be notarized. An application shall be considered complete when it contains, for each person required to sign the application, the following required information and/or items, accompanied by the appropriate fees:
1. The applicant's full legal name and any other names used by the applicant in the preceding seven years.
  2. Current business address or another mailing address for the applicant.
  3. The business name, location, legal description, mailing address and phone number of the late night establishment.
  4. If the applicant is a sole proprietor, written proof of age, in the form of a driver's license or a picture identification document containing the applicant's date of birth issued by an agency of a state or of the federal government.
  5. If the applicant is not a sole proprietor, then the partnership, limited liability company, corporation, or other legal entity shall submit a complete list of the legal entity's:
    - a) Officers;
    - b) Directors;
    - c) Partners, members, or shareholders (natural persons) holding a ten percent or greater ownership interest in such legal entity, or if there is no shareholder (natural person) with at least a ten percent interest, the ten shareholders with the greatest ownership interests;



11. The name and business address of the statutory agent or other agent authorized to receive service of process within Colleton County, South Carolina on behalf of the late night establishment.
12. A statement whether the applicant is the owner of the premises wherein the late night establishment will be operated or the holder of a lease thereon. If the applicant is a lease holder, a copy of the lease shall be submitted with the application.
13. A written safety plan that contains the information required by section 5.04.060.

The information provided pursuant to this subsection (B) shall be supplemented in writing by certified mail, return receipt requested, to the administrator (or such office as the administrator may designate) within ten working days of a change of circumstances which would render the information originally submitted false or incomplete.

- A. *Signature.* If a person who seeks a late night establishment preclearance letter under this section is an individual, he or she shall sign the application for a preclearance letter as applicant. If a person who seeks a late night establishment preclearance letter is other than an individual, each person listed in response to subsection (B)(5) is considered an applicant and shall sign the application as an applicant. Each applicant must be qualified under this article and each applicant shall be considered a recipient if a preclearance letter is issued.
- B. *Completeness of application.* The administrator or his or her designee shall determine whether the application is complete according to the requirements set forth above. If the application is not complete, then within twenty days after its submission, the administrator or his or her designee shall inform the applicant in writing of the particulars in which the application is incomplete.
- C. *Issuance of preclearance letter.* Upon the filing of a completed late night establishment preclearance letter application, the county shall cause to be conducted a criminal background investigation of each applicant and shall transmit a summary of the investigation results to the administrator or his or her designee. Within sixty days of the filing of the application, the administrator or his or her designee shall either issue a preclearance letter to the applicant or issue a written notice of intent to deny the preclearance letter to the applicant. The administrator or his or her designee shall issue the preclearance letter unless:
  1. The applicant or a person listed in response to subsection (B)(5) is less than twenty-one years of age.
  2. The applicant has failed to provide information required by this chapter for issuance of a preclearance letter or has falsely answered a question or request for information on the application form.
  3. The applicant is neither the owner of the premises wherein the establishment will be operated, nor the holder of a lease thereon.

4. The fees required by this chapter have not been paid.
5. The county, within the previous thirty-six months, has revoked a preclearance letter to operate a late night establishment or a license to operate an adult entertainment establishment at the premises wherein the establishment will be operated.
6. A business on the premises wherein the late night establishment will be operated has, within the previous thirty-six months, been declared in a judicial proceeding to be a nuisance or has had its license to operate revoked by the county.
7. The applicant, a person who resides with an applicant, or a person listed in response to subsection (B)(5) has been an owner, director, officer, partner, member, shareholder, or manager of a business that has, in the previous seven years (and at a time during which the person was so related to the business):
  - a) Been declared in a judicial proceeding to be a nuisance;
  - b) Had its license to operate revoked; or
  - c) Repeatedly operated in violation of state law or county regulations.
8. The applicant or a person listed in response to subsection (B)(5) has within the previous seven years been convicted of, or pleaded guilty or entered a plea of nolo contendere to, a specified criminal activity, as defined in this chapter.
9. The applicant is a partnership, limited liability company, corporation, or other legal entity that is required to be chartered under the laws of the state or authorized by the secretary of state to do business in the state, but is not so chartered or authorized.
10. The applicant has failed to pay county taxes or fees (including, but not limited to, personal and real property taxes, hospitality taxes, accommodations taxes, property assessments, sewer fees, stormwater fees, fire alarm taxes and fire alarm fees, and annual regulatory fees) or state taxes or fees related to the establishment, when due.
11. The applicant has failed to comply with applicable state laws (including, but not limited to, sanitary kitchen facility requirements; permitting requirements for the service of alcoholic beverages, beer, and wine; and regulations for the service of alcoholic beverages, beer, and wine) related to the operation of the establishment.
12. The applicant has failed to provide full payment to the county within ten days of notice of a check returned to the county for insufficient funds, related to the establishment. The term "full payment" means the full amount due of the original check plus costs and fees assessed to the county by its bank for the return of the check presented, as well as any return check fee otherwise assessed by the county.
13. The applicant or a person listed in response to subsection (B)(5) is shown by the county to be acting on behalf of a person who has, within the previous seven years, operated a business in violation of applicable laws or regulations.

14. The applicant or a person listed in response to subsection (B)(5) has, within the previous five years, knowingly or recklessly allowed possession, use, or sale of controlled substances on the premises of any business establishment.
  15. The applicant or a person listed in response to subsection (B)(5) has, within the previous five years, allowed any criminal activity to occur in or on the premises of any business establishment.
- D. A preclearance letter, if issued, shall be issued in the name of the applicant and shall identify, as recipients, the persons listed in the application in response to subsection (B)(5).
  - E. With respect to a late night establishment's safety plan, the issuance of a preclearance letter reflects only that the safety plan is acceptable and addresses the matters required in this chapter. A preclearance letter does not prevent the county from imposing different or additional safety-related requirements upon a late night establishment.

**5.04.040. - Regulatory fee; expiration and renewal of preclearance letter.**

- A. There shall be an annual regulatory fee of two hundred fifty dollars (\$250.00) and a one-time nonrefundable investigative fee of two hundred fifty dollars (\$250.00) for each late night establishment within the county that holds a valid preclearance letter. Both fees shall be paid with the application. If the applicant withdraws the application or the preclearance letter is denied, the applicant shall be refunded the annual regulatory fee paid. No refund shall be allowed once the preclearance letter has been issued.
- B. Each preclearance letter shall remain valid for a period of one calendar year from the date of issuance unless otherwise revoked. Such preclearance letter may be renewed by making payment of the annual regulatory fee as provided in this section. After initial approval, and if there have been no changes in information, operations, or safety plan, the validity of a preclearance letter may be extended for up to two consecutive years upon written affirmation by the applicant of such fact, in letter form, signed as set forth in section 5.04.030(C) herein and notarized, and filed in person at the office of the Colleton County Administrator (or such office as the administrator may designate), during regular business hours.

**5.04.050. - Revocation of late night establishment preclearance letter.**

- A. Revocation for specific violations. The administrator or his or her designee shall issue a written notice of intent to revoke a late night establishment preclearance letter if:
  1. The recipient fails to maintain the qualifications for holding a preclearance letter;
  2. The recipient has knowingly or recklessly given false information in the application for the preclearance letter or has failed to supplement the application information as required by section 5.04.030(B) after a change of circumstances that rendered the information originally submitted false or incomplete;

3. The recipient has knowingly or recklessly allowed possession, use, or sale of controlled substances on the premises of the establishment;
  4. The recipient has knowingly or recklessly allowed sodomy, aggravated sodomy, public indecency, lewdness, prostitution, assignation, pimping, pandering, pandering by compulsion, masturbation for hire, obscenity, or disorderly conduct to occur in or on the premises of the late night establishment;
  5. The recipient has knowingly or recklessly allowed a person under the age of twenty-one years to consume alcohol on the premises of the establishment;
  6. The recipient has knowingly or recklessly allowed any specified criminal activity to occur in or on the premises of the establishment;
  7. The recipient has repeatedly operated the business in violation of state law or county regulations;
  8. The recipient is convicted of any specified criminal activity as defined in this chapter; or
  9. The establishment is found to have operated in violation of an accepted safety plan.
- B.** The fact that any relevant conviction is being appealed shall have no effect on the revocation of the preclearance letter, provided that, if any conviction which serves as a basis of a preclearance letter revocation is overturned or reversed on appeal, that conviction shall be treated as null and of no effect for revocation purposes.
- C.** When a notice of intent to revoke a preclearance letter has been issued, the recipient shall not apply for or be issued any new preclearance letter under Colleton County Code chapter until such notice has been withdrawn or, if revocation has become effective, until three years after the effective date of revocation.
- D.** When any person listed on a late night establishment preclearance letter application is arrested for conduct alleged to have occurred at the late night establishment, no person listed on the establishment's preclearance letter application may apply for or be issued any new preclearance letter for that location under this Colleton County Code chapter, until the arrestee is cleared or until ninety days following the arrest have passed, whichever occurs sooner.

**5.04.060. - Safety plan contents.**

A safety plan shall be considered complete when it sets forth the following:

- A.** The business name, location, mailing address, and phone number of the late night establishment, and the name, title, and mailing address of the individual responsible for communicating with the county in connection with the safety plan.
- B.** Affirmation that the late night establishment will not permit its employees or patrons, on the premises, to engage in any criminal activity.



- C. Affirmation that the late night establishment will require each employee, while working on the premises, to wear a light-colored name tag (on the front upper half of the employee's torso) that states a first name and last initial in dark letters that are three-eighths ( $\frac{3}{8}$ ) of an inch tall or taller; and affirmation that the late night establishment will maintain an up-to-date list of its employees' actual names, that the list will also set forth for each employee the first name and last initial that is on the name tag worn by the employee, and that the establishment will provide a copy of that list to the administrator or his or her designee immediately upon request.
- D. Affirmation that the late night establishment is not a theater, concert hall, art center, museum, or similar establishment that is primarily devoted to the arts or theatrical performances;
- E. Affirmation that the establishment has established a policy that conforms with DOR approved training program on age sensitive sales as listed in the DOR SC Information Letter 06-05, or subsequently issued letter of the same subject, and that addresses that all security, floor managers, bartenders, and wait staff will be trained so as to determine when a customer is underage or apparently intoxicated, along with affirmation that the establishment, its agents, and its employees will enforce the policy of refusing further alcohol service to customers at that point;
- F. A statement whether the establishment will employ personnel that exercise security functions, and if so, an affirmation that all security personnel shall be licensed by the State of South Carolina and be bonded;
- G. Affirmation that no alcohol consumption and no glass or metal containers of any kind will be permitted in the parking lots under the control of the establishment, along with affirmation that the establishment has established policies and security resources to assure compliance;
- H. Affirmation that upon request, the establishment will consult with the Colleton County Sheriff's Office and provide such security as is recommended by that department that recognizes individual circumstances of the establishment; and
- I. A copy of the establishment's policies that specifically address the following elements:
  - 1. Patron weapon search procedures, if any;
  - 2. Control of all ways of ingress and egress;
  - 3. Control of parking lots, lot behavior, and litter;
  - 4. Procedures for handling violent incidents, other emergencies, and calling the Sheriff's Office;
  - 5. The number of security, and their movement and placement;
  - 6. A description of the training provided or completed by security and other personnel, including conflict de-escalation training;

7. The procedures for determining over occupancy, crowd control, and emergency egress; and
8. Current contact information for the person or position responsible for addressing safety, security, or county code related complaints by patrons or neighborhood residents.

**5.04.070. - Hearing; preclearance letter denial, revocation; safety plan incompleteness; appeal.**

- A. When the administrator or his or her designee issues a written notice of intent to deny or revoke a preclearance letter, the administrator or his or her designee shall send such notice, which shall include the specific grounds under this article for such action, to the applicant or recipient (appellant) by personal delivery or certified mail. The notice shall be directed to the most current business address or other mailing address on file with the administrator or his or her designee for the appellant(s). The notice shall also set forth the following: The appellant shall have ten days after the delivery of the written notice to submit, at the office of the administrator (or such office as the administrator may designate), a written request for a hearing, accompanied by a twenty-five dollar (\$25.00) processing fee. If the appellant does not request a hearing within the said ten days, accompanied by the required processing fee, the administrator's (or designee's) written notice shall become a final denial or revocation, as the case may be, on the eleventh day after it is issued.
- B. If the appellant does make a written request for a hearing within the said ten days, then a hearing officer shall, within forty-five days after receipt of such request, unless continued by agreement of the appellant and the county, at a time and place of which the appellant has been given written notice, hold a hearing on the matter. Either party may provide for the hearing to be recorded and transcribed at that party's expense.
- C. At the hearing, the strict rules of evidence shall not apply, but the parties shall have the opportunity to present all relevant arguments, be represented by counsel, present evidence and witnesses, and request that certain questions be asked of adverse witnesses in cross-examination. The appellant shall bear the burden of proving entitlement to the preclearance letter. The hearing shall take no longer than one day, unless extended at the request of the appellant to meet the requirements of due process and proper administration of justice. The hearing officer shall issue a final written decision, including specific reasons for the decision pursuant to this chapter, to the parties within thirty days after the hearing.
- D. If the decision is to deny or revoke the preclearance letter, the decision shall advise the appellant of the right to appeal such decision to a court of competent jurisdiction within ten days after receipt of the hearing officer's decision. If the hearing officer's decision finds that no grounds exist for denial or revocation of the preclearance letter, the hearing officer shall, contemporaneously with the issuance of the decision, order the administrator to withdraw the intent to deny or revoke the preclearance letter and to notify the appellant in writing by certified mail of such action.

- E. Any party aggrieved by the decision of the hearing officer may appeal the decision to the circuit court within ten days after the issuance of the decision. If any court action challenging a decision is initiated, the county shall consent to expedited briefing and/or disposition of the action, shall comply with any expedited schedule set by the court, and shall facilitate prompt judicial review of the proceedings.

**5.04.080. - Preclearance letter may be required of existing businesses.**

- A. A preclearance letter may be required of any late night establishment in existence prior to July 25, 2023 as a condition of continued or renewed operation of such establishment in the event of the occurrence of any of the following, it being unlawful for any person to continue operating such establishment in the absence of such letter if required. The late night establishment must also operate in compliance with all other laws and regulations.
  - 1. When circumstances exist permitting the county to revoke a zoning permit;
  - 2. When circumstances exist providing a basis for the pursuit of a public nuisance action; or
  - 3. When Sheriff's Office calls or visits to the establishment or premises, in response to complaints, or resulting in discovery, of illegal drug use or activity, excessive noise, litter and debris, vandalism, theft, robbery, burglary, breaking and entering, gambling, assault, fighting, disorderly conduct, breaches of the peace, shooting, malicious damage to property, public intoxication, service of alcohol to underage persons, loitering, prostitution, assignation, or lewdness, or other state or federal felony criminal activities exceed four times in any four-week period.

**5.04.090 - Violations; penalties.**

- A. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and shall be subject to a fine of up to five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense.
- B. The county administrator or his/her designee is authorized to request and obtain injunctive relief to cease and desist against any person who fails to comply with the provisions of this article after notice. The county administrator or designee is specifically authorized to obtain injunctive relief for those persons who persist in operating a business, as defined herein, preclearance letter

**2. Severability:**

If any provision of this Ordinance or the application thereof to any person or circumstances 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.

**3. Conflict:**

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: June 6, 2023	I, _____, Council Clerk,
Committee Referral	: N/A	certify that this Ordinance was
Committee Consideration Date	: N/A	advertised for Public Hearing on
Committee Recommendation	: N/A	_____.
Second Reading	: July 25, 2023	
Public Hearing	: September 5, 2023	
Third Reading	: September 5, 2023	
Effective Date	: Immediately	

**ORDINANCE NO. 23-O-12**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INCENTIVE AGREEMENT BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND PROJECT PALMETTO GREEN TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES; AUTHORIZING CERTAIN INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY PROJECT PALMETTO GREEN, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER RELATED MATTERS.]**

WHEREAS, Colleton County, South Carolina (“County”), acting by and through its County Council (“County Council”) is authorized pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (“FILOT Act”), to encourage manufacturing and commercial enterprises to locate in the State of South Carolina (“South Carolina” or “State”) or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the FILOT Act, that provides for the payment of a fee-in-lieu of *ad valorem* tax (“FILOT Payments”), with respect to economic development property, as defined in the FILOT Act;

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, “MCIP Act”), the County is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County’s discretion, include property within the boundaries of such multicounty parks. Under the authority provided in the MCIP Act, the County has created a multicounty park with Hampton County pursuant to an Agreement for the Development of a Joint County Industrial Park between Colleton County and Hampton County, South Carolina, executed on December 11, 2007 by Colleton County and on January 22, 2008 by Hampton County (the “Park”);

WHEREAS, pursuant to the FILOT and MCIP Acts, the County is authorized to provide credits (“Infrastructure Credits”) against FILOT Payments derived from economic development property to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility (“Infrastructure”);

WHEREAS, Project Palmetto Green, (“Sponsor”), desires to establish a plastics recycling facility in the County (“Project”) consisting of taxable investment in real and personal property of not less than \$56,250,000 and the creation of 40 new, full-time jobs; and

WHEREAS, at the request of the Sponsor and as an inducement to locate the Project in the County, the County desires to enter into a Fee-in-Lieu of *Ad Valorem* Taxes and Incentive Agreement with the Sponsor, as sponsor, the final form of which is attached as Exhibit A (“Fee Agreement”), pursuant to which the County will provide certain incentives to the Sponsor with respect to the Project, including (i) providing for FILOT Payments, to be calculated as set forth in the Fee Agreement, with respect to the portion of the

Project which constitutes economic development property; (2) locating the Project in the Park; and (3) providing Infrastructure Credits, as described in the Fee Agreement, to assist in paying the costs of certain Infrastructure.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

**Section 1. *Statutory Findings.*** Based on information supplied to the County by the Sponsor, County Council evaluated the Project based on relevant criteria including, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment, employment to be created, and the anticipated costs and benefits to the County, and hereby finds:

(a) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;

(b) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power;

(c) The purposes to be accomplished by the Project are proper governmental and public purposes; and

(d) The benefits of the Project are greater than the costs.

**Section 2. *Approval of Incentives; Authorization to Execute and Deliver Fee Agreement.*** The incentives as described in this Ordinance (“Ordinance”), and as more particularly set forth in the Fee Agreement, with respect to the Project are hereby approved, including; (1) Negotiated FILOT Payments to be made with respect to the Project based upon a 6% assessment ratio with the millage rate which is the lower of (a) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the year preceding the calendar year in which the Fee Agreement (as defined below) is executed or (b) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the calendar year in which the Fee Agreement is executed, such rate to be fixed for the entire 25-year term of the fee-in-lieu of taxes; and (2) infrastructure or special source revenue incentive (the “SSRCs”) provided to the Sponsor to be made during the first eight (8) years of the term of the Fee Agreement, in the amount of thirty percent (30%) of FILOT Payments for year one (1) of the term of the Fee Agreement; in the amount of fifty percent (50%) of FILOT Payments for years two (2) through six (6) of the term of the Fee Agreement; in the amount of twenty percent (20%) of FILOT Payments for year seven (7) of the term of the Fee Agreement; and in the amount of ten percent (10%) of FILOT Payments for year eight (8) of the term of the Fee Agreement. There shall be no SSRCs against FILOT Payments in years nine (9) through twenty-five (25) of the term of the Fee Agreement. The documents providing for the SSRCs shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds or job creation are not achieved during the Investment Period (a “clawback” provision); (ii) that the Sponsor will pay the County’s administrative expenses associated with the approval and administration of the SSRC; (iii) that under certain terms and conditions, the County will have access to certain information of the Sponsor; and (iv) that the Sponsor will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project. The form, terms and provisions of the Fee Agreement that is before this meeting are approved and all of the Fee Agreement’s terms and conditions are incorporated in this Ordinance by reference. The Chair of County Council (“Chair”) is authorized and directed to execute the Fee Agreement in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Fee Agreement and to deliver the Fee Agreement to the Sponsor.

**Section 3. *Inclusion within the Park.*** The expansion of the Park boundaries to include the Project is authorized and approved. The Chair, the County Administrator and the Clerk to County Council are each authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the agreement governing the Park (“Park Agreement”), the expansion of the Park’s boundaries and the amendment to the Park Agreement is complete on adoption of this Ordinance by County Council and an approving companion ordinance by the Hampton County Council.

The County will provide for 25 years that the annual allocation of the payments in lieu of taxes (“PILOT Payments”) generated by the Project will be distributed (after distribution of a portion of the PILOT Payments to the Partner County in accordance with the Park Agreement) as follows:

(a) To the County, for providing the SSRCs (as defined in Section 2 hereof), an amount equal to the annual SSRC provided in Section 2 of this Ordinance and in the Fee Agreement; and

(b) Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the PILOT Payments to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

**Section 4. *Further Assurances.*** The County Council confirms the authority of the Chair, the County Administrator, the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, or Clerk to County Council, as appropriate, to take whatever further action and to negotiate, execute and deliver whatever further documents as may be appropriate to effect the intent of this Ordinance and the incentives offered to the Sponsor under this Ordinance and the Fee Agreement.

**Section 5. *Savings Clause.*** The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

**Section 6. *General Repealer.*** Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 7. *Effectiveness.*** This Ordinance is effective after its third reading and public hearing.

COLLETON COUNTY, SOUTH CAROLINA

---

Chair, Colleton County Council

(SEAL)  
ATTEST:

---

Clerk of Council, Colleton County Council

First Reading: June 6, 2023  
Second Reading: July 25, 2023  
Public Hearing:  
Third Reading:



**EXHIBIT A**  
**FORM OF FEE AGREEMENT**

Sponsor(s) : County Council  
First Reading : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 5, 2023  
Public Hearing : October 3, 2023  
Third Reading : October 3, 2023  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public hearing on  
\_\_\_\_\_.

**ORDINANCE NO. 23-O-13**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[To Ratify FY23 Grant And Budget Resolutions And Related Appropriations For All Funds;  
To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other  
Matters Related Thereto.]**

Sponsor(s) : County Council  
First Reading : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 5, 2023  
Public Hearing : October 3, 2023  
Third Reading : October 3, 2023  
Effective Date : Immediately

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

**ORDINANCE NO. 23-O-14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[An Ordinance to Amend Title 2-Administration and Personnel, Chapter 2.30 - County Council, Sections 2.30.030 – Meetings and 2.030.060 Committees of the Colleton County Code of Ordinances.]**

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-44**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024.]**

**WHEREAS:**

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Economic Development Department, is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY24 received from the South Carolina Department of Commerce Economic Development Closing Fund Grant #C-22-3664 for Pomega Energy Storage Technologies in the amount of \$1,000,000; and
3. The Colleton County Fire-Rescue Department is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY24 received from the South Carolina Emergency Management Division for FY 23-24 LEMPG Allocations and from Federal Emergency Management Agency (FEMA) for the Hazard Mitigation Grant Program; and

**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 revenues and expenditures in the following funds for the grant and unbudgeted revenues for FY24 as listed:
  - a. Fund 120 – Special Revenue Fund; South Carolina Department of Commerce; \$1,000,000; Economic Development Closing Fund Grant #C-22-3664; Pomega Energy Storage Technologies
  - b. Fund 156 – Fire-Rescue Fund; South Carolina Emergency Management Division; 2024 Local Emergency Management Performance Grant; \$61,895; match is included in the FY 2023-2024 budget.
2. The above listed OPRs (Offices of Primary Responsibility) are 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 FY24 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-45**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Approve the Purchase of a Compactor for the Solid Waste C&D Landfill to Replace a Compactor that has been Declared a Total Loss.]**

**WHEREAS:**

1. The Solid Waste Department has located a suitable used 2019 Volvo LC450H Compactor at a cost of \$226,125.00, including sales tax, being sold by Cater Caterpillar; and
2. Colleton County received \$272,865.00 in insurance proceeds from the capital loss of a 910 Caterpillar 836 Landfill Compactor, due to fire, which was deposited into the Solid Waste (Fund 211) – Insurance Proceeds; and
3. Staff requests that Council authorize the purchase of the 2019 Volvo LC450H Compactor, at a cost of \$226,125.00, including sales tax, from Carter Caterpillar.

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

1. Colleton County Council hereby approves the purchase of a used 2019 Volvo LC450H Compactor from Carter Caterpillar at a cost of \$226,125.00, including sales tax.
2. Funding for this expenditure is available in the Solid Waste Fund – Fund 211.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-46**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Approve a Change Order for Roof Replacement for the J.P. Harrelson Building New Entrance and Improvements Project.]**

**WHEREAS:**

1. The J.P. Harrelson Building New Entrance and Improvements Project (CC-37) bid specifications, created by the architectural firm, did not include the necessary roof replacement; and
2. It has been determined that it is necessary to replace the roof in order to complete the project; and
3. It is recommended that Council approve the change order in the amount of \$114,942.42.

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

1. County Council hereby approves the change order for the Harrelson Building roof replacement (included herein by reference) for the J.P. Harrelson Building New Entrance and Improvements Project in the amount of \$114,942.42
2. Funding shall come from the Capital Projects Sales Tax Fund – Fund 143.
3. The County Administrator is authorized to execute all required documents for this Change Order.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-47**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Approve Renewal of the Axon Enterprise, Inc. Contract for Sheriff's Office Tasers.]**

**WHEREAS:**

1. The Sheriff's Office contract with Axon Enterprise, Inc., for all Tasers and Taser technical services, is due for renewal; and
2. It is deemed to be in the best interest of the citizens of the County to authorize execution of renewal of said Service Contract.

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

1. The renewal of the service contract with Axon Enterprise, Inc., in the amount of \$55,860.83 per year for five years (\$279,303.90 total) is hereby approved.
2. The County Administrator is hereby authorized to execute the contracts on behalf of the County.
3. Funding for the cost of the contracts is included in the FY 2024 Budget.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-48**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Award Indefinite Delivery Contracts for Architectural Design Services.]**

**WHEREAS:**

1. SC Code § 11-35-3310 allows agencies to award Indefinite Delivery Contracts for professional services such as architectural-engineering and land surveying services pursuant to § 11-35-3220. A Professional Services Indefinite Delivery Contract (IDC) is a contract whereby the professional agrees to provide the agency professional services on an “as-needed” basis during the term of the contract. Agencies procure Professional IDCs in the same manner as any professional service contract, as set forth in the Colleton County Purchasing Code; and
2. The County advertised a Request for Qualifications, CC-39, for Colleton County Architectural Design Services; and
3. Eleven proposals were received, and a five member committee reviewed and ranked each form accordingly, based on qualifications and their area of expertise in regards to the design of upcoming construction projects in the County; and
4. Per the committee’s review, the seven firms recommended are McMillan, Pazdan, Smith Architecture, LS3P Associates, LTD., Rosenblum Coe Architects, Inc., Johnson, Laschober & Associates, P.C., MRB Group Consulting, P.C., GMK Associates, Inc., and Croft and Associates; and
5. Staff recommends that County Council award the contracts to these seven firms.

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

1. County Council hereby awards the contracts in accordance with RFQ CC-39 to McMillan, Pazdan, Smith Architecture, LS3P Associates, LTD., Rosenblum Coe Architects, Inc., Johnson, Laschober & Associates, P.C., MRB Group Consulting, P.C., GMK Associates, Inc., and Croft and Associates; and
2. The County Administrator is hereby authorized to issue and execute three-year contracts on behalf of the County, pending approval of same by the County Attorney, with the option to renew said contracts an additional three-year term.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

COUNCIL VOTE:  
OPPOSED:



Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-49**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[To Award the Contract for the Sale of Scrap Metal, Aluminum Cans and Batteries to Edisto Recycling, LLC.]**

**WHEREAS:**

1. The County advertised a Request for Bids, SW-32, for the sale of scrap metal, aluminum cans and batteries; and
2. Two bids were received, and Edisto Recycling, LLC of Round O, SC was found to be the highest responsive bidder; and
3. Staff recommends that the contract for the sale of scrap metal, aluminum cans and batteries be awarded to Edisto Recycling, LLC.

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

1. County Council hereby awards the contract in accordance with Bid SW-32 for the sale of scrap metal, aluminum cans and batteries to Edisto Recycling, LLC in the amount of \$120.00 per ton of scrap metal, \$740.00 per ton of aluminum cans and \$1000.00 per ton of batteries.
2. The County Administrator is hereby authorized to execute the contract on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-50**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[TO REQUEST THAT THE COLLETON COUNTY STATE LEGISLATIVE DELEGATION RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES THAT SOUTH CAROLINA WATER RECREATION RESOURCE FUNDS DEDICATED TO COLLETON COUNTY BE USED TO REPLACE THE DOCK AT THE WEST BANK BOAT LANDING ON THE EDISTO RIVER IN COLLETON COUNTY.]**

**WHEREAS:**

1. Colleton County benefits economically and recreationally from the abundance of Water Recreation Resources in the County; and
2. The dock at the West Bank Boat Landing, on the Edisto River in Jacksonboro, has fallen into disrepair; and
3. These repairs are necessary for the boat landing to continue to be operational for the citizens of Colleton County; and
4. Colleton County currently has \$239,205.71 available in the South Carolina Department of Natural Resources Water Recreation Resource Fund that is dedicated to Colleton County; and
5. The Colleton County Council requests the Colleton County State Legislative Delegation's assistance in providing a new dock at the West Bank Boat Landing, in the amount up to \$100,000.

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

1. Colleton County Council hereby requests that the Colleton County State Legislative Delegation recommend to the South Carolina Department of Natural Resources that South Carolina Water Recreation Resources Funds, dedicated to Colleton County, in the amount up to \$100,000, be used to replace the dock at the West Bank Boat Landing on the Edisto River.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Clerk to Council

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 25, 2023  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 23-R-51**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[A Resolution to Award the Contract for the Voter Registration Building Renovation Project.]**

**WHEREAS:**

1. The County advertised a Request for Bids, FM-59, for the Voter Registration Building Renovation Project; and
2. Three bids were received; and
3. Mitchell Construction Company, Inc. meets all of the requirements of the bid and is the lowest bidder; and
4. Staff requests authorization to negotiate the contract for services with Mitchell Construction Company, Inc.

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

1. County Council hereby authorizes the County Administrator to negotiate the contract in accordance with Bid FM-59 with Mitchell Construction Company, Inc. for the Voter Registration Building Renovation Project.
2. The County Administrator is hereby authorized to execute said contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from the Capital Fund – Fund 115 in the amount of \$1,097,612.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

COUNCIL VOTE:  
OPPOSED: