

**AMENDED AGENDA**  
**COLLETON COUNTY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, OCTOBER 4, 2022**  
**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 September 6, 2022
5. Awards and Recognitions
  - a) Proclaiming November 2022 as Family Court Awareness Month in Colleton County
  - b) Proclamation for Colleton County Council's Recognition of Chris Bickley and his Service to Colleton County
6. Appearances & Public Presentations
  - a) Town of Edisto Beach – Introduction of Police Chief
7. Administrator's Briefing
8. Public Hearing
  - a) Ordinance 22-O-11, To Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals
9. Old Business
  - a) 3<sup>rd</sup> Reading Ordinance 22-O-11, To Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals
  - b) 2<sup>nd</sup> Reading Ordinance 22-O-12, To Adopt Title 5 – Business Licenses and Regulations, Chapter 5.02 – Countywide Business Registration, of the Colleton County Code of Ordinances
  - c) 2<sup>nd</sup> Reading Ordinance 22-O-13, To Amend Chapter 2.48 – Edisto River Canoe and Kayak Trail Commission to Update Commission Bylaws

- d) 2<sup>nd</sup> Reading Ordinance 22-O-14, To Ratify FY22 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

10. New Business

- a) 1<sup>st</sup> Reading Ordinance 22-O-15, By Title Only, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement by and Among Colleton County and Gehl Foods Southeast, LLC and NM GL, LLC, Whereby Colleton County Will Enter Into A Fee-In-Lieu of Taxes Arrangement with Gehl Foods Southeast, LLC and NM GL, LLC; Providing for Payment by Gehl Foods Southeast, LLC and NM GL, LLC of Certain Fees-In-Lieu of *Ad Valorem* Taxes; Providing for Assignment of Certain Existing Economic Development Incentives To Gehl Foods Southeast, LLC and NM GL, LLC; Providing for Certain Special Source Revenue or Infrastructure Credits; Providing for the Allocation of Fee-In-Lieu of Taxes Paid By Gehl Foods Southeast, LLC and NM GL, LLC Under the Agreement for Establishment of Multi-County Industrial/Business Park; Authorizing the Execution and Delivery of an Assignment and Assumption of Incentive Agreements and Release From Incentive Agreements Among Colleton County, South Carolina, Crescent Dairy & Beverages, LLC, and Gehl Foods Southeast, LLC and a Partial Assignment and Assumption of Fee-In-Lieu of Tax Agreement by and Among Gehl Foods Southeast, LLC, NM GL, LLC, and Colleton County, South Carolina; and Other Matters Relating Thereto
- b) Resolution 22-R-49, To Authorize Acceptance and Budgeting of Funds for a Grant for FY 2022 -2023
- c) Resolution 22-R-50, To Award the Contract for Design Build Services for the Colleton County SC303 Sidewalk Engineering Services
- d) Resolution 22-R-51, To Award the Contract for Design Build Services for the Colleton County Transfer Station Improvement Project
- e) Resolution 22-R-52, To Appoint Members to Board Vacancies

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) Personnel – Magistrate’s Office
- b) Personnel – Solid Waste
- c) Economic Development
  - 1. Project Lion
  - 2. Project Marathon
  - 3. Project Waterfall
  - 4. Project Gehl

15. Adjournment
16. Informal Meeting of the Whole

COUNTY COUNCIL MEETING ON OCTOBER 4, 2022

Colleton County Council will hold a regular meeting on Tuesday, October 4, 2022, 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, SEPTEMBER 6, 2022  
REGULAR MEETING  
6:00 P.M.

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

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

Others Included: Kevin Griffin, Sean Thornton, Meagan Utsey, Jon Carpenter, Kaela Brinson, Barry McRoy, Joshua Rowland, Ed Williams, Felicia Johnson, Scott Biering, Crawford Moore, Iris Hill, Mark Aakhus, Clarence Wiggins, Anderson Grant, Linda Singleton, Johnny Bartley, Austin Ruger, and Frank Santorella.

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

**Approval of Minutes**

A. Regular Meeting July 26, 2022— Councilman Taylor moved to approve the minutes of the Regular Meeting held on July 26, 2022. The motion was seconded by Councilman Williams and the motion carried unanimously.

**Awards and Recognitions**

A. Proclaiming September 24, 2022 as “I Love Ruffin Day” in Colleton County— Chairman Murdaugh read the Proclamation aloud. Councilman Taylor moved to adopt Proclaiming September 24, 2022 as “I Love Ruffin Day” in Colleton County. The motion was seconded by Councilman Williams and the motion carried unanimously.

**Administrator’s Briefing**

Mr. Griffin: Stated, under “New Business” item “A”, there is a county wide business license registration ordinance that the council previously discussed. This is not a business license, which is based on gross revenue, this is a \$15.00 business registration fee. This came about through the Sheriff’s Office dealing with some nuisance businesses. That is on the agenda for first reading tonight. Item “B” under “New Business” is the Edisto Canoe Trail and Kayak Committee, they are adjusting their bylaws to get a little more membership. They have a very specific membership for that commission and they are broadening that, as well as, working with Dorchester County across county lines. Those are the only items I have to discuss and I will be glad to take any questions.

Councilman Williams: Stated, you mentioned that this would not be a business license but rather a registration fee. Would we have the same leverage to deal with our nuisance businesses?

Mr. Griffin: Stated, we would.

### **Old Business**

A. **2<sup>nd</sup> Reading Ordinance 22-O-11, To Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals**

Dr. Flowers to approve the 2<sup>nd</sup> Reading Ordinance 22-O-11, To Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals. The motion was seconded by Councilman Taylor.

### **New Business**

A. **1<sup>st</sup> Reading Ordinance 22-O-12, By Title Only, To Adopt Title 5 – Business Licenses and Regulations, Chapter 5.02 – Countywide Business Registration, of the Colleton County Code of Ordinances**

Councilman Taylor moved to approve the 1<sup>st</sup> Reading Ordinance 22-O-12, By Title Only, To Adopt Title 5 – Business Licenses and Regulations, Chapter 5.02 – Countywide Business Registration, of the Colleton County Code of Ordinances. The motion was seconded by Dr. Flowers. The motion carried unanimously.

Chairman Murdaugh: Stated, I know we have just raised the issue about the authority of the county business registration versus licensing, is that something that at second reading that we can go more into detail about?

Mr. Griffin: Stated, we can and it is very specific in state law what we can do there and it will be listed in the ordinance at second reading.

Chairman Murdaugh: Stated, the main reason I was wanting it to be there is in case anyone has any questions about it.

Dr. Flowers: Stated, I feel the same way with wanting more information.

No further comment.

B. **1<sup>st</sup> Reading Ordinance 22-O-13, By Title Only, To Amend Chapter 2.48 – Edisto River Canoe and Kayak Trail Commission to Update Commission Bylaws**

Councilman -Williams moved to approve the 1<sup>st</sup> Reading Ordinance 22-O-13, By Title Only, To Amend Chapter 2.48 – Edisto River Canoe and Kayak Trail Commission to

Update Commission Bylaws. The motion was seconded by Councilman Taylor. The motion carried unanimously.

C. **1st Reading Ordinance 22-O-14, By Title Only, To Ratify FY22 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**

Dr. Flowers moved to approve the 1st Reading Ordinance, By Title Only, To Ratify FY22 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. The motion was seconded by Councilman Taylor. The motion carried unanimously.

D. **Resolution 22-R-40, To Appoint Employees to the Colleton County Grievance Committee**

Dr. Flowers moved to approve Resolution 22-R-40, To Appoint Employees to the Colleton County Grievance Committee. The motion was seconded by Councilman Williams. The motion carried unanimously.

E. **Resolution 22-R-41, To Appoint Members to the Colleton County Safety Committee**

Councilman Taylor moved to approve Resolution 22-R-41, To Appoint Members to the Colleton County Safety Committee. The motion was seconded by Dr. Flowers. The motion carried unanimously.

F. **Resolution 22-R-42, To Authorize the Acceptance of a Grant from the South Carolina Department of Social Services for the Child and Adult Care Food Program Grant for 2023**

Dr. Flowers moved to approve Resolution 22-R-42, To Authorize the Acceptance of a Grant from the South Carolina Department of Social Services for the Child and Adult Care Food Program Grant for 2023. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Councilman Taylor: Stated, just know there is no local match needed for that. It is always good.

Councilman Williams: Stated, absolutely, I know the children benefit from that.

No further comment.

**G. Resolution 22-R-43, To Approve a Memorandum of Understanding between Colleton County, the SC Department of Veterans' Affairs and Combined Arms, Inc. for Veterans' Services**

Councilman Taylor moved to approve Resolution 22-R-43, To Approve a Memorandum of Understanding between Colleton County, the SC Department of Veterans' Affairs and Combined Arms, Inc. for Veterans' Services. The motion was seconded by Councilman Williams. The motion carried unanimously.

Councilman Taylor: Stated, Is there any clarity on if they have a local office or group?

Councilman Williams: Stated, from what I understand it to say you will still have to go through Ms. Smith's office. I think they went through a different method of reporting structure where they have you in certain regions, whereas before people did their own thing and reported to Columbia or DC. Now, there are regional directors and rest of them fit under that umbrella.

Dr. Flowers: Stated, it is something they can utilize for various needs.

Chairman Murdaugh: Stated, we are not actually a party to that if you read it. It is between the state and Combined Arms. One thing in the memorandum paragraph 9 talks about dispute resolution and paragraph 12 it talks about indemnity of defense. I noticed that they put in here any term or condition is void if it requires the State of South Carolina to indemnify, defend, or pay attorney's fees to anyone for any reason. I guess the county is not listed there...inaudible. That maybe the only thing we want to inquire about. I think Dr. Flowers is right, the services being provided is probably services were these issues would never arise, but we are looking at the agreement and I notice the state put in safety provisions for them in there and I think we don't have the same in there.

Dr. Flowers: Inaudible (There is a lot of background noise at this time.)

Chairman Murdaugh: Stated, that is the only thing I have to point out.

Dr. Flowers: Inaudible (There is a lot of background noise at this time.)

Councilman Taylor: Stated, many of the veterans need assistance with filling out paper work and going online.

**H. Resolution 22-R-44, To Approve and Authorize Implementation of the Amended Colleton County Safety Policy Manual**

Councilman Taylor moved to approve Resolution 22-R-44, To Approve and Authorize Implementation of the Amended Colleton County Safety Policy Manual. The motion was seconded by Dr. Flowers. The motion carried unanimously.

I. **Resolution 22-R-45, To Declare Surplus Various Vehicles and Equipment and to Authorize Their Sale in Accordance with County Policy**

Dr. Flowers moved to approve Resolution 22-R-45, To Declare Surplus Various Vehicles and Equipment and to Authorize Their Sale in Accordance with County Policy. The motion was seconded by Councilman Taylor. The motion carried unanimously.

J. **Resolution 22-R-46, To Award the Contract for Design Build Services for the County Plaza and ADA Sidewalk Improvements Project**

Councilman Williams moved to approve Resolution 22-R-46, To Award the Contract for Design Build Services for the County Plaza and ADA Sidewalk Improvements Project. The motion was seconded by Councilman Taylor. The motion carried unanimously.

K. **Resolution 22-R-47, To Authorize the Council Clerk to Advertise for Board Vacancies**

Dr. Flowers moved to approve Resolution 22-R-47, To Authorize the Council Clerk to Advertise for Board Vacancies. The motion was seconded by Councilman Taylor. The motion carried unanimously.

L. **Resolution 22-R-48, To Appoint Members to Board Vacancies**

Dr. Flowers moved to approve Resolution 22-R-48, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Williams. The motion carried unanimously.

The following appointments were made by acclimation: Janis Blocker, Sally Williams, and Sylvia Rowland – Colleton County Library Board of Trustees, Gary Herman – Edisto River Canoe & Kayak Committee, Richard Shealy – Keep Colleton Beautiful, and Kelly Judy – Colleton County Board of Assessment Appeals.

**Public Comment**

Felicia Johnson: Stated, I am back again because we still don't have a change. This club needs to close. I am disabled, insomnia, fibromyalgia, I got it all, metal plates and screws. It is sad, Mr. Hill came to my house last month and he is still not talking justice. I do not get it. This woman is a convicted felon of federal prison and she is out here running a club with no license for alcohol or food. I have talked to DEHEC in Walterboro and they are no good. Ms. Katrina from Beaufort is the only one to respond to that part, because she is telling Ms. Bodison that she cooked it at her restaurant and brought it here. She is not telling the truth. This is Walterboro, I can't lie, my sons hang there and got sick eating your food. The trash is all out there, and I took pictures of it. I tell my grands they can't stay with grandma no more. My home in the past has been shot. Father's day morning when all that was going on, I was under my bed. I was scared. I heard 15-20 rounds and they were still shooting. When is it going to stop? I can't thank the Lord that the other club is closed down because it is worse for us now. These people don't stop until 2-3 in the morning. I can go on the transit bus and they ask me how do I live there when the club is still open at 7 in the



morning. I am trying to get ready to go to church and the noise. I got my big no trespassing sign up, and what did the man do? He took my sign up on Easter. I do not want them tying up from front door with a crime scene when I come home. I told the man in front of the police if he comes back taking up my property it is going to be on you. I am not a violent person, but if my sign says "no trespassing" why are you taking it up out the ground? My next-door neighbor, they have kids and they asked to borrow an extra crate that I had in my yard. I use the other one to store my grandkids toys in, and what did the man who stole my sign do? He stole my grandkids toys. We want peace! I want my grandkids staying the night with me, but like I said I am afraid. They are having strippers over at this place, and we don't need that around us. We are a little small community, we do not need that. I am totally disabled from head to foot and we need y'all. The governor wrote me again last week, he said that he needs more information. I called them and the lady told me about the Bureau of Investigation. Are you not reporting that you are renting the building to a convicted felon, a drug dealer that just got out of prison? That is why I say what is wrong with the law enforcement around here. I have stood outside talking to some of them at 3-4 in the morning. They say they know that it is illegal, but if you know it is illegal then why are you not doing your job? That Saturday when they were getting ready to bury the two brothers...I was talking to an officer who said he is tired of coming to the club. Well guess what, I am tired of it being open and I am not going to stop calling you. If I am trying to sleep and all these calls are lining up at 2:30-3 am, and you can smell all the drugs out there. I went to Walmart and I was talking with the Pharmacist assistant, and she said she went there one time and could not breathe. I went up there one time just so she would serve the alcohol to me, so that I would have my own proof. Then there is gambling inside there and I let my son hold a table and I got my own proof; you don't go by here say. There is a lot of people doing a lot of illegal stuff in this club. We need help...please help us. I am not giving up because I want to have peace. The next stop is Lindsey Graham and then the President. Again, y'all please help us.

Linda Singleton: Stated, I live in the same neighborhood that Felicia does. You don't get any peace around there. It is constant noise, and something needs to be done. We need peace in our neighborhood, that shouldn't be too much to ask. Why do we have a club in our neighborhood? I don't know what else we can do but what we are doing now? Please let us know if there is something else we should be doing. On Father's Day night I was laying in my bed and heard all the gun shots, it sounded like a war going on. Please help us, we need help!

Kevin Williams: Stated, I want to see some change in our community as well. I want to start seeing some changes with our school board, and County Council and the school board go hand in hand. Everybody is worried about the violence, but that starts with the schools. So, until we start acknowledging what is going on with the schools, nothing is going to change because it is trickling out of the schools, into the streets, and back into the schools. The school board and county council need to get together and implement something that is going to work on the community. I talked to a few of y'all and I go around the community to see change. I keep trying and I am not seeing change. Until County Council and the school board get together, we're not going to see change. I understand that we are doing projects around the community, it is looking a whole lot better. I love what I am seeing. The main strip looks beautiful now, but what about your rural areas? Smoaks needs their community center rebuilt, Jacksonboro needs their community building upgraded, and

Neyles has a nice one. There are a lot of places that are receiving nothing, and I mean I get it, but I do not get it at the same time, because if you want something to help the community grow and do better, you got to start with the youth but also with us adults taking accountability. I am only 33 years old and I take accountability, but at the same time when it comes down to the community stepping forward, it is not happening. Two young ladies just spoke up about their neighborhood. When is it going to change? Are they going to have to come into your neighborhood, and where y'all live? Let's be honest, it's true. It will escalate and it will move. We need to take the time and everybody get together and work a plan...Law Enforcement, School Board, County Council. Until we start fixing these things they are going to be an issue. I have been to these school meetings. My nephew was causing problems and I had to fix him. I am only one person, I talk to people and help where I can. Take these kids off the street and give them a chance. Teach them fire rescue and paramedic skills. Teach them something that this community is going to need.

Kellye Whitaker (online comment): \*Read aloud by Meagan Utsey below.

Comment 1: "Was there an August meeting? Requesting that the agenda and minutes be posted as soon as possible. I'm on your website and it shows July as the last meeting and only the agenda is posted. No minutes."

Comment 2: "July meeting minutes has not been uploaded to the website. Could you please post ASAP? Thank you."

Chairman Murdaugh: Stated the July minutes were approved tonight and they will go up in a couple of days on the website.

### **Council Time**

Councilman Williams: Stated, Ms. Johnson the Ordinance 22-O-12 that we just spoke about, that is the first sign of progress in trying to solve some of the issues you are having and other members in the community. It is a process that we must go through and I know you are the person that has to be around it, but rest assured the council is trying to do what they need to do because it is a legal process. We don't want to do something that the county will get sued about, so we have to follow the proper processes and procedures.

Chairman Murdaugh: Stated, I agree.

Councilman Williams: Stated, where are we with the joint meeting with the school board, council, town, and other municipalities?

Councilman Murdaugh: Stated, that is on me and since you brought it up let's go ahead and pick a date now so I do not have to arbitrarily schedule one. Does anyone have a preference on the night of the week?

Councilman Williams: Stated, we have Edisto Beach here. They may have some input on this if you do not mind.

Chairman Murdaugh: Stated, is there a particular night as I know most councils meet on Tuesday?

Mayor Moore: Stated, Thursday nights are our council meeting nights...the 2<sup>nd</sup> and 1<sup>st</sup>.

Chairman Murdaugh: Stated, we will shoot for Monday, October 3<sup>rd</sup>. That gives us enough time to let all the bodies know. I assume we would have to do this somewhere like the museum or wildlife center. Kevin or Kaela, if you would check and see if the Wildlife Center is available. We will set this for October 3<sup>rd</sup> at 6 PM. I would suggest that we allow each municipality a few minutes to discuss things within their municipality. I think 10 minutes would be good so we don't go on too long.

Councilman Taylor: Asked, should it be free or set topics?

Chairman Murdaugh: Stated, if we are holding them to 10 minutes, I think they should be able to talk about what ever it is they would like.

Councilman Williams: Stated, are we going to invite the Sheriff's Office too?

Chairman Murdaugh: Stated, yes we can.

Councilman Williams: Stated, I think it would be nice to have the Sheriff's Office there as well.

No further comments.

### **Executive Session**

Dr. Flowers moved to go into executive session to discuss the following: Personnel – Solid Waste, Contractual – Airport Commission, and Economic Development – Project Lion and Project Mac. Councilman Taylor seconded the motion. The motion carried unanimously.

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

### **Adjournment**

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

This 4th day of October, 2022.

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

ATTEST:

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



**Proclamation  
Family Court Awareness Month  
November 2022**

**WHEREAS**, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children, and;

**WHEREAS**, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent, and;

**WHEREAS**, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence and child abuse, including emotional, psychological, physical, and sexual abuse, as well as childhood trauma, coercive control, and post separation abuse for judges and all professionals working on cases within the family court system, and;

**WHEREAS**, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value, and;

**WHEREAS**, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice), and;

**NOW, THEREFORE, BE IT PROCLAIMED**, by Colleton County Council, duly assembled, hereby declare the Month of November, to be **FAMILY COURT AWARENESS MONTH** and encourages all residents to support their local communities' efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

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

BY: \_\_\_\_\_  
Steve D. Murdaugh, Chairman



**Proclamation for Colleton County Council’s Recognition of  
Chris Bickley and his Service to Colleton County**

**Whereas,** Chris Bickley and his wife of forty-three years, Ann Bickley, are moving to Roanoke, VA after calling Walterboro, SC home for forty-two years; and

**Whereas,** Chris and Ann have two children, Alice and Buist, and two grandchildren, Ann Colston and Wells; and

**Whereas,** Mr. Bickley is a graduate of Davidson College and holds a Master of Public Administration degree from the University of South Carolina; and

**Whereas,** Mr. Bickley worked for Lexington County from 1974-1979, including the position of County Administrator, and he served as the Walterboro City Manager from 1980-1993; and

**Whereas,** Mr. Bickley served as the Executive Director of the Lowcountry Council of Governments from 1993 until his retirement in 2015; and

**Whereas,** Mr. Bickley has served as Secretary-Treasurer of the Walterboro-Colleton County Airport Commission since 1983; and

**Whereas,** Mr. Bickley represents Colleton County on the Lowcountry Regional Transportation Authority and the South Carolina Drought Response Committee; and

**Whereas,** Mr. Bickley served on several professional boards including the Municipal Association of South Carolina, the South Carolina City & County Managers Association, the SouthEast Regional Directors Institute, and the National Association of Development Organizations; and

**Whereas,** Mr. Bickley has provided great leadership and contributed countless hours to many local boards and organizations as Chair of the South Carolina Artisans Center, Past-President of the Walterboro Rotary Club, Chairman of the Colleton County Long-Term Recovery Group, a member of the Colleton Medical Center Board of Trustees, and as a member of the City of Walterboro Planning Commission.

**Now, Therefore, Be it Resolved,** in grateful recognition for a distinguished record of public service, Colleton County Council does hereby proclaim its appreciation and commendation to Chris Bickley for 42 years of distinguished public service and for his lasting contributions to Colleton County and the City of Walterboro.

Adopted on October 4, 2022.

ATTEST: \_\_\_\_\_  
Kaela Brinson, Council Clerk

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

Sponsor(s)	: County Council	
First Reading	: July 26, 2022	I, Kaela Brinson, Council Clerk,
Committee Referral	: N/A	certify that this Ordinance was
Committee Consideration Date	: N/A	advertised for Public Hearing
Committee Recommendation	: N/A	on September 15, 2022.
Second Reading	: September 6, 2022	
Public Hearing	: October 4, 2022	
Third Reading	: October 4, 2022	
Effective Date	: Immediately	

**ORDINANCE NO. 22-O-11**

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

**[An Ordinance to Establish Chapter 2.80 – Board of Assessment Appeals, of Title 2 – Administration and Personnel of the Colleton County Code of Ordinances, to Provide for the Establishment of the Colleton County Board of Assessment Appeals.]**

**WHEREAS:**

1. Act Number 126 of 1963 of the South Carolina General Assembly created the Colleton County Tax Board of Appeals; and
2. Act 283 of 1975, The Home Rule Act, vested Colleton County Council with the independent authority to control all acts and powers of local governmental authority that are not expressly prohibited by South Carolina law; and
3. Pursuant to S.C. Code 1976, § 4-9-170 and Section 3 of Act 283, Acts and Joint Resolutions of 1975 (the Home Rule Act), the Colleton County Council hereby assumes all appointive powers in regard to the Colleton County Board of Assessment Appeals; and
4. The South Carolina Revenue Procedures Act provides that the County Board of Assessment Appeals considers appeals of property tax assessments issued by the property tax assessor for the County and which also hears appeals of refund claims of property as determined by the majority of the county assessor, county auditor and county treasurer section 12-60-30(7) SC Code of Laws.

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

1. **Title 2 – Administration and Personnel, Chapter 2.80 – Board of Assessment Appeals**, of the Colleton County Code of Laws, and all subparagraphs thereof, is hereby established to read as follows:

**CHAPTER 2.80. – BOARD OF ASSESSMENT APPEALS**

**Sections:**

- 2.80.010. – Appointive powers of Council.**
- 2.80.020. – Establishment.**
- 2.80.030. – Membership and appointment.**
- 2.80.040. – Removal of a member.**
- 2.80.050. – Organization, meetings, rules and staff.**
- 2.80.060. – General powers and duties.**
- 2.80.070. – Minutes.**
- 2.80.080. – Taxpayer’s, property owner’s right to appeal decisions.**
- 2.80.090. – Availability of Auditor’s and Assessor’s Records; Attendance of Auditor and Assessor at meetings.**

**2.80.010. - Appointive Powers of Council.**

Pursuant to section 4-9-170, Code of Laws of South Carolina, 1976, and section 3 of Act 283, (the Home Rule Act), the Colleton County Council hereby assumes all appointive powers in regard to the Colleton County Board of Assessment Appeals.

**2.80.020. - Establishment.**

There is hereby created the Colleton County Board of Assessment Appeals.

**2.80.030. – Membership and Appointment.**

The Colleton County Board of Assessment Appeals shall be composed of five members to be appointed by the County Council for four-year terms. Members of the board shall be appointed and serve until their successors are appointed and qualified. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term. Council shall attempt, in appointing members of the board, to balance the geographical residency of the members of the board and the professions of the members as they relate to the functions of the board.

**2.80.040. – Removal of a member.**

Any member who shall be absent from 50 percent or more of the meetings of the board shall be deemed to have forfeited his/her membership on the board and shall be removed without further action of the board or the Colleton County Council. It shall be the responsibility of the board secretary to notify the board, the offending member, and the Colleton County Council of such absences, removal or vacancy, and the Colleton County Council shall fill the vacancy created thereby in the manner of the original appointment for the unexpired term of such board member.

**2.80.050. – Organization, meetings, rules, officers and staff.**

The board shall meet and elect a chairman and a secretary. The board shall meet whenever necessary to act on appeals from the assessments of the county auditor or tax

assessor. The board may change assessments of the county auditor or tax assessor for the current year. Each change shall be certified by the board to the auditor and shall be adopted by him for the purpose of taxation for the current year. The board of assessment appeals shall not make a final determination of any assessment until the tax assessor has been given an opportunity to present his justification for the assessment.

**2.80.060. – General powers and duties.**

The Board of Assessment Appeals shall meet whenever necessary to act on appeals from the assessments of the Auditor or County Assessor as may be provided by law. The Board may change assessments of the Auditor or County Assessor for only the current year appealed from unless otherwise authorized by law and agreed to by the Auditor or County Assessor. Each change shall be certified by the board to the Auditor or County Assessor and shall be adopted by him/her for the purpose of taxation for the year appealed from. The Board of Assessment Appeals shall not make a final determination of any assessment until the Auditor or County Assessor has been given an opportunity to present his/her justification for the assessment.

**2.80.070. – Minutes.**

Minutes shall be taken of all meetings of the Colleton County Board of Assessment Appeals. The minutes shall be a matter of public record with a copy of the minutes of the board of assessment appeals duly subscribed by the secretary to be sent to the tax assessor. A copy of the minutes of the board of assessment appeals, duly certified by the secretary will be sent to the county auditor.

**2.80.080. – Taxpayer's, property owner's right to appeal decisions.**

The right is reserved to any property owner, taxpayer, or his agent to appeal from the decision of the Colleton County Board of Assessment Appeals to the South Carolina Tax Commission for such relief as may be available to him under the general law.

**2.80.090. – Availability of Auditor's and Assessor's Records; Attendance of Auditor and Assessor at meetings.**

- A. The records of the Auditor's Office and the County Assessor's Office shall be available to the Board and the Board may request the presence of the Auditor or County Assessor at any of their meetings.
- B. The Colleton County Board of Assessment Appeals shall maintain records of all proceedings. The board shall fully comply with the "Freedom of Information Act" adopted by the State of South Carolina. The board shall adopt rules of procedure not inconsistent with the provisions of this division or the statutory law of this state.



**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 Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : September 6, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : October 4, 2022  
Public Hearing : November 1, 2022  
Third Reading : November 1, 2022  
Effective Date : Immediately

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

## ORDINANCE NO. 22-O-12

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

#### [An Ordinance to Adopt Title 5 – Business Licenses and Regulations, Chapter 5.02 – Countywide Business Registration, 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 5.02 – Countywide Business Registration 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 5.02 – Countywide Business Registration, of the Colleton County Code of Laws, is hereby adopted to read as follows:

#### **Chapter 5.02. – Countywide Business Registration**

#### **Sections**

- 5.02.010. - Purpose**
- 5.02.020. - Definitions**
- 5.02.020. - Classification of business**
- 5.02.040. - Business registration**
- 5.02.050. - Business in good standing**
- 5.02.060. - Change of ownership or address**
- 5.02.070. - Administration of article**
- 5.02.080. - Denial and revocation**
- 5.02.090. - Notice, appeals and re-applications**
- 5.02.100. - Confidentiality of information**
- 5.02.110. - Penalties**

#### **5.02.010. - Purpose**

No person shall conduct business, in whole or in part, by maintaining an office in the unincorporated part of the County of Colleton, or by soliciting orders through such office, or in any other manner whatsoever, without having first registered such business as provided in this article.

**5.02.020. – Definitions**

*Business.* Any person, who, within the unincorporated areas of the County of Colleton, engages in, any occupation or activity with the object of gain, benefit, or advantage, either directly or indirectly. This shall include any person advertising by any means, including, but not limited to signs, cards, circulars, newspapers, etc., that he/she is engaged in a business of any kind.

*Engaged in Business or Carrying on Business.* The doing or performing of any act of selling any goods or services, or soliciting business, or offering any goods or services for sale primarily in an attempt to make a profit, including selling or performing services of the character of a wholesaler or retailer, or being involved in any of the functions performed as a manufacturer, all of the foregoing performed either as an owner, operator, or agent of any business, trade, profession, or occupation within the County of Colleton.

*Person.* Any individual, firm, partnership, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural.

**5.02.020. - Classification of business**

For the purpose of this article, businesses are classified as any business located within the unincorporated area of the County of Colleton that has a Licenses, Permits, and/or Registrations (LPRs) from any State of South Carolina department or agency in order to do business in South Carolina (i.e., S.C. Department of Labor, Licensing, and Registration, S.C. Department of Revenue, S.C. Department of Health and Environmental Control, etc.).

**5.02.040. - Business registration**

Any person doing business in the unincorporated area of the County of Colleton must register annually with the County. No person shall be engaged in or carry on any business as described in Section 5.01.030 unless the business is properly registered with the County. If business is conducted at more than one location or place, each such location or place shall be considered a separate business upon which a separate business registration will be required. One registration is required for each separate business location. Persons working for a registered business are not required to maintain a separate registration with the County. The Business Registration form shall contain the federal employer’s identification number and/or social security number, the South Carolina SID or retail license number if applicable, and the business name and address as reported on the South Carolina income tax return.

Every business or person who registers with the County must sign an affidavit, on a form designated by the County or prescribed by the South Carolina Illegal

Immigration Reform Act, being S.C. Code, Title 41, Ch. 8, attesting under penalty of perjury that the business and/or person is in compliance with the S.C. Illegal Immigration Reform Act and does not knowingly or intentionally employ any person who is an unauthorized alien.

Upon the receipt of credible, specific information concerning a potential violation of the South Carolina Illegal Immigration Reform Act, Colleton County shall forward such information to the South Carolina Department of Labor, Licensing and Regulation for further investigation pursuant to state law.

**5.02.050. - Business in good standing**

All applicants applying for or renewing a business registration must be current with all Colleton County taxes/fees and in compliance with all County ordinances.

**5.02.060. - Change of ownership or address**

- A. Business registrations are not transferable under any conditions. Businesses that change ownership during the year will be allowed 45 days to register with the County.
- B. A person must notify the County in writing within 45 days of any change of address for their business.

**5.02.070. - Administration of article**

Colleton County shall administer the provisions of this article through the registration, initiation of denial and revocation procedures, reporting of violations to the Sheriffs or Codes Enforcement Offices and assistance in prosecution of violators.

**5.02.080. - Denial and revocation**

- A. Colleton County shall have authority to deny or revoke any business registration under the provisions set forth in this section.
- B. A registration application may be denied, or an issued registration may be suspended or revoked, upon any of the following grounds:
  - 1. The registrant's operation of the business constitutes a public nuisance, provided the determination of the public nuisance arises from 1 or more of the following activities on the premises or in the immediate vicinity thereof and the registrant has actual or constructive knowledge of the activities:
    - a) Frequent arrests of persons for crimes of violence, possession or sale or controlled substances, possession or sale of deadly weapons, the discharge of firearms, excessive noise, disorderly conduct, prostitution, disturbance of the peace, and the illegal acts correspond with or relate to the hours of operation of the business operations of this registrant;

- b) Law enforcement agencies make an unusually high number of response calls, regardless of arrests, to the business premises, or to the immediate vicinity, and the high number of response calls corresponds with or relates to the hours of business operations of the registrant;
  - c) There are ongoing and significant deposits of litter and debris in the immediate vicinity, whether the persons making the deposits can be identified or not, when the litter and debris relate to the business operations of the registrant; and
  - d) Material violations of property maintenance codes, environmental codes, fire code, and/or building codes where violations are applicable to the business premises.
1. Failure to provide sufficient security measures to protect people and property located on the premises, and to protect people and property located in the immediate vicinity when the immediate vicinity is affected by the business operations of the registrant;
  2. The provision of materially false and inaccurate statements in the business registration application or to a County official at the time of application;
  3. Failure to pay taxes or fees applicable to the premises or business operations when due, including but not limited to personal and real property taxes, hospitality taxes, accommodation fees and accommodation taxes, and property assessments;
  4. Failure of an applicant or registrant to show current compliance with applicable state laws related to the operation of business activities;
  5. Failure to provide full payment to the County within 10 days of notice of a check returned to the County for insufficient funds. 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;
  6. Failure to provide substantiation, when asked by the County, that the actual business use of the location for which a business registration has been applied for or granted, complies with what is allowed at the location under the County's zoning ordinance. Nothing in this provision shall be interpreted to abrogate or limit any variances, special exceptions, or lawful nonconforming uses, previously established under the County's zoning ordinance. In the case of amortization of signs, structures, and uses, the business owner must demonstrate that the amortization period has not expired. In instances requiring an interpretation of the zoning administrator, such interpretations may be rendered in accordance with the duties assigned to the zoning administrator under the zoning ordinance;
  7. An applicant or registrant whose employer's license is suspended or revoked for violating the South Carolina Illegal Immigration Reform Act

shall have his business registration suspended or revoked by the County. Such suspension or revocation by the County shall run concurrently with the penalty imposed by the South Carolina Department of Labor, Licensing and Registration.

**5.02.090. - Notice, appeals and re-applications**

- A. Where grounds exist to deny or revoke a registration under the provisions of this article, Colleton County shall provide written notice to the applicant or registrant setting forth the grounds revoking the license effective 10 days from the date of the notice, and advising of the appeals process.
- B. Any person aggrieved by a denial or revocation of a business registration may appeal the decision to the County Administrator (or his designee) within 10 days after notice of the denial or revocation. A written notice of appeal must be accompanied with a \$25 fee that will be used to partially defray the costs incurred in connection with the administration of appeals. The fee will be refunded in the event of final resolution of the appeal in favor of the appellant. An appeal shall stay the revocation until the administrator or his designee renders a final decision.
- C. The administrator or his designee shall hold a hearing within 15 days of the request and render a written decision based upon the findings of fact and the application of standards herein. The decision of the administrator or his designee shall be final unless appealed to a court of competent jurisdiction within 10 days after notice of the decision. An appeal from the final decision shall not stay revocation of the registration.
- D. For a period of 1 year after the revocation or denial of a business registration, no new registration shall be granted to the same registrant or to the registrant's agent or any person who can be shown to acting on the registrant's behalf in attempting to register the business with the County.

**5.02.100. - Confidentiality of information**

All information furnished or secured under the authority of this article by Colleton County shall be used for public safety purposes. Social security and/or federal employer identification numbers shall not be released to the general public; however, address and contact information supplied by a business is subject to the Freedom of Information Act, being S.C. Code, Title 30, Ch. 4, and may be open to public inspection.

**5.02.110. - Penalties**

Any person, firm, corporation or agent who shall violate the provisions of this article shall be guilty of a misdemeanor punishable by a fine not to exceed \$200 for a first offense violation. Any person, firm, corporation or agent committing a second or subsequent violation shall be guilty of a misdemeanor punishable within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each and

every day or portion thereof during which any violation of any of the provisions of this article is committed or continued. In addition, the County may take action as allowed by law to prevent the business from operating until such time that the business registers with the County.

**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: September 6, 2022  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: October 4, 2022  
Public Hearing: November 1, 2022  
Third Reading: November 1, 2022  
Effective Date: Immediately

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

## **ORDINANCE 22-O-13**

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

#### **[An Ordinance to Amend Chapter 2.48 – Edisto River Canoe and Kayak Trail Commission to Update Commission Bylaws.]**

#### **WHEREAS:**

1. The Edisto River Canoe and Kayak Trail Commission was established by County Council through Ordinance 89-O-85; and
2. The Edisto River Canoe and Kayak Trail Commission recommends that County Council reviews the by-laws in order to fill vacancies.

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

1. **Title 2 – Administration and Personnel, Chapter 2.48 – Edisto River Canoe and Kayak Trail Commission**, of the Colleton County Code of Laws, and all subparagraphs thereof, is hereby established to read as follows:

#### **CHAPTER 2.48. – EDISTO RIVER CANOE AND KAYAK TRAIL COMMISSION**

##### **Sections:**

- 2.48.010. – Appointive powers of Council.**
- 2.48.020. – Establishment.**
- 2.48.030. – Purpose and Objectives.**
- 2.48.040. – Membership and appointment.**
- 2.48.050. – Removal of a member.**
- 2.48.060. – Organization, meetings, rules, and staff.**
- 2.48.070. – General powers and duties.**
- 2.48.080. – Officers.**
- 2.48.090. – Advisory Committee.**
- 2.48.100. – Standing and Special Committees.**
- 2.48.101. – Rules of Order.**
- 2.48.102. – Amendments.**



**2.48.010. – Appointive Powers of Council.**

Pursuant to section 4-9-170, Code of Laws of South Carolina, 1976, and section 3 of Act 283, (the Home Rule Act), the Colleton County Council hereby assumes all appointive powers in regard to the Edisto River Canoe and Kayak Commission.

**2.48.020. – Establishment.**

There is hereby created the Colleton County Edisto River Canoe and Kayak Trail Commission.

**2.48.030. – Purpose and Objectives.**

The purpose of the Commission shall be to develop, preserve, and protect the Edisto River and the major rivers and waterways in or bordering Colleton County.

- A. Increase the usage of the Edisto River by canoeist, kayakers, campers, and other recreational users.
- B. Increase the usage of Colleton State Park and Givhans Ferry State Park.
- C. Develop other area rivers as canoe trails.
- D. Protect the Edisto and other local rivers from misuse.
- E. Acquire easements and rental property from willing property owners along the rivers to allow picnicking and camping along the rivers.
- F. Develop a canoe program that will enable the commission and committee to provide canoe and kayak trips, and educational programs throughout the year.
- G. Develop a promotional brochure that accurately portrays the canoe and kayak trail and promote the website.
- H. Maintain the momentum of the programs and expand them to appeal to tourists in order to increase economic impact.
- I. Promote and develop safety and safe usage of the waterways.

**2.48.040. – Membership and Appointment.**

The commission shall be composed of a board of seven members. This board shall have a representative from Colleton County Recreation Commission, and six others appointed at large by County Council and one ex-officio (non-voting) member from the Dorchester County Rivers and Waterways Commission. Each appointment shall be for four years except that for the initial appointment, four members shall be appointed for four years and three members shall be appointed for two years. If a vacancy occurs, the County Council shall fill the vacancy by appointment for the unexpired term. All voting members shall serve without compensation and shall be residents of Colleton County. They shall be selected by County Council to represent a cross-section of the community. Four of the members of the commission shall be present to constitute a quorum for the transaction of business. Voting proxies can be given to the other members from commissioners that cannot attend to vote only on specific items on the agenda.

**2.48.050. – Removal of a Member.**

Any member may be removed for cause by vote of a majority of the County Council after hearing upon proper notice to the interested party.

**2.48.060. – Organization, meetings, rules, and staff.**

Quarterly meetings of the commission shall be held during the year. The time and place shall be determined by the commission. Emergency meetings can be called by the chairman or any commissioner with twenty-four hours' notice to all commissioners. Commissioners may attend the meeting of the advisory committee.

**2.48.070. – General Powers and Duties.**

The Edisto River Canoe and Kayak Trail Committee shall be authorized:

- A. To Establish an Advisory Committee to help run the day to day activities and programs of the Commission.
- B. To set an annual budget and send an approved copy to County Council each June.
- C. To hire, set salary, and have total supervisory responsibilities over the Executive Director and all other personnel.
- D. To receive and expend gifts, bequests, devises, contributions, contracts and leases: to seek financial support from private and corporate sources, foundations, and State and Federal programs to carry out its programs.
- E. To develop tourism program for the river and waterways in Colleton County which will not only help the economy but will protect and preserve our natural resources.
- F. Provide County Council an annual report each year on commission activities and programs.
- G. To cooperate with all other agencies with program directed toward these goals.

**2.48.080. Officers.**

The officers of the Commission shall be: Chairman, Vice-Chairman, Secretary, and Treasurer. All officers shall be elected by the commission for a (2) two-year term. Officers may serve (2) two consecutive terms and must step down for (2) years before serving again. A vacancy among the offices shall be filled by the Commission for the unexpired portion of the term.

Duties: The duties of the officers shall be as follows:

- A. Chairman: The Chairman shall be the chief Commission officer and shall preside at all meetings of the Commission and Advisory Committee. Subject to the control of the Board of Commissioners, The Chairman, shall, in general, supervise and control all business and affairs of the commission. The Chairman shall also appoint the membership and chairman of all committees, with the exception of the finance committee.

- B. Vice-Chairman: The Vice-Chairman shall assist the Chairman and in the absence of the Chairman perform the duties of the office. He/She shall perform, other such duties as delegated by the Commission.
- C. Secretary: The Secretary shall keep minutes of all meetings, maintain a minute's file, and be responsible for all correspondences of the Commission. The Secretary shall perform other such related duties delegated by the Commission. The Secretary does not have to be a commissioner but can be a member of the Advisory Committee.
- D. Treasurer: The Treasurer shall receive, keep in a bank, and disperse by check upon proper authority all money or assets of the commission, and keep at all times an itemized account of all receipts and disbursements: giving quarterly statements to the commission to be preserved by the Secretary. The books, records, and accounts may be audited when necessary. Members of the Advisory Committee shall be eligible shall to hold this office. The treasurer shall attend all meetings of the Commission.

#### **2.48.90. – Advisory Committee.**

The Advisory Committee shall be appointed by the Commission not to exceed twenty members.

There shall be representatives from SC PRT, SC DNR, property owners adjacent to the river, tourism, and the remainder shall be at large representatives.

Duties and Responsibilities:

- A. Advisory Committee members will assist and advise the Commission in carrying out the duties, running the business, and achieving the goals of the commission.
- B. Shall hold monthly meetings to do the work of the Commission and committees.
- C. Shall serve on committees as delegated by the Commission.
- D. Shall be eligible for the offices of Secretary and Treasurer.

#### **2.48.100. – Standing and Special Committees.**

- A. There shall be such standing and special committees of the commission as are required to carry out its work and business.
  - 1. The Commission Chairman shall appoint the chairman and membership of all committees, except the finance committee, which will include all Commissioners and the Treasurer.
  - 2. Non-Commission members may be deemed eligible to serve on any committee as delegated by the Commission.
- B. Finance Committee: This committee shall include the Treasurer an all members of the Commission. Financial matters will be discussed at regular board meetings. Guidelines for expenditures by the Advisory Committee shall be established with approval by the Board.

C. Special Committees: The Chairman shall appoint special committees as needed to carry out the work and objectives of the Commission. Some examples of special committees are: The Riverfest Committee, ACE Basin Events Day Committees, and others needed to carry out special events or tasks.

**2.48.101. – Rules of Order.**

Robert’s Rules of Order in its most recent form shall be used as the guide for parliamentary procedure at all meetings.

**2.48.102. – Amendments.**

These By-Laws may be amended by two thirds vote of those members of the Commission, provided a statement of the proposed amendments has been presented in writing at least 30 days prior to the vote.

**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 Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : September 6, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : October 4, 2022  
Public Hearing : November 1, 2022  
Third Reading : November 1, 2022  
Effective Date : Immediately

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

## ORDINANCE NO. 22-O-14

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

**[To Ratify FY22 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.]**

#### WHEREAS:

1. Colleton County Budget Ordinance requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and
2. The County regularly adopts a final budget amendment ordinance to account for budget resolutions and interfund transfers authorized by Council during the fiscal year, as well as grants and any other supplemental appropriation actions in accordance with the 1976 South Carolina Code of Laws, as amended, and the County's budget ordinance.

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

1. The Colleton County Council hereby:
  - a. Ratifies all previously approved FY22 Budget Resolutions and authorizes and directs the County Administrator to amend the FY22 budgetary appropriations as so resolved;
  - b. Ratifies all previously approved FY22 Resolutions related to amendments to the County Record of Roads (ROR), if any.
  - c. Ratifies all Resolutions, voice motions, and other actions approved by County Council for Fiscal Year ending 6/30/22 including those awarding contracts, directing specific fiscal actions such as authorizing, increasing or reducing fund transfers, operational transfers, reclassifications, fund balance designations, and fund balance appropriations.
  - d. Approves the budgeting of funds, if any, received by the CCRFC from Covenant Billing during the Fiscal year ending 6/30/22, within Fund 156 to meet the needs of the County.
  - e. Approves acceptance of FEMA and SC Emergency Management Division disaster assistance funds in the amount of \$131,774 and \$49,087 respectively to cover debris management costs associated with April 2020 Tornadoes.

- f. Approves acceptance of South Carolina Election Commission reimbursement funds of \$49,655 to cover costs incurred for the June 14<sup>th</sup> primary and June 28<sup>th</sup> runoff.
  - g. Approves acceptance of South Carolina Rural Stabilization funds in the amount of \$322,581 to cover revenues lost under the South Carolina Local Government fund.
  - h. Approves acceptance of South Carolina State Accommodations Tax funds in the amount of \$51,553 restricted to local tourism expenditures approved by local Accommodations Tax Committee.
  - i. Approves the write-off of all Colleton County Fire and Rescue Medical Services billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/22 audit as identified by CCRFC and approved by the Colleton County Administrator.
  - j. Approves the write-off of all Colleton County Solid Waste Billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/22 audit as identified and approved by the Colleton County Administrator.
  - k. Approves end-of-year adjustments as necessary to the Operational Transfers of various funds in order to decrease particular fund appropriation and correspondingly increase other fund appropriation in accordance with the operational needs and expenditures of the various Funds in FY22 and to balance the required revenue to expenditures in said Funds.
2. Conflict: All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.
  3. 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.
  4. This ordinance includes the ratification of all Resolutions, voice motions and other actions as previously approved by Colleton County Council for the fiscal year ending 06/30/2022.

ATTEST:

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

SIGNED:

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

COUNCIL VOTE:  
OPPOSED:

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

Sponsor(s) : County Council  
First Reading : October 4, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : November 1, 2022  
Public Hearing : December 6, 2022  
Third Reading : December 6, 2022  
Effective Date : Immediately

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

## ORDINANCE NO. 22-O-15

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

**[AN AMENDED AND RESTATED ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND AMONG COLLETON COUNTY AND GEHL FOODS SOUTHEAST, LLC AND NM GL, L.L.C., WHEREBY COLLETON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH GEHL FOODS SOUTHEAST, LLC AND NM GL, L.L.C.; PROVIDING FOR PAYMENT BY GEHL FOODS SOUTHEAST, LLC AND NM GL, L.L.C. OF CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; PROVIDING FOR ASSIGNMENT OF CERTAIN EXISTING ECONOMIC DEVELOPMENT INCENTIVES TO GEHL FOODS SOUTHEAST, LLC AND NM GL, L.L.C.; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY GEHL FOODS SOUTHEAST, LLC AND NM GL, L.L.C. UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AND ASSUMPTION OF INCENTIVE AGREEMENTS AND RELEASE FROM INCENTIVE AGREEMENTS AMONG COLLETON COUNTY, SOUTH CAROLINA, CRESCENT DAIRY & BEVERAGES, LLC, AND GEHL FOODS SOUTHEAST, LLC AND A PARTIAL ASSIGNMENT AND ASSUMPTION OF FEE IN LIEU OF TAX AGREEMENT BY AND AMONG GEHL FOODS SOUTHEAST, LLC, NM GL, L.L.C., AND COLLETON COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO.]**

Sponsor(s) : County Council  
Adopted : October 4, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

## **RESOLUTION NO. 22-R-49**

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

**[A Resolution to Authorize Acceptance and Budgeting of Various Grants for FY 2022-2023.]**

#### **WHEREAS:**

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Fourteenth Judicial Circuit Solicitor's Office is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY23 received from the South Carolina Office of the Attorney General Crime Victims Services Division for a Violence Against Women Act Grant #1K22004 and a Victims of Crime Act Grant #1V19121; and
3. The Colleton County Economic Development Department, is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY23 received from the South Carolina Department of Commerce Rural Infrastructure Fund Assistance Grant #C-21-3494 for Project Waterfall in the amount of \$200,000; and
4. The Colleton County Economic Development Department, is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY22 received from the South Carolina Department of Commerce Rural Infrastructure Fund Assistance Grant #C-21-3582 for Project Ruby in the amount of \$450,000.

#### **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 FY23 as listed:
  - a. Fund 120 – Special Revenue Fund; South Carolina Office of the Attorney General; \$279,934; Violence Against Women Act Program Grant #1K22004; Violence Against Women Prosecution Team; match is included in Fund 125 – Solicitor's Office Fund;
  - b. Fund 120 – Special Revenue Fund; Fund 120 – Special Revenue Fund; South Carolina Office of the Attorney General; \$92,578; Victims of Crime Act Program Grant #1V19121; Sexual Assault Forensic Exam (SAFE) Program; match is included in Fund 125 – Solicitor's Office Fund.
  - c. Fund 120 – Special Revenue Fund; South Carolina Department of Commerce Rural Infrastructure Fund Assistance Grant; #C-21-3494; for Project Waterfall; \$200,000;



d. Fund 120 – Special Revenue Fund; South Carolina Department of Commerce Rural Infrastructure Fund Assistance Grant; #C-21-3582; for Project Ruby; \$450,000.

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 FY22 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

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Kaela Brinson, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 22-R-50**

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

**[A Resolution to Award the Contract for Design Build Services for the Colleton County SC303 Sidewalk Engineering Services.]**

**WHEREAS:**

1. The County advertised a request for qualifications, CTC-26, for the design build of the Colleton County SC303 Sidewalk Engineering Services; and
2. Five proposals were received; and
3. Staff have ranked the proposals and found Stantec Consulting Services, Inc. to have the highest score; and
4. Staff requests authorization to negotiate the contract for services with Stantec Consulting Services, 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 CTC-26 with Stantec Consulting Services, Inc. for the design build of the Colleton County SC303 Sidewalk Engineering Services.
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 project shall come from the FY 2023 CTC Local Paving Fund.

ATTEST:

SIGNED:

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Kaela Brinson, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 22-R-51**

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

**[A Resolution to Award the Contract for Design Build Services for the Colleton County Transfer Station Improvement Project.]**

**WHEREAS:**

1. The County advertised a request for qualification, SW-31, for the design build of the Colleton County Transfer Station Improvement Project; and
2. Two proposals were received; and
3. Staff have ranked the proposals and found Leak and Associates, Inc. to have the highest score; and
4. Staff requests authorization to negotiate the contract for services with Leaks and Associates, 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 SW-31 with Leaks and Associates, Inc. for the design build of the Colleton County Transfer Station Improvement 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 project shall come from the Solid Waste Fund – Fund 211.

ATTEST:

SIGNED:

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Kaela Brinson, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : October 4, 2022  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 22-R-52**

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

**[To Appoint Members to Board Vacancies.]**

**WHEREAS:**

1. Colleton County Planning Commission has one vacancy; and  
Applicant(s): Steven Baker
2. The County Council is the appointing authority for Boards.

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

The Council Hereby appoints the following:

Colleton County Planning Commission: Steven Baker

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED: