

MINUTES
TUESDAY, DECEMBER 7, 2021
VIRTUAL 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, Art Williams, Gene Whetsell and Phillip Taylor in attendance.

Others Included: Kevin Griffin, Sean Thornton, Meagan Utsey, Jon Carpenter, Kaela Brinson, and Barry McRoy.

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

Approval of Minutes

- A. **Regular Meeting Minutes, November 2, 2021** — Dr. Joseph Flowers moved to approve the minutes of the Regular Meeting held on November 2, 2021. The motion was seconded by Councilman Art Williams and the motion carried unanimously.
- B. **Redistricting Meeting Minutes, November 17, 2021** — Councilman Phillip Taylor moved to approve the minutes of the Redistricting Meeting held on November 17, 2021. The motion was seconded by Dr. Joseph Flowers and the motion carried unanimously.

Appearances and Public Presentations

- A. Dr. Vallerie Cave, Colleton County School District Superintendent, presented the monthly Superintendent's Operational Update.

Administrator's Briefing

Mr. Griffin: Stated our County Christmas luncheon will be on December 14th, as take out again this year with COVID protocol. Also the county holidays will be as follows: Friday, December 24th, Monday, December 27th, Tuesday, December 28th, and the Holiday for New Year will be December 31st. The Land Fill and Convenience sites will be open Friday, December 24th until 1:00 p.m. and will close Saturday, December 25th and Sunday, December 26th. The sites will then open back up on that Monday, December 27th. Other items, we have been working diligently on getting the estimates together for the CPST projects, a lot of good work has been done there. We should be getting the information out to you all in one big packet next week for your review over the Christmas Holiday. Mr. Griffin stated that he spoke with the Chairman last week on setting a meeting to go through all of those formally with the Council and to rank them the second week of January in order to get them on the CPST commission, they are due January 26th. To my knowledge, the CPST Commission's meeting is scheduled for February.

We have continually had issues with the roofing at the DHEC building at the Bernard Warshaw Complex, with this last round of rain we apparently had some leaking. This last time when our employees went up to inspect it, one of the employees went right through it. The roof has been patched a number of times, but it needs to be repaired as fast as possible. We are asking council to approve Resolution 21-R-63 allowing us to Authorize Emergency Procurement Procedures to replace the roof to not Exceed \$126,000. We have had one quote at \$126,000, but we are going to try to get two or three more to get that price down. However, we do need to get this done as fast as possible with the Holidays coming up and with not having another meeting for 30 days they'd like to get this done as soon as possible.

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

Public Hearing

- a) **Ordinance 21-O-11, To Provide for the Issuance and Sale of Not Exceeding \$7,500,000 Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto**
- b) **Ordinance 21-O-13, To Provide for the Issuance and Sale of Not Exceeding \$2,500,000 General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto**
- c) **Ordinance 21-O-14, To Ratify FY21 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**

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

Old Business

- A. **3rd Reading Ordinance 21-O-11, To Provide for the Issuance and Sale of Not Exceeding \$7,500,000 Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto**

Councilman Taylor moved to approve the 3rd reading of Ordinance 21-O-11, To Provide for the Issuance and Sale of Not Exceeding \$7,500,000 Fire Protection Service General Obligation Bonds of Colleton County, South Carolina; To Prescribe the Purposes for

Which the Proceeds Shall Be Expended, Including the Refunding of Fire Protection Service General Obligation Bonds for Debt Service Savings and the Acquisition of Certain Property for Fire Protection Purposes; To Provide for the Payment Thereof; And Other Matters Relating Thereto. The motion was seconded by Councilman Whetsell. The motion was carried unanimously.

- B. 3rd Reading Ordinance 21-O-13, To Provide for the Issuance and Sale of Not Exceeding \$2,500,000 General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto**

Councilman Whetsell moved to approve the 3rd reading of Ordinance 21-O-13, To Provide for the Issuance and Sale of Not Exceeding \$2,500,000 General Obligation Refunding Bonds of Colleton County, South Carolina; To Prescribe the Purposes for which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto. The motion was seconded by Councilman Taylor. The motion was carried unanimously.

- C. 3rd Reading Ordinance 21-O-14, To Ratify FY21 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**

Councilman Williams moved to approve the 3rd Reading Ordinance 21-O-14, To Ratify FY21 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 was carried unanimously.

- D. 2nd Reading Ordinance 21-O-15, Granting an Easement to the City of Walterboro on a Portion of Property Owned by Colleton County Located along SC 63, Walterboro, County Colleton, SC, and Identified by TMS No. 178-00-00-183.000; Such Easement is to be Used for the Construction of U-turn Bump Out in Conjunction with the Loop Project within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto**

Councilman Taylor moved to table the 2nd Reading Ordinance 21-O-15, Granting an Easement to the City of Walterboro on a Portion of Property Owned by Colleton County Located along SC 63, Walterboro, County Colleton, SC, and Identified by TMS No. 178-00-00-183.000; Such Easement is to be Used for the Construction of U-turn Bump Out in Conjunction with the Loop Project within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion to table was seconded by Councilman Whetsell. The motion carried unanimously.

New Business

A. 1st Reading Ordinance 21-O-16, By Title Only, To Reapportion Colleton County Council East and West Districts to Meet Federal and State Requirements Based on United States Census 2020 Population Data

Dr. Flowers moved to approve 1st Reading Ordinance 21-O-16, By Title Only, To Reapportion Colleton County Council East and West Districts to Meet Federal and State Requirements Based on United States Census 2020 Population Data. The motion was seconded by Councilman Whetsell. The motion carried unanimously.

Chairman Murdaugh: Stated that we have discussed some public hearings, and I think it would be appropriate to have one in the East, one in the West, and one in town. Chairman Murdaugh asked Mr. Griffin what the deadline is.

Mr. Griffin: The deadline is in March.

Chairman Murdaugh: Stated we will not have time before the Holidays, so maybe in January or February. We need to coordinate with the school district and have a public hearing.

Councilman Williams: Stated I suggest we go with three hearings as Chairman Murdaugh suggested; one in the East, one in the West, and one in town.

Chairman Murdaugh: Asked if anyone has any suggestions on where we may have these.

Chairman and Council Members discussed various locations and options to hold the public hearings as followed: Town-Hampton Street Auditorium or the Farmer's Market, Eastern District-Neyles Community Center, Western-Islandton Fire Station or Bells.

Chairman Murdaugh: Mr Griffin, if you can, come up with some dates and how we need to notify everyone on this.

Mr. Griffin: Replied, he will handle doing that. Also, did I understand the earlier conversation that we would need to coordinate with the school district on these?

Chairman Murdaugh: Stated that is correct unless Council feels differently. There will likely be better participation if we do the public hearings at once and not ask residents to come out twice.

Mr. Griffin: Stated he will follow up on that.

No further discussion.

B. 1st Reading Ordinance 21-O-17, By Title Only, To Amend Animal Care and Control Regulations

Chairman Murdaugh moved to table the 1st Reading Ordinance 21-O-17, By Title Only, To Amend Animal Care and Control Regulations. This motion was seconded by Councilman Taylor. The motion carried unanimously.

C. **Resolution 21-R-61, To Declare Surplus Various Equipment and to Authorize its Sale in Accordance with County Policy**

Dr. Flowers moved to approve Resolution 21-R-61, To Declare Surplus Various Equipment and to Authorize its Sale in Accordance with County Policy. This motion was seconded by Councilman Whetsell. The motion carried unanimously.

Councilman Williams: Asked if we utilize Gov Deals or do we have a separate sale.

Mr. Griffin: Stated that we use a very similar service to Gov Deals, but not Gov Deals themselves.

No further discussion.

D. **Resolution 21-R-62, To Award the Contract for the Construction of the Benson Street and Klein Street Parking Lot**

Councilman Taylor moved to approve Resolution 21-R-62, To Award the Contract for the Construction of the Benson Street and Klein Street Parking Lot. This motion was seconded by Dr. Flowers. The motion carried unanimously.

E. **Resolution 21-R-63, To Authorize Emergency Procurement Procedures for Replacement of the Roof at the DSS Building in an Amount not to Exceed \$126,000**

Councilman Taylor moved to approve Resolution 21-R-63, To Authorize Emergency Procurement Procedures for Replacement of the Roof at the DSS Building in an Amount not to Exceed \$126,000. This motion was seconded by Councilman Whetsell. The motion carried unanimously.

F. **Resolution 21-R-64, To Appoint Members to Board Vacancies**

Councilman Taylor moved to approve Resolution 21-R-64, to Appoint Members to Board Vacancies. The motion was seconded by Councilman Williams. The motion carried unanimously.

The following appointments were made by acclamation: Billy Wayne Chambers, Rodney Colson, Sr., Mark Tomedolskey, and Josh Bell—Colleton County Recreation Commission, Kimber Santorella and Sallie Stephens—Colleton County Library Board of Trustees, Zetoya Pinckney—Colleton County Accommodation Tax Advisory Board.

All ballots were submitted to the Clerk to Council prior to the meeting.

Nominee: Henry Pinckney—Colleton County Board of Alcohol and Drug Abuse was nominated by unanimous vote.

Councilman Taylor: Stated as things are changing, what type of ethics does our board commissioners have to follow? I understand that we do background checks, but what policies do we have in place as we may need to be a more conscious as things are moving forward?

Chairman Murdaugh: Stated that he is not sure if he can answer the question fully, but he does not think there is anything that restricts them outside of the board or commission. I suppose if there was a grievance we could remove them from the board or commission. Mr. Griffin, do you know specifically if there is something in our Ordinance about that?

Mr. Griffin: Stated that there is not, unless the individual is an employee of the county. Our personnel policy does not cover any others but employees. Council could come up with a policy in that regard.

Chairman Murdaugh: Stated it might be a good idea to put a minimal policy in place. Maybe this is something we need to put on our planning work session.

No further discussion.

Public Comments

The following public comments were submitted prior to the meeting via www.colletoncounty.org/comment.

Chairman Murdaugh read the following aloud:

Mary Craven: The bar known as Sure Shots located on Sniders Hwy, is in my neighborhood. There was a shooting there recently and some of the bullets hit my neighbor's house. That could have happened here too. I have children living here, as do other neighbors. Their music is extremely noisy, sometimes until 3am. Some vehicles race when they leave there. I along with others would like to see it closed. Shots have also been fired a few times before over there. Thanks.

Lora Nettles: Hello Council Members, I came to y'all for help months back with sure shots bar. Due to recent serious events my family needs help. As I discussed last time about the loud music, cars parking in my driveway, throwing beer cans/cups along the road, and on my property, and parking in my driveway. Things have gotten worse, cars are racing from the bar, and on 11/7/21 there were several shots fired 3 bullets hit my home and 2 hit an outer building/dog house. One of the bullets that hit my home came within inches of hitting me in the head, plus someone was shot at the bar that night. I met with the Sheriff about this as well. Something has to be done before someone is killed. The bar is entirely too close to my home and other homes in the area. It's hard to get sleep at night from the music, racing and fights/ people yelling sometimes until 4 am. I don't understand how this place is open as a bar being so close homes. Also I believe a 2AM closure needs to be enforced. Thanks

Lora Nettles: Council members, my apologies for leaving information out on my first comment. I think everyone needs to know I suffer from PTSD from GSW 30 years ago (11/21/91). I've had to make an appointment for counseling because of the shots fired at sure shots bar on 11/7/21. This

has been a nightmare for me as well as my family. The bar really needs to be closed and I'm sure there's other places that's not as close to home for it to open. Thanks for your time.

Council Time

No motion was made to move into council time as public comment ran into council time.

Councilman Taylor: Stated that he followed up with the Sheriff on Ms. Nettles' above public comment. The Sheriff stated that he did speak with her but he felt like with this advisement we received with general police powers maybe a solution, and that maybe we could talk with our attorney and see what type solutions we can come up with as they are seeing more and more issues with different clubs in the county. Councilman Taylor stated that he does not think this is a problem with the club owners but surely there is something we can do to help these families, if it is possible.

Chairman Murdaugh: Agrees with Councilman Taylor, and stated that we need to come up with some sort of way to regulate what is going on. Let's put this as an agenda item and discuss this with the County Attorney to see what we can come up with.

Councilman Williams: Stated, doesn't the county have a noise ordinance or even a nuisance law that would find the bar in violation to warrant law enforcement shutting it down?

Chairman Murdaugh: Stated that he does think there are some things in place that law enforcement can charge them on. The problem is the bar and owner has to be assessed and it is hard to prove who and when these things occurred. So when it gets to the court there really is no enforcement. There is also the risk of the person filing the complaint, who has to be the witness, is retaliated against. Chairman Murdaugh agrees that law enforcement needs to be working on the issues but that council does need to get involved. He goes on to mention a county wide business license is one way that would give us some enforcement and some control over some of these businesses. This is not being mentioned to generate revenue, but to allow the county to ensure businesses are doing the proper thing. This is just one way out of several that could help.

Councilman Williams: Stated he does not want to punish the rural business owners as they are there as a convenience to the community that lives out of town limits. The problem seems to be with the clubs. The State provides them the license to serve alcoholic beverages and maybe they have some laws in place that we can also benefit from. Again, punishing all rural business owners is not ideal as they are providing a convenience to the rural community.

Dr. Flowers: Stated that he is familiar with the area and we need to look into what can be done to help the residents in that area. Also, we need to look at our zoning ordinance and see if the business meets the standards of our Ordinance. Maybe the county attorney can research that ordinance and give council a report back as soon as possible. This is a real serious issue with shootings occurring and hitting residents' homes.

Councilman Taylor: Would like to wish all a happy and safe joyous season with family and friends. He would also like to thank everyone for their input and support throughout this year.

Dr. Flowers: Stated he would like to remind everyone that today is Pearl Harbor Day.

Councilman Whetsell: Stated he hopes everyone has a good Christmas and a Happy New Year.

Councilman Williams: Stated Happy Holidays to my fellow Green Pond Residents.

Executive Session

Dr. Flowers moved to go into executive session to discuss the following: Legal- Animal Control and an Easement- City of Walterboro. Councilman Taylor seconded the motion. The motion carried unanimously.

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

Chairman Murdaugh stated that we were back in open session, during Executive Session we discussed an easement involving the City of Walterboro and an Animal Control and Care Ordinance.

Councilman Taylor moved to bring the 1st Reading Ordinance 21-O-17, By Title Only, To Amend Animal Care and Control Regulations back to the table. This motion was seconded by Councilman Whetsell. The motion carried unanimously.

Councilman Taylor moved to approve 1st Reading Ordinance 21-O-17, By Title Only, To Amend Animal Care and Control Regulations. The motion was seconded by Dr. Flowers. The motion carried unanimously.

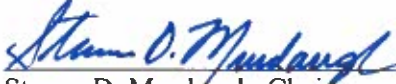
Adjournment

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

Chairman and Members of Council wished everyone a Merry Christmas and Happy Holidays.

The public/media was informed of the location, date, and time of the meeting on Friday, December 3, 2021 in accordance with the provisions of the Freedom of Information Act.

This 6 day of January, 2022.


Steven D. Murdaugh, Chairman

ATTEST:


Kacla Brinson, Clerk to Council

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