

**MINUTES  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 3, 2015  
6:00 P.M.  
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

Colleton County Council met in Regular Session on Tuesday, February 3, 2015 at 6:00 PM, at the County Council Chambers, Old Jail Building. Steven Murdaugh called the meeting to order with Council Members, Gene Whetsell, Dr. Flowers, Evon Robinson, in attendance. Phillip Taylor, Absent

Others present included: Kevin Griffin, Ruth Mayer, Sean Thornton, Dale Mann, Tommy Mann, Clarence Albright, Jane Darby, Iris Hill, Pete Anderson, Amye Stivender, Donna Lamb, Andy Strickland, Don Mace, Philip McNeal, Lesley Jamison, Louise Staler, Michelle Knight, Kimberly Mullinax, Roy Ziller, Art Williams

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

**Appearances & Public Presentations**

Carolina Teen Center- Lisa Hart

Ms. Hart, Director and founder of the Carolina Teen Center gave an overview of their services. She asked for a space here so that they could come into Colleton County and provide these services to the kids in Colleton. She also introduced several of the teens that participate in their services to speak. They gave their reasons for going to the center and how the center had helped them.

Mr. Murdaugh said they had her information and he would get with the Administrator and research the availability of office space and either he or I will contact you.

Keep Colleton Beautiful- Heyward Horton, Colleton County Economic Development Director.

Mr. Horton explained from an Economic Development standpoint all of the attributes Colleton County had; however one of our attributes that needs attention has to do with roadside trash. This is a problem that is not only Colleton's, but throughout our state and throughout the southeast. Our cleanliness is a tool that we can use to distinguish ourselves from the Economic competition out there. He explained how he has picked up bags of trash when he had lead time before a prospect visit and leaned on Chet Varnadoe and the Assign a Highway Program to get out there when we have enough lead time when a prospect in coming in to take a look. Last week when I didn't have any lead time I called on the Sheriff, Andy Strickland. He made sure the area that I needed cleaned up got cleaned up. I road through my route ahead of my prospect visit

and it was spotless. It looked wonderful and it made a wonderful impression on our prospects we had in. That is something that really works. However if you go beyond Venture Park or US Hwy. 15 and this was when I road it last week, it was a mess. It looked like it was on the way to the local dump and stuff had blown out of somebody's truck. I did ride through there today and I saw where it too had been picked up and there were the orange bags on the side of the road. Keeping Colleton Beautiful is really everyone's responsibility. I would like to call on the community to volunteer for Keep Colleton Beautiful and let's re-invigorate that organization to coordinate clean-up days and get highways adopted and develop other programs that we can do to keep our community clean. It really has an impact on our prospects.

Mr. Murdaugh said before we move on there were a couple of housekeeping items I failed to take care of before we started We have a resolution we need to walk on to the agenda so I will ask if someone would make a motion to amend the agenda to add a resolution. This is resolution 15-R-19, the Submittal of a Grant Application for the South Carolina Department of Public Safety 2016 Highway Safety Grant in the Amount of \$495,160 and the Approval of 20% Matching Funds in the Amount of \$99,035 to be Budgeted in the FY 2016 Budget Process.

Dr. Flowers made a motion to amend the agenda and was seconded by Mr. Robinson

The clerk pointed out typographical error on page 2, it has resolution 13-R-14, 13-R-15, 13-R-17, 13-R-18 and they actually should be 15 instead of 13.

Mr. Murdaugh said okay then we will add this to the amendment to correct the resolution numbers on those items.

The motion carried unanimously.

Mr. Murdaugh said also go back before we had the invocation & pledge of allegiance. Ladies and gentlemen this past week we lost a real true patriot to Colleton County and more so to Edisto Beach. Mayor Burley Lyons passed away and was buried last weekend and my intent was to have a moment of silence on behalf of Mayor Lyons, but I'll ask at this point if you would all keep his family in your prayers as they go through this tough time. Mayor Lyons has been on council and maybe even mayor since I've been on council and nobody has done more for this county than Burley Lyons and so I would ask that you remember him in your prayers. We have folks from Edisto Beach here tonight and we thank ya'll for coming.

### **Approval of Minutes**

Regular Meeting January 13, 2015

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

The motion carried unanimously.

### **Administrator's Briefing**

Mr. Griffin said we had a Mr. Nyah-el:dey come speak to us in Public Comments last regular meeting in January. He was speaking to us in regards to Chestnut Road some drainage and ditching issues. We went back and researched it and that is actually a SCDOT road. This runs roughly from Sydneys Road over to Coolers Dairy. I know we got a follow-up letter this week from him, but we have passed that information on to SCDOT and they are taking a look at it.

Mr. Griffin said on tonight's agenda we have two new 1<sup>st</sup> reading items. The first is 1<sup>st</sup> reading by title only the Capital Project Sales Tax Bonds. You will see a lot more information before 2<sup>nd</sup> reading. We also have a 1<sup>st</sup> reading in regards to our Lease Purchase Equipment refresh that we do every three years and you will actually get a list of that equipment at 2<sup>nd</sup> reading.

Mr. Griffin said he would like to point out February 18<sup>th</sup> is the SCAC Mid-Year Conference. This one seems to be a little more important than most this year in regards to both Local Government Fund, Bills & Resolutions that are out there in regards to the State House as well as some road initiatives and some legislation that is floating around out there. We need to pay special attention to that. There is some things especially with the roads which can put a much greater burden on the counties and obviously the SCAC and the counties as well are not for. I would like to point out Dorchester, Berkley, & Charleston issued a joint resolution back to the State House in regards to both items and I saw Ms. Maxwell here tonight and would like to speak with her afterwards to see if maybe we could get all the counties in the Southern Alliance to do a similar resolution that we could all pass and send on to the State House as well.

Mr. Griffin said he had also spoken with Mr. Molinari at the City of Walterboro and we are looking at restarting our quarterly meetings with City Council. I have a tentative date I would like for all of you to check your calendars for Wednesday, February 25<sup>th</sup> at lunchtime. The county would host this round over at the museum. I would like to know if everyone would be able to make that and let Ms. Ruth know after the meeting.

Dr. Flowers said I will ask this of council that we pass a resolution relative to this Roads & Bridges and our Local Government Fund. I think as a council we should certainly do that as well as with the Alliance. I would certainly recommend that the council do this. ...inaudible... resolution in opposition to the Roads & Bridges that they have in the State House and a resolution in support of the Local Government Funding and I will put that in the form of a motion.

Mr. Whetsell seconded the motion.

The motion carried unanimously.

Mr. Murdaugh asked Mr. Griffin to draft one for the next meeting. We will circulate it and have everyone sign it.

Mr. Murdaugh introduced Ms. Michelle Knight to speak regarding the public hearing.

Ms. Michelle Knight explained in detail how the program worked and approximately how much funding would be allocated in the program. The last time the county had a Needs Assessment Public Hearing, your priorities were: Facilities, Transportation Improvements (specifically noting drainage issues in rural areas), Water & Sewer Improvements, Recreation Facilities, Economic Development and Housing. I think at your next council meeting you would rank your priorities.

Mr. Griffin said on the business development program is there a minimum investment required or is it strictly jobs.

Ms. Knight said it is private investment and jobs.

Mr. Griffin said and the match is 20%

Ms. Knight said 10%.

Mr. Murdaugh said the only question I have is I want to make sure reading this hearing notice and it says it will provide the results of our needs assessment at the hearing

Ms. Knight said there wouldn't be any result. You have got to take comment 1<sup>st</sup>. You can rank tonight if want, but you might want to take the comments in and rank at your next meeting. You don't necessarily have to rank them at tonight's meeting. You have enough time you can do it at your next meeting.

Mr. Murdaugh said the other question I have the notice says discussion are subject to the provisions of the County's Citizen Participation Plan, tell what that is.

Ms. Knight said your Citizen Participation Plan basically outlines how and when you hold public hearings for example, you are not going to hold the public hearing before 6:00PM because it doesn't give the public a chance to actually get to a meeting to comment if they work and you are not going to do it before 2PM on Sunday afternoon. It also indicates where you are going to advertise your public hearing notice, that you are going to use your local news paper of general circulation. If you had a Hispanic population that is identified by census as being over 25% Hispanic that you are also going to publish your notices in Spanish as well as English and that plan is available for review for anyone. If the public calls Ruth or Kevin and says I would like to see the ...inaudible... plan it is available for them to review.

Mr. Robinson said so individual participation is limited to attendance.

Ms. Knight said no, it's not limited to attendance. Someone could email Kevin and say I saw an ad in the paper this week about you holding your Needs Assessment Public Hearing and while I did not get to attend the public hearing I think Senior Centers and having opportunities for the elderly to participate in programs is important to the county.

He can take note of that and provide that information to ya'll as a council before you conduct your ranking. The Public Hearing is the night that people who are in attendance can come in and make their concerns known as a matter of record.

Mr. Robinson said but not as a matter of a committee per say.

Ms. Knight said please say that again.

Mr. Robinson said but not as a matter of a specific committee that might be appointed or something from the council.

Ms. Knight said there are committees that could come in and make comments. Non-profits, if you are asking me if a committee of council recommend a ranking, if that is what you are asking, it can be done that way. It can be signed off for a committee to do that after you hold your Public Hearing and solicit public comments. Every community does it different. You have some that will laundry list it tonight during the hearing and they will rank it right at the end, but you have others that will come back and do it. You just have to establish your list and stick to it.

### **Public Hearing**

To Solicit Public Input on Community Needs & Priorities for Housing, Public Facilities and Economic Development in the County Under CDBG Program.

No Public Comments were made.

### **Old Business**

Post 2014 Election & Formative Actions

Chairman's Appointment of Standing Committees

Chairman's Appointment of Three Members of County to LCAA Board

Council Members to LCOG (3 members)

Council's appointment of council member to SCA Board of Directors

Mr. Murdaugh said I had the clerk go back and it looks like we have not updated the Standing Committees since 2011. We haven't really used the Standing Committees, but I think we should make appointments.

Mr. Murdaugh said we have five standing committees. The 1<sup>st</sup> one is Administrative Committee. I'm going to appoint Councilman Robinson-Chair, Councilman Whetsell, & Councilman Taylor. We have a Capital Projects Committee. I'm going to appoint Councilman Flowers-Chair, Councilman Robinson and myself. We have a Finance Committee. I'm going to chair this committee, along with Councilman Taylor & Councilman Flowers. We have Planning & Development Committee. I'm going to appoint Councilman Whetsell-chair, Councilman Robinsons and myself. We have Public Health & Safety Committee. I'm going to appoint Councilman Taylor-chair, Councilman Whetsell, & Councilman Flowers.

Mr. Murdaugh said we also need to appoint three members to the Lowcountry Community Action Agency Board and currently we have Councilman Robinson, Taylor, & Whetsell who either serve or have a designee serving in their behalf and unless one of them does not want to serve I will re-appoint those three members.

Mr. Murdaugh said the next item we have is the council members that are appointed to the LCOG. Based on the by-laws of the LCOG, it appears that when a council member is elected to serve on that board that their term essentially runs from the time they are appointed until they are no longer an elected official. That being said they can always resign. When have Councilman Flowers, Robinson, & Whetsell who serve on that board unless any of you gentlemen want to resign and I will appoint you three gentlemen to that board.

Mr. Murdaugh said next is the Southern Carolina Alliance Board of Directors and according to the by-laws the last time it was appointed it was Bill Workman, Joseph Flowers, & Evon Robinson. Coming on as chairman I would like to serve on that board and have discussed this with Councilman Robinson and he has agreed I am going to serve on that board along with Councilman Flowers and Mr. Workman unless anyone has an objection.

Mr. Murdaugh said finally the Airport Commission by the creating Legislation the chairman of council serves on the Airport Commission, which is myself and we have one other member, a minority of council to serve and I am going to appoint Councilman Robinson to serve in that position.

2<sup>nd</sup> Reading Ordinance 15-O-01, Granting Easement No. 892842 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located at 506 E. Washington Street in the City of Walterboro, County Colleton, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical Facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.

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

The motion carried unanimously.

2<sup>nd</sup> Reading Ordinance 15-O-02, To Amend Title 14-Land Management, Section 14.08-6.050(A)(3)(a) – Freestanding On-Premise Signs, of the Colleton County Code of Ordinances.

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

The motion carried unanimously.

**New Business**

1<sup>st</sup> Reading **by Title Only** Ordinance 15-O-03, To Provide For The Issuance And Sale Of Not Exceeding \$29,700,757 General Obligation Capital Project Sales Tax Bonds Of Colleton County, South Carolina; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto,

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

The motion carried unanimously.

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

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

The motion carried unanimously.

Resolution 15-R-14, To Amend the Colleton County Record of Roads to Include Watershed Court, Plateau Road, Piedmont Road, Summer Drive and Grass Court of the Summer Glen Subdivision.

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

The motion carried unanimously.

Resolution 15-R-15, To Accept the Grant for the Colleton County Summer Feeding Program for 2015.

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

The motion carried unanimously.

Resolution 15-R-17, To Appoint Members to Board Vacancies

A motion to approve Marc Warren & Janice Wright to the Colleton County Recreation Commission by Acclimation was made by Dr. Flowers and seconded by Mr. Whetsell.

The motion carried unanimously.

Resolution 15-R-18, To Advertise Board Vacancies.

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

The motion carried unanimously.

Resolution 15-R-19 To Authorize the Submittal of a Grant Application for the South Carolina Department of Public Safety 2016 Highway Safety Grant in the Amount of \$495,160 and the Approval of 20% Matching Funds in the Amount of \$99,035 to be Budgeted in the FY 2016 Budget Process.

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

The motion carried unanimously.

### **Items for Information and Public Record**

Mr. Robinson said he had something. At this time by way of Information & Public Record; two things really. I was given a certificate to present to you to be acknowledged from the Veterans Council at tonight's meeting for the participation from the council in the Veterans Parade.

Mr. Murdaugh asked Mr. Robinson if wanted him to publish that?

Mr. Robinson said yes.

Mr. Murdaugh said this is a Certificate of Appreciation presented to Colleton County Council and it reads: Thank you for participating in our 2014 Veterans Day Parade. Your efforts helped us to have the most successful parade in recent history. Colleton County Veterans Council and the Council Chair Mr. Johnny Holmes and the Parade Chairman Noel Ison signed it.

Mr. Robinson said the next item I have, this is in regards to the Sheriff's Office, I am going to read it. Sheriff, please know up front this is not personal. Mr. Chairman, I have some concerns from the African American Community that I was asked to mention tonight in regards to the Sheriff's Administration in Colleton County. These concerns have to do with employment of African Americans, disciplinary actions, termination of African Americans, toleration of distasteful stereotyped, public language, even the use of the "N" word, by white officials in the administration toward African American inmates and other incidents that have occurred involving blacks. I'm told that there have been several meetings with the sheriff in the past with some of the African American leadership of the community in an attempt to discuss and make the sheriff aware of these matters, however those meetings were to no avail and unacceptable to the Black Community. Because of the recent change within the local NAACP leadership in Colleton County where the interim president happens to be employed by the Sheriff's Office, the African American leaders perceive a conflict of interest in pursuit of these



matters from that perspective. It is my understanding that contact has been made to bring in the National Action Network President to help bring resolution to what the African American Community believes to be or could be racial discrimination and disparity of treatment within the Sheriff's Department.

Mr. Murdaugh said Sheriff since it was directed personally to you, I'll allow you to respond if you want or if you want to wait to respond at a later time I will allow you to do that.

Sheriff Strickland said he appreciated the opportunity, I didn't know this was coming. It is disappointing and I would like to maybe respond to it after having some time to get my thoughts together and I think that is fair thank you.

### **Public Comments**

Jane Darby & Pete Anderson- Town of Edisto Beach- As you are well aware this past week we lost our much loved and longtime Mayor, Burley L. Lyons. As much as we would have liked to crawl in a hole and cry, unfortunately you can't close down your essential services during your time of grief. We want to say a very public thank you to several agencies in Colleton County. The 1<sup>st</sup> goes to the Sheriff's Office, who allowed our emergency personnel and police to attend the funeral of their mayor. The 2<sup>nd</sup> one is Chief Barry McRoy, who staffed the fire department so that our firemen could also stand at attention at the funeral of Mayor Lyons. Then we come to the City of Walterboro. Mayor Bill Young assisted us with the logistics of coming from Edisto Beach to the cemetery here in Walterboro. For each and every one of these there's really not words to express our depth of gratitude and the most of them should go to this council who had the wisdom to have these departments and thank you for acknowledging our Mayor.

Mr. Elbert ?- I am here to address a road situation. In December we had a meeting and they said they were coming to do the road. Now it is January and I see on this 15-R-14, ...inaudible... when they go do the Jacksonboro Cemetery Road? Contractor already been out there and engineer has been out there because I was with him, so when are they going to start it?

Mr. Murdaugh said you maybe referring are you referring to paving the highway?

Mr. Elbert said yes.

Mr. Murdaugh said that is handled by a whole separate committee. These are actually coming into the County System. We are not into the paving business, but there is a committee that handles that. What was the name of your road?

Mr. Elbert said Jacksonboro Cemetery Road.

Mr. Murdaugh said Mr. Griffin you can find out where that is at. They maintain a list. If they had a contractor out there you must be somewhere near the top would be my

assumption, but that assumption has been wrong before, but we will check. If you will get with Mr. Griffin when we go into executive session and give him your contact number, he or I will call you back and tell you where based on what they tell us, where you are at on the list.

### **Council Time**

Dr. Flowers said he would just like to echo what the chairman said earlier regarding Burley Lyons. He was a friend of mine for years...inaudible...

### **Executive Session**

- a) Contractual
  - 1. Coroner's Office
  - 2. Law Enforcement Center
- b) Personnel- Roads & Bridges
- c) Economic Development
  - (1) Project Vittorio
  - (2) Project C
  - (3) Project Hero
  - (4) Project Corn
  - (5) Project Global

### **Regular Session**

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

Mr. Murdaugh said at this time I would like to propose Resolution 15-R-16, to Authorize the Purchase of a Vehicle by the Fleet Management Department,

Dr. Flowers made a motion to approve the resolution and was seconded by Evon Robinson.

The motion carried unanimously.

Mr. Murdaugh said he would also like to propose that we approve personnel changes as discussed in executive session re: Roads & Bridges Dept.

Dr. Flowers made a motion to approve the changes and was seconded by Mr. Robinson.

The meeting was adjourned.

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

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

ATTEST:

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

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