

**AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 5, 2013
6:00 P.M.
COLLETON MUSEUM, 506 E. WASHINGTON ST.**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Appearances & Public Presentations
 - a) Carl Coffin, Library Director & Shiela Keaise, Children's Librarian-Re: Illustrate-A-Book Program.
 - b) Sandra Ligon, Community Relations Senior Consultant- Re: SC Human Affairs Commission.
5. Approval of Minutes
 - a) Regular Meeting October 1, 2013
 - b) Special Meeting September 24, 2013
6. Awards & Recognitions
 - a) Proclamation- Pancreatic Cancer Awareness Month
7. Administrator's Briefing
8. Public Hearing
 - a) Ordinance 13-O-11, To Ratify FY13 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.
 - b) Ordinance 13-O-13, to Relinquish Any Right of First Refusal of Colleton County to the Property Located at 360 Anderson Road, TMS #132-00-00-247.
9. Old Business
 - a) 3rd Reading Ordinance 13-O-11, To Ratify FY13 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.
 - b) 3rd Reading Ordinance 13-O-13, to Relinquish Any Right of First Refusal of Colleton County to the Property Located at 360 Anderson Road, TMS #132-00-00-247.

10. New Business

- a) Resolution 13-R-90, To Authorize Various Budget Transfers and Appropriations for Projects at the Colleton County Commerce Center
- b) Resolution 13-R-91, To Award the Contract in Accordance with Bid CC-05 for the Demolition of the Old Colleton County Detention Center and the Breland Building.
- c) Resolution 13-R-92, To Award Bid CC-06 for Commercial Modular Quarters for the Colleton County Detention Center and to Appropriate Funding in Fund 120 for this Project.
- d) Resolution 13-R-93, To Award Bid FMD-06 for the Installation of Emergency Equipment.
- e) Resolution 13-R-94, To Award the Contract in Accordance with Bid FR-17 for Fire-Rescue Warehouse/Logistics Center.
- f) Resolution 13-R-95, in Opposition to House Bill 3290 and Senate Bill 203 Currently Pending Before the South Carolina General Assembly.
- g) Resolution 13-R-96, To Approve Amendment of the Agreement for Development of a Joint County Industrial Park, By And Between Charleston County, South Carolina and Colleton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Charleston County as Part of the Joint County Industrial Park, and to Remove Certain Property in Charleston County (Including the Redesignation of Certain Parcel Numbers) from the Joint County Industrial Park.
- h) Resolution 13-R-97, To Award the Engineering Contract for the Venture Park Road Extension.
- i) Resolution 13-R-98, To Award the Contract in Accordance with Bid CC-08 for the Construction of Speculative Building II, Roads A & B, Frontage Road and Building Site Pad III at the Colleton County Commerce Center.
- j) Resolution 13-R-99, To Appoint Members to Board Vacancies.
- k) Resolution 13-R-100, To Authorize the Council Clerk to Advertise for Board Vacancies.

11. Items for Information and Public Record

12. Public Comments (3 minutes per person/max time 20 minutes)

13. Council Time

14. Executive Session

- a. Contractual: Fire-Rescue
- b. Legal: Real Estate
- c. Economic Development
- d. Personnel

15. Adjournment

16. Informal Meeting of the Whole

Proclamation Pancreatic Cancer Awareness Month

WHEREAS in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease;

WHEREAS pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent;

WHEREAS when symptoms of pancreatic cancer present themselves, it is late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years;

WHEREAS approximately 600 deaths will occur in South Carolina in 2013;

WHEREAS the incidence and death rate for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020;

WHEREAS the U.S. Congress passed the Recalcitrant Cancer Research Act last year, which calls on the National Cancer Institute to develop a scientific frameworks, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Colleton County, SC and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS the Pancreatic Cancer Action Network and its affiliates in Colleton County support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;

WHEREAS the good health and well-being of the residents of Colleton County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; therefore be it

NOW, THEREFORE BE IT RESOLVED that Colleton County Council designates the month of November 2013 as "Pancreatic Cancer Awareness Month" in Colleton County.

Adopted this 5th day of November, 2013.

ATTEST:

Phillip M. Taylor, Sr., Council Chairman

Ruth Mayer, Clerk to Council

Sponsor(s) : County Council
First Reading : September 3, 2012
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 1, 2013
Public Hearing : November 5, 2013
Third Reading : November 5, 2013
Effective Date : Immediately

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

ORDINANCE NO. 13-O-11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Ratify FY13 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 FY13 Budget Resolutions and authorizes and directs the County Administrator to amend the FY13 budgetary appropriations as so resolved;
 - b. Ratifies all previously approved FY13 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 6/30/13 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 6/30/13, within Fund 156 to meet the needs of the County.
 - e. Approves the transfer of the amount of the FILOT for the SCE&G, Canadys Steam Plant, in excess of the annual debt service from the SSRB Canadys Debt Service Fund 133 to the SSRB Economic Development and Capital Improvement Fund 149 to comply with the Bond Indenture Agreement.

- f. Approves any increase in Budget Revenues related to Medical Services for FY13 based on actual collections and the appropriation of said funds within Fund 156 to meet the needs of the County.
- g. 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 6/30/13 audit as identified by CCRFC and approved by the Colleton County Administrator.
- h. 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 6/30/13 audit as identified and approved by the Colleton County Administrator.
- i. 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 FY13 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:

- 4. 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.

ATTEST:

Ruth Mayer, Clerk to Council

SIGNED:

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:

OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s): County Council
First Reading: September 16, 2013
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: October 1, 2013
Public Hearing: November 5, 2013
Third Reading: November 5, 2013
Effective Date: Immediately

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

ORDINANCE 13-O-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Relinquish Any Right of First Refusal of Colleton County to the Property Located at 360 Anderson Road, TMS #132-00-00-247.]

WHEREAS:

1. On February 23, 2009, by Indenture Deed recorded in Deed Book 1728 page 231, office of the Register of Deeds for Colleton County, SC, the Walterboro-Colleton Airport Commission, the City of Walterboro and Colleton County (Grantors) conveyed to Marketing Services International, LLC certain real property identified by TMS #132-00-00-247; and
2. The Indenture Deed for the real property located at 360 Anderson Rd., Walterboro, SC (Tax Map # 132-00-00-247) contains a deed restriction from the Grantors for a sixty (60) year period from February 23, 2009 that the Grantors have a first right of refusal; and
3. Marketing Services International, LLC desires to sell the business located at 360 Anderson Rd to Universal Distributors, LLC. Since 2009, Universal Products, Inc. has purchased all of the chemical products that Marketing Services International, LLC has made at 360 Anderson Road, and desires to continue to purchase all of the chemical products that its subsidiary Universal Distributors, LLC will produce after consummation of the sale of the real property; and
4. Marketing Services International, LLC and Universal Distributors, LLC desire that the Grantors approve the sale of the real property as provided for in the Indenture Deed dated February 23, 2009 on record in the office of the Register of Deeds for Colleton County in Deed Book 1728 at Page 231, by waiving the right of first refusal on the property.

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

1. Colleton County hereby waives the right to first refusal on the property identified by TMS #132-00-00-247 set forth in the indenture deed from the Walterboro-Colleton Airport Commission, City of Walterboro and Colleton County, SC to Marketing Services International, LLC recorded March 9, 2013 in Deed Book 1728 page 231 in the office of

the Register of Deeds for Colleton County, SC, and the right of first refusal shall apply to this transaction only.

2. The Chairman of County Council is hereby authorized to execute the Limited Waiver of Right of First Refusal (as to one transaction only) included herein and by reference for the property identified by TMS #132-00-00-247 and all other necessary documents upon approval by the county attorney.
3. All provisions of other County Ordinances in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

By: _____
Phillip M. Taylor, Sr., Chairman of County Council

ATTEST:

APPROVED AS TO FORM:

By: _____
Ruth Mayer, Clerk to County Council

By: _____
Sean Thornton, County Attorney

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-90

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Various Budget Transfers and Appropriations for Projects at the Colleton County Commerce Center.]

WHEREAS:

1. The following budget transfers and appropriations are necessary for construction and road improvement projects at the Colleton County Commerce Center:
 - a. An operating transfer of Coastal Electric RDA grant funds in the amount of \$304,035.01 from Fund 120-Special Revenue Fund to Fund 149-SSRB Economic Development Project Fund;
 - b. The acceptance of a \$1,000,000 grant from the South Carolina Department of Commerce into Fund 149-SSRB Economic Development Project Fund for the purpose of constructing Spec Building II and surrounding site and road improvements;
 - c. The acceptance of the final \$200,000 from Crescent Dairy to complete the closing agreement for the purchase of Spec Building I into Fund 149-SSRB Economic Development Project Fund;
 - d. The acceptance of a \$400,000 Rural Infrastructure Fund grant from the South Carolina Department of Commerce into Fund 149-SSRB Economic Development Project Fund; and
2. County Council deems it to be in the County's best interest to approve these budget transfers and appropriations at this time.

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

1. County Council hereby authorizes the following budget transfers and appropriations:
 - a. An operating transfer of Coastal Electric RDA grant funds in the amount of \$304,035.01 from Fund 120-Special Revenue Fund to Fund 149-SSRB Economic Development Project Fund;
 - b. The acceptance of \$1,000,000 from the South Carolina Department of Commerce into Fund 149-SSRB Economic Development Project Fund;
 - c. The acceptance of the final \$200,000 from Crescent Dairy for the purchase of Spec Building I into Fund 149-SSRB Economic Development Project Fund;
 - d. The acceptance of a \$400,000 Rural Infrastructure Fund grant from the South Carolina Department of Commerce into Fund 149-SSRB Economic Development Project Fund.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-91

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract in Accordance with Bid CC-05 for the Demolition of the Old Colleton County Detention Center and the Breland Building.]

WHEREAS:

1. The County advertised a Request for Bids, CC-05 for the Demolition of the Old Colleton County Detention Center and the Breland Building; and
2. Six bids were received;
3. IPW Construction Group, LLC meets all of the requirements of the bid and is the lowest bidder; and
4. Staff has reviewed the bids, and recommends the contract be awarded to IPW Construction Group, LLC; and
5. Funding for this project is provided through Community Development Block Grant funds located in Fund 120-Special Revenue Fund.

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

1. County Council hereby awards the contract in accordance with Bid CC-05 to IPW Construction, LLC in the amount of \$154,638.00 for the demolition of the Old Colleton County Detention Center and Breland Building funded by Community Development Block Grant funds located in Fund 120-Special Revenue Fund.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-92

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award Bid CC-06 for Commercial Modular Quarters for the Colleton County Detention Center and to Appropriate Funding in Fund 120 for this Project.]

WHEREAS:

1. The County advertised a Request for Bids, CC-06 for Commercial Modular Quarters for the Detention Center; and
2. Seven bids were received for this project, and Modular Technologies, Inc. was the lowest qualified bidder;
3. Funding for this project is contingent upon approval by Council of a fund balance appropriation in Fund 120-Special Revenue Fund from Fund 120 fund balance in the amount of \$62,639.70 for the commercial modular quarters (\$52,639.70), stairs and water and sewer lines for the building (\$10,000).

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

1. County Council hereby authorizes the appropriation in Fund 120-Special Revenue Fund from fund balance in the amount of \$62,639.70.
2. County Council hereby awards the contract for commercial modular quarters for the Detention in accordance with CC-06 to Modular Technologies, Inc.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-93

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award Bid FMD-06 for the Installation of Emergency Equipment.]

WHEREAS:

1. The County advertised a Request for Bids, FMD-06, for the installation of emergency equipment; and
2. Three bids were received; and
3. West Chatham Warning Devices is the low bidder on all three requested items and meets all qualifications of the bid.

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

1. County Council hereby awards the contract in accordance with Bid FMD-06 to West Chatham Warning Devices for the installation of emergency equipment in accordance with the per unit cost on the attached bid tabulation.
2. The County Administrator is hereby authorized to execute the contracts on behalf of the County pending approval of same by the County Attorney.
3. Funding for this expenditure is included in the FY 14 Capital budget.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-94

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract in Accordance with Bid FR-17 for Fire-Rescue Warehouse/Logistics Center.]

WHEREAS:

1. The County advertised a Request for Bids, FR-17, for Fire-Rescue Warehouse/Logistics Center; and
2. Seven bids were received;
3. Mitchell Construction Co., Inc. meets all of the requirements of the bid and is the lowest bidder; and
4. Staff has reviewed the bids, and recommends the contract be awarded to Mitchell Construction Co., Inc.

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

1. County Council hereby awards the contract in accordance with Bid FR-17 to Mitchell Construction Co., Inc. for Fire-Rescue Warehouse/Logistics Center at a cost of \$954,431.00.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction is included in the FY 14 budget in Fund 161-Fire-Rescue Bond.

ATTEST:

SIGNED:

Ruth Mayer
Clerk to Council

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : Rev. Evon Robinson, Councilman
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-95

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution in Opposition to House Bill 3290 and Senate Bill 203 Currently Pending Before the South Carolina General Assembly.]

WHEREAS:

1. Section 44-96-80, Code of Laws of South Carolina 1976, as amended, states that “The governing body of a county has the responsibility and authority to provide for the operation of solid waste management facilities to meet the needs of all incorporated or unincorporated areas of the county.”; and
2. Counties are responsible for any environmental or public health damages caused by solid waste under the Resource Conservation and Recovery Act, 42 U.S.C. Sections 6901, et seq., as amended, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Sections 9601, et seq., as amended; and
3. South Carolina Counties experience an annual net cost of over \$55 million in order to meet the aforementioned mandates along with the Counties’ responsibility for the State’s solid waste reduction and recycling goals; and
4. For several decades or more, all counties have undertaken to meet their responsibilities in particular ways best suited for their respective communities; and
5. These responsibilities have required significant financial obligations and contractual agreements, which are often adopted by public ordinances pursuant to state law; and
6. Counties have by public ordinance either directed or caused to be directed solid waste to a particular facility in order to protect public health and safety and to pay for construction, operation and post closure expenses; and
7. It is well known that an expected, demanded and mandated function of local government is the provision of and responsibility for solid waste and recycling services to citizens; and
8. H. 3290 and S. 203 have been introduced in the South Carolina General Assembly in January 2013 as a direct attack on a traditional function of local government that has been repeatedly recognized and upheld in state and federal courts; and
9. H. 3290 and S. 203 attack the legal validity of municipal and county franchised garbage hauling districts granted pursuant to Section 44-55-1040, Code of Laws of South Carolina 1976, as amended, which would be detrimental to public health and safety as well as local businesses; and

10. H. 3290 and S. 203 retract the police powers granted to counties by Section 4-9-25, Code of Laws of South Carolina 1976, as amended, to protect public health and safety; and
11. H. 3290 and S. 203 conflict with Section 13 of Article 8 of the South Carolina Constitution of 1895, as amended, which grants the right to counties and municipalities to jointly administer and share costs of provision of public services to citizens; and
12. H. 3290 and S. 203 propose to take authority from locally elected and accountable public officials and vest the authority instead with an industry which already disposes of 75% of the municipal solid waste in the state, owns over two-thirds of the 11 million tons of permitted annual municipal solid waste disposal capacity in the state while less than 5 million tons of municipal solid waste is generated by the state annually, and imports over 600,000 tons of municipal solid waste into the state each year; and
13. H. 3290 and S. 203 run directly counter to the desires of an overwhelming majority of registered voters in South Carolina. According to a statewide survey of registered voters conducted by the University of South Carolina in April 2013 which found that 76.4% of voters support county governments regulating where solid waste is disposed in the county and that 88.2% of voters oppose the importation of out of state solid waste; and
14. H. 3290 and S. 203 would take away the Counties' authority to achieve the State's policy of reducing solid waste through source reduction, reuse, recycling and treatment of municipal solid waste, which was made law by the Solid Waste Policy and Management Act of 1991; and
15. H. 3290 and S. 203 are an effort by a special interest lobby in South Carolina predominantly funded by the two largest solid waste corporations in the United States, Waste Management and Republic Services, to strip away authority from Counties and citizens for the benefit of these corporations without altering the burden of responsibility on the Counties whatsoever.

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

Colleton County Council continues its unwavering opposition to H. 3290 and S. 203 and requests that all members of the South Carolina General Assembly refuse further consideration of either of these bills and any similar legislation.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-96

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution To Approve Amendment of the Agreement for Development of a Joint County Industrial Park, By And Between Charleston County, South Carolina and Colleton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Charleston County as Part of the Joint County Industrial Park, and to Remove Certain Property in Charleston County (Including the Redesignation of Certain Parcel Numbers) from the Joint County Industrial Park.]

WHEREAS:

1. Charleston County, South Carolina and Colleton County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and
2. In order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the "Original Agreement"), to develop jointly an industrial and business park (the "Park"), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"); and
3. The Original Agreement was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Charleston County Council Ordinance 1475, adopted December 5, 2006; and by Colleton County Council Ordinance 06-R-20 adopted January 2, 2007; and
4. The Original Agreement, as amended, is referred to herein as the "Agreement," and
5. The Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

6. The Counties desire to amend the Agreement to include certain additional parcels in order to fulfil commitments made to companies which are considering expansion or location decisions;
7. The Counties desire to amend the Agreement to remove certain tax map parcels because these parcels no longer exist as the result of subdividing and combining tax map parcels since their original inclusion in the Park; and
8. The Counties desire to amend the Agreement to include certain tax map parcels which have been created as the result of subdividing or combining the original tax map parcels; and
9. The Counties desire to amend the Agreement to remove certain property because such property is no longer viable economic development property as the results of planning/zoning changes and development that has occurred around such property; and
10. The Counties desire to amend the Agreement to include certain parcels that have resulted from the subdivision of property that was previously added to the Park; and
11. The Counties desire to amend the Agreement to include certain parcels that the County intended to include in the Park but for administration reasons have not been previously included in an amendment to the Agreement; and
12. In accordance with the Agreement, Charleston County has advised Colleton County that written notice of a public hearing held by Charleston County Council was given to the owner of each property or parcel proposed to be removed from the Park and the Agreement; such notice was given by registered mail, return receipt requested, in care of the address of the property owner as shown on the tax records of Charleston County or such other address which has been provided to Charleston County by the property owners for this purpose.

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

1. SECTION 1. Colleton County hereby approves amendment of the Agreement as follows:
 - (a) The Park and Agreement are expanded to include the parcels as described on the attached Exhibit A.
 - (b) The Park and Agreement are amended by removing the tax map parcels listed on the attached Exhibit B.
 - (c) The Park and Agreement are amended to include the tax map parcels listed on the attached Exhibit C.
 - (d) The Park and Agreement are amended by removing the parcels described on the attached Exhibit D.
 - (e) The Park and Agreement are amended to include tax map parcels listed on the attached Exhibit E.
 - (f) The Park and Agreement are amended to include the parcels as described on the attached Exhibit F.

2. SECTION 2. This resolution shall take effect immediately upon its adoption by County Council.

COLLETON COUNTY, SOUTH CAROLINA

By: _____
Phillip M. Taylor, Sr.
Chairman, County Council of
Colleton County, South Carolina

ATTEST:

Ruth Mayer
Clerk to County Council
Colleton County, South Carolina

Adopted: _____, 2013

EXHIBIT A

**PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL PARCELS**

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

<u>Parcels to be Added</u>	<u>Property Description</u>	<u>Initial Tax Year</u>
393-00-00-304	See Attached	2013
393-00-00-305	See Attached	2013

EXHIBIT B

**PROPERTY DESCRIPTION
CHARLESTON COUNTY REMOVAL OF PARCELS**

**TAX MAP PARCEL NUMBERS FOR EACH PARCEL TO BE REMOVED FROM THE
PARK BY THIS AMENDMENT BECAUSE SUCH PARCELS NO LONGER EXIST AS THE
RESULT OF SUBDIVIDING AND COMBINING TAX MAP PARCELS.**

<u>Parcels to be Removed</u>	<u>Property Description</u>
390-00-00-048	See Attached
393-00-00-006	See Attached
393-00-00-010	See Attached
393-00-00-023	See Attached
393-00-00-024	See Attached
393-00-00-035	See Attached
393-00-00-075	See Attached
393-00-00-081	See Attached
486-00-00-018	See Attached
486-00-00-022	See Attached
487-00-00-001	See Attached
502-00-00-012	See Attached
514-00-00-005	See Attached
514-16-00-006	See Attached
514-16-00-010	See Attached
514-16-00-011	See Attached
514-16-00-040	See Attached
514-16-00-041	See Attached
514-16-00-042	See Attached
514-16-00-043	See Attached
514-16-00-050	See Attached
514-16-00-071	See Attached
514-16-00-089	See Attached
514-16-00-090	See Attached

EXHIBIT C

**PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL TAX MAP PARCELS**

TAX MAP PARCEL NUMBERS FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AS THE RESULT OF SUBDIVIDING AND COMBINING ORIGINAL TAX MAP PARCELS IN THE PARK.

<u>Parcels to be Added</u>	<u>Property Description</u>
393-00-00-065	See Attached
393-00-00-181	See Attached
393-00-00-069	See Attached
393-00-00-067	See Attached
393-00-00-067-1	See Attached
393-00-00-066	See Attached
393-00-00-070	See Attached
393-00-00-074	See Attached
393-00-00-056	See Attached
393-00-00-022	See Attached

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-97

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Engineering Contract for the Venture Park Road Extension.]

WHEREAS:

1. Colleton County and the Colleton Transportation Committee originally contracted with Thomas and Hutton Engineering Co. to complete the preliminary engineering/design on Venture Park Road; and
2. Colleton County received a RIF Grant for the extension of Venture Park Road for \$500,000, and said funds were placed in Fund 120-Special Revenue Fund. In order to complete this project, a contract with Thomas and Hutton Engineering Co. is necessary to move forward with the additional engineering/design, permitting and construction of the road extension; and
3. An appropriation is needed in Fund 120-Special Revenue Fund from the Rural Infrastructure Fund Grant in the amount of \$500,000 for Venture Park Road Extension.

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

1. County Council hereby authorizes an appropriation in Fund 120-Special Revenue Fund from the Rural Infrastructure Fund Grant in the amount of \$500,000 for design and construction of Venture Park Road Extension.
2. The County Administrator is hereby authorized to execute a contract with Thomas and Hutton Engineering Co. for \$42,186.50 on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-98

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract in Accordance with Bid CC-08 for the Construction of Speculative Building II, Roads A & B, Frontage Road and Building Site Pad III at the Colleton County Commerce Center.]

WHEREAS:

1. The County advertised a Request for Bids, CC-08, for the Construction of Speculative Building II, Roads A & B, Frontage Road and Building Site Pad III; and
2. Nine bids were received;
3. Brunson Construction Co. meets all of the requirements of the bid and is the lowest bidder; and
4. Funding for this project is available in through multiple grant sources in Fund 149-Economic Development Grant Fund and in Fund 140-SSRB Economic Development Project Fund.

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

1. County Council hereby awards the contract in accordance with Bid CC-08 to Brunson Construction for the Construction of Speculative Building II, Roads A & B, Frontage Road and Building Site Pad III in the amount of \$4,199,500.
2. The County Administrator is hereby authorized to execute a contract to include a 10% contingency on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from Fund 149-Economic Development Grant Fund and Fund 140-SSRB Economic Development Project Fund.

ATTEST:

SIGNED:

Ruth Mayer
Clerk to Council

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted: : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-99

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Appoint Members to Board Vacancies.)

WHEREAS:

1. Colleton County Accommodations Tax Advisory Board has six vacancies (4 from lodging & hospitality, 2 at-large); and
Applicants: Linda M. Kelly & Viral Patel (Lodging & Hospitality)
2. The County Council is the appointing authority for Boards.

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

The Colleton County Council hereby appoints the following:

Colleton County Accommodations Tax Advisory Board: _____, _____

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

Sponsor(s) : County Council
Adopted: : November 5, 2013
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-R-100

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

(To Authorize the Council Clerk to Advertise for Board Vacancies.)

WHEREAS:

1. Colleton County Recreation Commission has four vacancies; and
2. Colleton County Land Use Zoning Board of Appeals has one vacancy do to resignation; and
3. The County Council is the appointing authority for Boards.

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

- 1) The Council Clerk is hereby directed to advertise for the vacancies.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Phillip M. Taylor, Sr., Chairman

COUNCIL VOTE:
OPPOSED: