

**Council Members**

District 1: John Thomas, *Chairman*  
District 2: Ron L. Charlton  
District 3: Everett Carolina  
District 4: Lillie Jean Johnson, *Vice Chair*  
District 5: Raymond L. Newton  
District 6: Steve Goggans  
District 7: Louis R. Morant

**County Administrator**

Angela Christian

**Clerk to Council**

Theresa E. Floyd

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**June 9, 2020**

**5:30 PM**

**County Council Chambers**

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**GEORGETOWN COUNTY COUNCIL  
SPECIAL MEETING  
Howard Auditorium, 1610 Hawkins Street,  
Georgetown, SC**

**AGENDA**

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. SECOND READING OF ORDINANCES**
  - 4.a Ordinance No. 20-18 – An Ordinance to Make Appropriations for Ordinary County Purposes for Georgetown County for the Fiscal Year Beginning July 1, 2020, and Ending June 30, 2021; To Provide for the Expenditure Thereof; and To Provide for Revenues for the Payment Thereof.**
  - 4.b Ordinance No. 20-25 - An Ordinance to repeal and replace the Georgetown County Solid Waste User Fee Ordinance in its Entirety; this Ordinance shall be known as the Georgetown County Solid Waste Ordinance.**
  - 4.c Ordinance No. 20-26 – An Ordinance to Earmark and Set Aside Excess 2014 Capital Project Proceeds; To Designate Original Projects as Fully Funded; To Declare Expenditures of Excess Proceeds for New Projects.**
- 5. REPORTS TO COUNCIL**
  - 5.a 2020 Hurricane Season Outlook**
- 6. ADJOURNMENT**

**Item Number:** 1.a  
**Meeting Date:** 6/9/2020  
**Item Type:** SECOND READING OF ORDINANCES

**AGENDA REQUEST FORM**  
GEORGETOWN COUNTY COUNCIL



**DEPARTMENT:** County Administrator

**ISSUE UNDER CONSIDERATION:**

Ordinance No. 20-18 – An Ordinance to Make Appropriations for Ordinary County Purposes for Georgetown County for the Fiscal Year Beginning July 1, 2020, and Ending June 30, 2021; To Provide for the Expenditure Thereof; and To Provide for Revenues for the Payment Thereof.

**CURRENT STATUS:**

Ordinance No. 20-18 is being presented for second reading.

**POINTS TO CONSIDER:**

The proposed FY20/21 budget is balanced as presented.

**FINANCIAL IMPACT:**

As disclosed in the attached Ordinance.

**OPTIONS:**

1. Approval of Ordinance No. 20-18.
2. Reject Ordinance No. 20-18.

**STAFF RECOMMENDATIONS:**

Approve Second Reading of Ordinance 20-18.

NOTE: This ordinance was previously introduced by title only; therefore a motion to amend will be required at second reading to incorporate text and details of the proposed Ordinance.

**ATTORNEY REVIEW:**

Yes

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Budget Ordinance 20-18 Second Reading	Cover Memo

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF GEORGETOWN )

ORDINANCE # **20-18**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR ORDINARY COUNTY PURPOSES FOR GEORGETOWN COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021; TO PROVIDE FOR THE EXPENDITURE THEREOF; AND TO PROVIDE FOR REVENUES FOR THE PAYMENT THEREOF.

Section 1: The following sums of money are hereby appropriated for the purposes herein set forth for Georgetown County for the period beginning July 1, 2020, and ending June 30, 2021:

	<u>Appropriations</u>
General Government Fund	\$ 31,281,000
County Fire (District #1) Fund	3,667,000
Midway Fire (District #2) Fund	4,600,000
Victims Services Fund	389,000
Higher Education Fund	705,000
Bureau on Aging Services Fund	1,039,000
Clerk of Court IV-D Unit Cost Fund	198,000
Clerk of Court IV-D Incentive Fund	42,000
State Accommodations Tax Fund	1,429,000
Economic Development Fund	361,000
Economic Development Multi-County Marketing Fund	58,000
Airport Improvements Fund	60,000
Special Economic Development Fund	1,770,000
Law Enforcement Fund	15,663,000
Road Improvement Fund	3,164,000
Choppee Regional Center Fund	50,000
Local Accommodations & Hospitality Tax Fund	245,000
Murrells Inlet Revitalization Fund	65,000
County Sunday Sales	70,000
Emergency Telephone System Fund	770,000
Bike the Neck Fund	6,000
Debt Service Fund – Capital Leases	1,678,000
Debt Service Fund - Bonds	6,360,000
Capital Equipment Replacement Fund	3,795,000
Environmental Services Fund	8,021,000
Stormwater Management Fund	<u>2,155,000</u>
Total Appropriations	<u>\$ 87,641,000</u>

Section 2: The Auditor is hereby authorized to levy upon all taxable property in Georgetown County, and the Treasurer is hereby empowered to collect:

- a. a tax of **29.3 mills** for the County General Government Fund
- b. a tax of **19.2 mills** for the County Law Enforcement Fund
- c. a tax of **2.7 mills** for the County Environmental Services Fund
- d. a tax of **2.9 mills** for the County Debt Service (Capital Leases) Fund.
- e. a tax of **7.5 mills** for the County Debt Service (Bonds) Fund.

- f. a tax of **0.5 mills** for the County Bureau of Aging Services Fund.
- g. a tax of **0.5 mills** for the County Economic Development Fund.
- h. a tax of **1.2 mills** for the County Higher Education Fund

- Section 3: There is hereby levied a tax of **32.1 mills** for those areas within the Georgetown County Fire District #1.
- Section 4: There is hereby levied a tax of **13.4 mills** for those areas within the Midway Fire District.
- Section 5: There is hereby levied a tax of **3.5 mills** for Solid Waste Recycling & Collection for all those areas of Georgetown County not within the corporate boundaries of the City of Georgetown and the Town of Andrews.
- Section 6: The Georgetown County Treasurer shall not pay any funds in excess of those herein appropriated and collected from any items without express approval by County Council.
- Section 7: The County Administrator shall administer the detailed line-item departmental budgets as compiled in the Annual Budget Document and shall authorize the transfer of appropriate funds within and between departments of an individual fund as necessary to achieve the goals of the budget. All supplemental appropriations at the individual fund level and transfers of appropriations between individual funds shall be authorized by County Council.
- Section 8: Should any article, section, or provision of this ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other article, section, or provision hereof which is not itself void or invalid.
- Section 9: This Ordinance # 20-18 shall be effective upon adoption.

DONE IN REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

\_\_\_\_\_  
John Thomas, Chairman  
Georgetown County Council

ATTEST:

\_\_\_\_\_  
Theresa E. Floyd, Clerk to Council

This Ordinance # 20-18, has been reviewed by me and is hereby approved as to form and legality.

\_\_\_\_\_  
Wesley P. Bryant  
Georgetown County Attorney

First Reading: April 14, 2020

Second Reading: June 9, 2020

Third Reading: \_\_\_\_\_

**Item Number:** 1.b  
**Meeting Date:** 6/9/2020  
**Item Type:** SECOND READING OF ORDINANCES

**AGENDA REQUEST FORM**  
GEORGETOWN COUNTY COUNCIL



**DEPARTMENT:** Legal

**ISSUE UNDER CONSIDERATION:**

Ordinance No. 20-25 - An Ordinance to repeal and replace the Georgetown County Solid Waste User Fee Ordinance in its Entirety; this Ordinance shall be known as the Georgetown County Solid Waste Ordinance.

**CURRENT STATUS:**

Pending

**POINTS TO CONSIDER:**

The current Georgetown County Solid Waste User Fee Ordinance has been in effect since 2004. Georgetown County Public Works proposes to amend the terms and update the ordinance to reflect "on the ground" realities thereby resulting in a more efficient process.

A proposal to increase the solid waste user fee for solid waste, construction and demolition debris to reflect real world costs is also included in the proposed ordinance. Georgetown County Council, based on advice from the Public Works department and data supporting the changes as proposed, agrees the newly revised ordinance is necessary and warranted.

**OPTIONS:**

1. Adoption of Ordinance No. 20-25.
2. Decline adoption of Ordinance No. 20-25.

**STAFF RECOMMENDATIONS:**

Adoption of Ordinance No. 20-25.

*NOTE: Ordinance No. 20-25 was introduced by title only, therefore a motion to amend will be needed at 2nd reading to incorporate proposed text.*

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Ordinance No. 20-25 Solid Waste	Ordinance
<input type="checkbox"/> Solid Waste Regulations	Exhibit

STATE OF SOUTH CAROLINA

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)

COUNTY OF GEORGETOWN

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ORDINANCE NO: 20-25

**AN ORDINANCE TO REPEAL AND REPLACE THE GEORGETOWN COUNTY SOLID WASTE USER FEE ORDINANCE IN TIS ENTIRETY; THIS ORDINANCE SHALL BE KNOWN AS THE GEORGETOWN COUNTY SOLID WASTE ORDINANCE**

**WHEREAS**, the current Georgetown County Solid Waste User Fee Ordinance has been in effect since 2004; and

**WHEREAS**, Georgetown County Public Works proposes to amend the terms and update the ordinance to reflect "on the ground" realities thereby resulting in a more efficient process; and

**WHEREAS**, a proposal to increase the solid waste user fee for solid waste, construction and demolition debris to reflect real world costs is also included herein; and

**WHEREAS**, Georgetown County Council, based on advice from the Public Works department and data supporting the changes herein, agrees this newly revised ordinance is necessary and warranted.

**NOW, THEREFORE**, the language herein is ordained and approved by Georgetown County Council and shall have lawful force and effect, as follows:

**ARTICLE II. - SOLID WASTE**

**Sec. 8-21. - Definitions.**

***Acceptable solid waste.*** Solid waste which is acceptable at the county landfill or county recycling center. Acceptable waste at the county landfill shall include, garbage, refuse, and other municipal solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, and which is not otherwise defined herein as unacceptable waste.

***Acceptable waste at the recycling centers.*** Shall include, garbage, refuse, and other municipal solid waste generated from residences in Georgetown County.

***Commercial hauler.*** Used interchangeably with ["private hauler" and "industrial hauler"].

***Construction and demolition debris.*** Solid waste generated as a result of construction, demolition, remodeling and repair projects, excluding asbestos or other special waste. Items accepted are listed on Appendix I of SCDHEC R 61-107-11 Construction and Demolition Debris Landfill Regulation, excluding land clearing and debris yard waste.

***Household.*** A residence and associated occupants, which are citizens of Georgetown County, being located within the corporate boundaries of Georgetown County.

***Homeowner.*** One who utilizes the landfill or county recycling center for his/her own use to dispose of household residential waste or yard waste generated from the home in which the homeowner resides.

**Household residential waste.** The accumulation of solid waste including unrecovered recyclable materials, generated by single-family or multifamily residential facilities that are charged the annual household fees.

**Industrial hauler.** A hauler serving industry and/or business exclusively.

**Land clearing debris.** Debris including soils, roots, stumps and limbs larger than eight (8) [inches] in diameter or greater than six (6) feet in length.

**Noncommercial Organization.** Entities organized under the laws of the State of South Carolina such as, but not limited to, churches and non-profit groups who do not engage in commercial activities for profit.

**Noncommercial vehicle.** An automobile, pickup truck and/or an 8'x5'x3' trailer used to haul household residential waste by a homeowner for noncommercial uses exclusively, in volumes less than one-half-ton.

**Private hauler.** A collector who hauls yard waste, household residential, business, industrial and/or commercial refuse as a commercial enterprise.

**Unacceptable waste.** Any amount of hazardous waste, radioactive, or infectious waste that is regulated by law; unacceptable waste is not authorized at the landfill or county recycling centers.

**Yard waste.** Solid waste consisting solely of vegetative matter resulting from landscaping maintenance including, leaves, brush, grass, small limbs less than eight (8) inches in diameter and less than six (6) feet in length.

#### **Sec. 8-22. - Recycling Centers.**

- A. Centers are for use of county households for the disposal of household waste only.
- B. Acceptable solid waste at recycling centers, as defined above, generated within Georgetown County by Georgetown County residents are allowed for deposit at the recycling centers if they are transported by individual residents in a pickup truck, automobile, or by means of a utility style trailer no larger than 8'x5'x3'.
  - 1. Only one (1) load per household, regardless of the method of transfer, is allowed each day.
  - 2. Yard waste bagged in plastic bags is not acceptable solid waste
- C. Only four (4) passenger vehicle tires per household, per month are allowed.
- D. Center operators are authorized to ask for proof of residency, such as but not limited to a driver's license or automobile registration, to verify center users are Georgetown County residents.
- E. Unauthorized deposits of refuse or debris at recycling centers is unauthorized and shall be considered littering prompting law enforcement.
- F. All solid waste shall be placed in appropriate receptacles at the centers, as directed by the center attendant.
- G. Loitering is prohibited at the centers.
- H. Scavenging is prohibited at the centers.

- I. If commercial users are discovered utilizing a recycling center then they will be billed in accordance with the rate schedule contained herein.
- J. Recycling attendants have the authority to refuse service to an attempted commercial use.

**Sec. 8-23. – Roll-Off Containers.**

A. Roll-off container Use

Roll-off container usage may be requested for special projects. Container authorization and use shall be in accordance with internal regulations as approved by the County Administrator.

**Sec. 8-24. - Fees.**

- A. *Fees.* There shall be prescribed fees set by this Ordinance for all debris treated, processed, or disposed at the solid waste management complex.
- B. *Exemptions.* The following materials that are generated within Georgetown County by Georgetown County households are exempt from tipping fee charges at the solid waste complex:
  - 1. Recyclables processed at the materials recovery facility.
  - 2. Household residential waste and construction and demolition waste generated and transported by individual homeowners to the solid waste management complex in a noncommercial vehicle at a maximum of two (2) loads per day.
  - 3. Tires, with sufficient proof that the South Carolina Tire Fee was paid. Without proof, individual homeowners can bring up to four (4) tires per month per person.
  - 4. Clean soil or soil-like material that may be used for daily cover, determined on a case-by-case basis.
  - 5. Litter and animals collected from along the roadside.
  - 6. Yard waste and limbs less than eight (8) inches in diameter and less than six (6) feet in length that are transported by individual homeowners in noncommercial vehicles with a two-load per day maximum limit.
  - 7. Non-commercial organizations may apply for a discretionary fee waiver in accordance with internal regulations; waiver is subject to approval by the County Administrator.
- C. *Fees for debris.* The following materials will be charged their respective rates:
  - 1. Eighty dollars (\$80.00) per ton for all waste classified as "special waste" by South Carolina Department of Health and Environmental Control and acceptable to the county as described in the Analysis Plan for Special Waste, May 1993, amended July 1996 and August 2002. All special wastes must be pre-approved for disposal. Wastes included, but not limited to, are
    - i. Asbestos, with a minimum charge of \$40.00 per ton
    - ii. Sludge, unless otherwise agreed to in separate agreement.
    - iii. creosote treated lumber,
    - iv. wastes from industrial sources,



- v. car crushing fluff,
  - vi. Spill debris,
  - vii. Large animal carcasses (e.g., horses, cows, etc)
  - viii. Small animal mortality (greater than 10)
2. Eighty dollars (\$80.00) per ton for all waste that require special handling, such as dismantling, demolition, oversize loading/unloading, or burial, by landfill staff.
  3. One hundred (\$100.00) per ton for all tires without sufficient proof that the South Carolina Tire Fee was paid.
  4. Forty-five dollars (\$45.00) per ton for solid waste disposed in the Subtitle D Landfill. This includes, but is not limited to:
    - i. Commercial waste.
    - ii. Manufacturing waste.
  5. Forty-five dollars (\$45.00) per ton for land clearing debris and construction and demolition debris. This includes, but not limited to:
    - i. Land clearing debris including the soils, roots, stumps and limbs larger than eight (8) inches in diameters and greater than six (6) feet in length.
    - ii. Residential, commercial and industrial construction and demolition debris.
    - iii. Bulk waste.
    - iv. Non-metallic boat hulls – unloaded by hauler
      1. All engine components, fuel, and oil must be removed prior to disposal
      2. Eighty dollars (\$80.00) per ton if landfill staff unload the boat for the hauler.
  6. Twenty dollars (\$20.00) per ton for clean beneficial waste. This includes:
    - i. Concrete broken up into less than one-foot pieces.
    - ii. Brick, block and stone.
    - iii. Yard waste and limbs less than eight (8) inches in diameter and less than six (6) feet in length transported by commercial haulers
    - iv. Shingles, with no lumber or paper.
  7. Thirty-five dollars (\$35.00) per ton for commercial scrap metal.

#### D. Other Fees

1. An annual household fee of forty-four (\$44.00) per residential unit is established.
  - i. The household fee provides for disposal of solid waste at the Solid Waste Facility transported by private haulers for homeowners in lieu of tipping fees.

- ii. The annual household fee shall not apply to the residential property of owners who qualify for an exemption of all property taxes under S.C. Code 1976, § 12-37-220.
- 2. A special handling fee of one hundred dollars (\$100.00) a ton will be charged to all commercial haulers who misrepresent load content and/or dump a load in an inappropriate site on the landfill property. This includes, but is not limited to
  - a. Solid waste containing banned items such as, electronics or whole tires
  - b. Any recyclables (residential or commercial) rejected at the Materials Recovery Facility due to contamination
  - c. Contaminated beneficial wastes
- 3. Yard waste mixed with other debris, or bagged in plastic will not be accepted at the solid waste complex. Violators will be charged a special handling fee of one hundred fifty dollars (\$150.00) per occurrence.
- 4. Non single-family residential customers [or nonresidential customers] shall be charged an annual fee of forty-four dollars (\$44.00) per roll-out container services not more than twice per week. The fee shall be proportionally greater for a container or containers that are serviced more frequently than twice per week. Georgetown County may adjust the fee for any nonresidential property which changes the number of "roll-out" containers or the number of pick-ups per week during the year.

**Sec. 8-25. - Late fees.**

- A. All accounts will be subject to a twenty-five dollar (\$25.00) late fee if not current by the 25<sup>th</sup> day of each month plus a one and one-half (1.5) percent interest fee, beginning on the 26<sup>th</sup> day of each month and continuing until paid.
  - 1. Accounts over 30 days past due are subject to an additional twenty five dollar (\$25.00) late fee. Account holders will not be allowed to access additional credit and they will have to make immediate payment to utilize the landfill.
  - 2. Accounts sixty days (60) past due will be suspended and denied use of the landfill in addition to another twenty-five dollar (\$25.00) late fee plus a resumption fee of one hundred dollars (\$100.00).
  - 3. If an account is suspended, all past due amounts, interest, late fees, and resumption fee must be paid in full before the account is deemed current and customer is allowed to utilize the Solid Waste Facility.

**Sec. 8-26. – Credentialed Haulers.**

All commercial haulers wishing to dispose of solid waste at the Georgetown County Landfill must be credentialed by purchasing a ten dollar (\$10.00) decal annually from the county. This decal is per truck, trailer or vehicle and denotes that haulers have agreed to submit route and/or schedule information for the County area serviced. Routes and schedules should be updated as changes occur.

**Sec. 8-27. – Enforcement and Regulation.**

The Georgetown County Environmental Services Division is hereby authorized to enforce this ordinance.

An established internal regulations manual shall be utilized by the Environmental Services Division to regulate the day-to-day activities of the recycling centers and landfills. This regulation manual shall be subject to amendment, when determined necessary by staff, subject to the approval of the County Administrator.

The operator of the landfill is hereby given authority to determine the following:

- i. Any requirement or charges for special handling of any load.
- ii. Other determinations not specifically covered as the need arises.

**Sec. 8-28. - Penalties.**

Disposal of any materials generated outside of Georgetown County is not allowed without prior approval by the County Administrator. Any individual depositing waste contrary to the terms outlined in this Ordinance shall be subject to imprisonment for a term of not more than thirty (30) days or fined up to two hundred dollars (\$200.00) for each misdemeanor offense. Further, any violations giving rise to littering or destruction of public property will result in notification of the crime to the Sheriff of Georgetown County.

**DONE, RATIFIED, ORDAINED, AND ADOPTED THIS \_\_\_\_ DAY OF JUNE, 2020.**

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John Thomas, Chairman  
Georgetown County Council

(SEAL)

Attest:

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Theresa E. Floyd  
Clerk to Council

This Ordinance No. 20-25 has been reviewed by me and is hereby approved as to form and legality.

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Wesley P. Bryant, JD

First Reading:	May 26, 2020
Second Reading:	June 9, 2020
Third Reading:	June 23, 2020

**GEORGETOWN COUNTY SOLID WASTE ORDINANCE REGULATIONS**  
**(Pursuant to Ordinance 20-25, Georgetown County Solid Waste Ordinance)**

**INTRODUCTION:** These regulations and associated application templates are intended to go hand-in-hand with the administration of Ordinance 20-25, the Georgetown County Solid Waste Ordinance. To be reviewed when necessary, or no less than annually, these regulations are subject to amendment when determined necessary, subject to the approval of the County Administrator.

1. **Roll-Off Containers:** Various groups or may request usage of County owned roll off containers.
  - a. Staff shall establish a written or online application form for roll off container use.
  - b. A container use form must be submitted to the Environmental Services Division two (2) weeks in advance of requested date.
  - c. Container usage is limited to a maximum of two (2) container loads made available per project.
  - d. Approval will be on a case-by-case basis as approved by the county administrator.
  - e. Container usage is subject to the availability of containers.
  - f. Disposal of restricted or unacceptable items in the roll-off containers will result in an additional fee or special handling fees being charged to the requesting organization.
2. **Event Recycling Services:** Citizen Groups or municipalities may request recycling services for public events.
  - a. Staff shall establish a written or online application form for event recycling services.
  - b. An Event Recycling Services form must be submitted to the Environmental Services Division two (2) weeks in advance of requested date.
  - c. Recycling Services will be approved only if containers are available.
  - d. Disposal of restricted or unacceptable items or contamination of recyclables in the recycling containers will result in disposal fees or special handling fees for the requesting organization.
3. **Transactions:** The Environmental services division shall keep and maintain records of all transactions occurring at the complex for a period of seven (7) years.
  - a. *Payment of fees* may be made by one (1) of the following methods:
    - i. Cash.
    - ii. Check.
    - iii. Credit. (Staff shall establish a procedure for pre-approval of credit prior to acceptance at the landfill)
    - iv. Credit or debit cards. Master Card, Discover, and American Express.
4. **Statements:** All landfill statements will be dated the first day of the month following the ticket date and will be mailed by the fifth business day of each month.
  - a. Receipt of payment is required by the last business day of the month for accounts to remain current and active.
  - b. In order to comply with these regulations, customer payment must be postmarked by the twenty-fifth day of the month.

- c. Customers with an unpaid balance will be denied use of the landfill when account has become sixty (60) days past due.
- 5. **Waivers:** Waiver of C&D tipping fees are discretionary and subject to a detailed review of the requestor and the purpose of the request.
  - a. Staff shall prepare a written or online application for Noncommercial Organizations (as defined in Ordinance 20-25) to apply for a waiver of construction and demolition debris tipping fees.
  - b. Waivers of tipping fees shall only be approved by the County Administrator.
  - c. Noncommercial Organizations shall submit a waiver request form to the Environmental Services Division at least one (1) week in advance of the date of request.
  - d. An authorized waiver will be limited to ten (10) tons or two (2) truck loads, whichever is less, per noncommercial organization per year.
- 6. **Haulers On-Site:** All haulers transporting waste will be required to have tarps covering their loads upon arrival at the scale house in order to keep the landfill complex clean and free from litter.
  - a. Any hauler who demonstrates a continued violation of this regulation may be subject to suspension of landfill privileges.
- 7. **Clean Out:** No hauler or user of the landfill complex shall clean out their vehicle or container on the Solid Waste Facility such that solid waste or refuse is dumped outside of a designated location.
  - a. Any hauler or user who demonstrates a continued violation of this regulation may be subject to suspension of landfill privileges.
  - b. Any hauler or user who dumps material in an area of the landfill complex not designated for depositing refuse will be subject to law enforcement action.
- 8. **Review of Household Fees:** Property owners may request review of their tax bill to determine if they were charged the household fee in error.
  - a. Fee reviews should be directed to the Environmental Services Division
  - b. Upon review the Division will inform the Assessor and Treasurers offices of any necessary fee abatements
  - c. Claims for refunds must be filed within three years per SC Code of Laws Section 12-54-85, subsection F (1).

**Item Number:** 1.c  
**Meeting Date:** 6/9/2020  
**Item Type:** SECOND READING OF ORDINANCES

**AGENDA REQUEST FORM**  
GEORGETOWN COUNTY COUNCIL



**DEPARTMENT:** Legal

**ISSUE UNDER CONSIDERATION:**

Ordinance No. 20-26 – An Ordinance to Earmark and Set Aside Excess 2014 Capital Project Proceeds; To Designate Original Projects as Fully Funded; To Declare Expenditures of Excess Proceeds for New Projects.

**CURRENT STATUS:**

Pending

**POINTS TO CONSIDER:**

Georgetown County Council enacted Ordinance No. 2014-28 on August 12, 2014 whereby a ballot question for the implementation of a Capital Project Sales Tax was ordained and voted upon during the November 4, 2014 general election.

The voters of Georgetown County, at the 2014 general election, passed the addition of a one cent sales tax (CPST) to be collected within Georgetown County beginning May 1, 2015 with an end date of April 30, 2019. The collection has ended resulting in a surplus of capital project sales tax proceeds totaling approximately \$12.5 million dollars. County Council is now tasked with the adoption of an ordinance to allocate the surplus to qualifying capital projects.

**OPTIONS:**

1. Adoption of Ordinance No. 20-26.
2. Decline adoption of Ordinance No. 20-26

**STAFF RECOMMENDATIONS:**

Recommendation for adoption of Ordinance No. 20-26.

*NOTE: Ordinance No. 20-26 was introduced by title only, and a motion to amend will be required at 2nd reading to incorporate proposed text.*

**ATTACHMENTS:**

Description	Type
□ Ordinance No. 20-26 CPST Surplus	Ordinance

STATE OF SOUTH CAROLINA

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COUNTY OF GEORGETOWN

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**ORDINANCE NO. 20-26**

**WHEREAS**, Georgetown County Council enacted Ordinance 2014-28 on August 12, 2014 whereby a ballot question for the implementation of a Capital Project Sales Tax was ordained and voted upon during the November 4, 2014 general election; and

**WHEREAS**, the voters of Georgetown County, at the 2014 general election, passed the addition of a one cent sales tax (CPST) to be collected within Georgetown County beginning May 1, 2015 with an end date of April 30, 2019; and

**WHEREAS**, the collection has ended resulting in a surplus of capital project sales tax proceeds totaling approximately \$12.5 million dollars; and

**WHEREAS**, County Council is now tasked with the adoption of an ordinance to allocate the surplus to qualifying capital projects; and

**WHEREAS**, the ballot question found in Ordinance 2014-28 listed several capital projects (original projects) for which the CPST was to fund; and

**WHEREAS**, one capital project, Winyah Bay Dredging, was listed on the ballot with a funding amount of \$6 million, which made up a portion of total project funding (federal funds and state funds had also been committed) in the amount of \$33.5 million, as estimated by the U.S. Army Corp of Engineers (USACOE); and

**WHEREAS**, the total project cost of \$33.5 million, at that time and prior to the 2014 general election, was stated as adequate to dredge a 27ft deep channel in Winyah Bay for barge and cargo ship traffic to service the steel mill and other potential industries; and

**WHEREAS**, in early December of 2014, just weeks after the sales tax was approved, the USACOE communicated to County officials that the projected cost of the Winyah Bay Dredging project had increased significantly from the original \$33.5 million estimate to an updated estimate of approximately \$72.7 million; and

**WHEREAS**, dating back to 2011 when the Georgetown County Port Dredging Task Force was created by the legislative delegation, and during numerous meetings and conversations leading up to the 2014 Capital Project Sales Tax referendum, during which the USACOE took part in many of those meetings, Georgetown County was never advised that the estimated cost might have changed so drastically that it would need to be revisited; and

**WHEREAS**, although other sources of funding had been identified by the S.C. Legislature (\$18.5 million), S.C. Ports Authority (\$5 million), and a \$2 million federal appropriation at the behest and support of Senators Lindsey Graham and Tim Scott, as well as Congressmen Tom Rice and Jim Clyburn, it was determined that the likelihood of securing another \$35+ million would be a very difficult endeavor; and

**WHEREAS**, in May of 2015, after the collection of the CPST began, ArcelorMittal announced it was closing its Georgetown mill later that year, which further affected the search for additional funding since the steel mill's use of the port was a significant component of projected post-dredging tonnage; and



**WHEREAS**, optimism remains that a solution can be identified that positions the Georgetown Port as a viable bulk and break-bulk cargo facility to serve the State of South Carolina; and

**WHEREAS**, while a dredging solution continues to be the goal of local, state and federal government officials, the County continues to explore all possibilities to identify and implement a successful solution; and

**WHEREAS**, ideas such as reducing the depth of dredging, depositing dredge spoil off-shore, dredging just “hot spots”, and dredging the inner harbor with silt deposit prevention measures in order to facilitate barge traffic all remain potential action items to make the Georgetown Port a viable economic engine for the County and region; and

**WHEREAS**, in order to continue the search and study for a viable dredging solution it has been determined by County Council to earmark, set aside, and designate, by separate accounting, the full amount of 2014 CPST collections directly related to Winyah Bay Dredging, in the amount of \$6 million, until such time a solution is identified and agreed upon; and

**WHEREAS**, the CPST ballot also included \$1.5 million for the Town of Andrews Fire/Police Complex project, which said amount has been collected and available to the Town; and

**WHEREAS**, in recent months, the Town of Andrews has completed its architectural rendering and project proposal for the complex and has delivered that information to County Council as a courtesy; and

**WHEREAS**, with the notification from the Mayor of Andrews that demolition is to begin in the month of June 2020 on the site where the new complex is to be constructed, County Council is authorizing the disbursement of the original project funding of \$1.5 million; and

**WHEREAS**, County Council has previously acknowledged that an additional amount of \$1.5 million, to be remitted from the 2014 CPST surplus collection, should also be disbursed to the Town of Andrews for the Fire/Police Complex in order to construct an adequate facility to serve its citizenry; and

**WHEREAS**, the County is in the final stage of completing the remaining fire substations with the purchase of structures already made and the hard estimates of erecting and completing the structures identified, County Council deems it appropriate to designate and set aside \$200,000 from the 2014 CPST collections for original projects in order to fully fund the project; and

**WHEREAS**, County Council has determined the economic benefits of the Horry Georgetown Technical College (HGTC) Advanced Manufacturing Center, a state-of-the-art facility, and has previously committed, along with other local governments and public entities at varying amounts, to fund the construction of a portion of the facility at \$1.5 million; and

**WHEREAS**, County Council believes the 2014 CPST surplus collections is the appropriate source to fund its commitment to HGTC and the advanced manufacturing center; and

**WHEREAS**, Phase II of the Inner Harbor Study is expected to cost no more than \$200,000; and

**WHEREAS**, this study will determine viable options to dredge and prevent future silting of the Inner Harbor of Winyah Bay which may lead to more barging options at the Georgetown Port; and

**WHEREAS**, County Council believes the 2014 CPST surplus collections is the appropriate source to fund this Phase II study with Coastal Carolina University; and

**WHEREAS**, the exceptional flooding and recent hurricane seasons the County has experienced in the last five years has led to the discovery of inadequate storm water systems within the City of Georgetown; and

**WHEREAS**, the citizens and businesses of Georgetown County have been, on numerous occasions, adversely affected by flooding in the City; and

**WHEREAS**, the City of Georgetown has submitted an application with the Economic Development Administration for 3 major flood control and stormwater management projects which will likely be funded; and

**WHEREAS**, the total project cost is \$4,206,762, which will be funded with the grant, but requires a match of \$841,353; and

**WHEREAS**, the City of Georgetown has determined its support for the 2014 CPST surplus allocations as presented in this ordinance and respectfully requests, noting the County's building located on Front and Orange Streets will benefit from the bulkhead and Orange Street improvements, that a portion of the 2014 CPST surplus collections be disbursed for the match to the EDA grant.

**NOW, THEREFORE**, it is hereby ordained by the Georgetown County Council that the following words and mandates be adopted and authorized, as law:

#### **Section 1:**

In direct reference to collected, allocated, and encumbered 2014 Capital Project Sales Tax (*2014 collections*), which ended April 30, 2019, the County acknowledges the following amounts collected and expressly ordains and takes the following actions:

1. Based on the factual scenarios outlined in the recitals of this ordinance, all original projects as submitted and approved by the voters in 2014 have been fully funded and surplus funds are not necessary to fund the original projects.
2. From *2014 collections*, identify and set aside, via a separately designated ledger account, \$6,000,000 for Winyah Bay Dredging as approved by the voters of Georgetown County. This amount fully funds the portion of Winyah Bay Dredging as originally considered by the voters and shall be held in abeyance until such time a dredging project within the Winyah Bay estuary is redesigned, approved by Federal, State, and local authorities, and funded with this tax and other potential sources.
3. From *2014 collections*, identify and disburse \$1,500,000 to the Town of Andrews for the Town of Andrews Fire/Police Complex as approved by the voters of Georgetown County. This amount fully funds the amount originally considered by the voters.
4. From *2014 collections*, identify and set aside, via a separately designated ledger account, \$200,000 for the final, remaining construction of Fire Substations as approved by the voters of Georgetown County. This amount completes and fully funds the remaining portion of the total amount originally considered by the voters.

#### **Section 2:**

In direct reference to collected surplus 2014 Capital Project Sales Tax (*2014 surplus collections*), which ended April 30, 2019, the County expressly ordains and takes the following actions:

1. All original projects as submitted and approved by the voters in 2014 are fully funded and related proceeds have been expended or set aside.

2. The balance of 2014 surplus collections is approximately \$12.5 million dollars (exclusive of Winyah Bay Dredging, Town of Andrews Police/Fire Complex, and the remaining portion of Fire Substations, as identified in Section 1 of this ordinance).
3. That the following items be funded and disbursed from *2014 surplus collections*:
 

a. Town of Andrews Police/Fire Complex (Supplement)	\$1,500,000
b. Horry Georgetown Technical College Advanced Manufacturing Center	\$1,500,000
c. Phase II, Georgetown Inner Harbor Study – Coastal Carolina University	\$200,000
d. Economic Development Administration Grant Match – Stormwater Front Street System/Constitution Park Bulkhead, Orange Street System, Queen Street System	\$841,353
	\$4,041,353
4. That the projects listed in Section 2-(3) comport with the requirements for the types of allowable projects listed in South Carolina Code of Laws 4-10-330(A)(1).
5. That the remaining balance of *2014 surplus collections* be held in account without expenditure until such time the Georgetown County Council determines and ordains subsequent, qualifying projects for which the surplus may be disbursed.

### Section 3:

1. The County Administrator and staff are authorized to implement the mandates of this Ordinance and shall set aside, account, and disburse funds, respectively, utilizing the normal course of business and practice methods of Georgetown County.
2. Should a court of competent jurisdiction declare any word, phrase, clause or provision of this ordinance invalid or unconstitutional, such declaration shall not affect this ordinance as a whole or any part hereof except that specific provision declared by such court to be invalid or unconstitutional.
3. All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with its provisions are hereby repealed or superseded to the extent necessary to give this ordinance full force and effect.
4. This ordinance shall become effective immediately upon its final approval.

**DONE, RATIFIED, ORDAINED, AND ADOPTED THIS \_\_\_\_ DAY OF JUNE, 2020.**

\_\_\_\_\_  
John Thomas, Chairman  
Georgetown County Council

(SEAL)

Attest:

\_\_\_\_\_  
Theresa E. Floyd  
Clerk to Council

This Ordinance No. 20-26 has been reviewed by me and is hereby approved as to form and legality.

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Wesley P. Bryant, JD

First Reading: May 26, 2020

Second Reading: June 9, 2020

Third Reading: June 23, 2020

**Item Number:** 2.a  
**Meeting Date:** 6/9/2020  
**Item Type:** REPORTS TO COUNCIL

**AGENDA REQUEST FORM**  
GEORGETOWN COUNTY COUNCIL



**DEPARTMENT:** Emergency Management

**ISSUE UNDER CONSIDERATION:**

2020 Hurricane Season Outlook - Report from Brandon Ellis, Georgetown County Emergency Management

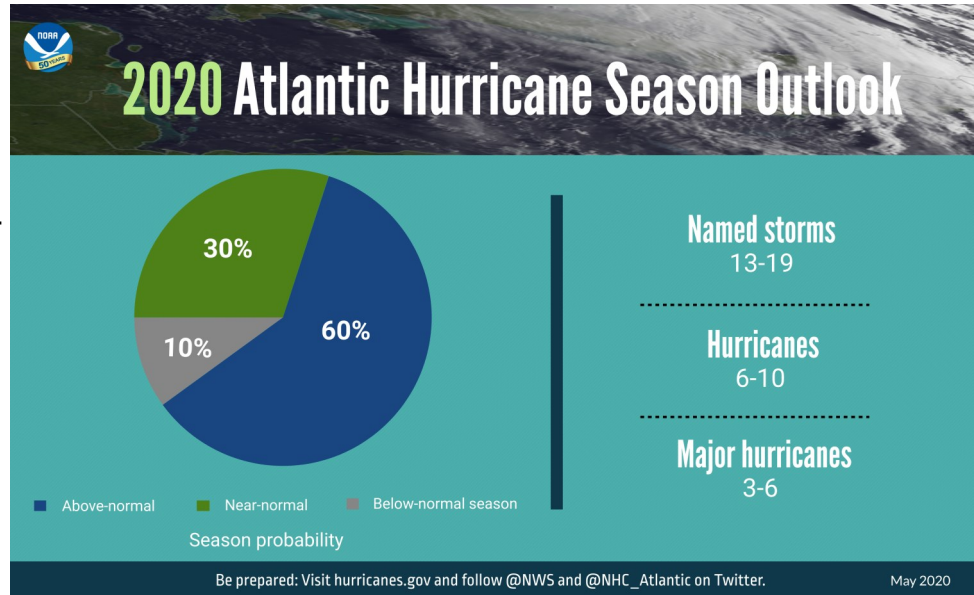
**ATTACHMENTS:**

Description	Type
▣ Hurricane Season Outlook	Backup Material

## 2020 HURRICANE SEASON OUTLOOK

The National Oceanic and Atmospheric Administration (NOAA) Climate Prediction Center released the official outlook for the 2020 Atlantic Hurricane Season on May 21, 2020. The outlook predicts a 60% chance of an above-normal season with a forecast of 13 to 19 named storms, 6 to 10 of which could be hurricanes, and 3 to 6 of those being major hurricanes (category 3 or greater with winds of 111 mph or higher). The forecast was released following Tropical Storm Arthur, which developed on May 17th and ultimately tracked out to sea. On May 27th, Tropical Storm Bertha formed just off of the South Carolina coast and made landfall near Bulls Bay, bringing heavy rainfall to Georgetown County.

Given the NOAA outlook, and preseason activity, GCEMD is prepared to respond should a tropical cyclone impact our county.



## EVACUATION

Georgetown County utilizes one primary hurricane evacuation route, along with an alternate evacuation route, should traffic loading become an issue.



The primary hurricane evacuation route utilizes US 17 south to SC 521, then takes SC 261 to US 378 to Columbia. Should this route become overloaded, an alternate route will be utilized by loading traffic onto Black River Road to US 701, then to SC 51 to SC 41, then to US 378 at Kingsburg, and on to Columbia.

Residents wishing to evacuate to a destination other than those facilitated by the hurricane evacuation routes should do so prior to the initiation of an evacuation order by the Governor.

## SHELTERING

Emergency shelters are pre-identified and are systematically opened during an evacuation. Due to COVID-19, additional safety precautions will be taken at emergency shelters. These precautions will include reduced capacity to allow for social distancing, pre-entry screening, additional cleaning stations, and isolation areas, if needed. Individuals evacuating to a shelter should remember to bring their own personal items to include blankets, pillows, and personal/comfort items. Emergency shelters should be a place of last resort, as people are encour-



aged to evacuate to a friend or family member's home in a safe location.

## POST STORM RE-ENTRY

Following an evacuation, everyone wants to return home as quickly as possible. It is our duty to ensure that conditions are safe for residents to return following an evacuation.

Specific attention will be given to impacted areas prior to the authorization of re-entry. These considerations include, but are not limited to, access to the area, utilities, the availability of life-sustaining necessities, emergency care, and security.

Once re-entry is authorized, there may be specific limitations that are necessary, such as curfews and restricted access times, to ensure the safety of the public and property following a significant storm.



## EOC Operations

As we adjust our daily lives to deal with the COVID-19 pandemic. We will do the same with our Emergency Operations Center, in the event of an activation this season. We will employ reduced staffing to ensure social distancing while utilizing a virtual information sharing platform for those not staffing the EOC in person.

We will also utilize the three-level operating conditions or OPCODES that were introduced at the beginning of the 2019 Hurricane Season.

### OPCODE THREE

#### NORMAL DAILY OPERATIONS

AGENCIES COORDINATE, PLAN, TRAIN AND EXERCISE AS WARRANTED. INCIDENTS ARE MONITORED BY THE STATE WARNING POINT AND LOCAL EMERGENCY MANAGERS.

### OPCODE TWO

#### ENHANCED AWARENESS

A DISASTER OR EMERGENCY IS LIKELY TO AFFECT THE STATE. EMERGENCY OPERATIONS PLANS ARE IMPLEMENTED. THE STATE EMERGENCY OPERATIONS CENTER IS PARTIALLY ACTIVATED IF NECESSARY.

### OPCODE ONE

#### FULL ALERT

A DISASTER OR EMERGENCY IS IMMINENT OR OCCURRING. THE STATE EMERGENCY OPERATIONS CENTER IS FULLY ACTIVATED. ALL STATE EMERGENCY RESPONSE TEAM PERSONNEL ARE ACTIVATED OR READY TO DEPLOY.

## YOUR PERSONAL DISASTER SUPPLY KIT



SC Hurricane Guide



Portable radio with extra batteries



First Aid Kit, including prescriptions



NOAA Weather Radio



Flashlights with extra batteries



Cash Money



Mobile device chargers



Bottled water  
2 gallons per person per day



Plastic dishes and eating utensils



Bedding & clothing for each family member



Rain jacket, pants, and boots



Blankets and towels



Baby supplies; food, diapers, medication



Hand sanitizer



Non-perishable food for at least 3 days



Pet supplies



Soap, shampoo, and other personal hygiene items



Sunglasses, mosquito repellent, sunscreen



Important documents such as drivers license, social security card, insurance policies, wills, deeds, family pictures, etc.



Toothbrush and toothpaste

