

Council Members

District 1: John Thomas
District 2: Bob Anderson
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, *Chairman*

**County Administrator**

Angela Christian

Clerk to Council

Theresa E. Floyd

March 23, 2021

5:30 PM

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

AGENDA

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. PUBLIC COMMENT**
- 5. APPROVAL OF MINUTES**
 - 5.a Regular Council Meeting - March 9, 2021**
- 6. CONSENT AGENDA**
 - 6.a Procurement No. 21-018, Georgetown County Sheriff's Office (9) Chevrolet Tahoe's**
 - 6.b Procurement No. 21-002, Aerial Mosquito Adulticide and Larvacide Spraying**
- 7. PUBLIC HEARINGS**
 - 7.a Ordinance No. 21-08 - An Ordinance to Amend the FY21 Operating Budget of Georgetown County**
- 8. APPOINTMENTS TO BOARDS AND COMMISSIONS**
- 9. RESOLUTIONS / PROCLAMATIONS**
 - 9.a Resolution No. 21-04 - To Declare April 2021 as Fair Housing Month in Georgetown County**
- 10. THIRD READING OF ORDINANCES**
 - 10.a Ordinance No. 21-05 - An Ordinance Allocating the Remaining 2014 Capital Project Sales Tax Surplus Proceeds for Capital Projects and Other Matters Related Thereto**

**10.b Ordinance No. 21-08 - An Ordinance to Amend the FY21
Operating Budget of Georgetown County**

11. SECOND READING OF ORDINANCES

**11.a Ordinance No. 21-10 - To rezone a 3 acre parcel located on the
east side of Rose Hill Road at its intersection with St. Luke Trail
and Ritch Lane from Village 10,000 Square Feet Residential (VR-
10) to One Acre Residential (R1)**

12. FIRST READING OF ORDINANCES

**12.a ORDINANCE NO. 21-12 - AUTHORIZING THE EXECUTION AND
DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND
SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND
BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA AND
LAMBERT I, LLC, TO PROVIDE FOR PAYMENT OF A FEE-IN-
LIEU OF TAXES WITH RESPECT TO A PROJECT;
AUTHORIZING SPECIAL SOURCE REVENUE CREDITS; AND
OTHER RELATED MATTERS.**

**12.b ORDINANCE NO. 21-13 - AN ORDINANCE OF GEORGETOWN
COUNTY, SOUTH CAROLINA APPROVING AN AGREEMENT
FOR THE ENLARGEMENT OF THE JOINT-COUNTY
INDUSTRIAL PARK BY AND BETWEEN GEORGETOWN
COUNTY, SOUTH CAROLINA, AND WILLIAMSBURG COUNTY,
SOUTH CAROLINA; AND OTHER MATTERS RELATED TO THE
FOREGOING (LAMBERT I, LLC).**

**12.c ORDINANCE NO. 21-14 - AUTHORIZING THE EXECUTION AND
DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND
SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND
BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA AND
LAMBERT II, LLC, TO PROVIDE FOR PAYMENT OF A FEE-IN-
LIEU OF TAXES WITH RESPECT TO A PROJECT;
AUTHORIZING SPECIAL SOURCE REVENUE CREDITS; AND
OTHER RELATED MATTERS.**

**12.d ORDINANCE NO. 21-15 - AN ORDINANCE OF GEORGETOWN
COUNTY, SOUTH CAROLINA APPROVING AN AGREEMENT
FOR THE ENLARGEMENT OF THE JOINT-COUNTY
INDUSTRIAL PARK BY AND BETWEEN GEORGETOWN
COUNTY, SOUTH CAROLINA, AND WILLIAMSBURG COUNTY,
SOUTH CAROLINA; AND OTHER MATTERS RELATED TO THE
FOREGOING (LAMBERT II, LLC).**

13. COUNCIL BRIEFING AND COMMITTEE REPORTS

14. BIDS

15. REPORTS TO COUNCIL

15.a Nonprofit Spotlight - SOS Cares SC

15.b First Amendment to Option and Purchase Agreement

16. DEFERRED OR PREVIOUSLY SUSPENDED ISSUES

- 16.a Ordinance No. 20-59 - An Ordinance to revise the Rules of Procedure as previously adopted by Georgetown County Council.**
- 16.b Ordinance No. 21-07 - An Ordinance to Repeal, Replace, and/or Establish Certain Fees Payable to the Georgetown County Coroner's Office, and Set Guidelines for the Same**
- 16.c Ordinance No. 21-09 – An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to an Existing Fee In Lieu of Tax and Incentive Agreement by and Among Georgetown County, South Carolina (The “County”), G2 Composites, LLC (as Successor in Interest to MHG OZ FUND I, LLC), and Eagle Commercial, LLC (as Successor in Interest to MHG OZ FUND II, LLC) to Effect Certain Modifications Thereto; and (2) Other Matters Relating Thereto (pending public hearing on 4/13/21)**

17. LEGAL BRIEFING / EXECUTIVE SESSION

- 17.a Economic Development - Contractual Matter SC 30-4-70 (a) 2**

18. OPEN SESSION

19. ADJOURNMENT

Item Number: 5.a
Meeting Date: 3/23/2021
Item Type: APPROVAL OF MINUTES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: County Council

ISSUE UNDERCONSIDERATION:
Regular Council Meeting - March 9, 2021

CURRENT STATUS:
Pending

POINTS TO CONSIDER:
n/a

FINANCIAL IMPACT:
n/a

OPTIONS:
1. Approval of minutes as submitted.
2. Offer amendments.

STAFF RECOMMENDATIONS:
Adoption of meeting minutes.

ATTORNEY REVIEW:

ATTACHMENTS:

Description	Type
▣ DRAFT - Minutes 3/9/21	Backup Material

Georgetown County Council held a Regular Council Meeting on Tuesday, March 9, 2021, at 5:30 PM in the Howard Auditorium, 1610 Hawkins Street, Georgetown, South Carolina.

Present: Bob Anderson Louis R, Morant
 Everett Carolina Raymond Newton
 Steve Goggans John W. Thomas
 Lillie Jean Johnson

Staff: Angela Christian H. Thomas Morgan, Jr.
 Jackie Broach-Akers

Other staff members, members of the public, and representatives of the media were also present. In accordance with the Freedom of Information Act, a copy of the agenda was sent to newspapers, television, and radio stations, citizens of the County, Department Heads, and posted on the bulletin board in the historic Courthouse.

Chairman Louis R. Morant called the meeting to order. Councilmember Everett Carolina gave an invocation, and all joined in the pledge of allegiance.

APPROVAL OF AGENDA:

Councilmember John Thomas moved for approval of the meeting agenda, with recommendation to move Report 15a, non-profit spotlight, forward on the meeting agenda. Councilmember Bob Anderson offered a second. There was no discussion on the motion.

In Favor: Bob Anderson Louis R, Morant
 Everett Carolina Raymond L. Newton
 Steve Goggans John W. Thomas
 Lillie Jean Johnson

PUBLIC COMMENTS:

Tom Dunn

Mr. Dunn spoke in opposition of Georgetown County's continuation of face mask requirements (Covid-19) citing that to do so the Council would be operating outside of the realm of its authority to do so. This would be an unauthorized exercise of emergency powers as South Carolina's Governor has lifted restrictions statewide.

Chris Anderson

Mr. Anderson spoke in opposition of Georgetown County's continuation of face mask requirements (Covid-19) citing that we are "shutting down the whole world for a disease that has a 99.9% survival rate, 99.4% for the elderly". He said there are many suspect factors involving pharmaceutical companies and others in regards to this illness.

Steve German MD

Dr. German spoke in opposition of Georgetown County's continuation of face mask requirements (Covid-19). As a board certified internal medicine physician, he has authored a book on immunology, and in his opinion mandatory mask requirements should not be extended. Should any member of Council be interested in his reasons for his opinion, he would be willing to explain in further detail.

MINUTES:

Regular Council Session – February 23, 2021

Councilmember Everett Carolina moved for approval of the minutes of County Council's meeting on February 23, 2021. Councilmember Bob Anderson seconded the motion. Chairman Louis Morant called for discussion on the motion, and none occurred.

In Favor:	Bob Anderson	Louis R, Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

CONSENT AGENDA:

The following report was included on the consent agenda, and approved as part of the agenda approval process.

RFQu #21-003: Environmental & Wetlands Engineering Services, IDIQ - County Council approved award of a professional services agreement to The Brigman Company of Conway, SC.

RESOLUTIONS / PROCLAMATIONS:

Resolution No. 21-01

Councilmember Bob Anderson moved for the adoption of Resolution No. 21-01 a Declaration of Official Intent to Reimburse in compliance with certain US Treasury expenditures in regards to bond issuance. Councilmember Raymond Newton seconded the motion. Chairman Louis Morant called for discussion on the motion, and there was none.

In Favor:	Bob Anderson	Louis R, Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

Resolution No. 21-03

Councilmember Everett Carolina moved for the adoption of Resolution No. 21-03, a Resolution by Georgetown County Council opposing South Carolina Senate Bill 200 pertaining to the Use of a Firing Squad to Execute a Person Sentenced to Death. Councilmember Raymond Newton offered a second on the motion. Chairman Louis Morant called for discussion.

Councilmember Bob Anderson raised questions regarding the status of this bill on the State level. Interim County Attorney, H. Thomas Morgan, Jr. advised on the status of S.200, which has passed in the SC Senate, and is currently before the House of Representatives for consideration. Councilmember Anderson stated that due to the seriousness of this matter, it was his preference that County Council defer action until further information was available.

In Favor:	Everett Carolina	Louis R, Morant
	Steve Goggans	Raymond L. Newton
	Lillie Jean Johnson	John W. Thomas

Abstained: Bob Anderson

ORDINANCES-Third Reading

No reports.

ORDINANCES-Second Reading:

Ordinance No. 21-08

Following a report from County Finance Director, Karis Langston, a motion was made by Councilmember Lillie Jean Johnson for second reading approval of Ordinance No. 21-08, an Ordinance to Amend the FY21 Operating Budget of Georgetown County. Councilmember Steve Goggans seconded the motion. Chairman Louis Morant called for discussion on the motion.

Councilmember Lillie Jean Johnson moved to amend Ordinance No. 21-08 to incorporate proposed text, as the ordinance was introduced by title only at first reading. Councilmember Steve Goggans offered a second on the amended motion. No further discussion occurred.

In Favor:	Bob Anderson	Louis R, Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

The vote on the main motion was as follows:

In Favor:	Bob Anderson	Louis R, Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

Ordinance No. 21-09

Following a report from Economic Development Director, Brian Tucker, a motion was made by Councilmember Raymond Newton for second reading approval of Ordinance No. 21-09, an Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to an Existing Fee In Lieu of Tax and Incentive Agreement by and Among Georgetown County, South Carolina (The "County"), G2 Composites, LLC (as Successor in Interest to MHG OZ FUND I, LLC), and Eagle Commercial, LLC (as Successor in Interest to MHG OZ FUND II, LLC) to Effect Certain Modifications Thereto; and (2) Other Matters Relating Thereto. Councilmember Everett Carolina seconded the motion. There was a call for discussion on the motion from Chairman Louis Morant.

Councilmember Raymond Newton moved to amend Ordinance No. 21-09 to incorporate proposed text, as the ordinance was introduced by title only. Councilmember Everett Carolina offered a second on the amendment. No further discussion occurred.

In Favor:	Bob Anderson	Louis R, Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

The vote on the main motion was as follows:

In Favor:	Bob Anderson	Louis R. Morant
	Everett Carolina	Raymond L. Newton
	Steve Goggans	John W. Thomas
	Lillie Jean Johnson	

ORDINANCES-First Reading:

Ordinance No. 21-10 - To rezone a 3 acre parcel located on the east side of Rose Hill Road at its intersection with St. Luke Trail and Ritch Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R1).

BIDS:

No reports.

REPORTS TO COUNCIL:

Nonprofit Spotlight - Murrells Inlet 2020

(This report we presented earlier during the meeting)

Georgetown County and the Bunnelle Foundation are partnering to spotlight a local nonprofit at each County Council meeting. A presentation was made on behalf of Murrells Inlet 2020 by Meredith Millen, Executive Director, and Meredith Millen, Board Chair. Murrells Inlet 2020's mission is to promote conservation of the natural environment while fostering local community and commerce. The organization's vision is to make Murrells Inlet a great place to live, work and visit.

Emergency Ordinance No. 21-11

Brandon Ellis, Emergency Management Director, presented a report on the status of Covid-19 in Georgetown County, and responded to questions from members of County Council. Following detailed discussion, a motion was made by Councilmember John Thomas for the adoption of Emergency Ordinance No. 21-11 to continue the local State of Emergency, and extend requirements for face coverings in certain situations to remain in effect through April 27, 2021. Councilmember Everett Carolina seconded the motion. Chairman Louis Morant called for discussion on the motion.

Councilmember Raymond Newton noted that he has consistently opposed requirements mandating masks since the beginning of the COVID-19 pandemic. He said there are conflicting reports from scientists regarding the effectiveness of masks in protecting against the virus, and many people wear them improperly. Councilmember Newton stated that this matter should be left up to the individual, and he would be more in favor of a resolution *urging* citizens to wear masks, and to wear them properly.

In Favor:	Bob Anderson	Louis R. Morant
	Everett Carolina	John W. Thomas
	Lillie Jean Johnson	

Opposed:	Steve Goggans	Raymond L. Newton
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DEFERRED OR PREVIOUSLY SUSPENDED ISSUES

Ordinance No. 20-59 - An Ordinance to revise the Rules of Procedure as previously adopted by Georgetown County Council.

Ordinance No. 21-05 - An Ordinance Allocating the Remaining 2014 Capital Project Sales Tax Surplus Proceeds for Capital Projects and Other Matters Related Thereto.

Ordinance No. 21-07 – An Ordinance to Repeal, Replace, and/or Establish Certain Fees Payable to the Georgetown County Coroner’s Office, and Set Guidelines for the Same.

EXECUTIVE SESSION:

No reports.

Being no further business come before council, the Chairman Morant adjourned the meeting at 6:44 pm.

Date

Clerk to Council

Item Number: 6.a
Meeting Date: 3/23/2021
Item Type: CONSENT AGENDA

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Purchasing

ISSUE UNDERCONSIDERATION:

Procurement #21-018, Replacement of (9) Chevrolet Tahoe's for the Sheriff's Office.

CURRENT STATUS:

The vehicles being considered for replacement are part of the previously approved Capital Equipment Replacement Plan (CERP) annual assessment and review process. The Sheriff's Office identified nine (9) vehicles for replacement. The old units may be sold as surplus or reassigned to other departments where a used vehicle is appropriate

POINTS TO CONSIDER:

1) This item will be procured using the State Contract #4400024875, under the existing procurement code:

Sec. 2-76. Examples of Cooperative Purchasing, External Procurement Activities:

- 1) Contracts established by the purchasing division of the State of South Carolina or other states.
- 2) The Sheriff's Office has requested nine (9) units with hardware and mounting as appropriate for the designated vehicles with a cost of \$35,231.00 each, which includes the \$500 infrastructure maintenance fee, for a total cost of \$317,079.00 for all nine (9) units.
- 3) The state vendor for these services is Love Chevrolet. The County has had successful history of past purchases with this vendor.

FINANCIAL IMPACT:

This request is fully funded in 499.205-50713 up to \$317,079.00 as part of the CERP vehicle replacement plan costs as previously approved.

OPTIONS:

- 1) Award a purchase order to Love Chevrolet, for \$317,079.00 for nine (9) 2021 Chevrolet Tahoe's.
- 2) Decline to approve

STAFF RECOMMENDATIONS:

The Sheriff's Office recommends the procurement of the (9) 2021 Chevrolet Tahoe's from Love Chevrolet, utilizing SC State Contract pricing. The department believes the proposed costs to be in the best interest of the County.

ATTORNEY REVIEW:

No

ATTACHMENTS:

Description		Type
▯	PO 2021-337	Cover Memo
▯	21-018 Recommendation by Mr. Carter Weaver, Georgetown County Sheriff	Cover Memo

**Bill To**

GEORGETOWN COUNTY
ATTN ACCOUNTS PAYABLE
PO BOX 421270
GEORGETOWN, SC 29442-4200

Ship To

MYRTLE BEACH COMMUNICATIONS
1330 ENTERPRISE AVE
MYRTLE BEACH, SC 29577

Purchase Order

No. 2021-00000337

03/12/21

PURCHASE ORDER NUMBER MUST APPEAR ON
ALL INVOICES, SHIPMENTS, BILL OF LADING, AND
CORRESPONDENCE

Vendor 102762 LOVE CHEVROLET COMPANY**Deliver by****Contact**

LOVE CHEVROLET COMPANY
POST OFFICE BOX 8387
COLUMBIA, SC 29202-8387

Ship Via

VEND

Freight Terms

F.O.B: DESTINATION

Originator

Ann Puckett

Resolution Number

21-018 SC 4400024875

Invoice Terms

N30

Quantity	U/M	Description	Part Number	Unit Cost	Total Cost
9.0000	EA	VEHICLE, AUTO/TRUCK		\$34,731.0000	\$312,579.00
<i>Item Description</i> 2021 CHEVROLET TAHOE PER ATTACHED SPECS					
<i>G/L Account</i>		<i>Project</i>		<i>Amount</i>	<i>Percent</i>
499.205-50713 (Autos & Trucks)					100.00%
9.0000	EA	VEHICLE, AUTO/TRUCK		\$500.0000	\$4,500.00
<i>Item Description</i> INFRASTRUCTURE MAINTENANCE FEE					
<i>G/L Account</i>		<i>Project</i>		<i>Amount</i>	<i>Percent</i>
499.205-50713 (Autos & Trucks)					100.00%

Level	Level Description	Date	Approval User
1	Dept Entry	3/9/2021	Sabrina Player
2	Dept Head/Director	3/9/2021	Carter Weaver
3	Purchasing	3/12/2021	Ann Puckett

Total Due \$317,079.00

SIGNATURE

SIGNATURE

Special Instructions

E-MAIL TO: John Myrick
COMPANY: _____
FROM: Georgetown County, SC Purchasing Office
E-MAIL: purch@gtcounty.org PHONE: (843)545-3082 FAX: (843)545-3500

Love Chevrolet Company
P.O. Box 8387
Columbia, South Carolina 29202
(803) 794-9000



Wayne Owens
Georgetown County Sheriff
Georgetown SC

No. 12-14-2020

LE-8 – Pursuit Rated Full Size Utility Vehicle
2020 Chevrolet Tahoe CC10706 9C1
SC State Contract #440002475
Love Chevrolet Company
100 Parkridge Drive Columbia SC 29212
803-407-2196

Contract Base Price ...		\$ 34,478 Ea.
Includes ...	Black Exterior Color	
	Driver Side Mounted Spotlight	
	Law Enforcement Dome Light	
	Seating Option 5Y1 Deletes Front Center Seat	
	BG9 Black Vinyl Floor Covering	
	Delivery	\$ 245 Ea.
	Infrastructure Maintenance Fee	\$ 500 Ea.
	Temporary Tag	\$ 8 Ea.
	Total Sale Price	\$ 35,231 Ea.

Call or email me with your questions.

Sincerely, 

John Myrick Fleet Sales 803-407-2196, jmyrick@loveauto.com
Love Chevrolet Fleet 100 Parkridge Drive Columbia SC 29212



GEORGETOWN COUNTY SHERIFF'S OFFICE

430 NORTH FRASER STREET
GEORGETOWN, SOUTH CAROLINA 29440
PHONE: 843-546-5102 FAX: 843-546-2752

**CARTER
WEAVER**
SHERIFF

To: Purchasing
From: Sheriff Carter Weaver
Date: 03-10-2021
Re: Letter of Recommendation - Purchasing of (9) PPV Chevrolet Tahoes from Love Chevrolet.

It is the recommendation of my office to acquire the vendor Love Chevrolet for the purchasing of (9) Chevrolet Tahoes (PPV) to be added to the sheriff's office vehicle fleet. The cost of the vehicles will be \$317,079.00. The funding is secured in account 499.205.50713

Carter Weaver



GEORGETOWN COUNTY
Budget Analysis Worksheet
Capital Expenditure Request
Budget Year 2021

THIS FORM SHOULD ONLY BE USED FOR VEHICLES AND EQUIPMENT ON THE CERP
PLEASE REFER TO THE JUSTIFICATION INSTRUCTIONS BEFORE COMPLETING THIS FORM.

Department SHERIFF (205)	
Asset Category (check applicable box)	
<input checked="" type="checkbox"/> 50713 Autos and Trucks	<input type="checkbox"/> 50707 Machinery and Equipment
Description of Asset to be replaced	Salvage Value (to be recorded as revenue)
(7) 2011 Dodge Chargers vin# 2B3CL1CT1BH572369	\$2750.00 X 7
2370, 2375, 2376, 2377, 2381, 2382	
(1) 2013 Dodge Charger vin # 2C3CDXAT8DH694784	\$3,000
(1) 2011 Ford F-150 vin #1FTFW1EFXBFB11165	\$5,000.00
	<u>\$27,250</u>
New Asset Requested	
Budget Requested	
(9) 2021 Chevrolet PPV Tahoes (9 x \$35,231	\$317,079.00
Total	<u>\$317,079</u>
Justification (if change in asset)	

COMPLETED BY: Wayne Owens, Jr DIRECTOR or DEPARTMENT HEAD:

Carter Weaver

Item Number: 6.b
Meeting Date: 3/23/2021
Item Type: CONSENT AGENDA

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Purchasing

ISSUE UNDERCONSIDERATION:

Procurement #21-002, Aerial Mosquito Adulticide and Larvacide Spraying Services.

CURRENT STATUS:

The contract for Aerial Mosquito Adulticide and Larvacide Spraying has reached the 5 yr. maximum term limitation and thus must be rebid.

POINTS TO CONSIDER:

This solicitation was advertised in a newspaper of general circulation in Georgetown County, posted on the county and SCBO website and directly sent to all known offerors. There were two (2) responses received:

1. Williamsburg Air Service in the amount of \$0.83 per acre for Adulticiding and \$8.15 for Larvaciding.
2. Allens Aviation Inc. In the amount of \$0.90 for Adulticiding and \$10.25 for Larvaciding.

Williamsburg Air Service is \$0.07 less for Adulticiding and \$2.10 Leass for Larvaciding.

FINANCIAL IMPACT:

The approved budget funds will be in GL Account Number 502-309-50431. There is up to \$88,000 remaining in FY21 for these services.

OPTIONS:

1. Award a Service contract to Williamsburg Air Service.
2. Decline to approve.

STAFF RECOMMENDATIONS:

The Director of Public Services, Mr. Ray Funnye, has recommended the bid 21-002 Aerial Mosquito Adulticide and Larvacide Spraying Services be awarded to Williamsburg Air Services as the lowest bidder.

ATTORNEY REVIEW:

No

ATTACHMENTS:


Description	Type
▢ Recommendation signed by the Director of Public Services, Mr. Ray Funnye	Cover Memo



Georgetown County
Department of Public Services
Innovative Leadership & Teamwork!



Memorandum

To: Nancy Silver, Purchasing Officer
From: Ray C. Funnye, Director of Public Services 
Date: March 3, 2021
RE: Bid #21-002: Aerial Mosquito Adulticide and Larvacide Spraying Services

Georgetown County issued an invitation for bid for Aerial Mosquito Adulticide and Larvacide Spraying Services (Solicitation #21-002).

Georgetown County received bids from Williamsburg Air Service, Inc., of \$0.83 per acre for Adulticiding and \$8.15 for Larvaciding; and a bid from Allen Aviation, Inc., of \$0.90 per acre for Adulticiding and \$10.25 for Larvaciding. Allen Aviation's bid is \$0.07 greater for Adulticiding and \$2.10 greater for Larvaciding.

Based on the aforementioned, I recommend Bid #21-002, Aerial Mosquito Adulticide and Larvacide Spraying Services be awarded to Williamsburg Air Service, Inc.

Administration

108 Screven Street • PO Drawer 421270 • Georgetown, SC 29440
Phone: 843-545-3325 • Fax: 843-545-3648 • email: rcfunnye@gtcounty.org

Item Number: 7.a
Meeting Date: 3/23/2021
Item Type: PUBLIC HEARINGS

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: County Council

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-08 - An Ordinance to Amend the FY21 Operating Budget of Georgetown County

CURRENT STATUS:

Pending

POINTS TO CONSIDER:

Ordinance No. 21-08 amends the current operating budget to appropriate funding for unforeseen costs, including the appropriation of insurance reimbursements as detailed within the body of the body of the proposed ordinance.

Ordinance No. 21-08 as provided includes a proposed amendment that will be considered by County Council under separate report.

FINANCIAL IMPACT:

OPTIONS:

1. Adopt Ordinance No. 21-08
2. Do not adopt Ordinance No. 21-08.

STAFF RECOMMENDATIONS:

The Chairman will open the floor for public comments related to Ordinance No. 21-08.

Recommendations regarding the adoption of Ordinance No. 21-08 will be provided under separate report.

ATTORNEY REVIEW:

ATTACHMENTS:

Description	Type
□ Ordinance No. 21-08 Budget Amendment	Ordinance

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

ORDINANCE No. 21-08

**AN ORDINANCE TO AMEND THE 2020/2021 BUDGET ORDINANCE ADOPTED BY
GEORGETOWN COUNTY COUNCIL**

- Section 1: Appropriations in the General Fund are increased by \$87,275 to provide funding for the repairs to Pea House Landing and the well at the Retreat Park. Funding will come from reimbursements from our insurance carrier.
- Section 2: Appropriations in the General Fund are increased by \$140,000 to provide funding for the necessary network upgrades required as a result of the January 2021 cyber intrusion as well as funding for reinstating the MIS Director position for the remainder of the fiscal year. Funding will come from fund balance in the General Fund.
- Section 3: Appropriation in the General Fund are increased by \$17,500 to provide funding for the salaries and fringe benefits associated with the renegotiated contract for magistrate services with the Town of Pawleys Island. Funding will come for the Town of Pawleys Island.
- Section 4: Appropriations in the Midway Fire District II are increased by \$5,500 to provide for repairs to a fire truck damaged in an accident. Funding will come from reimbursements from our insurance carrier.
- Section 5: Appropriations in the Environmental Services Fund are increased by \$214,829 to provide funding for the purchase of a new excavator damaged in an accident. Funding will come from reimbursements from our insurance carrier.
- Section 6: This Ordinance No. 21-08 shall be effective upon final approval and adoption by Georgetown County Council.

SO SHALL IT BE, AS ADOPTED THIS _____ DAY OF _____, 2021

Louis R. Morant, Chairman
Georgetown County Council

(Seal)

ATTEST:

_____(Seal)
Theresa E. Floyd, Clerk to Council

This Ordinance, No. 21-08, has been reviewed by me and is hereby approved as to form and legality.

_____(Seal)
H. Thomas Morgan, Jr.
Interim County Attorney

First Reading: February 9, 2021

Second Reading: March 9, 2021

Third Reading: _____

Item Number: 9.a
Meeting Date: 3/23/2021
Item Type: RESOLUTIONS / PROCLAMATIONS

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: County Administrator

ISSUE UNDERCONSIDERATION:

Resolution No. 21-04 - To Declare April 2021 as "Fair Housing Month" in Georgetown County

CURRENT STATUS:

Pending adoption

POINTS TO CONSIDER:

In April 1968 the United States passed a Fair Housing Law supporting the policy of fair housing without regard to race, color, creed, national origin, sex, familial status, or handicap. The State of South Carolina has enacted Fair Housing Law supporting the same policies, and encouraging fair housing for all citizens.

Georgetown County Council believes that all of its citizens should be afforded the opportunity to attain a safe and decent living environment. Furthermore, Georgetown County Council is committed to highlighting Fair Housing Law and supports programs that will educate and inform the public about the right to equal housing opportunities.

April is recognized nationally as Fair Housing Month. Georgetown County Council also designates and recognizes April 2021 as "Fair Housing Month" in Georgetown County.

FINANCIAL IMPACT:

n/a

OPTIONS:

1. Adopt Resolution No. 21-04 designating April 2021 as "Fair Housing Month" in Georgetown County.
2. Do not adopt Resolution No. 21-04.

STAFF RECOMMENDATIONS:

Recommendation for the adoption of Resolution No. 21-04 designating April 2021 as "Fair Housing Month" in Georgetown County.

ATTORNEY REVIEW:

ATTACHMENTS:

	Description	Type
□	Resolution No. 21-04 Designation of Fair Housing Month	Resolution Letter

RESOLUTION No. 21-04

STATE OF SOUTH CAROLINA)	
)	FAIR HOUSING MONTH
COUNTY OF GEORGETOWN)	April 2021

Whereas, Georgetown County Council desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

Whereas, Georgetown County Council rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status, in the sale, rental, or provision of other housing services; and

Whereas, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

Whereas, April is recognized nationally as Fair Housing Month; and

THEREFORE, BE IT RESOLVED, that Georgetown County Council does hereby designate April 2021 as Fair Housing Month, in Georgetown County, SC.

SO SHALL IT BE adopted this 23rd day of March, 2021, by Georgetown County Council, and published in the newspaper on _____.

Louis R. Morant, Chairman
Georgetown County Council

ATTEST:

Theresa E. Floyd, Clerk
Georgetown County Council

Item Number: 10.a
Meeting Date: 3/23/2021
Item Type: THIRD READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: County Administrator

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-05 - An Ordinance Allocating the Remaining 2014 Capital Project Sales Tax Surplus Proceeds for Capital Projects and Other Matters Related Thereto

CURRENT STATUS:

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.

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.

POINTS TO CONSIDER:

In 2020 Georgetown County Council passed Ord. 20-26 whereby \$4,041,353 of the surplus was allocated for capital projects. County Council, after researching and submitting proposals for projects to County administration, is now tasked with the adoption of an ordinance to allocate the remaining 2014 capital project tax surplus proceeds for capital projects.

FINANCIAL IMPACT:

OPTIONS:

1. Adopt Ordinance No. 21-05.
2. Do not adopt Ordinance No. 21-05.

STAFF RECOMMENDATIONS:

Recommendation for approval of Ordinance No. 21-05.

NOTE: Ordinance No. 21-05 will require a motion to amend at 3rd reading if Council chooses to incorporate proposed amendments.

ATTORNEY REVIEW:

ATTACHMENTS:

Description

Type

▣ Ordinance No 21-05 CPST Surplus as AMENDED Ordinance

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 21-05

COUNTY OF GEORGETOWN

)

)

**AN ORDINANCE ALLOCATING THE REMAINING 2014 CAPITAL PROJECT SALES TAX SURPLUS
PROCEEDS FOR CAPITAL PROJECTS AND OTHER MATTERS RELATING THERETO**

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, in 2020 County Council passed Ord. 20-26 (reference is craved thereto) whereby \$4,041,353 of the surplus was allocated for capital projects; and

WHEREAS, County Council, after researching and submitting proposals for projects to County administration, is now tasked with the adoption of an ordinance to allocate the remaining 2014 capital project tax surplus proceeds for capital projects; and

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 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 \$10 million dollars.
3. That the following items be funded and disbursed from *2014 surplus collections*:

a. Emergency Vehicle Traffic Control system	\$ 1,000,000
b. DeBordieu Fire Station Plan	\$ 199,870
c. Waverly Road Multimodal Pathway	\$ 1,853,116
d. Sewer System Expansion along Powell Road to Mt Zion	\$ 294,080
e. Basketball Court for South Island and Walking Trail	\$ 231,200
f. Tennis Courts for N Santee & Sampit Parks	\$ 334,872
g. Resurface Tennis Courts at South Island Rd	\$ 33,750
h. Lighting, Signage on trails in N Santee Sampit, Andrews & Lambertown	\$ 88,098
i. Pleasant Hill NW Park Basketball Court & Playground	\$ 82,864
j. Library Improvements	\$ 869,425
k. Spring Gulley Improvements (Roads, Drainage, Recreation)	\$ 300,000
l. HVAC systems at N Santee	\$ 18,000
m. Big Dam Swamp Center	\$ 650,000
n. St. Luke Community Center	\$ 100,000
o. Choppee Complex Auditorium Renovations	\$ 404,323
p. Sandy Island Fire Renovations	\$ 22,000
q. Dunbar Park Improvements	\$ 61,500

r. Lanes Creek Park Improvements	\$ 45,800
s. Sandy Island Shelter	\$ 6,000
t. Plantersville Park Improvements	\$ 45,000
u. Sewer Expansion from Choppee to Carver's Bay	\$ 289,302
v. Oatland, St. Paul and Pee Dee Park Improvements	\$ 70,800
	<u>\$ 7,000,000</u>

4. That the projects listed in Section 2-(3) comport with the types of allowable projects listed in South Carolina Code of Laws 4-10-330(A)(1).
5. That this ordinance and the allocation of surplus proceeds is made in accordance with South Carolina Code of Laws 4-10-340.
6. That the remaining balance of *2014 surplus collections*, if any, be held in account without expenditure until such time the Georgetown County Council determines and ordains subsequent projects for which the surplus may be disbursed.

Section 2:

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 _____ 2021.

Louis R. Morant, Chairman
Georgetown County Council

(SEAL)
Attest:

Theresa E. Floyd Clerk to Council

This Ordinance, No. 21-05, has been reviewed by me and is hereby approved as to form and legality.

H. Thomas Morgan, Jr.
Interim County Attorney

First Reading: _____

Second Reading: _____

Third Reading: _____

Item Number: 10.b
Meeting Date: 3/23/2021
Item Type: THIRD READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Finance

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-08 - An Ordinance to Amend the FY21 Operating Budget of Georgetown County

CURRENT STATUS:

Pending

POINTS TO CONSIDER:

Ordinance No. 21-08 amends the current operating budget to appropriate funding for unforeseen costs, including the appropriation of insurance reimbursements as detailed within the body of the body of the proposed ordinance.

Ordinance No. 21-08 has been amended to include additional appropriations (highlighted) subsequent to second reading.

FINANCIAL IMPACT:

OPTIONS:

1. Adopt Ordinance No. 21-08
2. Do not adopt Ordinance No. 21-08.

STAFF RECOMMENDATIONS:

Recommendation for third reading approval of Ordinance No. 21-08.

NOTE: *A motion to amend will be required to incorporate amended text as provided subsequent to second reading consideration.*

ATTORNEY REVIEW:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Ordinance No. 21-08 Budget Amendment	Ordinance

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

ORDINANCE No. 21-08

**AN ORDINANCE TO AMEND THE 2020/2021 BUDGET ORDINANCE ADOPTED BY
GEORGETOWN COUNTY COUNCIL**

- Section 1: Appropriations in the General Fund are increased by \$87,275 to provide funding for the repairs to Pea House Landing and the well at the Retreat Park. Funding will come from reimbursements from our insurance carrier.
- Section 2: Appropriations in the General Fund are increased by \$140,000 to provide funding for the necessary network upgrades required as a result of the January 2021 cyber intrusion as well as funding for reinstating the MIS Director position for the remainder of the fiscal year. Funding will come from fund balance in the General Fund.
- Section 3: Appropriation in the General Fund are increased by \$17,500 to provide funding for the salaries and fringe benefits associated with the renegotiated contract for magistrate services with the Town of Pawleys Island. Funding will come for the Town of Pawleys Island.
- Section 4: Appropriations in the Midway Fire District II are increased by \$5,500 to provide for repairs to a fire truck damaged in an accident. Funding will come from reimbursements from our insurance carrier.
- Section 5: Appropriations in the Environmental Services Fund are increased by \$214,829 to provide funding for the purchase of a new excavator damaged in an accident. Funding will come from reimbursements from our insurance carrier.
- Section 6: This Ordinance No. 21-08 shall be effective upon final approval and adoption by Georgetown County Council.

SO SHALL IT BE, AS ADOPTED THIS _____ DAY OF _____, 2021

Louis R. Morant, Chairman
Georgetown County Council

(Seal)

ATTEST:

_____(Seal)
Theresa E. Floyd, Clerk to Council

This Ordinance, No. 21-08, has been reviewed by me and is hereby approved as to form and legality.

_____(Seal)
H. Thomas Morgan, Jr.
Interim County Attorney

First Reading: February 9, 2021

Second Reading: March 9, 2021

Third Reading: _____

Item Number: 11.a

Meeting Date: 3/23/2021

Item Type: SECOND READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Planning / Zoning

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-10 - To rezone a 3 acre parcel located on the east side of Rose Hill Road at its intersection with St. Luke Trail and Ritch Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R1).

A request from Christopher Frasier as agent for the Trustees of the Church of God and True Holiness to rezone approximately 3 acres located on the east side of Rose Hill Road at its intersection with St. Luke Trail and Rich Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R1). TMS 03-0428-032-01-03. Case Number REZ 11-20-26818.

CURRENT STATUS:

The property is currently zoned VR-10 and is vacant.

POINTS TO CONSIDER:

1. The applicant proposes to use the property as a cemetery. The 3 acre parcel is owed by the Trustees of the Church of God and True Holiness; however, is not located on or adjacent to the church, so he cemetery cannot be considered an accessory use. The church is located on the west across Rose Hill Road approximately 234.72 feet to the north at the intersection of Glenn Loop and Church of God Way.

2. Prior to the construction of this church they used the "community cemetery" owned by St Luke's Church; however, now in order to utilize the cemetery the members of the Church of God have to pay a yearly maintenance fee along with a one-time burial fee. The cemetery is located approximately one-half mile north on Rose Hill Road off of Hickory Drive. In order to avoid these fees, they have plans to create their own cemetery on their property located on Rose Hill Road. Since the members already pay tithes, fees will be waived.

3 .Cemeteries are listed as a permitted use in Forest Agriculture (FA), Forest Agriculture/Commercial (FA/C) and Forest Agriculture/Residential (FA/R) and as a conditional use in the following zoning districts Residential One-Acre (R-1) provided that the site does not contain a crematorium, Limited Industrial (LI) provided that the graves are located at least 25 feet off of any street right of way, Residential ¾ Acre (R3/4) provided that the site contain one acre or more and Residential 5 Acre (R5) provided that the site contains five or more acres.

4. Adjacent properties to the north, east, south and west are zoned Village 10,000 Square Feet Residential. The property is large enough in size that spot-zoning should not be an issue. A nearby GC district contains approximately two acres. The St. Luke Park and Community Center (County-owned) is located approximately 800 feet behind the proposed cemetery at 245 Ritch Lane. Senior Citizen activities are offered and a lighted playground and basketball courts are available for younger adults and children. The is a natural buffer between the community center and the adjacent single family residence

and the adjacent single family residence.

5. Mr. Frasier requested the same rezoning change in March of 2015. It was recommended for approval by the Planning Commission; however, the request was denied at second reading of County Council on April 28, 2015. There were two residents that spoke at council's public input period in opposition to the request.

6. If approved, the property shall comply with all zoning regulations that pertain to the R-1 zoning district.

7. This parcel along with the adjacent parcels are designated Medium Density Residential on the Future Land Use Map. R-1 fits under the Low Density designation.

8. Staff spoke with several residents opposed to the cemetery. They are opposed to any size cemetery in this location. Rezoning a smaller area to R1 would not satisfy their concerns. Also, there is some dispute regarding the amount of fees being charged by St. Luke Church. To date, we have 8 letters in opposition to this request.

9. The Planning Commission held a public hearing at their February 18, meeting. The applicant came forward to speak along with 3 community residents who opposed the cemetery. The PC recommended denial of the rezoning request with a vote of 6-0.

FINANCIAL IMPACT:

No Applicable

OPTIONS:

1. Deny as recommended by PC.
2. Approve request.
3. Defer action.
4. Remand to PC for further study.

STAFF RECOMMENDATIONS:

The Planning Commission recommended denial of this rezoning request.

ATTORNEY REVIEW:

Yes

ATTACHMENTS:

Description	Type
▣ Ordinance No. 21-10 To Rezone 3 acres on Rose Hill Road to R-1	Ordinance
▣ Application and Attachments	Cover Memo
▣ Location Map	Cover Memo
▣ Location sites	Cover Memo
▣ Zoning Map	Cover Memo
▣ FLU Map	Cover Memo
▣ Aerial Map	Cover Memo
▣ Plat	Cover Memo

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

ORDINANCE NO. 21-10

AN ORDINANCE TO AMEND THE ZONING MAP OF GEORGETOWN COUNTY REGARDING TMS NUMBER 03-0428-032-01-03 LOCATED ON THE EAST SIDE OF ROSE HILL ROAD AT ITS INTERSECTION WITH ST. LUKE TRAIL AND RITCH LANE FROM VILLAGE 10,000 SQUARE FEET RESIDENTIAL (VR-10) TO ONE-ACRE RESIDENTIAL (R-1)

BE IT ORDAINED BY THE COUNTY COUNCIL MEMBERS OF GEORGETOWN COUNTY, SOUTH CAROLINA, IN COUNTY COUNCIL ASSEMBLED TO AMEND THE ZONING MAP OF GEORGETOWN COUNTY, SPECIFICALLY TMS NUMBER 03-0428-032-01-03 LOCATED ON THE EAST SIDE OF ROSE HILL ROAD AT ITS INTERSECTION WITH ST. LUKE TRAIL AND RITCH LANE FROM VILLAGE 10,000 SQUARE FEET RESIDENTIAL (VR-10) TO ONE-ACRE RESIDENTIAL (R-1) AS REFLECTED ON THE ATTACHED MAP.

DONE, RATIFIED AND ADOPTED THIS _____ DAY OF _____, 2021.

Louis R. Morant
Chairman, Georgetown County Council

(SEAL)

ATTEST:

Theresa E. Floyd
Clerk to Council

This Ordinance, No. 21-10 has been reviewed by me and is hereby approved as to form and legality.

H. Thomas Morgan, Jr
Interim County Attorney

First Reading: March 9, 2021

Second Reading: _____

Third Reading: _____



129 Screven St. Suite 222
 Post Office Drawer 421270
 Georgetown, S. C. 29440
 Phone: 843-545-3158
 Fax: 843-545-3299

PROPOSED ZONING AMENDMENT

COMPLETED APPLICATIONS FOR ZONING AMENDMENTS MUST BE SUBMITTED ALONG WITH THE REQUIRED FEE, AT LEAST FORTY-FIVE (45) DAYS PRIOR TO A PLANNING COMMISSION MEETING.

THE APPLICANT IS REQUESTING: (Indicate one)

- (☒) A change in the Zoning Map.
 () A change in the Zoning Text.

The following information must be provided for either request:

Property Information that you are requesting the change to:

Tax Map (TMS) Number: 03-0428-032-01-03

Street Address: St Luke Trl

City / State / Zip Code: Georgetown SC 29440

Lot Dimensions/ Lot Area: 3 ACRES

Plat Book / Page: V-046

Current Zoning Classification: VR-10

Proposed Zoning Classification: R-1

Property Owner of Record:


Name: Trustees of Church of God & True Holiness

Address: 71 Church of God Way

City/ State/ Zip Code: Georgetown SC 29440

Telephone/Fax Numbers: (843) 527-6402

E-mail: _____

Signature of Owner / Date:  11/15/20

I have appointed the individual or firm listed below as my representative in conjunction with this matter related to the rezoning request.

Agent of Owner:

Name: Christopher Frasier

Address: 71 Church of God Way

City / State / Zip Code: Georgetown SC 29440

Telephone/Fax: (843) 694-9241

E-mail: dredgeboater2015@gmail.com

Signature of Agent/ Date: Christopher Frasier

Signature of Property Owner: 

Contact Information:

Name: Christopher Frasier

Address: 71 Church of God Way Georgetown SC 29440

Phone / E-mail: (843) 694-9241 / dredgeboater2015@gmail.com

Please provide the following information.

1. Please submit 12 copies of the site plan or plat (size: 11 x 17 or 24 x 26, as needed)
2. Please explain the rezoning request for this property.

Requesting rezoning for Church
Cemetery

Please provide the following information for a Zoning Text Amendment.

1. Indicate the section of the Zoning Ordinance that you are proposing to be changed:

2. Indicate the reasons for the proposed changes:

NOT ZONED FOR Cemetery

Fee required for all applications at the time of submittal:

Rezoning Applications	\$250.00
Text Amendments	\$250.00

Adjacent Property Owners Information required:

1. The person requesting the amendment to the Zoning Map or Zoning Text must submit to the Planning office, at the time of application submittal, stamped envelopes for each resident within **Four Hundred Feet (400)** of the subject property. The following return address must appear on the

envelope: **"Georgetown County Planning Commission, 129 Screven St. Suite 222, Georgetown, SC 29440."**

2. A list of all persons (and related Tax Map Numbers) to whom envelopes are addressed must also accompany the application.

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

Please submit this **completed application** and appropriate fee to Georgetown County Planning Division at 129 Screven St. Suite 222, Georgetown, S. C. 29440. If you need additional assistance, please call our office at 843-545-3158.

Site visits to the property, by County employees, are essential to process this application. The owner\applicant as listed above, hereby authorize County employees to visit and photograph this site as part of the application process.

A sign is going to be placed on your property informing residents of an upcoming meeting concerning this particular property. This sign belongs to Georgetown County and will be picked up from your property within five (5) days of the hearing.

All information contained in this application is public record and is available to the general public.

Please submit a PDF version of your plans if available. You may e-mail them to csargent@georgetowncountysc.org or include with your application.



NOTICE OF PUBLIC HEARING

The Planning Commission will consider a request from Christopher Frasier, agent for the Trustees of the Church of God and True Holiness to rezone approximately 3 acres located on the east side of Rose Hill Road at its intersection with St. Luke Trail and Ritch Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R-1). TMS# 03-0428-032-01-03. Case # REZ 11-20-26818.

The Planning Commission will be reviewing this request during a virtual meeting on Thursday, February 18, 2021 at 5:30 pm. The meeting will be streamed live at youtube.com/gtcountysc.

Comments may be emailed to planning.gtcounty@gmail.com or mailed to Georgetown County Planning Department, PO Box 421270, Georgetown, SC 29442.

Anyone wishing to speak during the public hearing for this item should sign up by 3:00 pm on Wednesday, February 17th by using the form provided at gtcounty.org or contacting the Planning Department at 843-545-3158. Registered individuals will be asked to report to Howard Auditorium no later than 5:15 pm on Thursday, February 18th to make public comments during the meeting via live video. Only those who have signed up in advance will be allowed into the facility.

Judy Blankenship

From: Holly Richardson
Sent: Tuesday, January 12, 2021 12:33 PM
To: Judy Blankenship
Subject: FW: Graveyard Saint Luke Trail/Rosehill Road

Holly H. Richardson, AICP
Director of Planning and Code Enforcement Georgetown County
129 Screven Street
Georgetown, SC 29440
843-545-3254
hrichardson@gtcounty.org

-----Original Message-----

From: Desser Lewis-Allen [mailto:dallen96@hotmail.com]
Sent: Monday, January 11, 2021 7:25 PM
To: Holly Richardson
Subject: Graveyard Saint Luke Trail/Rosehill Road

Dear Ms. Richardson:

Desser Lewis-Allen, vehemently oppose the formation of a graveyard near the front yard of my family's home and property. This is very selfish and inconsiderate of this individual to think that it is ok to have a burial ground with many dead people and headstones in view as you walk out of the door of your home or look out of your window to see the same view. Who wants to visit us with graves close by our home and in plain view. I do not wish to live among the dead. That is unthinkable. If permission is granted, the borderline may extend closer and closer to our home as many funerals and burials take place over the years and tons of headstones looming in our view constantly. Actually, it is very frightening to even think about.

Who wants to live this way daily and for many years to come. I am pleading that you will please not allow this tragic situation to become a nightmare for our family. This may be a short term decision for the individuals, but it is a life term decision for our family.

Thank you for your consideration and attention in this matter.

God's Blessings.

Sincerely,

Desser Lewis-Allen

Sent from my iPhone

Judy Blankenship

Subject: FW: Grave Location in the St. Luke Community

Greeting Ms. Richardson,

My name is Rev. John Allen Lewis. I am submitting this letter in regard to the attempt of a local church in the community to establish a grave yard in close proximity and up front to our family

home and property. My connection to this land is that it was our family land until my father become ill, up in age and unfortunately had to sell. Our family residence front and side yard is

only a few hundred feet from which they are proposing establish a grave yard. To say the least no one wants to walk out of there home everyday and the first thing they see is a grave yard. This

would be a sore sight to the eyes and no doubt would have a unhealthy impact especially on our family and others within the community. The psychological impact would obviously be enduring. We

would have young children who are terrified of freely playing in the comfort of what belongs to them. Many sets of circumstances have already impact our children, and now to have this trust upon

them and others because adults fail to come together and reason with each other. Such a daily visual would also have a psychological impact them at such a young age. Can you image living in the

beautiful rural country and your children and grandchildren are afraid to play in their own front and back yards. What a travesty? And what about the periodical disturbance of traffic and noise no

matter how small would possibly create. The value of our property would obviously and immediately depreciate. It is not our purpose to be indifferent , we are simply asking those who are leading

this project to think about the impact of their decision for the over all good of the community. Moreover, it was our understanding that the land was sold based upon the premise of a Church being

constructed. Therefore, Rev. John Allen Lewis am strongly in disagreement with this grave yard endeavor. This is too close to our property. I would that the community which had always embrace

principles of Christian values will come and reason together.

Respectfully Submitted;

Rev. John A. Lewis

Sent from Mail for Windows 10

LOUIS HAYNES JR
7972 ANZA DRIVE
SAN DIEGO, CA 92114

DATE 01/02/2021

SUBJECT NOTICE OF PUBLIC HEARING, **ON THURSDAY, January 21, 2021 at 5:30 p.m.**
Property location, REZ 11-20-26818

I received a notice informing me that the Georgetown county planning commission is holding a public hearing on rezone approximately 3 acres located on the east side of Rose Hill Road at its intersection with St. Luke Trail and Ritch Lane from Village 10,000 SF Residentail (VR-10) to One Acre Residential (R-1). What is the rezone pertain to? Please email me at LHaynes1@gmail.com Thank you

If the rezone of this property is to establish a cemetery, I am against the rezone.

A handwritten signature in black ink, appearing to read "Louis Haynes Jr.", written in a cursive style.

LOUIS HAYNES JR

Judy Blankenship

From: ESPERENZA <esperenzadw@yahoo.com>
Sent: Wednesday, January 13, 2021 12:00 AM
To: Judy Blankenship
Subject: FW: Opposition to County Proposal

To Whom It May Concern,

My name is Richard Cox and I am writing this letter in reference to the land that I sold to The Church Of God and True Holiness. When I sold the land, my understanding was that the land was going to be used as the site for a new church ,not a burial ground and the only reason I sold the property was because of that specific understanding and verbal agreement. I would have never sold the property if I knew that a burial ground was in the planning, because I still have property behind that lot and I am considering building a housing development in the future that would add to the growth of the St.Luke community with the senior citizen center and playground that is there at present.

This letter is to strongly voice my opposition to this county proposal of the rezoning of this property.

Sincerely Yours,
Richard Cox

Sent from Mail for Windows 10

From:
Sent: Tuesday, January 12, 2021 11:52 PM
To: jblankenship@gtcountyorg
Subject: Opposition to County Proposal

To Whom It May Concern,

My name is Richard Cox and I am writing this letter in reference to the land that I sold to The Church Of God and True Holiness. When I sold the land, my understanding was that the land was going to be used as the site for a new church ,not a burial ground and the only reason I sold the property was because of that specific understanding and verbal agreement. I would have never sold the property if I knew that a burial ground was in the planning, because I still have property behind that lot and I am considering building a housing development in the future that would add to the growth of the St.Luke community with the senior citizen center and playground that is there at present.

This letter is to strongly voice my opposition to this county proposal of the rezoning of this property.

Harrison W. Lewis
560 Main Street Apt. 417
New York, NY 10044

January 20, 2021

To Director Holly Richardson,

The Lewis Family has been living at Saint Luke Trail for more than 90 years. It was owned by my parents, Luther and Lucille Lewis; we even owned the site on which they are contemplating installing a cemetery.

We have always lived with a peace of mind and a stress free life at this location. Certainly, this will change drastically if a cemetery is allowed to be placed in what is essentially our front yard.

We are very saddened by the fact that this church did not even consider us, the other families, or the senior citizen center before they decided to place a cemetery here in the center of this community. They did not consider how it would affect our daily lives mentally, psychologically, and physically.

It's my understanding that when they purchased this land, it was for a church building; but we seem to have been misled. And despite our objections, they have sought to have a cemetery installed. However, once a cemetery was not feasible for this area, they decided to have the zoning laws changed to fit their agenda. This course of action is unfair to the families - including mine - that oppose this imposition.

We, as Christian believers, should always have the concern for those who live in the community as opposed to pressing our own agendas. I would like to pose this question - would any one of those parishioners want a cemetery in their front yard? Would they want to be subjected to the negative impact it has on them day in and day out?

I'm praying and sympathizing that this is not allowed to happen. I pray for careful consideration for these families now and generations to come.

Sincerely,

Rev. Harrison W. Lewis

Judy Blankenship

From: Tiffany Coleman
Sent: Wednesday, January 20, 2021 4:20 PM
To: Judy Blankenship
Subject: FW: Property Owner Comments for Public Hearing (Thursday, January 21, 2021) TMS # 03-0428-032-01-03
Attachments: George Town County Planning Commission Letter.docx

Tiffany Coleman

Associate Planner Georgetown County
129 Screven St.
Georgetown, SC 29440
Phone: 843-545-3158
E-mail: tcoleman@gtcounty.org



From: Loretta Rodgers [mailto:lmrodders23@yahoo.com]
Sent: Wednesday, January 20, 2021 4:17 PM
To: Tiffany Coleman
Subject: Property Owner Comments for Public Hearing (Thursday, January 21, 2021) TMS # 03-0428-032-01-03

Georgetown County Planning Commission:

I am sending this email + attached letter on behalf of my mother who is a property owner (Carrie B. Rodgers). She wished to submit written comments regarding the issue of rezoning, as she will be unable to attend.

Attached is a letter in response to *Notice of Public Hearing (January 21, 2021) relevant to the rezoning hearing as a request from Christopher Frazier as agent for the Trustees of the Church of God and True Holiness. *TMS # 03-0428-032-01-03

Regards,

Loretta M. Rodgers

Doctoral Candidate, Ministry (DMIN)

January 19, 2021

Carrie B. Rodgers

Loretta M. Rodgers

929 Whitby Road

Cleveland Heights, Ohio 44112

Georgetown County Planning Commission:

In response to the Notice of Public Hearing, considering the request from Christopher Frasier, agent for the Trustees of the Church of God and True Holiness, to rezone three acres located on the eastside of Rose Hill Road at its intersection with St. Luke Trail, and Ritch Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R-1). TMS # 03-0428-032-01-03. Case #REZ 11-20-26818.).

My name is Loretta M. Rodgers. I am submitting these comments at the request of my mother, Carrie B. Rodgers. It is my mother's understanding, the Church of God and True Holiness is seeking to rezone acreage near her property, with the intent of developing a cemetery on land previously purchased. Considerate of current landowners and residents in the nearby area, this acreage should not be rezoned for this purpose.

Placing a cemetery in this area encroaches not only on the present residential atmosphere, but may lower property values, limit interest of potential homeowners, and become a roadblock to future development in the area.

Additionally, it is unfair to push for this change, as it appears to favor the deceased over the choices, and potential positive fiscal tax revenue enabled by the living. Personal belief pertaining to cemeteries is irrelevant in this matter, and a decision must be made thoughtful of long-term community impact.

In conclusion, if residents and property owners wanted land near a cemetery, then they would have purchased their acreage with this in mind - they did not. There are other locations where installing a cemetery would not be an eyesore, and provide additional open acreage for possible

) future expansion. Choosing another location, is a better plan for all parties involved, and favors a solution considerate of existing long-term property owners and residents.

Sincere Regards,

Carrie B. Rodgers

Written by,

Loretta M. Rodgers

Doctoral Candidate, Ministry (DMIN)

**FROM THE DESK OF:
ASHLEE LEWIS, ESQ.
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NEW YORK, NY 10044
(p): 646.926.2716 (e): ashleelewis.esq@gmail.com**

January 19, 2021

ATTN: Director Holly Richardson
Georgetown County Department of Planning & Code Enforcement
129 Screven Street
Room 222, Georgetown, S.C. 29440

Dear Director Richardson,

My name is Ashlee Lewis; I'm a New York State licensed attorney, the daughter of Karen and Harrison Lewis, and the granddaughter of Luther Lewis, Sr. and Lucille Lewis. Though I was born and raised in New York City, my formative years were greatly shaped by the summers and school vacations spent on my family's St. Luke Trail property in Georgetown, South Carolina.

Imagine growing up knowing that your family owns land in such a historical state and just yards away from a historical landmark! Being able to perfectly visualize the anecdotes of my father's childhood was truly a treat and made all of the lessons I was taught from them much more real.

It was here that my grandparents were able to build their entrepreneurial spirit - as farmers, as local carpenters, and as local herbalists.

Where my father, uncles, and cousins learned invaluable trade, vocational, and survival skills.

Where my grandmother painstakingly curated, nurtured and grew her herbal garden that provided remedies and supplements for our family and the community.

has more than established their basic real property rights and entitlements - including the right to quiet use and enjoyment.

We are fully within our rights to exclude The Church of God and True Holiness from permanently blemishing the visual landscape of the St. Luke Trail property.

- a. A property owner has the right to possess and use his or her property without disturbance, and any disturbance of an owner's possession or use may constitute a nuisance. With the potential to contaminate the air and water as well as the emotional impact on the family, it fits that the proposed cemetery would bring about such a nuisance. Furthermore, the proposal to plant vegetative buffers will not suffice for two reasons: if the buffers become overgrown or unkempt, it becomes a public nuisance. If the cemetery will be frequently visited, the increase in traffic is certainly a nuisance (please see case law in **Exhibit F** and article in **Exhibit G**).
- b. Church of God and True Holiness' current plan to subject our family to such an imposition is borderline intentional - and certainly negligent - infliction of emotional distress. My family made it abundantly clear that a cemetery this close to our property would present said nuisance and even offered to purchase the land - at the very least a scenic easement - and were denied.

It is outrageous to place a cemetery in someone's front yard after knowing their wishes against it, being aware of their history to the existing land, and declining their offers to purchase the parcel of land - especially when there is an existing cemetery located a few miles from the land that has enough acreage to accommodate the community's burial needs.

Furthermore, my grandmother (Lucille Lewis) passed away in February 2017; St. Luke Trail holds much more value to us now more than ever. Her passing triggered mental and physical distress in all of us - it exacerbated my major depressive disorder and

permit was denied. If DOH wouldn't permit an additional residential structure, similar rejection should be placed on a cemetery within the same yardage. As previously mentioned, cemeteries are far more cumbersome - constant foot and motor traffic, potential contamination, digging of plots, burial of caskets, etc.

- c. Church of God and True Holiness fraudulently induced Seller into the sale of the acreage. It was initially agreed upon to be used for a church building; the Church of God and True Holiness assured Seller that it would be used for this purpose. Seller conveyed this to our family and it gave us a sense of peace as well - after all, our family built St. Luke AME Church located at 29 Glenn Loop, Georgetown, SC 29440. To subsequently decide a cemetery can be placed there - when there are other long standing nearby options available - implies that this was always the intention of The Church of God and True Holiness. They simply told the Seller whatever they needed to in order to secure the property.

I plead that you will block the Church of God and True Holiness from establishing a cemetery adjacent to my family's St. Luke Trail property. Not only do I find it to be a highly objectionable use of the property - especially when there's already a cemetery available for use less than two miles from the property - but it'd be unfairly eradicating my family's inherent right to enjoyment, right to exclusion, to nostalgia, and to sentiment as landowners. Please block the cemetery not only to maintain the integrity and safety of the community, but to also maintain our legacy. Thank you.

Yours truly,

A handwritten signature in cursive script, appearing to read "Ashlee L. Lewis".

Ashlee L. Lewis, Esq.

EXHIBIT A

These images demonstrate the benefit of quiet use of enjoyment, as well as privacy/safety our family continues to partake in today. Geotagging on the photos will confirm that these were taken at the family property located at the intersection of St. Luke Trail and Rose Hill Road.

My son, Isaiah Christian-Lewis Ballard, enjoying the cats on the St. Luke Trail property. His occupational therapist later ascertained that pet therapy would be appropriate for him. December 9, 2012.



EXHIBIT C

These images demonstrate the benefit of quiet use of enjoyment, as well as privacy/safety our family continues to partake in today. Geotagging on the photos will confirm that these were taken at the family property located at the intersection of St. Luke Trail and Rose Hill Road.

Isaiah Christian-Lewis Ballard and his cousin Jaki Thompson (son of Anthony Thompson, grandson of Leola Thompson) enjoying quality time together and benefitting from lack of traffic on the St. Luke Trail property. August 7, 2016.



EXHIBIT E

The following is a 2014 study published in the Journal of Water and Health. One of the key findings was that viral and bacterial pathogens were more easily spread in mist and humid climates - similar to that of South Carolina's lowcountry. The study also purports that "cemeteries should not be located in (a) areas where the groundwater level is shallow; (b) seasonal or ephemeral floods occur" - also characteristic of the St. Luke Trail property.

human-hosted viruses, e.g., enterovirus (Matos 2001; Dent *et al.* 2004; Castro 2008). In most cases, the contamination of the environment comes from pathogenic intestinal bacteria such as *E. coli* (Singleton 1999; Gleeson & Gray 2002), *Pseudomonas aeruginosa* (Knight & Dent 1998; Dent 1998, 2004), *C. perfringens* (Martins *et al.* 1991), and – in Brazil – even *Salmonella* spp. (Pacheco *et al.* 1991; Braz *et al.* 2000).

Most of these microorganisms accelerate the decomposition of organic matter and they are not pathogenic (De Ville de Goyet 1980). Many pathogens gradually die after the death of the host body as they are not capable of surviving for a long time outside of the host body, especially when environmental conditions are inappropriate (Gerba & Bitton 1984). These include, for example, *Yersinia pestis*, *Vibrio cholerae*, *S. typhi*, *Mycobacterium tuberculosis*, *Bacillus anthracis*, variola virus, hepatitis virus and HIV (human immunodeficiency virus) (Yates & Gerba 1983; Yates *et al.* 1985; Gerba *et al.* 1991; Healing *et al.* 1995; Üçisik & Rushbrook 1988; Cook 1999; Trick *et al.* 1999; De Ville de Goyet 2000; Matos 2001; Morgan 2004; Dent 2004). Therefore, some researchers (Bitton *et al.* 1983; Trick *et al.* 1999) have suggested that the groundwater contamination by bacteria and viruses in cemeteries results from contemporary pollutions. However, some microorganisms are long-living and, in appropriate environmental conditions, can survive in soil profile or in groundwater for some time, e.g., *B. anthracis*, variola virus and *Clostridium* spp. (Yates *et al.* 1985; Haagsma 1991; West *et al.* 1998). The survival period varies (Rudolfs *et al.* 1950; Romero 1970; Creely 2004). Lower temperature, higher soil moisture content associated with lower microbial activity, more alkaline environment, and higher organic matter content are the factors that extend the survival period of these microorganisms (Pacheco 2000), especially in the form of endospores. Creely (2004) states that the survival period of pathogens and saprophytes in the ground is limited to a maximum two to three years. In the case of *V. cholerae* this period is shorter and lasts approximately 4 weeks. However, some microorganisms can survive even up to 5 years and, in this time, they can migrate and reach the groundwater, e.g., *E. coli* (Rudolfs *et al.* 1950; Romero 1970). Usually, the migration time takes from 1 to 4 weeks (Pacheco 1986). Dent (2004) reported that in Australia this process may take up to 100 days. Some investigations suggest that this period may be extended to 6 to 8 months (Silva 1994).

Decomposition of interred bodies causes an increase in microbial activity in the surrounding substrate, associated with the release of persistent organic compounds (Matos 2001). Some of these organic compounds are highly toxic, e.g., putrescine (1,4-butanediamine) and cadaverine (1,5-pentanediamine) (Żychowski 2007; Castro 2008). These compounds can cause highly dangerous infectious disease such as liver inflammation (hepatitis C virus) and typhoid fever (*S. typhi*) (Dent 2000a, 2004; Bocchese *et al.* 2007; Leite 2009). Microorganisms associated with decomposition of interred bodies can also cause other diseases such as tetanus (*Clostridium tetani*), gaseous gangrene (*C. perfringens*), toxic contamination of food (*E. coli*), tuberculosis (*Mycobacterium tuberculosis*), paratyphoid fever (*Salmonella paratyphi*), bacterial dysentery (*Shigella dysenteriae*) and cholera (*V. cholerae*) (Silva, J. A. P. 2000; Silva, L. M. 2000; Josias & Harris 2004). It is worth emphasizing that bacteria transported by water, like those of the genus *Shigella*, as well as rotaviruses and protozoans of the genera *Entamoeba* and *Giardia*, often cause asymptomatic or serious infections with high mortality rates, particularly among children (Matos 2001).

A brief introduction indicated that cemeteries may have large adverse impacts on groundwater and can be a source of dangerous infectious diseases. So far, this topic has been investigated in several regions of the world (mainly Brazil, Australia, the Republic of South Africa (RSA), Portugal, the United Kingdom and Poland). Most of the studies are presented in Portuguese and for this reason have not yet reached worldwide attention. However, recently the international hydrological community has focused more and more attention on this issue. This study reviews the results of investigations related to the impact of cemeteries on groundwater contamination by bacteria and viruses. This issue was mainly discussed in the context of the quantities and qualities of changes in types of microorganisms causing the groundwater contamination. In some cases, these changes were related to the environmental setting of a place, where a cemetery was located. The review is completed by a list of recommendations. Their implementation aims to protect the local environment, employees of funeral homes and the residents living in the vicinity of cemeteries.

In this form, this review aims to familiarize the reader with the results of this topic, and provide practical guidance for decision-makers in the context of the location of new

Table 2 | The microbiological contamination of groundwater in three selected cemeteries in Portugal (shortened table, Rodrigues & Pacheco 2003)

Boreholes in		The bacteriological parameters (minimum and maximum) ^a for the borehole samples P (4, 7, 8, 6, 9, 11)				
		GHM T22 ^a	TC ^b	FC ^c	FE ^d	CSR ^e
Querenc	P4	20–29.6 × 10 ³	130–6.9 × 10 ³	0–4.4 × 10 ³	0–6	7–460
	P7	3–133	0–23	0–20	0–4	4–93
	P8	2–5.0 × 10 ³	46–1.9 × 10 ³	0–395	1–128	23–4.6 × 10 ³
Luz de Tavira	P6	27–365	3–1.9 × 10 ³	1–121	0–11	23–1.1 × 10 ³
	P9	1–293	0–595	0–60	0–7	0–48
Seixas	P11	5–3	4–9	4	0	4

^aGHM T22, heterotrophic and mesophile bacteria (CFU-100 ml⁻¹) developing at temperatures above 22 °C.

^bTC, total coliforms (CFU-100 ml⁻¹).

^cFC, faecal coliforms (CFU-100 ml⁻¹).

^dFE, faecal streptococci (*S. faecalis*) (CFU-100 ml⁻¹).

^eCSR, *Clostridium* (MPN-100 ml⁻¹), MPN, most probable number.

between the samples taken from the cemetery and those from the reference site – a distance of c. 300 m – were related to heterotrophic and mesophilic bacteria, total coliforms and the bacteria of the genus *Clostridium* (Table 2).

The highest numbers of all the bacteria studied were found in the Seixas cemetery in Minho. The cemetery is located in a place where sea tides increase the thickness of the filtration layer. The samples from a borehole located in the central part of the cemetery contained decidedly higher quantities of bacteria than those from a borehole situated 290 m away from it.

Rodrigues & Pacheco (2003), on the basis of these studies, suggested that the climate of Portugal, where high precipitation and high air moisture occur in winter, is also a factor boosting bacteriological contamination of groundwater.

Studies in Poland concerned the impact of nine cemeteries and mass graves on the presence of *B. cereus*, *S. aureus*, *Staphylococcus* spp., *C. perfringens*, faecal streptococci (*S. faecalis*) and the thermotolerant coliforms in the groundwater (Żychowski 2009). The studies confirmed the differences between the numbers of bacteria in wells situated within the cemeteries or below their sites and their bacteriological background. However, these differences were not large (Table 1). The largest differences occurred in *S. aureus* and faecal streptococci (*S. faecalis*), which were detected in three out of nine burials. Higher numbers of *S. aureus* and thermotolerant coliforms are fostered by sandy substrates, shallow groundwater table levels, contemporary interments and landslides destroying the slopes.

Studies conducted by the World Health Organization (Üçisik & Rushbrook 1988) concerning groundwater under cemeteries revealed the presence of *B. cereus*, faecal streptococci (*S. faecalis*), Micrococcaceae and Enterobacteriaceae. Researchers from Europe (and some from the USA) drew particular attention to the occurrence at such sites of, for example, faecal streptococci (*S. faecalis*), *P. aeruginosa* and *Clostridium* spp. (Rodriguez & Bass 1985; Iserson 1995; Environment Agency UK 2002). It is worth mentioning that the researchers from the USA have not found faecal coliforms at cemeteries within their own country.

Studies in South America

Studies focusing on groundwater quality in cemeteries were mainly developed in Brazil. Bergamo (1954) was the first to draw attention to the impact of cemeteries on the groundwater and surface water contamination in cemeteries and beyond them. During the Fourth Inter-American Congress of Sanitary Engineering in São Paulo, he emphasized the need for geological research and delineation of zones at risk of contamination around cemeteries. Since the early 1980s, these studies have been developed by Professor A. Pacheco at the Centre of Underground Water Research at the University of São Paulo, supported by the Institute of Biomedical Sciences at the same university (Costa *et al.* 2002). His first study covered 22 cemeteries in São Paulo (Pacheco 1986). In this study, he focused on the impact of public cemeteries on the environment and suggested that geological, geotechnical and hydrogeological studies

Table 4 | The quantiles of selected bacteria in underground water in several of the 20 piezometers installed in the de Vila Nova Cachoeirinha cemetery in São Paulo, Brazil (shortened table, Matos & Pacheco 2002)

Number of boreholes	Heterotrophic bacteria ^a (from..to..)	Total coliforms ^b (from..to..)	Faecal coliforms ^b (from..to..)	Proteolytic bacteria ^b (from..to..)	Clostridium sulfito reductores ^b (from..to..)
P1	120 to 110 × 10 ⁴	< 2 to 10	< 2 to 10	< 2 to 300	< 2 to 1.6 × 10 ³
P5	90 × 10 ² to 77 × 10 ³	23 to 170	2 to 30	22 to 16 × 10 ³	130 to ≥ 1.6 × 10 ³
P7	54 × 10 ³ to 40 × 10 ⁵	< 2 to ≥ 1.6 × 10 ³	< 2 to ≥ 1.6 × 10 ³	10 to ≥ 16 × 10 ³	< 2 to ≥ 1.6 × 10 ³
P9	180 × 10 ² to 170 × 10 ³	< 2 to ≥ 1.6 × 10 ³	< 2 to 300	< 2 to ≥ 1.6 × 10 ³	13 to 1.3 × 10 ³
P13	32 × 10 ³ to 86 × 10 ³	< 2 to 4	< 2 to 2	10 to 500	23 to 1.3 × 10 ³
P15	85 × 10 ³ to 29 × 10 ³	< 2	< 2	20 to 500	500 to 2.2 × 10 ³
P20	95 × 10 ² to 52 × 10 ³	2 to 23	< 2	8 to 170	8 to 170

^aCFU·100 ml⁻¹, CFU, colony forming unit.^bMPN·100 ml⁻¹, MPN, most probable number.

(Pacheco *et al.* 1991) were performed at almost the same time as those of Martins *et al.* (1991). Martins' team analysed 67 groundwater samples. Most of the samples contained higher quantities of *S. faecalis* and sulphite reducer clostridia compared with the faecal coliforms (Table 5). The presence of coliphages was not confirmed (Martins *et al.* 1991). The authors suggested that *S. faecalis* and sulphite reducer clostridia content are more appropriate indicators for evaluation of the sanitary conditions of the cemetery groundwater. In this study the *Salmonella* spp. were detected in one of the 44 analysed samples. However, the occurrence of these dangerous bacteria, with a maximum of 3,000 CFU·100 ml⁻¹ (determined by the membrane filter

method), was confirmed by Final (2007) in two cemeteries: São Gonçalo and Parque Bom Jesus in the Cuiabá region of Mato Grosso state.

Among the cemeteries (Vila Nova Cachoeirinha, Vila Formosa, Areia Branca) the worst quality of groundwater was recorded at the Areia Branca cemetery in Santos (Table 5).

According to Pacheco *et al.* (1991), diversity in the numbers of bacteria in cemeteries' groundwater is associated mainly with varying lithological conditions as well as the depth of the groundwater table. Similar conclusions were formulated by Martins *et al.* (1991) and Matos (2001). The poor quality of the groundwater at the Areia Branca cemetery in Santos is associated with the permeable sandy formations (Quaternary age marine sediments) and shallow groundwater table – c. 2.2 m below the terrain surface (Martins *et al.* 1991). The environmental settings of the remaining two cemeteries in São Paulo are slightly different. The groundwater table is significantly deeper and reaches, on average, 12.0 m below the terrain surface (Bastianon *et al.* 2000). The substrate of the Vila Formosa cemetery is mainly composed of alternating layers of clays and sandy clays of Tertiary age sediments (Migliorini 1994). In turn, in the Vila Nova Cachoeirinha cemetery, the substrate is mainly composed of sandy sediments containing clayey layers. These clayey layers are acidic and contain few organic substances. As a result, they are not very active in terms of ion exchange (Matos *et al.* 2002). The authors even emphasized hydraulic conductivity of the substrate. Clayey substrates are less permeable to a cemetery's

Table 5 | The maximum values of bacteriological indicators found in samples collected in three Brazilian cemeteries (Martins *et al.* 1991), simplified table

Bacteria	Cemeteries		
	Areia Branca, Santos	Vila Formosa, São Paulo	Vila Nova Cachoeirinha, São Paulo
Total coliforms ^a	1.6 × 10 ³	1.6 × 10 ³	1.6 × 10 ³
Faecal coliforms ^a	1.6 × 10 ³	3.0 × 10 ²	7
<i>S. faecalis</i> ^a	1.6 × 10 ³	1.6 × 10 ³	1.6 × 10 ³
Sulphite reducer clostridia ^a	1.6 × 10 ³	2.4 × 10 ²	27
Proteolytic ^a	1.6 × 10 ³	1.6 × 10 ³	9.0 × 10 ³
Heterotrophic ^b	8.1 × 10 ⁶	7.1 × 10 ⁵	5.3 × 10 ⁴
Lipolytic ^b	1.2 × 10 ⁶	1.5 × 10 ³	3.6 × 10 ⁴

^aMPN·100 ml⁻¹, MPN, most probable number.^bCFU·100 ml⁻¹, CFU, colony forming unit.

contamination was also boosted by permeable, vulnerable-to-pollutants Tertiary age outcrops made of fine- and medium-grained sands.

The Várzea cemetery

In the Várzea cemetery in Recife, Espindula & Santos (2004) collected samples from three piezometers and five wells. They were located within and beyond the cemetery, at distances ranging from 6 to 110 m from the cemetery boundary. He found *P. aeruginosa* in all samples, with numbers $\geq 1,600$ MPN/100 ml⁻¹. Remarkable quantities of *P. aeruginosa* were confirmed by other researchers in individual wells (Martins *et al.* 1997; Vasconcelos *et al.* 2006). It should be emphasized, that this bacterium inhibits the growth of total coliforms (CETESB 1996; Guilherme & Silva 1998; Almeida *et al.* 2006). Therefore, these bacteria were not found (Table 3).

In this cemetery, water from the piezometers also contained heterotrophic and proteolytic bacteria, as well as sulphite reducer clostridia (Table 3). High numbers of these bacteria, particularly the proteolytic types, provided the evidence that higher quantities of microorganisms appear, especially in the piezometers situated near the graves less than one year old (Almeida *et al.* 2006):

In the Várzea necropolis, the clastic substrates, where the graves were located, are up to 8 m in thickness. Unfortunately, these sediments have high permeability due to their lithology, composed to a depth of 3 m of sands, silts and loams; from 3 m to 6 m of poorly graded gravels; and

below 6 m of sands. Moreover, the groundwater table fluctuates in the range of 2.9–9.5 m below terrain surface (Espindula & Santos 2004; Almeida *et al.* 2006). The contamination is facilitated by mostly shallow graves with coffins placed directly into the ground at depths ranging from 0.6 to 0.8 m (Santos & Espindula 2005). At the time when this necropolis was studied, there were 3,519 graves on an area of 2.2 ha.

The Santo Amaro cemetery

Studies at the Santo Amaro cemetery in Campo Grande in Mato Grosso do Sul state (Abrão 2007) revealed higher numbers of heterotrophic and proteolytic bacteria. At this site, *C. perfringens* and total coliforms occurred only in two wells (Table 3). In one well higher numbers of *S. faecalis* and *E. coli* were also found (Table 6). These wells were situated in the middle and lower parts of the slope. According to a cautious opinion expressed by Abrão (2007), such a contamination of the groundwater could be linked to the decomposition of corpses during the period of the studies. At that time, there were 24,000 graves on an area of 27.3 ha. The contamination could also be increased by shallow graves with depths ranging from 1.70 to 2.50 m. The corpses were also buried sporadically on three levels. According to Abrão (2007), the groundwater level is shallow there, ranging between 5.65 and 12.50 m. This diversity results from the cemetery being situated on an upland slope of a basaltic cuesta, descending gently from an elevation of 597.50 to 585.77 m

Table 6 | The numbers of selected bacteria found in groundwater within cemeteries in Australia and Brazil

Cemeteries	Total coliforms ^a	<i>S. faecalis</i> ^b	<i>P. aeruginosa</i> ^b	<i>E. coli</i> ^b
Botany in Sydney ^c	to 5	to 2	to 2	–
Guildford in Perth ^d	to 8	–	to 11	–
Necropolis in Melbourne ^d	2.4×10^3 – 3×10^3	to 22	–	10
Cheltenham in Adelaide ^c	2×10^3	–	to 40	–
Woronora in Sydney ^d	to 500	0	to 4	to 2
Santo Amaro in Campo Grande ^f	–	9.1×10^1	–	3.6×10^1

^aMPN/100 ml⁻¹, MPN, most probable number.

^bCFU/100 ml⁻¹, CFU, colony forming unit.

^cDent 2005.

^dDent & Knight 1998.

^eKnight & Dent 1998.

^fAbrão 2007; ^{c,d,e}in Australia; ^fin Brazil.

coliforms and faecal coliforms and a number of heterotrophic bacteria) were found (Table 3). Moreover, Tumagole (2006) found *E. coli* in two samples. These bacteria occurred in shallow groundwater in an unconfined sandy aquifer and in the coastal zone. The level of the groundwater increases during the rainy season in Tshwane. As a consequence, the contamination of the environment by microorganisms originating from the cemetery takes place (Tumagole 2006).

Total and faecal coliforms were also found in groundwater in the urban Granville cemetery in Harare, Zimbabwe (Tumagole 2006). These results were obtained in seven piezometers situated at the cemetery itself, and downslope, and compared to a control site.

African researchers are of the opinion that the biological contamination of groundwater at the African cemeteries are associated with: (1) the number of burials; (2) the physical, chemical and biological properties of the natural environment; (3) fluctuations of the groundwater table; (4) circulation of the groundwater in the substrate; and (5) the ability to create binding between decomposition products and the substrate, and organic matter (Wright 1999).

Studies in Australia

A smaller impact of cemeteries on the groundwater contamination was found in Australia. Two series of studies by Dent (1995, 2005) carried out at the Botany cemetery in Sydney revealed low levels of bacteriological contamination. The groundwater was polluted by total coliforms, *S. faecalis*, faecal coliforms and *P. aeruginosa* (Table 6). These microorganisms were found in piezometers situated along the line of water runoff, particularly below new graves, in four out of 11 boreholes (Dent 2005).

Dent (2000a) also reported increased quantities of microorganisms: faecal coliforms (*E. coli*), faecal streptococci (*S. faecalis*) and *P. aeruginosa* in the vicinity of graves at the Botany cemetery in Sydney, and at the Guildford cemetery in Perth (Table 6). The number of bacteria decreased rapidly with a growing distance from the graves. According to Knight & Dent (1998) and Dent (2000a) the migration of microorganisms in these cemeteries is hampered by the lithology of substrate. In Sydney, the substrate is composed of sandy clays and a clayey mantle of sandstone (Knight & Dent 1998). The cemetery in Perth is located on shallow marine

sediments of Holocene age, composed of clayey and silty sands, and fine sands (Dent 2000a). A considerable reduction of the decomposition products may also result from the activities of naturally occurring microorganisms not associated with interments, e.g., with iron bacteria, and also sulphur bacteria of the genus *Thiobacillus* (Knight & Dent 1998).

The importance of hydrogeological conditions was also confirmed by studies carried out in the Cheltenham cemetery in Adelaide. This cemetery is above an aquifer of the Adelaide Plain (River Torrens Fan of the Lower Outwash Plain), Pooraka Formation, with a phreatic surface between 4 and 4.7 m below the terrain surface. The substrate is composed of silty and sandy clays, silty clayey sands and minor silty sandy lenses, the latter probably representing channel fills. In this case, the depth of the groundwater table (4.0–4.7 m) was considered a factor that restricted groundwater contamination (Knight & Dent 1998). In spite of these good hydrogeological conditions, a pathogenic bacterium *P. aeruginosa* was found in the groundwater. Moreover, higher quantities of total coliforms were found (Table 6).

The unconsolidated but firm clays up to 10–12 m thick that overlie sandy silts and silty sands of the Brighton Group formations at the Necropolis cemetery in Melbourne also did not appear to constitute an efficient barrier (Dent & Knight 1998). Even though the aquifer was sampled at a depth ranging from 14 to 28 m, the researchers found the presence of several groups of bacteria: total coliforms, *S. faecalis* and faecal coliforms (Table 6). Their numbers varied considerably over time. Additionally, in three wells situated at the cemetery, the bacteria classified as total coliforms were found in quantities ranging from 2.4×10^3 to 3×10^3 CFU/100 ml⁻¹. The numbers of *E. coli* and *S. faecalis* were significantly higher (Table 6). Their numbers decreased rapidly with distance from the cemetery. Dent & Knight (1998) regarded that the presence of all decomposition products in the groundwater resulted from water seeping into the wells at a depth of 2.5–5.5 m below the terrain surface. Some contamination might come from the decomposition of coffins and embalming substances.

The studies carried out by Dent in Australia (2000b, 2004) revealed low levels of bacteriological groundwater pollution in a moderate climate condition. Irrespective of the bedrock settings, most of the microorganisms did not migrate

and *Clostridium* (*C. perfringens*) (CETESB 1996). Braz *et al.* (2000) have also noted *Salmonella*, lipolytic and proteolytic bacteria, whereas Matos & Pacheco (2000) identified heterotrophic bacteria. Few researchers have paid attention to viruses, e.g., coliphage 30, coliphage T134 and coliphage T4 (Final 2007). In Australia, the indicators of microbiological contamination include faecal coliforms, *P. aeruginosa*, as well as *E. coli* and faecal *Streptococcus* (Dent 2000b).

The role of environmental factors – summary

The review revealed the large influence of climatic conditions on the bacteriological contamination of the groundwater, at the regional scale. Most researchers express the opinion that warmer and moister climate is the principal factor in significant contamination of the environment – including the groundwater (Silva, J. A. F. 2000; Silva, L. M. 2000). They observed that during long-lasting periods of rainfall, microorganisms can be transported even over a distance exceeding 100 m. The Brazilian researchers are of the opinion that this negative impact could be contained through proper burial site management and the correct placement of cemeteries (Silva, J. A. F. 2000; Silva, L. M. 2000). Therefore, in many reviewed studies the role of other environmental factors was emphasized. These factors influence the groundwater pollution, especially at the local scale. Many researchers emphasized the role of geological settings and lithology of substrate, the relief conditions as well as the depth of the groundwater table and its fluctuation (Gray *et al.* 1974; Pacheco *et al.* 1991; Martins *et al.* 1991; Engelbrecht 1993; Rodrigues & Pacheco 2003; Almeida *et al.* 2006; Żychowski 2008). These factors were often responsible for spatial diversity of the groundwater contamination within a cemetery and its vicinity (Pacheco 1986; Antunes *et al.* 1998; Dent 1998; Morgan 2004). It is particularly significant for the cemeteries situated on slopes.

Geological settings and lithology of substrate affect infiltration rate, sorption capacity and groundwater circulation. In this way, these factors influence migration of the microorganisms – both in time and distance (Pacheco 1986; Silva 1994; Dent 2004). In this context, few studies revealed some kind of regularity. As the distance from the places of interment increases, the quantity of microorganisms rapidly decreases (Mello *et al.* 1995; Knight & Dent 1998; Dent &

Knight 1998; Oliveira *et al.* 2002). This regularity was observed mainly in sandy clays and clayey grounds, and was explained by limited infiltration. The role of the substrate sorption capacity was emphasized by Matos (2001), Dent *et al.* (2004) and Josias & Harris (2004). The higher the sorption capacity (e.g., in clays) the more viruses were retained. The fine-grained substrate may also retain larger organisms such as bacteria during the filtration process. In this context, silty substrates more effectively retain bacteria contrary to coarse sand (Matos 2001).

Pathogens quickly migrate to the groundwater when the water table is shallow, e.g., in periods of intensive precipitation (Pedley & Guy 1996; Josias & Harris 2004). The pathogens die faster in the aeration zone than in the saturation zone and their transport in the saturation zone is slower than the groundwater flow (Gray *et al.* 1974). Many reviewed studies revealed some kind of regularity, namely, the more shallow the groundwater table the more bacteria occur in the water.

Many studies confirmed higher numbers of microorganisms in the vicinity of graves less than a year old (Pacheco 1986; Martins *et al.* 1991; Matos 2001; Migliorini 2002; Morgan 2004; Almeida *et al.* 2006) as well as near those which were placed close to the groundwater table (Dent & Knight 1998; Matos 2001; Costa *et al.* 2002; Almeida *et al.* 2006; Abrão 2007; Final 2007; Żychowski 2008).

According to Australian researchers, the groundwater contamination could also be predisposed by: (1) the lack of sewage systems at cemeteries; (2) errors made in grave construction; (3) faults in preparation and interment of corpses; (4) leaky tombs, cracks in graves; and, finally, (5) the lack of appropriate collection and utilization of solid waste in cemeteries (Silva *et al.* 2008). The researchers in South Africa see a dependence of the impact of cemeteries on groundwater contamination with one or more of the following factors: (1) the number of interments; (2) the physical, chemical and biological properties of natural habitats; (3) fluctuation in groundwater tables; (4) circulation of water in the substrate; and (5) the processes of binding between the decomposition products and the substrate, soil and organic matter (Wright 1999).

A number of cemeteries are parts of urban areas (Hirata & Suhogusoff 2004). In the context of studies presented in this review, evaluation of the cemetery impact on the

- Antunes, B., Bastianon, D., Batello, E., Pacheco, A., Pelizzari, V. & Mendes, J. M. 1998 Contaminação do aquífero livre em cemitérios: estudo de caso. [Contamination of the unconfined aquifer in cemeteries: a case study]. In *X Congresso Brasileiro de Águas Subterrâneas (1998)*. [X Brazilian Congress on Groundwater (1998)], ABAS, São Paulo, pp. 1–9.
- Bastianon, D., Matos, B. A., Aquino, W. F., Pacheco, A. & Mendes, J. M. B. 2000 Geophysical surveying to investigate groundwater contamination by a cemetery. In *13th Symposium: Application of Geophysics to Engineering and Environmental Problems (SAGEEP 2000)*. Conference Proceedings, British Library Board, Arlington, pp. 709–718.
- Beak Consultants Ltd 1992 *Soil and groundwater quality study of the Mount Pleasant Cemetery*. Prepared for Commemorative Services of Ontario and Arbor Capital Inc. Beak Consultants Ltd, Brampton, Ontario.
- Bergamo, H. 1954 Os cemitérios – Um problema de engenharia sanitária. [Cemeteries – a problem of sanitary engineering]. In *Congresso Interamericano de Engenharia Sanitária 4. [Inter-American Congress on Sanitary Engineering]*, AIES, São Paulo, pp. 333–339.
- Bitton, G. & Harvey, R. W. 1992 Transport of pathogens through soil. In: *Environmental Microbiology* (R. Mitchell, ed.). Wiley, New York, pp. 103–124.
- Bitton, G., Farrah, S. R., Ruskin, R. H., Butner, J. & Chou, Y. J. 1983 Survival of pathogenic and indicator organisms in groundwater. *Groundwater* 21 (4), 405–410.
- Bocchese, M. G., Pellizzaro, L. & Bocchese, J. K. 2007 Problemas ambientais decorrentes do cemitério municipal de Pato Branco-PR. [Identification of the environmental problems caused by municipal cemetery of Pato Branco-PR]. *Revista Eletrônica do Curso de Geografia do Campus Jataí [Electronic Journal of Geography Course Campus Jataí]* 9, 109–122.
- Bouwer, H. 1978 *Groundwater Hydrology*. McGraw-Hill Inc., New York.
- Braz, V. N., Silva, L. C. E. & Menezes, L. B. C. 2000 Integração de resultados bacteriológicos e geofísicos na investigação da contaminação de águas por cemitérios. [Integration of geophysical and bacteriological results in investigating the contamination of water by cemeteries]. In *First Joint World Congress on Ground Water, 2000, Fortaleza*, ABAS, Fortaleza, pp. 1–14.
- Carvalho, M. A. F. & Silva, L. M. C. 1997 SP e eletrorresistividade aplicados ao estudo hidrogeológico de um cemitério. [SP and resistivity applied to hydrogeological study of a cemetery]. In *V Congresso Internacional da Sociedade Brasileira de Geofísica, Books of Abstracts 5, v. 1. [5th International Congress of the Brazilian Geophysical Society]*, Anais, São Paulo, pp. 471–474.
- Castro, D. L. 2008 Caracterização geofísica e hidrogeológica do cemitério Bom Jardim, Fortaleza – CE. [Geophysical and hydrogeological characterization of the Bom Jardim, cemetery Fortaleza – CE]. *Rev. Bras. Geof.* 26 (3), 251–271.
- CETESB – Companhia De Tecnologia De Saneamento Ambiental 1996 [The Environmental Sanitation Technology Company] *Métodos Simplificados para Análises Bacteriológicas de Água. [Simplified Methods for Bacteriological Analysis of Water]*. CETESB, São Paulo.
- Cook, J. 1999 Dead in the water. *Mother Jones Mag.* 1, 1–20.
- Corry, J. E. L. 1978 A review. Possible sources of ethanol ante- and post-mortem: its relationship to the biochemistry and microbiology of decomposition. *J. Appl. Bacteriol.* 44, 1–56.
- Costa, W. D., Menegasse, L. N. & Franco, R. D. 2002 Contaminação da água subterrânea relacionada com os cemitérios da Paz e da Saudade no município de Belo Horizonte, Minas Gerais. [Groundwater contamination related to the Paz and Saudade cemeteries in the municipality Belo Horizonte, Minas Gerais]. In *XII Congresso Brasileiro de Águas Subterrâneas. [XII Brazilian Congress on Groundwater]*, Anais, Florianópolis, pp. 1–14.
- Creely, K. S. 2004 *Infection Risks and Embalming. Research Report TM/04/01*. Institute of Occupational Medicine. http://www.iom-world.org/pubs/IOM_TM0401.pdf (accessed 29 December 2012).
- De Ville de Goyet, C. 1980 Las enfermedades transmisibles y la vigilancia epidemiológica en situaciones de desastres naturales. [Infectious diseases and epidemiological surveillance in situations of natural disasters]. *Bol. Oficina Sanit Panam.* 89 (4), 353–359.
- De Ville de Goyet, C. 2000 Stop propagating disaster myths. *Lancet* 356, 762–764.
- Dent, B. B. 1995 *Hydrogeological Studies at Botany Cemetery*. Dissertation, University of Technology, Sydney.
- Dent, B. B. 1998 Bacterial sampling of monitoring bores – case notes. *IAH Newsl.* 15 (3), 20–23.
- Dent, B. B. 2000a Cemetery decay product profiles: two cases in Australian, unconsolidated, sandy aquifers, understanding Planet Earth. In: *15th Australian Geological Convention, Searching for a Sustainable Future. Books of Abstracts 59*. AGC, Sydney, pp. 125–130.
- Dent, B. B. 2000b Decay products in cemetery ground waters. *Geology and Sustainable Development: Challenges for the Third Millennium*. In: *31st International Geological Congress, Rio de Janeiro, August. Book of Abstracts (CD-Rom)*, IGC, Rio de Janeiro, pp. 6–17.
- Dent, B. B. 2004 *The Hydrogeological Context of Cemetery Operations and Planning in Australia*. Dissertation, University of Technology, Sydney. <http://utsescholarship.lib.uts.edu.au/dspace/bitstream/handle/2100/963/02Whole.pdf?sequence=6> (accessed 19 November 2011).
- Dent, B. B. 2005 Vulnerability and the unsaturated zone – the case for cemeteries. In: *Where Waters Meet* (I. Acworth & G. Macky, eds). New Zealand Hydrological Society, Wellington, pp. 1–9.
- Dent, B. B. & Knight, M. J. 1998 Cemeteries: a special kind of landfill. The context of their sustainable management. In: *International Groundwater Conference*, International Association of Hydrogeologists, Melbourne, pp. 451–456.
- Dent, B. B., Forbes, S. L. & Stuart, B. H. 2004 Review of human decomposition processes in soil. *Environ. Geol.* 45 (4), 576–585.

- Qualidade bacteriológica de águas subterrâneas em cemitérios. [Bacteriological quality of groundwater in cemeteries]. *Revista Saúde Pública* 25 (1), 47–52.
- Matos, B. A. 2001 *Avaliação da Ocorrência e do Transporte de Microrganismos no Aquífero Freático do Cemitério de Vila Nova Cachoeirinha, Município de São Paulo*. [Occurrence and Transport of Microorganisms in Groundwater Aquifer of Vila Nova Cachoeirinha cemetery, Município de São Paulo]. Dissertation, Instituto de Geociências da Universidade de São Paulo.
- Matos, B. A. & Pacheco, A. 2000 Ocorrência de microorganismos no aquífero freático do cemitério de Vila Nova Cachoeirinha. [Occurrence of microorganisms in groundwater aquifer in the Vila Nova Cachoeirinha cemetery]. In *Congresso Mundial Integrado de Águas Subterrâneas 1*, ABAS, Fortaleza, pp. 1–11.
- Matos, B. A. & Pacheco, A. 2002 Avaliação da ocorrência e do transporte de microrganismos no aquífero freático do cemitério de Vila Nova Cachoeirinha, município de São Paulo. [Occurrence and transport of microorganisms in the unconfined aquifer in the Vila Nova Cachoeirinha cemetery, São Paulo municipality]. In *XII Congresso Brasileiro de Águas Subterrâneas. [XII Brazilian Congress on Groundwater]*, ABAS, São Paulo, pp. 1–21.
- Matos, B. A., Pacheco, A., Bastianon, D. & Batello, E. 2002 *Caracterização Hidrogeológica do aquífero freático no cemitério de Vila Nova Cachoeirinha, Município de São Paulo*. [Hydrogeological characterization of the unconfined aquifer in the Vila Nova Cachoeirinha cemetery, São Paulo municipality]. In *XII Congresso Brasileiro de Águas Subterrâneas. [XII Brazilian Congress on Groundwater]*, ABAS, São Paulo, pp. 1–19.
- Mello, L. G. F. S., Motidomo, M. J. & Magalhães, F. S. P. 1995 Os cemitérios poluem? [Do cemeteries pollute?] (Parte I). *Revista Saneamento Ambiental* 6 (34), 44–45.
- Migliorini, R. B. 1994 Cemitérios como fonte de Poluição em Aquíferos. Estudo do Cemitério Vila Formosa na Bacia Sedimentar de São Paulo. [Cemeteries as a Source of Pollution in Aquifers. The Study of Cemetery Vila Formosa in the Sedimentary Basin of São Paulo]. Dissertation, Instituto de Geociências Universidade de São Paulo.
- Migliorini, R. B. 2002 *Cemitérios Contaminam o meio Ambiente? Um Estudo de Caso. [Do Cemeteries Pollute the Environment? A Case Study]*. EdUFMT, Grosso.
- Miotto, S. L. 1990 Aspectos geológico-geotécnicos da determinação da adequabilidade de áreas para a implantação de cemitérios. [Geological and geotechnical aspects determining the suitability of areas for the establishment of cemeteries]. Dissertation, Universidade Estadual Paulista.
- Morgan, O. 2004 Infectious disease risks from dead bodies following natural disasters. *Revista Panamericana de Salud Pública* 15 (5), 307–312.
- Neira, D. R., Terra, V. T., Prate-Santos, R. & Barbiéri, R. S. 2008 Impactos do necrochorume nas águas subterrâneas do cemitério de Santa Inês, Espírito Santo, Brasil. [Impacts of the leachate on subterranean waters in the Santa Inês cemetery, Espírito Santo, Brazil]. *Natureza on line* 6 (1), 36–41.
- Oliveira, W., Tagliarini, E. M. & Tancredi, A. C. F. N. S. 2002 Estudo Hidrogeológico para implantação do cemitério Max Domini II – Região de Belém – Pará. [Hydrogeological study for implementation of the Max Domini II cemetery – Region of Belém – Pará]. In *XII Congresso Brasileiro de Águas Subterrâneas. [XII Brazilian Congress on Groundwater]*, ABAS, São Paulo, pp. 1–12.
- Pacheco, A. 1986 Os cemitérios como risco potencial para as águas de abastecimento. [Cemeteries as a potential risk to water supply]. *Revista do Sistema de Planejamento e da Administração Metropolitana* 4 (17), 25–37.
- Pacheco, A. 2000 Cemitérios e Meio Ambiente. [Cemeteries and Environment]. Dissertation, Universidade de São Paulo.
- Pacheco, A., Mendes, J. M. B., Martins, T., Hassuda, S. & Kimmelman, A. A. 1991 Cemeteries – a potential risk to groundwater. *Water Sci. Technol.* 24 (11), 97–104.
- Pedley, S. & Guy, H. 1996 The public health implications of microbiological contamination of groundwater. *Q. J. Eng. Geol.* 30, 179–188.
- Rodrigues, L. & Pacheco, A. 2003 Groundwater contamination from cemeteries cases of study. In: *International Symposium: Environment 2010: Situation and Perspectives for the European Union, Abstract Book CD-Rom Full Paper C01*, University of Porto, Porto, pp. 1–6.
- Rodriguez, W. C. & Bass, W. M. P. H. 1985 Decomposition of buried bodies and methods that may aid in their location. *J. Forensic Sci.* 30 (3), 836–852.
- Romero, J. C. 1970 The movement of bacteria and viruses through porous media. *Groundwater* 8 (2), 37–48.
- Rudolfs, W., Falk, L. L. & Ragotzkie, R. A. 1950 Literature review on the occurrence and survival of enteric, pathogenic and relative organisms in soil, water, sewage and sludges, and on vegetation. Bacterial and virus diseases. *Sewage Indust. Waste.* 22 (10), 1261–1277.
- Santos, A. C. & Espindula, J. C. 2005 Risco de contaminação das águas subterrâneas pelo necrochorume do cemitério da Várzea-Recife-PE. [Risk of contamination of groundwater by leachate on the the Várzea cemetery – Recife]. In *V Simpósio de Hidrogeologia do Nordeste – Anais do Simpósio de Hidrogeologia do Nordeste. [V Symposium on Hydrogeology of the Northeast – Proceedings of the Symposium on Hydrogeology of the Northeast]*, Associação Brasileira de Águas Subterrâneas NE, pp. 536–540.
- Silva, F. C. B., Suguio, K. & Pacheco, A. 2008 Avaliação ambiental preliminar do cemitério de Itaquera, segundo a Resolução CONAMA 335/2003, município de São Paulo. [Preliminary environmental evaluation of the Itaquera cemetery, according to resolution CONAMA 335/2003 São Paulo municipality]. *Revista UnG-Geociências* 7 (1), 31–47.
- Silva, F. C. B., Haberland, N. T. & Filho, P. C. O. 2011 Cemitérios como fonte de contaminação de águas subterrâneas e cursos hídricos. [Cemeteries as a source of contamination of groundwater and watercourses]. In: *Anais da II SIEPE –*

EXHIBIT F

The following are casenotes from The Miami Law Quarterly on Nuisance and Cemeteries, outlining the instances where cemeteries can be deemed a nuisance rather than an inconvenience.

that this case is also distinguishable on the facts, since, as expressed by the court: "The local statute . . . deals only with a question of costs, respecting which Congress has not spoken"¹⁶ (emphasis supplied), whereas the instant case involves a contractual period of limitations which has been prescribed by the federal legislation on the subject.

Dissenting Judge Mathews sets forth the opposing theory that the federal statute has preempted the field in cases involving express receipts which comply with the act. He argues that a contrary state statute must yield to the federal statute whether the conflict is between a contract in compliance with the act and a longer state period,¹⁷ or one in compliance with the act and a shorter state period.¹⁸

It is this writer's conclusion that the majority holding in this case too liberally interprets the Transportation Act. It would seem that the requirement of uniformity, which was a guiding star in this legislation, demands that one period of limitation be fixed.¹⁹ The writer is of the opinion that the result of the instant case deprives the federal restriction of much of its practical effect.

It is submitted that an affirmative federal statute of limitations would be desirable.

Herbert E. Saks

INJUNCTIONS—NUISANCE—CEMETERIES

The appellant home-owners sought to enjoin the operation of a cemetery adjacent to their homes. The facts failed to show injury or probable injury to health and the injunction was refused. *Held*, in reversing the lower court, a cemetery in a residential section constitutes a nuisance. *Jones v. Trawick*, 75 So.2d 784 (Fla. 1954).

It is well settled that a cemetery is not a nuisance per se.¹ A cemetery

16. *Id.* at 422.

17. *Cf. Schiebel v. Agwilines*, 156 F.2d 636 (2d Cir. 1946) (similar statutory provision applicable to ocean carriers). As said by this court on p. 638: "§183b . . . is a declaration of Congressional policy as to lawful contractual time limitation and one which in the interest of uniformity should be construed to exclude state statutes of limitations."

18. *Atlantic Coast Line R.R. v. Chase*, 109 Fla. 50, 146 So. 658 (1933) (case involved bill of lading identical with that in case at bar). The court held: "Such contractual limitation . . . is valid and enforceable according to the intent of the federal law. The federal law on the subject has superseded all state statutes to the contrary in so far as interstate shipments of goods are concerned." *cf. Atlantic Coast Line R.R. v. Wauchula Truck Growers' Ass'n*, 95 Fla. 392, 118 So. 52 (1928).

19. *Cf. Phillips Co. v. Grand Trunk Western R.R.*, 236 U.S. 662, 667 (1915); *Kansas City S.Ry. v. Wolf*, 261 U.S. 133, 139 (1923).

1. *Byran v. Birmingham*, 154 Ala. 447, 45 So. 922 (1908); *McDaniel v. Forrest Park Cemetery Co.*, 156 Ark. 571, 246 S.W. 874 (1923); *Los Angeles County v. Hollywood Cemeteries Ass'n*, 124 Cal. 344, 57 Pac. 153 (1899); *Harper v. Nashville*, 136 Ga. 141, 70 S.E. 1102 (1911); *Rosehill Cemetery Co. v. Chicago*, 352 Ill. 11, 185 N.E. 170; *Villa Park v. Wanderer's Rest Cemetery Co.*, 316 Ill. 226, 147 N.E. 104 (1925); *Begein v. Anderson*, 28 Ind. 79 (1867); *Payne v. Wayland*, 131 Iowa 659,

Funeral homes and cemeteries are not generally considered to be so similar that the same rule of law should apply to both.¹¹ A cemetery is merely an unpleasant reminder of that "undiscover'd country from whose bourn no traveller returns." On the other hand, a funeral parlor is concerned with the constant taking in and out of dead bodies, autopsies and embalmings, morbid processions of caskets, bearers and mourners for the dead.¹² There is also the danger of permeation of noxious vapors and odors into adjacent homes.¹³ In a decision, however, where the funeral parlor was used only for ceremonies and not embalming or other such purposes, it was held not to be a nuisance, even though located in a residential section.¹⁴

In the instant case there was no danger to health and physical comfort. Nevertheless, the court, by applying to cemeteries the rule applicable to funeral homes, decided the home-owners should not be deprived of the quiet and repose that home life normally offers.¹⁵ In reaching this conclusion the court apparently relied heavily on the fact that being members of the colored race, the appellants were, by their nature, overly sensitive to death and burials.¹⁶ Such being the case, the court felt the cemetery constituted a nuisance because of the severe mental depressions it would cause the appellants.¹⁷ In dissenting, Justice Thomas said, ". . . this court should decline to decide the case on the basis that members of the colored race are more affected by the funereal atmosphere than the white race. . . . I cannot agree that what might be a nuisance for one race would not be a nuisance for another."

To protect aesthetic senses and mental health, some jurisdictions have barred cemeteries and funeral homes from residential sections on the grounds it was a nuisance to persons of ordinary sensitivity.¹⁸ Even these jurisdictions hold that the cemetery or funeral home must be offensive

11. *Dennery v. Hughes*, 214 Miss. 687, 59 So.2d 316 (1952); *Rick v. Cramp*, 357 Pa. 831, 53 A.2d 84 (1945); *Young v. St. Martin's Church*, 361 Pa. 505, 64 A.2d 814 (1949).

12. *Dennery v. Hughes*, 214 Miss. 687, 59 So.2d 316 (1952).

13. *Jack v. Tarrant*, 136 Conn. 414, 71 A.2d 705 (1950); *Saier v. Joy*, 198 Mich. 295, 164 N.W. 507 (1917); *Beisel v. Crosby*, 104 Neb. 644, 178 N. W. 277 (1920); *Densmore v. Evergreen Camp*, 61 Wash. 230, 112 Pac. 255 (1910).

14. *Rea v. Tacoma Mausoleum Co.*, 103 Wash. 429, 74 Pac. 961 (1918).

15. The court here relied on *Young v. Brown*, 212 S.C. 136, 46 S.E. 2d 673 (1948) where a complaint alleging a cemetery was a nuisance because it was a constant reminder of death and depreciated the value of the adjacent property was held sufficient to state a cause of action.

16. Although it is not expressly stated in the majority opinion, the offerings of the dissenting justices manifest squarely what the court majority may have had in mind in reaching their conclusion.

17. In contrast, it is interesting to note what the court said in *Monk v. Packard*, 71 Me. 309, 36 Am. Rep. 315 (1880): "Cemeteries are not necessarily even shocking to the senses of ordinary persons . . . while to others of morbid or excited fancy or imagination they become unpleasant and induce mental disquietude from association, exaggerated by superstitious fears. . . ." (The court refused to enjoin the cemetery on the ground it caused personal discomfort.)

18. *McGowan v. May*, 185 Ga. 805, 196 S.E. 705 (1938); *Kundinger v. Bagnasco*,

EXHIBIT G

This article addresses an instance where a cemetery was not in compliance with ordinances and became a public nuisance.

Krupicka said he does the yard work at the cemetery himself rather than hiring a private company. Cutting the grass is a slow process because you have to avoid grave markers, he said.

Carr said the city gets more complaints about Calvary than any other cemetery. Ultimately, Krupicka said there is a disconnect between some customers' expectations and the reality of the business.

"The cost for someone to be buried at Calvary is considerably, considerably less than it is at any other commercial cemetery in this area," Krupicka said. "For customers to have an expectation that the cemetery is going to have the same level of maintenance as another cemetery that charges three or four times as much is perhaps not reasonable on their part."

Krupicka said the cemetery, which has been in operation since the late 1960s, is still selling plots.

Julian Mardi: 343-2099

On Twitter: [@julian_mardi](#)

CHURCH OF GOD AND TRUE HOLINESS

71 church of god way
Georgetown SC, 29440

I am submitting this letter on behalf of the members of The Church of God and True Holiness. It is their desire to have a burial site that is not affiliated with another organization. The members, which make up about 90% of the community, often express their dislike with the current burial site that is being utilized for a fee(see attached pictures). Majority of churches have their own cemetery, and feel that we shouldn't be treated any different. The members worked hard in raising funds for the sake of purchasing the land. They have invested at least \$50,000.00 in the property and are willing to construct a barrier to obstruct the view. Again we ask that you consider our request and grant unto us that which the majority of the community is requesting.

Thanks in advance for your cooperation.

January 19, 2021

Carrie B. Rodgers

Loretta M. Rodgers

929 Whitby Road

Cleveland Heights, Ohio 44112

Georgetown County Planning Commission:

In response to the Notice of Public Hearing, considering the request from Christopher Frasier, agent for the Trustees of the Church of God and True Holiness, to rezone three acres located on the eastside of Rose Hill Road at its intersection with St. Luke Trail, and Ritch Lane from Village 10,000 Square Feet Residential (VR-10) to One Acre Residential (R-1). TMS # 03-0428-032-01-03. Case #REZ 11-20-26818.).

My name is Loretta M. Rodgers. I am submitting these comments at the request of my mother, Carrie B. Rodgers. It is my mother's understanding, the Church of God and True Holiness is seeking to rezone acreage near her property, with the intent of developing a cemetery on land previously purchased. Considerate of current landowners and residents in the nearby area, this acreage should not be rezoned for this purpose.

Placing a cemetery in this area encroaches not only on the present residential atmosphere, but may lower property values, limit interest of potential homeowners, and become a roadblock to future development in the area.

Additionally, it is unfair to push for this change, as it appears to favor the deceased over the choices, and potential positive fiscal tax revenue enabled by the living. Personal belief pertaining to cemeteries is irrelevant in this matter, and a decision must be made thoughtful of long-term community impact.

In conclusion, if residents and property owners wanted land near a cemetery, then they would have purchased their acreage with this in mind - they did not. There are other locations where installing a cemetery would not be an eyesore, and provide additional open acreage for possible

future expansion. Choosing another location, is a better plan for all parties involved, and favors a solution considerate of existing long-term property owners and residents.

Sincere Regards,

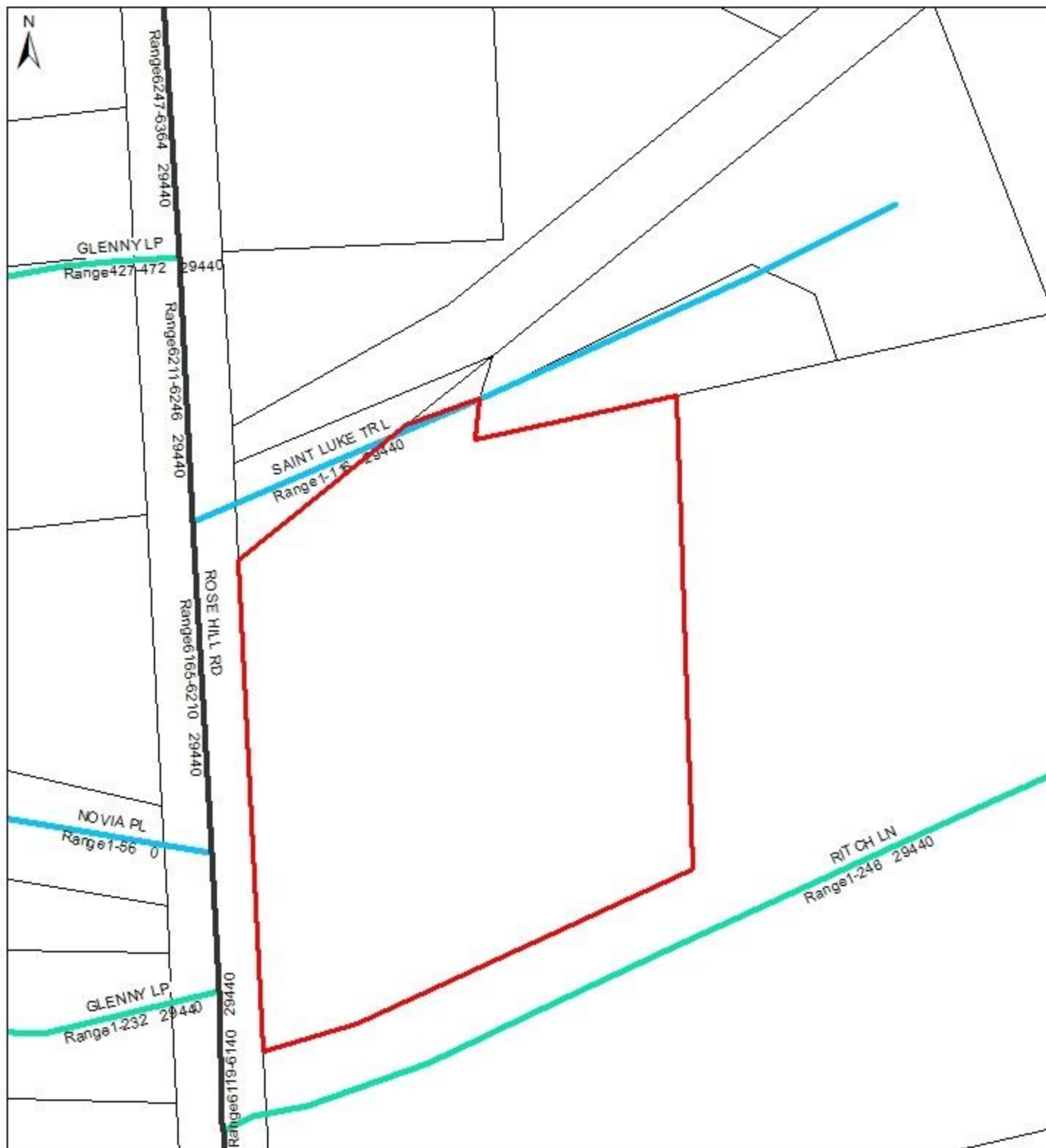
Carrie B. Rodgers

Written by,

Loretta M. Rodgers

Doctoral Candidate, Ministry (DMIN)

Church of God
Property Location
REZ 11-20-26818



Legend

Streets

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MaintainedBy

— County

— Private

— State

— Church of God

— Lot Lines

— Railroads

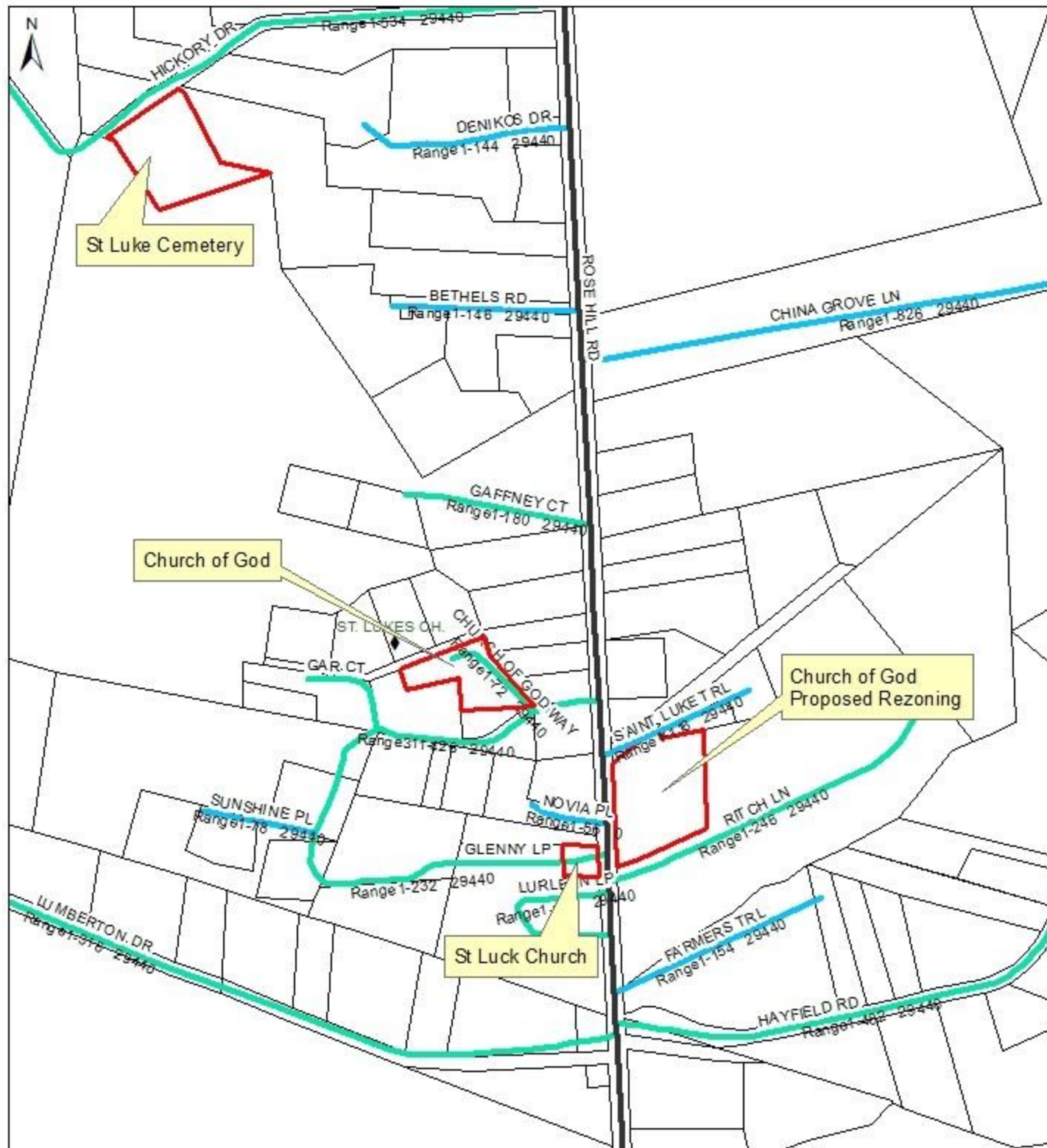
◆ Landmarks

— Municipalities

0 35 70 140 210 280 Feet

DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Georgetown County disclaims all responsibility and liability for the use of this map.

Church of God
Property Location
REZ 11-20-26818



Legend

Streets

— <all other values>

MaintainedBy

— County

— Private

— State

— Church of God

— Lot Lines

— Railroads

◆ Landmarks

— Municipalities

0 170 340 680 1,020 1,360 Feet

DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Georgetown County disclaims all responsibility and liability for the use of this map.

DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Georgetown County disclaims all responsibility and liability for the use of this map.

Church of God
Property FLUI
REZ 11-20-26818

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Streets

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MaintainedBy

County

Private

State

Church of God

Lot Lines

Railroads

Landmarks

Future Landuse

FUTURE_LAN

CITY OF GEORGETOWN

COMMERCIAL

CONSERVATION PRESERVATION

EASEMENT

HIGH DENSITY RESIDENTIAL

INDUSTRIAL

LOW DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

POND

PRIVATE RECREATIONAL

PUBLIC RECREATIONAL

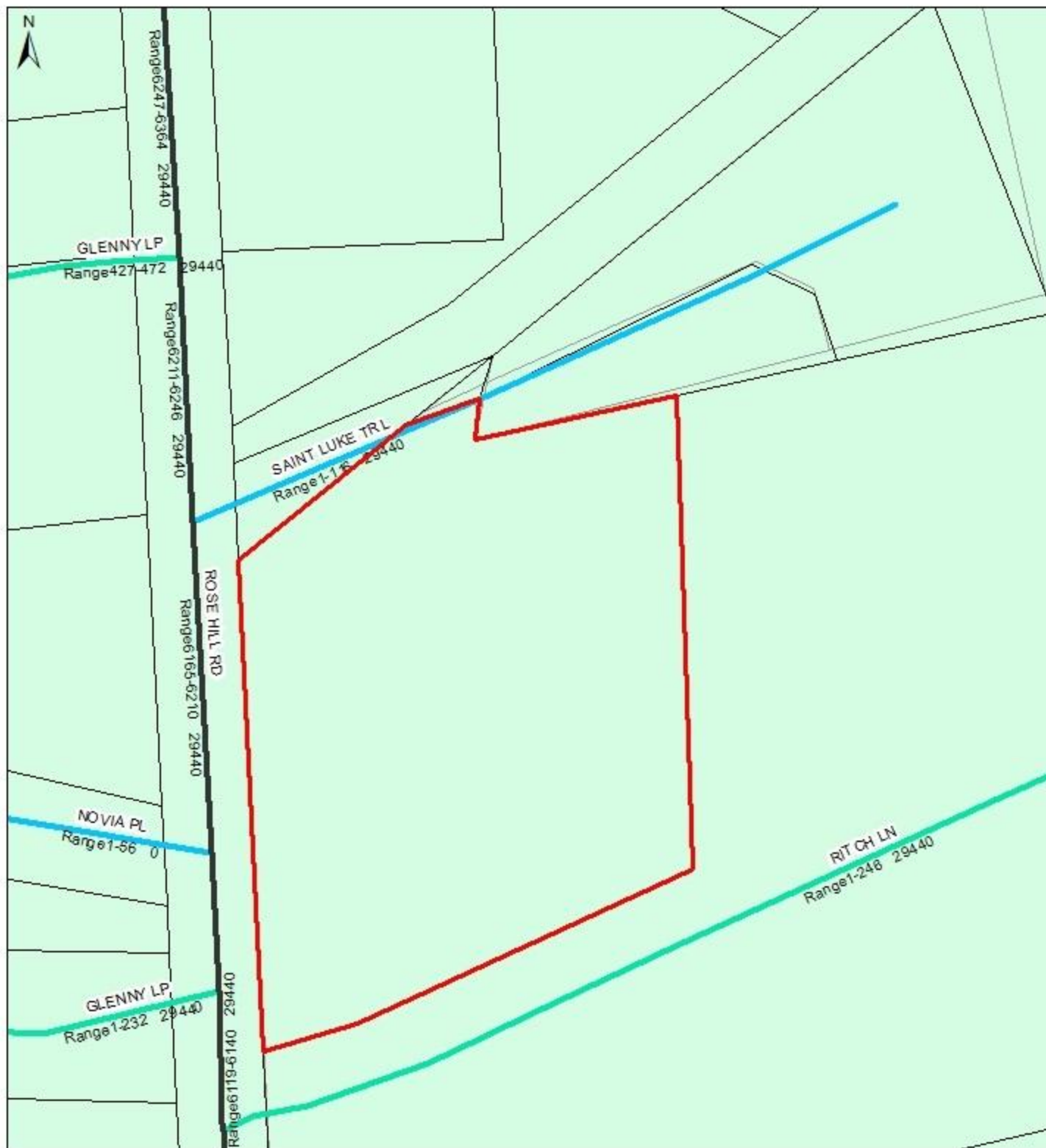
PUBLIC/SEMI-PUBLIC

TOWN OF ANDREWS

TOWN OF PI

TRANSITIONAL

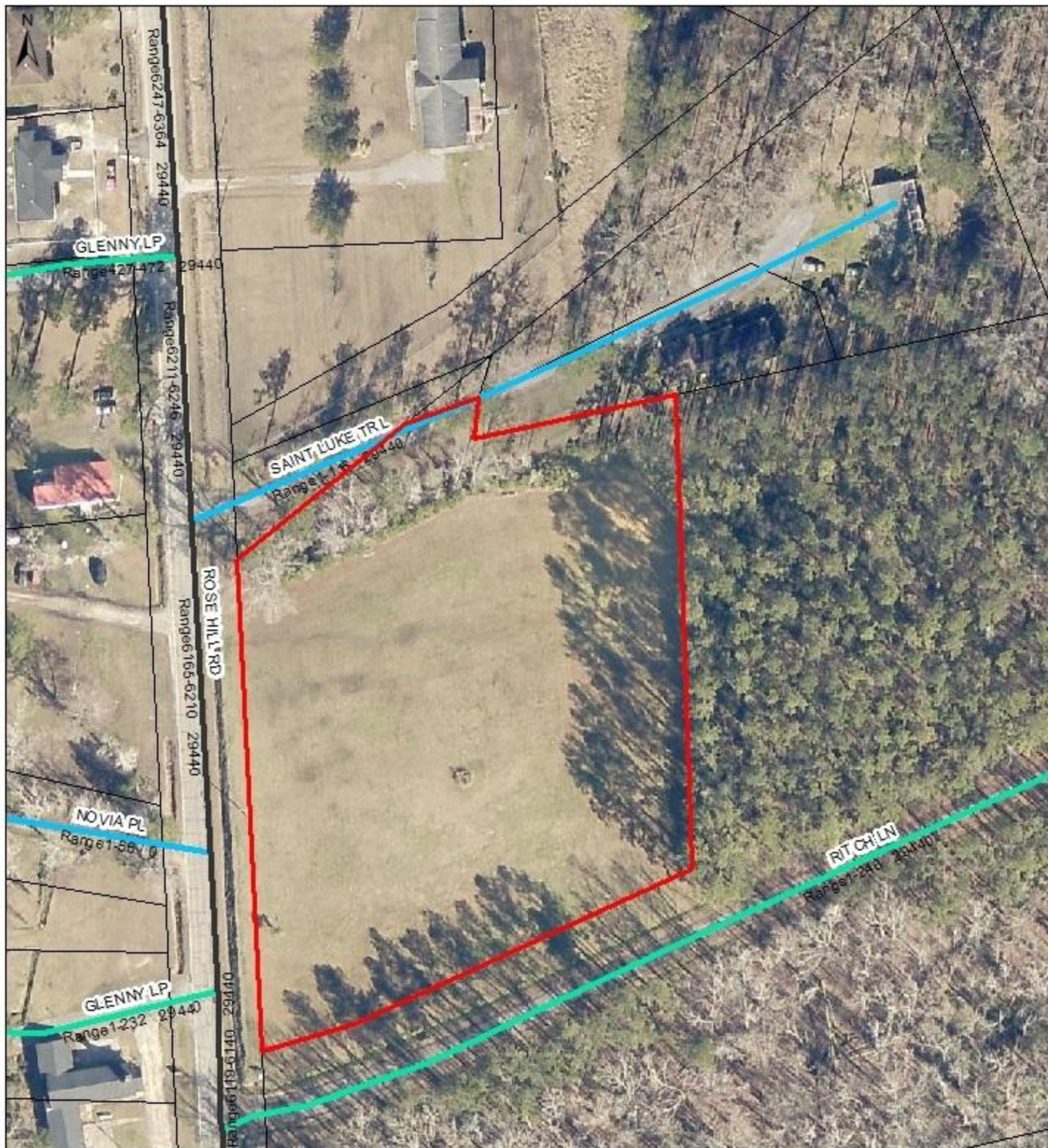
Municipalities



0 35 70 140 210 280 Feet

DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Georgetown County disclaims all responsibility and liability for the use of this map.

Church of God
Property Aerial
REZ 11-20-26818



Legend

Streets

— <all other values>

MaintainedBy

— County

— Private

— State

□ Church of God

□ Lot Lines

— Railroads

◆ Landmarks

Imagery2017Med

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

— Municipalities

0 35 70 140 210 280 Feet

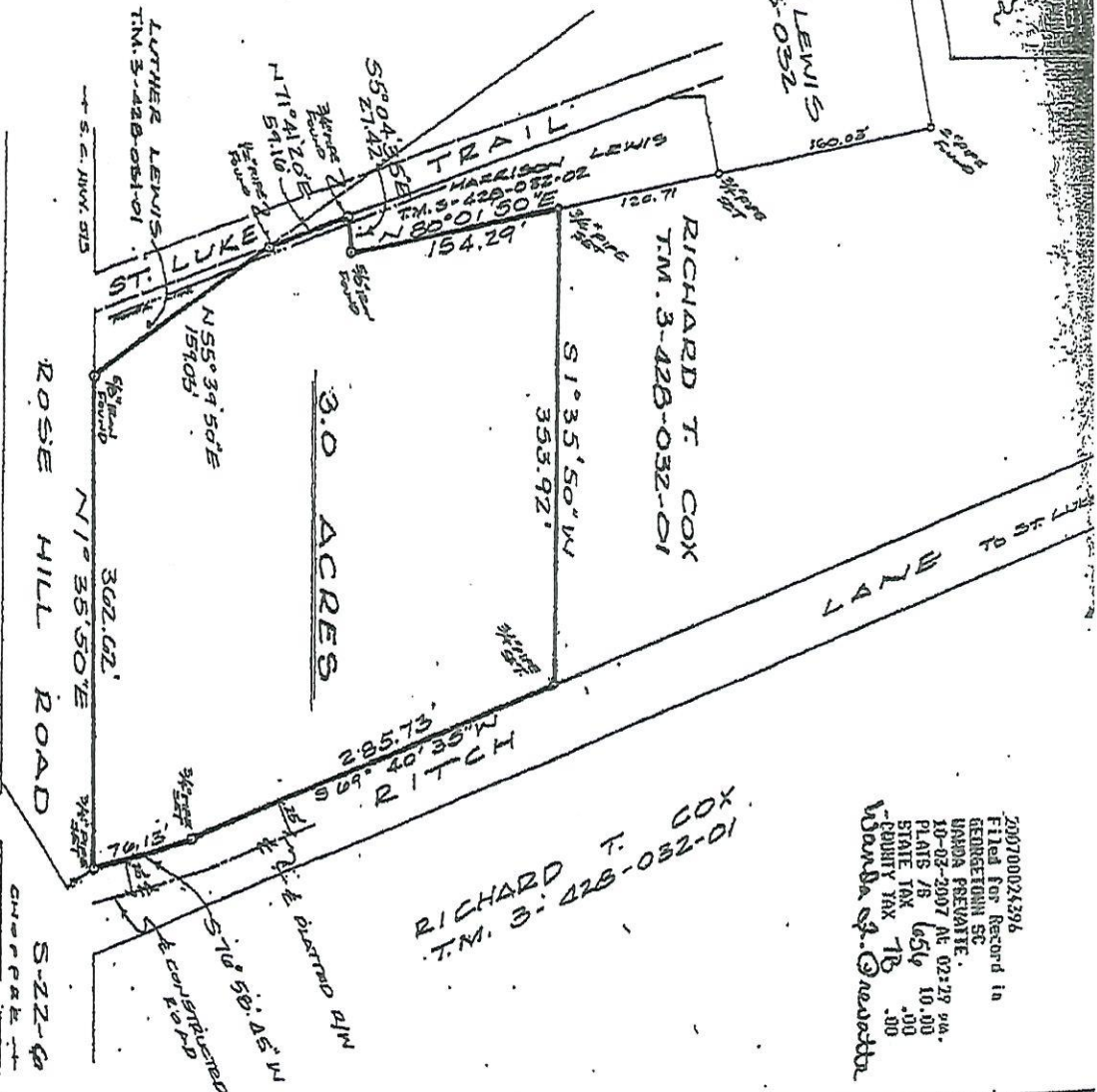
DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Georgetown County disclaims all responsibility and liability for the use of this map.

200700024296
 Filed for Record in
 GEORGETOWN SC
 10-02-2007 AT 02:28 PM.
 PLATS 76 654 10.00
 STATE TAX 7B .00
 COUNTY TAX .00
 Wanda S. Chavira

LUTHER LEWIS
 T.M. 3-428-032

RICHARD T. COX
 T.M. 3-428-032-01

RICHARD T. COX
 T.M. 3-428-032-01



NOTES

1. OWNER: RICHARD T. COX
 2. DEED BOOK 348 PG. 171

3. FLOOD ZONE X

4. BENEFICIARY: BENEVOLENT SOCIETY

REFERENCES

1. DEED BOOK 348 PG. 171
2. PLAT BOOK V PG. 46
3. PLAT BOOK EE PG. 86

"I hereby certify that the knowledge, information, and belief and to my professional opinion, the survey shown herein was made in accordance with the requirements of the Uniform Standards. I warrant for the Plotted and Land Surveying in South Carolina, and make no exception in requirements for a Chain, Boundary as specified therein."

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Georgetown County, South Carolina, with the exception of such variance, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the Clerk of Court.

[Signature]
 Planning Commission



PLAT

OF 3.0 ACRES IN THE ST. LUKE'S SECTION, CUT FROM
 LANDS OF RICHARD T. COX, SURVEYED FOR

CHURCH OF GOD AND TRUE HOLINESS

GEORGETOWN CO., S.C. PORTION OF T.M. 3-428-032-01

SCALE: 1" = 100'

JUNE 15, 2007

WENDELL C. POWERS, P.L.S.

P.O. BOX 376

GEORGETOWN, S.C. 29442

The parcels shown on this plat have not received the approval of (DHEC) for septic systems. Building permits shall not be issued for these parcels based on the



Item Number: 12.a
Meeting Date: 3/23/2021
Item Type: FIRST READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:

ORDINANCE NO. 21-12 - AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA AND LAMBERT I, LLC, TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES WITH RESPECT TO A PROJECT; AUTHORIZING SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS.

CURRENT STATUS:

Project is still in the planning phase.

Project Lambert will consist of two large solar projects - 100 MW each. The company is considering the purchase of 2500 acres in the southern part of the county. This would be the first large scale solar project for Georgetown County. The terms outlined in the FILOT are standard for this type of project across the state.

POINTS TO CONSIDER:

The project would invest over \$200,000,000 in capital investment. The project will create little to no permanent jobs but would create several hundred construction jobs over a 18 months construction window. The project will create significant new revenue with little to no impact on any county services.

FINANCIAL IMPACT:

The project will generate over \$300,000.00 of new revenue.

OPTIONS:

approve or deny

STAFF RECOMMENDATIONS:

Recommendation for first reading approval of Ordinance No. 21-12 by title only.

ATTORNEY REVIEW:

Yes

Item Number: 12.b
Meeting Date: 3/23/2021
Item Type: FIRST READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:

ORDINANCE NO. 21-13 - AN ORDINANCE OF GEORGETOWN COUNTY, SOUTH CAROLINA APPROVING AN AGREEMENT FOR THE ENLARGEMENT OF THE JOINT-COUNTY INDUSTRIAL PARK BY AND BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA, AND WILLIAMSBURG COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED TO THE FOREGOING (LAMBERT I, LLC).

CURRENT STATUS:

Project Lambert is considering a large tract for a private solar project and has requested that the possible site be designated as a Multi-County Industrial Park. This item is related to first reading of FILOT for Project Lambert

POINTS TO CONSIDER:

The MCIP designation is standard process for FILOTs and allows the company more flexibility for incentives.

FINANCIAL IMPACT:

With this designation, the FILOT payments will be split between two counties. Georgetown County will receive 99% of all revenue and Williamsburg will receive 1% of the revenue.

OPTIONS:

approve or deny

STAFF RECOMMENDATIONS:

Recommendation for first reading approval of Ordinance No. 21-13 by title only.

ATTORNEY REVIEW:

Yes

Item Number: 12.c
Meeting Date: 3/23/2021
Item Type: FIRST READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:

ORDINANCE NO. 21-14 - AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA AND LAMBERT II, LLC, TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES WITH RESPECT TO A PROJECT; AUTHORIZING SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS.

CURRENT STATUS:

Project is still in the planning phase.

Project Lambert will consist of two large solar projects - 100 MW each. The company is considering the purchase of 2500 acres in the southern part of the county. This would be the first large scale solar project for Georgetown County. The terms outlined in the FILOT are standard for this type of project across the state.

POINTS TO CONSIDER:

The project would invest over \$200,000,000 in capital investment. The project will create little to no permanent jobs but would create several hundred construction jobs over a 18 months construction window. The project will create significant new revenue with little to no impact on any county services.

FINANCIAL IMPACT:

The project will generate over \$300,000.00 of new revenue.

OPTIONS:

approve or deny

STAFF RECOMMENDATIONS:

Recommendation for first reading approval of Ordinance No. 21-14 by title only.

ATTORNEY REVIEW:

Yes

Item Number: 12.d
Meeting Date: 3/23/2021
Item Type: FIRST READING OF ORDINANCES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:

ORDINANCE NO. 21-15 - AN ORDINANCE OF GEORGETOWN COUNTY, SOUTH CAROLINA APPROVING AN AGREEMENT FOR THE ENLARGEMENT OF THE JOINT-COUNTY INDUSTRIAL PARK BY AND BETWEEN GEORGETOWN COUNTY, SOUTH CAROLINA, AND WILLIAMSBURG COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED TO THE FOREGOING (LAMBERT II, LLC).

CURRENT STATUS:

Project Lambert is considering a large tract for a private solar project and has requested that the possible site be designated as a Multi-County Industrial Park. This item is related to first reading of FILOT for Project Lambert

POINTS TO CONSIDER:

The MCIP designation is standard process for FILOTs and allows the company more flexibility for incentives.

FINANCIAL IMPACT:

With this designation, the FILOT payments will be split between two counties. Georgetown County will receive 99% of all revenue and Williamsburg will receive 1% of the revenue.

OPTIONS:

approve or deny

STAFF RECOMMENDATIONS:

Recommendation for first reading approval of Ordinance No. 21-15 by title only.

ATTORNEY REVIEW:

Yes

Item Number: 15.a
Meeting Date: 3/23/2021
Item Type: REPORTS TO COUNCIL

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Public Information

ISSUE UNDERCONSIDERATION:

Georgetown County and the Frances P. Bunnelle Foundation are partnering to spotlight a local nonprofit at each County Council meeting.

CURRENT STATUS:

This week's featured nonprofit is SOS Care SC. Sarah Pope, CEO, will present.

POINTS TO CONSIDER:

SOS Care SC is a 501(c)3 non-profit direct service provider that empowers those with autism and intellectual disabilities to thrive on their own. It offers a range of programs, camps, activities and classes that teach the life and social skills one needs to live independently as possible.

FINANCIAL IMPACT:

N/A

OPTIONS:

This item is presented for information only.

STAFF RECOMMENDATIONS:

N/A

ATTORNEY REVIEW:

No

Item Number: 15.b
Meeting Date: 3/23/2021
Item Type: REPORTS TO COUNCIL

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:
First Amendment to Option and Purchase Agreement

CURRENT STATUS:
Council may potentially take action on this matter following discussion in Executive Session pursuant to 30-4-70 (a) 2

POINTS TO CONSIDER:

FINANCIAL IMPACT:

OPTIONS:

STAFF RECOMMENDATIONS:

ATTORNEY REVIEW:

Item Number: 16.a
Meeting Date: 3/23/2021
Item Type: DEFERRED OR PREVIOUSLY SUSPENDED ISSUES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: County Administrator

ISSUE UNDERCONSIDERATION:

Ordinance No. 20-59 - An Ordinance to revise the Rules of Procedure as previously adopted by Georgetown County Council

CURRENT STATUS:

Pending adoption.

POINTS TO CONSIDER:

In 1999, Georgetown County Council adopted *Rules of Procedure* pertaining to all meetings and proceedings. Georgetown County Council desires to conduct the public's business in a forthright manner that can be clearly understood by everyone involved.

Ordinance No. 20-59 includes proposed amendments and revisions to update *Rules of Procedure* which shall govern the conduct of meetings of council and other matters provided therein.

FINANCIAL IMPACT:

n/a

OPTIONS:

1. Adopt Ordinance No. 20-59
2. Do not adopt Ordinance No. 20-59.

STAFF RECOMMENDATIONS:

Deferred pending further review.

ATTORNEY REVIEW:

ATTACHMENTS:

Description	Type
▢ Ordinance No 20-59 Rules of Procedure	Backup Material
▢ Ordinance No 20-59 Rules of Procedure w EDITS	Backup Material

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

AN ORDINANCE TO ADOPT RULES OF PROCEDURE FOR THE GEORGETOWN COUNTY COUNCIL

WHEREAS, Georgetown County Council finds it necessary to conduct the public’s business in a forthright manner that can be clearly understood by everyone involved and being so desires to adopt the following rules of procedure; AND

NOW, THEREFORE, Georgetown County Council shall adopt and utilize the following rules of procedure to govern the conduct of meetings of council and other matters provided therein:

ARTICLE ONE
RULES

- 1-1. The following set of rules shall be in effect upon adoption by the Georgetown County Council (hereinafter “Council”). These rules shall pertain to all meetings and proceedings. Items not covered in these rules shall be decided in accordance with the South Carolina Association of Counties *Model Rules of Parliamentary Procedure, 3rd Edition* (hereinafter “*Model Rules*”). Any question of parliamentary procedure that cannot first be concluded from these adopted rules and then second from the *Model Rules*, will be decided utilizing the latest edition of *Robert’s Rules of Order*.
- 1-2. All committees of Council or advisory boards and commissions shall adopt and enforce rules of procedure and decorum consistent with the rules of Council.

ARTICLE TWO
OFFICERS

- 2-1. **CHAIRPERSON:** At the first meeting of the Council in January following each general election, the Council shall select one of its members to serve as Chairperson for a two year term. The Chairperson shall preside at all meetings of the Council and may execute on behalf of Council all official instruments or documents unless otherwise directed by a majority vote of Council. The Chairperson shall preserve order and decorum at all meetings, and shall state every question coming before Council, announce the decision of the Council, and decide questions of order. Any Council member may appeal the decision of the Chairperson on a question of order, and two thirds of those members present shall conclusively determine such question of order.

- 2-2. **VICE-CHAIRPERSON:** At the first meeting of the Council in January following the general election, the Council shall select one of its members to serve as Vice-Chairperson for a two year term. In the event that the Chairperson is absent or unable to serve, the Vice-Chairperson shall serve as Chairperson. In the event that the office of Chairperson is vacated, the Vice-Chairperson shall succeed to that office and another member shall be elected by Council to serve as Vice-Chairperson. When the Chairperson is absent from a regular or special meeting of the Council, or unavailable at the time execution on behalf of the Council is necessary, the Vice-Chairperson may execute on behalf of the Council all official instruments or documents unless otherwise directed by a majority vote of Council.
- 2-3. **COUNTY ADMINISTRATOR:** The Council, via a contract agreement, shall employ an Administrator, not a member of the Council, who shall be the Chief Administrative Officer of the County Government and shall be responsible for the administration of all the departments of the County Government which the Council has the authority to control. The County Administrator shall be apolitical, refraining from participation in the election of the members of the employing Council and from partisan political activities which would impair performance as a professional administrator. The Administrator shall be employed with regard to executive and administrative qualifications only, and need not be a resident of the County at the time of employment. The term of the employment shall be for a definite term or at the pleasure of the Council. Before the Administrator may be removed from the position, the Council shall deliver to the Administrator a written statement of the reasons for the proposed removal including notice of the Administrator's right to a public hearing at a public meeting of the Council. Within five (5) days after delivery of the notice of removal, the Administrator may file with the Council a written request for a public hearing. This hearing shall be held by Council not earlier than twenty (20) days nor later than thirty (30) days after the request is filed. The Administrator may also file with the Council a written reply not later than five (5) days before the hearing. The removal of the Administrator shall not be effective until after the decision of the Council following the public hearing if one is held.
- 2-3.1 **POWERS AND DUTIES:** The power and duties of the Administrator shall include, but not be limited to, the following:
- a. To serve as the Chief Administrative and Executive Officer of the County Government;
 - b. To execute the policies, directives and legislative actions of the Council;
 - c. To direct and coordinate operational agencies and administrative activities of the County Government;
 - d. To supervise expenditure of appropriated funds;

- e. To prepare annual, monthly, and other reports for Council on finances and administrative activities of the County;
- f. To be responsible for the administration of the County personnel policies including salary and classification plans approved by the Council;
- g. To be responsible for the employment and discharge of personnel in those departments in which the employment authority is vested in the County Council. This authority shall not extend to any personnel employed in departments or agencies under the direction of an elected official nor to personnel appointed by the Council.
- h. To prepare annual operating and capital improvement budgets and submit them to the Council at such time as the Council determines, including with the submission a statement describing the important features of the proposed budget such as all sources of anticipated revenue and the amount of tax revenue required to meet the financial requirements of the County. The Administrator shall offer a certification stating that, in the Administrator's opinion, the proposed budget does not exceed anticipated revenues for the period concerned and he/she shall assure that there is full compliance.
- i. To execute on behalf of the Council official instruments or documents, including the power to contract and bind the County;
- j. To take all actions to provide for the County's compliance with applicable laws and regulations, and to maintain the physical properties of the County in good and safe state of repair and condition; and
- k. To perform such duties as may be required by the Council or authorized under the Council-Administrator form of government found in the South Carolina Code of Laws, as amended.

2-3.2 **NO AUTHORITY OVER ELECTED OFFICIALS:** With the exception of organizational and administrative policies established by the Council, the County Administrator shall exercise no direct authority over any elected official of the County whose offices were created by the Constitution or by the general law of the state.

2-3.3 **COUNCIL TO DEAL WITH EMPLOYEES THROUGH ADMINISTRATOR:** Except for the purposes of official Council approved inquiries and investigations in accordance with South Carolina Code of Laws Ann. § 4-9-660, the Council shall deal with County directors and employees who are subject to the supervision of the County Administrator solely through the Administrator, and neither the Council nor its individual members shall give orders or instructions directly to any such officers or employees.

- 2-3.4 **ABSENCE OR DISABILITY:** During the extended absence or disability of the Administrator, the Council shall designate another person to serve as acting Administrator.
- 2-3.5 **THE RELATIONSHIP TO COUNCIL:** The Administrator shall maintain high standards of integrity and confidence and adhere to the highest ethical and moral principles in the execution of duties. It shall be the Administrator's duty to continue to keep abreast of advances and developments in County Government administration. When the Council has established a policy in reference to any matter the County Administrator is directed to execute and administer that policy without further action by Council. In the event that any policies established by Council shall need changes or further definition it shall be the duty of the County Administrator to recommend to County Council in writing the proposed changes or definitions. It shall be the duty of the County Administrator to promulgate, implement and execute administrative policies for the management of operational functions of county government, and to propose necessary legislative and public policies for adoption by Council in order that such policies shall be executed without further action by Council.
- 2-3.6 **ACTIVITY REPORT:** The County Administrator is authorized and directed to develop and require submission of activity reports from all departments and agencies at such intervals and in such form as the County Administrator shall determine.
- 2.37 **OUTSIDE EMPLOYMENT:** The County Administrator will devote his/her full time to the administration of the County Government. Outside employment is prohibited unless approved by a majority vote of the members of Council and may be reflected in the Administrator's employment contract.
- 2-4. **CLERK:** The Council shall appoint a Clerk for an indefinite term. The Clerk shall record all proceedings of the Council and keep a journal of the proceedings which shall be open to public inspection; deliver copies of the minutes of each Council meeting to all members of Council prior to the next regular meeting; keep a register of all Ordinances and Resolutions, assigning them a number and arranging them in order of introduction, and shall assist in their indexing and codification; attest the signature of the Chairperson, Vice-Chairperson or County Administrator on official instruments or documents. During the disability or extended absence of the Clerk, the Council may designate an acting Clerk.
- 2-4.1 **PERMANENT RECORD OF PROCEEDINGS:** Minutes of all Council meetings and work sessions shall be taken in summary form. All Council member

votes shall be recorded in the minutes. The recordings of all Council meetings shall be permanently maintained for a minimum of five (5) years from the date of the meeting. Minutes of Council meetings will be transcribed verbatim only when requested by a Council member for a particular meeting or a portion of a meeting.

- 2-5. **COUNTY ATTORNEY:** The Council shall establish the position of County Attorney who shall provide general counsel to the County Administrator and Council. The County Administrator shall hire and supervise the County Attorney.

The County Attorney shall prepare or review all drafts of ordinances or resolutions as authorized by Council or the County Administrator for legal sufficiency, advise Council and the County Administrator on legal matters, and provide such other legal assistance to county departments and agencies as the County Administrator may authorize.

The County Attorney shall attend all regular meetings of Council and shall attend all special meetings of Council upon the request of the County Administrator. The County Attorney is not required to attend Committee meetings unless requested to do so by the County Administrator. The County Attorney shall refrain from participation in the election of the members of Georgetown County Council or other Georgetown County elected officials.

ARTICLE THREE

MEETINGS

- 3-1. **MEETING ATTENDANCE:** The Council shall convene its regular meeting for the transaction of official business in the Georgetown County Council Chambers, unless otherwise specified by Council, with each member of Council generally making every effort to attend. If, however, for any reason a member of Council cannot attend any scheduled public meeting, he/she should notify the Clerk to Council prior to the beginning of the meeting to notify the Council and the public of the reason for the absence.

3-2. **MEETINGS, REGULAR**

- 3-2.1 Regular meetings of Council shall be held in accordance with a schedule prescribed by Council and made public at the beginning of each calendar year. The Council may vary the schedule upon concurrence of a majority.
- 3-2.2 Requests for agenda matters and supporting materials shall be provided to the County Administrator no later than 12:00 p.m. seven (7) days prior to the regular meeting date. Upon approval of the Chairperson, the agenda is set by the County Administrator no later than Friday of the week

preceding the regular Council meeting. Publication of the agenda shall be on Friday prior to the regular meeting or as soon as practicable thereafter, and, pursuant to the South Carolina Freedom of Information Act (as amended) the agenda is posted online and available upon request no later than twenty four (24) hours before the meeting.

3-3. **MEETINGS, SPECIAL**

- 3-3.1 The Chairperson or the majority of the members of Council may call special meetings of the Council.
- 3-3.2 All Council members shall be given written notice of a special meeting that specifies the subject matter to be discussed.
- 3-3.3 Twenty four (24) hours' notice must be given for a special meeting and the agenda is posted online no later than twenty four (24) hours before the meeting.

3-4. **MEETINGS, EMERGENCY**

- 3-4.1 The Chairperson, or in his/her absence the Vice-Chairperson, may call an emergency meeting.
- 3-4.2 An emergency meeting notice must be supported by a subject matter found in the South Carolina Code of Laws as constituting an emergency.
- 3-4.3 Only the items specified as constituting the emergency shall be considered at the emergency meeting.
- 3-4.4 Notice to all the Council of an emergency meeting will be by telephone, email, or other means as soon as practicable by no less than two (2) hours before the meeting.

3-5. **MEETINGS, BRIEFINGS, AND WORK SESSIONS**

- 3-5.1 The Chairperson may call a Briefing Meeting or Work Session or such meeting may be scheduled at a regular Council meeting.
- 3-5.2 All Council members shall be given written notice of a Briefing or Work Session Meeting that specifies the subject matter to be discussed at least two (2) days before the meeting. The agenda shall be posted online no later than twenty four (24) hours before the meeting.

- 3-5.3 The primary purpose of a Briefing or Work Session meeting shall be to present in-depth information and to provide an opportunity for the Council to raise questions for the purpose of making more informed decisions on complex issues that would take undue time at a regular meeting.

3-6. **MEETINGS, PUBLIC HEARING**

- 3-6.1 The Council shall hold public hearings for those matters required by law and may hold public hearings for any purpose the Council deems appropriate. Public hearings shall be held before final action is taken to:
- a. Adopt annual operational and capital improvement budgets;
 - b. Make appropriations, including supplemental appropriations;
 - c. Adopt building, housing, electrical, plumbing, gas, and other regulatory codes involving penalties;
 - d. Adopt zoning and subdivision regulations;
 - e. Levy taxes; and
 - f. Sell, lease or contract to sell or lease real property owned by the County.
- 3-6.2 Such public hearings shall be advertised as required by law. If there is no applicable law, public hearings shall be advertised in a newspaper of general circulation in the community at least fifteen (15) days prior to such hearing with notices and agenda posted online no later than twenty four (24) hours before the hearing.
- 3-6.3 A public hearing is understood to be a forum for people interested in the subject matter to present information to the Council for their consideration as they deliberate an issue. It is not a forum for opponents and proponents to debate their differences nor is it a forum for debate or argument between members of Council and opponents or proponents, or each other.
- 3-6.4 Each speaker shall be limited to three (3) minutes.
- 3-6.5 The presiding officer may terminate a presentation that is covering the same information covered by a previous speaker. Such speakers shall be encouraged to simply state their agreement with a previous speaker and bring new information to the subject.
- 3-6.6 In addition to verbal presentation, written material may be submitted to the Council for their consideration but the receipt and handout of written material shall not cause the flow of the meeting to stop.

3-6.7 The public hearing will be limited to a total of thirty (30) minutes for formal presentations.

3-7. **EXECUTIVE SESSION**

3-7.1 The Council may hold an executive session only for a purpose permitted by the South Carolina Freedom of Information Act, as amended. These purposes are defined in the South Carolina Code of Laws and are generally are limited to:

- a. Discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, or a person regulated by a public body, or the appointment of a person to a public body.
- b. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against said agency of a claim.
- c. Discussion regarding the development of security personnel or devices.
- d. Investigative proceedings regarding allegations of criminal misconduct.
- e. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of an industry or other business in the area served.

3-7.2 To hold an executive session, a motion must be made stating the specific purpose of the executive session or referring to the published agenda wherein the specific purpose is listed, seconded, and adopted to go onto executive session.

3-7.3 No vote shall be taken in executive session.

3-8. **ELECTRONIC MEETINGS**

3-8.1 Upon authorization and vote, and in accordance with the South Carolina Freedom of Information Act (also referred herein as “the Act”), Council and all Georgetown County Boards and Commissions (collectively referred to throughout as “the Governing Body”) conduct public meetings exclusively in electronic form, provided the medium for such meeting, whether telephonic, broadcast video, computer-based, or other electronic media,

or any combination of these, and the conduct of the electronic meeting, allows for the following standards and practices to be met:

(a) At the beginning of any electronic meeting, the presiding officer shall poll the members of the Governing Body to confirm attendance, and any member of the Governing Body attending by way of electronic media shall be considered present for the purposes of constituting a quorum.

(b) Throughout the duration of the electronic meeting, all members of the Governing Body, as well as any officials or staff required to speak at such meeting, must have the capability to be heard at all times by any other member of the governing body and by the general public.

(c) Any vote of the Governing Body must be conducted by individual voice vote of the members of the Governing Body, who shall verbally indicate their vote on any matter by stating “yay” or “nay.” All individual votes shall be recorded by the clerk, secretary, or presiding officers, as appropriate.

(d) Meetings shall be recorded or minutes kept in the same manner as an in-person meeting as required by the Act; provided, however, any digital broadcast of the meeting is not required to be kept as a record by the Governing Body.

(e) All members of the governing body, officials, staff, and presenters should identify themselves and be recognized prior to speaking. Members of the Governing Body shall comply with the rules of the Governing Body as they relate to procedural matters in order to preserve order and allow for the effectiveness of electronic meetings.

(f) Electronic executive sessions shall be permitted in accordance with the provisions of the Act and the Governing Body shall properly announce its reason for going into any executive session in conformance with Section 30-4-70 of the Act. Upon the entry into any electronic executive session, meeting minutes need not be kept and the electronic meeting utilized for such executive session may be held by (i) a separate telephonic, broadcast video, computer-based, or other electronic media, or any combination of these wherein the public shall not be permitted to participate, or (ii) on the initial telephonic, broadcast video, computer-based, or other electronic media, or any combination of these, with the implementation of necessary participation or listening restrictions, provided that in either instance all members of the Governing Body must have the capability to be heard at all times.

(g) With respect to any electronic meeting, any public comment periods provided for by local ordinance, resolution, policy, or bylaws are hereby suspended. In lieu of public comment periods, members of the public may submit their written public comments via email to the Clerk to Council – tfloyd@gtcounty.org - which shall be distributed to the members of the Governing Body.

(h) With respect to public hearings required by the South Carolina Code of Laws, said public hearings shall be conducted electronically as provided herein. All public comments made during such hearing shall be submitted in writing to the Clerk to Council via either:

- 1) U.S. Mail addressed to:
Clerk to Council
Georgetown County Council
716 Prince Street
Georgetown, South Carolina 29440
- 2) Email addressed to tfloyd@gtcounty.org

All comments must be received one (1) hour prior to the scheduled hearing. The comments shall be distributed to the members of the Governing Body prior to the public hearing and read into the record at the time of the public hearing. The comments shall be limited to three hundred (300) words or less. In the event more than ten (10) comments are received, the Chairperson is authorized to paraphrase the reading of the comments into the record in order to optimize time efficiency of the public hearing.

ARTICLE FOUR **QUORUM**

- 4-1. **QUORUM:** A majority of the seven members of the Council shall constitute a quorum to begin a meeting for the transaction of official business.

ARTICLE FIVE **PUBLISHED AGENDA**

- 5-1 **PUBLISHED AGENDA:** For all regularly scheduled meetings, the Council shall address itself to an established, published agenda. The Council shall approve the published agenda, including the Consent Agenda and the Executive Session agenda.

Once an agenda for a regular, special, called or rescheduled meeting is posted, no items may be added to the agenda without an additional 24-hour notice to the

public. The notice must be made in the same manner as the original posting.

After a meeting begins, an action item which is not a final action and for which public comment has been or will be received at a publicly noticed meeting, may be added to the agenda by a two-thirds vote of the members present and voting.

After a meeting begins, an action item which is a final action or for which there will be no opportunity for public comment, may be added to the agenda by

- a two-thirds vote of the members present and voting, and
- a finding that an emergency or exigent circumstance exists (an exigent circumstance would be considered an urgent or time-sensitive issue).

5-1.1 A public comment period may be the first item of business on the agenda and shall be limited to thirty (30) minutes. Each speaker will be limited to no more than three (3) minutes. If there are more than ten speakers, time allotted will be reduced to allow all speakers signed in to present within the 30 minute period. No speaker may yield his/her allotted time to another speaker. Members of the public who wish to address Council during the public input period shall sign up with the Clerk of Council before the meeting is called to order by the presiding officer. Preference as to the order of the speakers shall be given to those who have notified the Clerk in advance of the meeting of their desire to speak. When there are several members of the public present to address the same issue, one spokesperson shall be chosen on behalf of the group and the presiding officer has the authority to enforce this provision. A public comment period is not required under the South Carolina Code of Laws, rather it is authorized by Council as a means for the citizenry to speak to their representatives in a public setting. Consequently, no person shall be allowed to indulge in personalities, use language personally offensive, charge deliberate misrepresentation, or use language tending to hold a member of Council, a member of the County staff, or a member of the public up to contempt or ridicule.

5-1.2 Any Council member desiring to place an item on the agenda shall notify the Chairperson. The Chairperson shall notify the Clerk no later than 12:00 p.m. 7 days prior to the regular meeting. This provision shall include the names and applications of appointees to various county boards and commissions.

5-1.3 The consent agenda may consist of items that are more than likely not to be controversial as well as any ordinance proposed for first reading. Any Council member may request that an item be placed on the consent agenda, and any member may request that an item be removed therefrom. Any ordinance may be read in at first reading by title only.

ARTICLE SIX
DECORUM AND DEBATE

- 6-1. When a measure is before the Council for consideration, the presiding officer shall recognize the appropriate individual to present the case.
- 6-2. When two (2) or more members wish to speak, the presiding officer shall decide and recognize such members in turn.
- 6-3. No member of Council shall interrupt another while speaking, except to make a point of order or make a point of personal privilege.
- 6-4. The presiding officer shall not be obligated to recognize any Council member for a second comment on a subject or amendment until every Council member wishing to speak has been allowed a first comment.
- 6-5. No member shall speak more than five (5) minutes on any subject or amendment. Such member may use his/her time in any combination, in separate speech or comments totaling five (5) minutes. Council members shall also have the right to yield a portion of their time to another member.
- 6-6. Any member wishing to speak more than five (5) minutes on any question or any amendment to the question shall be accorded the privilege without objection or upon motion supported by two-thirds of the Council members present.
- 6-7. The Council may agree to limit debate on any item of business before it. That agreement may be formalized by a majority vote of the Council.
- 6-8. The presiding officer shall not entertain any dilatory motions.
- 6-9. No Council member shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use other language tending to hold a member of Council or the public up to contempt or ridicule.
- 6-10. If a member is speaking or otherwise transgressing the rules of the Council, the presiding officer shall, or any Council member may, call him or her to order. In such case, he or she shall immediately be silent unless permitted to explain. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he/she shall be at liberty to proceed, but otherwise shall remain silent.

- 6-11. Any member found in violation of the rules of Council by a majority vote of Council may be censured.

ARTICLE SEVEN

VOTING

- 7-1. A member may cast his/her vote in person or by any electronic means if a member is unable to attend in person. No members of the County Council, or a committee, shall be allowed under any circumstances to vote by proxy at any Council or Committee meeting.
- 7-2. Any member may request a roll call vote at any time.
- 7-3. No member shall vote on any question where his/her private interest in the matter presents a conflict of interest (according to the South Carolina State Ethics Act). Members shall declare their conflict of interest in an issue and refrain from participating in the discussion or the vote on the issue. The meeting minutes shall reflect any conflict of interest declaration.

ARTICLE EIGHT

COUNCIL DECISIONS

- 8-1. The members of Council have the responsibility to establish policy, make Council decisions, and adopt ordinances which in the majority view will be in the best interest of Georgetown County and all its citizens. Council members thus have an obligation to expect differences of opinion and to respect the views of each individual member of Council. At the same time, individual members should recognize that when the Council has made a decision, the issue has been decided whether or not they were in the majority or the minority.

ARTICLE NINE

ORDINANCES AND RESOLUTIONS

- 9-1. **ORDINANCES AND RESOLUTIONS IN GENERAL:** The Council shall take legislative action by Ordinance. Executive action shall be taken by Resolution.
- 9-2. **READINGS:** With the exception of emergency ordinances, all ordinances shall be read at three public meetings of Council on three separate days with an interval of not less than seven days between the second and third reading. A verbatim reading of an ordinance shall not be required unless such reading is requested by a member.
- 9-3. **FIRST READING:** An ordinance may be introduced for first reading by title only at any meeting of Council. No debate or amendment shall be in order unless a

member makes a motion to invoke the pending ordinance doctrine for a zoning ordinance matter. The ordinance may be referred by the Chairperson to an appropriate committee or to the Council as a whole.

- 9-4. **SECOND READING:** Reports on a proposed ordinance shall be presented at the next regular meeting after the first reading. Prior to second reading, a draft of the text of the ordinance shall be delivered to every member. After the proposed ordinance has been read, amendments shall be in order, but shall not be considered unless they are germane to the proposed ordinance. Any member of the Council may require that amendments be in writing. After all amendments and privileged motions, if any, are disposed of, the question shall be, shall the ordinance receive second reading.
- 9-5. **THIRD READING:** After the ordinance has been given second reading, and if a public hearing has been held if required by law or action of Council, it shall be given third reading at a subsequent public meeting and amendments may be offered on third reading the same as on second reading. After all amendments and privileged motions, if any are disposed of, the question shall be passage of the ordinance.
- 9-6. **VOTES REQUIRED FOR PASSAGE:** With the exception of those items requiring a 2/3rd majority or alternate majority type for approval as found in State law, no ordinance or amendment shall be adopted unless at least a majority of the members present shall have voted for its passage on second and third readings. The repeal or amendment of ordinances shall follow the same procedure set forth for adoption.
- 9-7. **EMERGENCY ORDINANCES:** To meet public emergencies, affecting life, health, safety of the property of the people, Council may adopt emergency ordinances, but such ordinances shall not levy taxes, grant, renew, or extend a franchise or impose or change a service rate. Every emergency ordinance shall be designated as such and shall contain declaration that an emergency exists and shall describe the emergency. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirement, or public notice. Such ordinances shall expire automatically as of the 61st day of the following enactment.
- 9-8. **CODIFICATION:** All ordinances enacting general law shall be compiled, indexed, codified, and made available online. Further, all ordinances, regardless of type, shall be kept by the Clerk and maintained in a permanent record of all ordinances adopted. Nothing herein prevents any requirement of this section from being satisfied by electronic means.

- 9-9. **EFFECTIVE DATE OF ORDINANCES:** Ordinances shall take effect on the day the ordinance is given third reading unless another date is specified in the ordinance.
- 9-10. **RESOLUTIONS:** A resolution shall require only one reading for its adoption, and may be adopted at either a regular or special meeting by a majority vote of the members present at the meeting.
- 9-11. **STANDARD CODES OR TECHNICAL REGULATIONS:** The Council may adopt any standard code or technical regulation by reference.

ARTICLE TEN **COMMITTEES**

- 10-1. **APPOINTMENTS TO STANDING COMMITTEES:** All members of Council shall be appointed to serve on at least one of the Council standing committees. Standing committee appointments shall be made by the Chairperson no later than the second regular meeting of Council in January following each general election and the Chairperson shall also designate the respective Chairperson of each committee. Members of the standing committees shall serve until the next general election of Council, unless they are removed by their consent or cease to be member of Council. Each standing committee shall consist of not less than three members.
- 10-2. **STANDING COMMITTEES:** Standing committees of the Council shall be as follows:
- 10-2.1 An Administration and Finance Committee which shall consist of not less than three members of the County Council.
 - 10-2.2 A Health, Education, and Leisure Committee which shall consist of not less than three members of the County Council.
 - 10-2.3 A Justice and Safety Committee which shall consist of not less than three members of the County Council.
 - 10-2.4 A Public Works Committee which shall consist of not less than three members of the County Council.
 - 10-2.5 Ad-Hoc Committees: Upon the authorization of Council, their Chairperson may appoint ad-hoc committees composed of Council members, a combination of council members and citizens, or citizen members only to study and advise council on a specific issue. Such committees shall function for a specific time periods and shall be dissolved at the end of the time period or when their business is finished, whichever is the earliest. The time period for

existence of such committees may be extended for a time certain by action of the Council.

- 10-2.6 Committee Meetings and Reports: Committee meetings shall be held on the call of the Chairperson of the committee upon two days' notice of such meeting to each committee member, unless all of the members of the committee waive such notice and agree upon an earlier time for such meeting but no earlier than 24 hours before the scheduled start of the meeting. A quorum for each committee shall consist of a majority of its members. The Chairperson of a standing committee shall report upon the activities of the committee at a regular council meeting, and a time for such reports shall be deemed to be included in every agenda when the subject matter of the report has previously been referred to the committee. Each committee shall function as an advisory committee to the County Administrator when the Administrator so requests and to the County Council. Each committee shall investigate, gather information, make inquiries, and study the issues under its jurisdiction with a purpose of keeping the Council fully informed. Committees may make reports to the Council with recommendations for action by the Council. Action taken by any committee shall not be construed as action taken by the Council until the subject matter of the committee's action has been presented at a regular or special meeting of the Council and acted upon by the Council in accordance with these rules.
- 10-2.7 Recall of Referred Matters: Any matter which has been referred to a committee may be recalled by an affirmative vote of the majority of the members of Council in attendance of a Council meeting.

ARTICLE ELEVEN

PARLIAMENTARY PROCEDURE

- 11-1 **CHAIRPERSON TO VOTE:** The Chairperson shall vote in all cases except where a personal conflict exists.
- 11-2 **PRIVILEGE OF COUNCILMEMBERS:** A Council member shall have the privilege of having an abstract of the member's statement on any subject under consideration by the Council member entered in the minutes.
- 11-3 **STATEMENT ON BEHALF OF COUNCIL:** No Council member shall make or issue any statement which purports to speak on behalf of the entire Council or the Council as a body at any time unless the issue is question has been duly adopted by the Council. The Chairperson shall thereupon be the official spokesman for

Council unless the Chairperson has recommended and the Council has approved another person to serve as the spokesman on a particular issue.

- 11-4 **WHEN MOTIONS ARE DEBATABLE:** All motions, except motions to adjourn, to recess, to lay on the table, and questions of order or privilege, shall be debatable. No motion shall be debated until it has been stated by the Chairperson. All questions of order shall be decided by the Chairperson without debate, subject to an appeal to the Council.
- 11-5 **MOTIONS TO RECONSIDER:** A motion to reconsider any action taken by the Council may be made only on the day such action was taken or at the next regular meeting of Council. Such motion must be made by a Council member voting on the prevailing side, but may be seconded by any other Council member, and may be made at any time.
- 11-6 **MOTIONS THAT INTERRUPT A SPEAKER:** Only the following motions shall be permitted to interrupt a speaker:
- 11-6.1 A question of order. This question is to the effect that the rules of Council are not being adhered to. It is not debatable and does not require a second.
- 11-6.2 A question of privilege. This question relates to the rights and privileges of a member of the Council, i.e., charges made against the official character of a member; that the member has not been furnished with pertinent information available to other members of Council; that the member did not hear or understand a statement presented to Council, etc. It does not require a second.
- 11-6.3 A motion to adjourn. This motion is not debatable but does require a second.
- 11-7. **MOTIONS THAT CANNOT INTERRUPT A SPEAKER BUT MAY INTERRUPT THE PROCEEDINGS:** The following motions cannot interrupt a speaker without the speaker's consent but may interrupt the proceedings and shall be received during debate:
- 11-7.1 A motion to lay on the table. The motion removes the subject from consideration until the Council votes to again consider the subject. It is not debatable but does require a second. Any item remaining on the table at the adjournment of the regular meeting following the meeting where the motion to lay on the table was approved shall be permanently removed from Council consideration.

- 11-7.2 A motion for the previous/to call the question. This motion is to the effect that the debate now cease, and the Council immediately proceed to vote on the pending question. It is not debatable but does require a second.
- 11-7.3 A motion to adjourn debate to a subsequent meeting. The effect of this motion is to postpone the subject to the time specified in the motion and until which time it cannot be taken up except by majority vote of the Council. It is debatable and does require a second.
- 11-7.4 A motion to commit or recommit. The effect of this motion is to refer the subject to a committee. It is debatable and requires a second.
- 11-7.5 A motion to amend. This motion is debatable and requires a second.

The above motions have precedence in the order listed.

11.8 MOTIONS THAT DO NOT REQUIRE A SECOND: The following motions do not require a second.

- 11.8-1 Inquiries of any kind.
- 11.8-2 Leave to withdraw a motion.
- 11.8-3 Nominations.
- 11.8-4 Point of order.
- 11.8-5 Question of privilege.

ARTICLE TWELVE

DOCUMENTS

- 12-1. **DOCUMENTS OF THE COUNTY:** All documents, files, correspondence, reports, records, and other written, printed or electronic material or information pertaining to the business of Georgetown County or to any of its departments or personnel, prepared, received or used by the County Administrator or any other County official or employee in the course of County employment shall be the property of Georgetown County. No such material or information shall be removed from the custody of Georgetown County at any time. Individuals seeking

to obtain information related hereto shall may be able to do so in accordance with the South Carolina Freedom of Information Act, as amended.

- 12-2. **PERSONNEL FILES:** Personnel files are confidential information and shall be available to Council members only as a part of an official inquiry or investigation authorized by Council.

ARTICLE THIRTEEN

SEAL

- 13-1. **SEAL OF THE COUNTY OR COUNCIL:** The seal of Georgetown County or the Georgetown County Council shall not be required upon execution or attestation of any document.

ARTICLE FOURTEEN

SUSPENSION OF RULES

- 14-1. **SUSPENSION OF RULES:** Any of these rules may be suspended except those which are matters of State law, upon an affirmative vote of a majority of the members of the Council.

ARTICLE FIFTEEN

AMENDMENT OF RULES

- 15-1. **AMENDMENT OF RULES:** Amendment of these ruled shall be by ordinance.

ANY PREVIOUSLY ADOPTED RULES OF PROCEDURE BY GEORGETOWN COUNTY COUNCIL UNDER ORD. 99-30 ARE HEREBY REPEALED AND REPLACED WITH THIS ORDINANCE.

ADOPTED this ____ day of _____, 2021 by a vote of Georgetown County Council.

Chairperson

ATTEST:

Theresa E. Floyd, Clerk

This ordinance is approved as to form and content.

H. Thomas Morgan, Jr., Esq.
Interim Georgetown County Attorney

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

AN ORDINANCE TO ADOPT RULES OF PROCEDURE FOR THE GEORGETOWN COUNTY COUNCIL

WHEREAS, Georgetown County Council finds it necessary to conduct the public’s business in a forthright manner that can be clearly understood by everyone involved and being so desires to adopt the following rules of procedure; AND

NOW, THEREFORE, Georgetown County Council shall adopt and utilize the following rules of procedure to govern the conduct of meetings of council and other matters provided therein:

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ARTICLE ONE

RULES

- 1-1. The following set of rules shall be in effect upon adoption by the Georgetown County Council (hereinafter “Council”). These rules shall pertain to all meetings and proceedings. ~~These rules shall take precedence over other rules of Council.~~ Items not ~~specifically~~ covered in these rules shall be decided in accordance with the South Carolina Association of Counties *Model Rules of Parliamentary Procedure, 3rd–2nd Edition* (hereinafter “Model Rules”). Any question of parliamentary procedure that cannot first be concluded from these adopted rules and then second from the Model Rules, will be decided utilizing the latest edition of Robert’s Rules of Order.
- 1-2. All committees of Council or advisory boards and commissions shall adopt and enforce rules of procedure and decorum consistent with the rules of Council.

ARTICLE TWO

OFFICERS

- 2-1. **CHAIRPERSON:** At the first meeting of the Council in January following each general election, the Council shall select one of its members to serve as Chairperson for a two year term. The Chairperson shall preside at all meetings of the Council and may execute on behalf of Council all official instruments or documents unless otherwise directed by a majority vote of Council. The Chairperson shall preserve order and decorum at all meetings, and shall state every question coming before Council, announce the decision of the Council, and

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decide questions of order. Any Council member may appeal the decision of the Chairperson on a question of order, and two thirds of those members present shall conclusively determine such question of order.

- 2-2. **VICE-CHAIRPERSON:** At the first meeting of the Council in January following the general election, the Council shall select one of its members to serve as Vice-Chairperson for a two year term. In the event that the Chairperson is absent or unable to serve, the Vice-Chairperson shall serve as Chairperson. In the event that the office of Chairperson is vacated, the Vice-Chairperson shall succeed to that office and another member shall be elected by Council to serve as Vice-Chairperson. When the Chairperson is absent from a regular or special meeting of the Council, or unavailable at the time execution on behalf of the Council is necessary, the Vice-Chairperson may execute on behalf of the Council all official instruments or documents unless otherwise directed by a majority vote of Council.

- 2-3. **COUNTY ADMINISTRATOR:** The Council, via a contract agreement, shall employ an Administrator, not a member of the Council, who shall be the Chief Administrative Officer of the County Government and shall be responsible for the administration of all the departments of the County Government which the Council has the authority to control. The County Administrator shall be apolitical, refraining from participation in the election of the members of the employing Council and from partisan political activities which would impair performance as a professional administrator. The Administrator shall be employed with regard to executive and administrative qualifications only, and need not be a resident of the County at the time of employment. The term of the employment shall be for a definite term, or at the pleasure of the Council. Before the Administrator may be removed from the position-office, the Council shall deliver to the Administrator a written statement of the reasons for the proposed removal, including and notice of the Administrator's right to a public hearing at a public meeting of the Council. Within five (5) days after delivery of the notice of removal, the Administrator may file with the Council a written request for a public hearing. This hearing shall be held by Council not earlier than twenty (20) days nor later than thirty (30) days after the request is filed. The Administrator may also file with the Council a written reply not later than five (5) days before the hearing. The removal of the Administrator shall not be effective until after the decision of the Council following the public hearing if one is held.

- 2-3.1 **POWERS AND DUTIES:** —The power and duties of the Administrator shall include, but not be limited to, the following:

a. To serve as the Chief Administrative and Executive Officer of the County Government;

a. _____

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- b. To execute the policies, directives and legislative actions of the Council;
- c. To direct and coordinate operational agencies and administrative activities of the County Government;
- d. To supervise expenditure of appropriated funds;
- e. To prepare annual, monthly, and other reports for Council on finances and administrative activities of the County;
- e. To be responsible for the administration of the County personnel policies including salary and classification plans approved by the Council;
- f. To be responsible for the employment and discharge of personnel in those departments in which the employment authority is vested in the County Council. This authority shall not extend to any personnel employed in departments or agencies under the direction of an elected official nor to personnel appointed by the Council.
- g. To prepare annual operating and capital improvement budgets and submit them to the Council at such time as the Council determines, including with the submission a statement describing the important features of the proposed budget such as all sources of anticipated revenue and the amount of tax revenue required to meet the financial requirements of the County. The Administrator shall offer a certification stating that, in the Administrator's opinion, the proposed budget does not exceed anticipated revenues for the period concerned and he/she shall assure that there is full compliance.
- h. To execute on behalf of the Council official instruments or documents, including the power to contract and bind the County;
- i. To take all actions to provide for the County's compliance with applicable laws and regulations, and to maintain the physical properties of the County in good and safe state of repair and condition; and
- j. To perform such duties as may be required by the Council or authorized under the Council-Administrator form of government found in the South Carolina Code of Laws, as amended.

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- 2-3.2 **NO AUTHORITY OVER ELECTED OFFICIALS:** With the exception of organizational and administrative policies established by the Council, the County Administrator shall exercise no direct authority over any elected official of the County whose offices were created by the Constitution or by the general law of the state.
- 2-3.3 **COUNCIL TO DEAL WITH EMPLOYEES THROUGH ADMINISTRATOR:** Except for the purposes of official Council approved inquiries and investigations in accordance with South Carolina Code of Laws Ann. § 4-9-660, the Council shall deal with County directors officers and employees who are subject to the supervision of the County Administrator solely through the Administrator, and neither the Council nor its individual members shall give orders or instructions directly to any such officers or employees.
- 2-3.4 **ABSENCE OR DISABILITY:** During the extended absence or disability of the Administrator, the Council shall designate another person to serve as acting Administrator.
- 2-3.5 **THE RELATIONSHIP TO COUNCIL:** ~~—~~ The Administrator shall maintain high standards of integrity and confidence and adhere to the highest ethical and moral principles in the execution of duties. It shall be the Administrator's duty to continue to keep abreast of advances and developments in County Government administration. When the Council has established a policy in reference to any matter the County Administrator is directed to execute and administer supervise that policy without further action by Council. In the event that any policies established by Council shall need changes or further definition it shall be the duty of the County Administrator to recommend to County Council in writing the proposed changes or definitions. It shall be the duty of the County Administrator to promulgate, implement and execute administrative policies for the management of operational functions of county government, and to propose necessary legislative and public policies for adoption by Council in order that such policies shall be executed without further action by Council.
- 2-3.6 **ACTIVITY REPORT:** The County Administrator is authorized and directed to develop and require submission of activity reports from all departments and agencies at such intervals and in such form as the County Administrator shall determine.
- 2.37 **OUTSIDE EMPLOYMENT:** The County Administrator will devote his/her full time to the administration of the County Government. Outside employment is prohibited unless approved by a majority vote of the

members of Council and may be reflected in the Administrator's employment contract.

- 2-4. **CLERK:** The Council shall appoint a Clerk for an indefinite term. The Clerk shall record all proceedings of the Council and keep a journal of the proceedings which shall be open to public inspection; deliver copies of the minutes of each Council meeting to all members of Council prior to the next regular meeting; keep a register of all Ordinances and Resolutions, assigning them a number and arranging them in order of introduction, and shall assist in their indexing and codification; attest the signature of the Chairperson, Vice-Chairperson or County Administrator on official instruments or documents. During the disability or extended absence of the Clerk, the Council may designate an acting Clerk.

- 2-4.1 **PERMANENT RECORD OF PROCEEDINGS:** Minutes of all Council meetings and work sessions shall be taken in summary form. All Council members' votes shall be recorded in the minutes. The recording tapes of all Council meetings shall be permanently maintained by the Clerk for a minimum of five (5) years from the date of the meeting. Minutes of Council meetings will be transcribed verbatim only when requested by a Council member for a particular meeting or a portion of a meeting.

- 2-5. **COUNTY ATTORNEY:** The Council shall retain ~~establish the position of a~~ County Attorney who shall provide general counsel to the County Administrator and Council. ~~and serve at the pleasure of County Council.~~ The County Administrator shall hire and supervise the County Attorney on behalf of County Council.

The County Attorney shall prepare or review all drafts of ordinances or resolutions as authorized by Council or the County Administrator for legal sufficiency, advise Council and the County Administrator on legal matters, and provide such other legal assistance to county departments and agencies as the County Administrator may authorize.

The County Attorney shall attend all regular meetings of Council and shall attend all special meetings of Council upon the request of the County Administrator. The County Attorney is not required to attend Committee meetings unless requested to do so by the County Administrator. The County Attorney shall refrain from participation in the election of the members of Georgetown County Council or other Georgetown County elected officials.

ARTICLE THREE

MEETINGS

3-1. **MEETING ATTENDANCE:** The Council shall convene its regular meeting for the transaction of official business in the Georgetown County Council Chambers, unless otherwise specified by Council, with each member of Council generally making every effort to attend. If, however, for any reason a member of Council cannot attend any scheduled public meeting, he/she should notify the Clerk to Council prior to the beginning of the meeting to notify the Council and the public of the reason for the absence.

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3-2. **MEETINGS, REGULAR**

3-2.1 Regular meetings of Council shall be held in accordance with a schedule prescribed by Council and made public at the beginning of each calendar year. The Council may vary the schedule upon concurrence of a majority.

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3-2.2 Requests for agenda matters and supporting materials shall be provided to the County Administrator no later than 12:00 o'clock p.m. sevenon Thursday, (7)12 days prior to the regular meeting date. Upon approval of the Chairperson, the agenda is set by the County Administrator, upon approval of the Chairperson, no later than Friday Tuesday of the week preceding the regular Council meeting. Publication of the agenda shall be on FridayThursday prior to the regular meeting or as soon as practicable thereafter, and, pursuant to the South Carolina Freedom of Information Act (as amended) the agenda is posted online the bulletin board of the Courthouse and the County Administrative Office Building and available upon request no later than twenty four (24) hours before the meeting.

3-3. **MEETINGS, SPECIAL**

3-3.1 The Chairperson or the majority of the members of Council may call special meetings of the Council.

3-3.2 All Council members shall be given written notice of a special meeting that specifies the subject matter to be discussed.

3-3.3 Twenty four (24) hours' notice must be given for a special meeting and the agenda is -posted online the bulletin board of the Courthouse and the County Administrative Office Building no later than twenty four (24) hours before the meeting.

3-4. **MEETINGS, EMERGENCY**

3-4.1 The Chairperson, or in his/her absence the Vice-Chairperson, may call an emergency meeting.

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3-4.2 An emergency meeting notice must be supported by a subject matter found in the South Carolina Code of Laws as constituting an emergency.
~~documentation of the emergency.~~

3-4.3 Only the items specified as constituting the emergency shall be considered at the emergency meeting.

3-4.4 Notice to all the Council of an emergency meeting ~~will~~ may be by telephone, email, or other means as soon as practicable by no less than
~~not less than two~~four (24) hours before the meeting.

3-5. MEETINGS, BRIEFINGS, AND WORK SESSIONS

3-5.1 The Chairperson may call a Briefing Meeting or Work Session or such meeting may be scheduled at a regular Council meeting.

3-5.2 All Council members shall be given written notice of a Briefing or Work Session Meeting that specifies the subject matter to be discussed at least two (2) ~~working~~ days before the meeting. The agenda shall be posted online the bulletin board of the Courthouse and the County Administrative Office Building, no later than twenty four (24) hours before the meeting.

3-5.3 The primary purpose of a Briefing or Work Session meeting shall be to present in-depth information and to provide an opportunity for the Council to raise questions for the purpose of making more informed decisions on complex issues that would take undue time at a regular meeting.

3-6. MEETINGS, PUBLIC HEARING

3-6.1 The Council shall hold public hearings for those matters required by law and may hold public hearings for any purpose the Council deems appropriate. Public hearings shall be held before final action is taken to:

~~a.~~ Adopt annual operational and capital improvement budgets;

~~a.~~

~~b.~~ Make appropriations, including supplemental appropriations;

~~b.~~

~~c.~~ Adopt building, housing, electrical, plumbing, gas, and other regulatory codes involving penalties;

~~c.~~

~~d.~~ Adopt zoning and subdivision regulations;

~~d.~~

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~~e. Levy taxes; and~~

~~e.~~

f. Sell, lease or contract to sell or lease real property owned by the County.

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3-6.2 Such public hearings shall be advertised as required by law. If there is no applicable law, public hearings shall be advertised in a newspaper of general circulation in the community at least fifteen (15) days prior to such hearing with notices and agenda posted online the bulletin board of the County Courthouse and the County Administrative Building no later than twenty four (24) hours before the hearing.

3-6.3 A public hearing is understood to be a forum for people interested in the subject matter to present information to the Council for their consideration as they deliberate an issue. It is not a forum for opponents and proponents to debate their differences nor is it a forum for debate or argument between members of Council and opponents or proponents, or each other.

3-6.4 Each speaker shall be limited to threefive (35) minutes. ~~unless the Chairperson authorizes one (1) extension of three (3) minutes.~~

3-6.5 The presiding officer may terminate a presentation that is covering the same information covered by a previous speaker. Such speakers shall be encouraged to simply state their agreement with a previous speaker and bring new information to the subject.

3-6.6 In addition to verbal presentation, written material may be submitted to the Council for their consideration but the receipt and handout of written material shall not cause the flow of the meeting to stop.

3-6.7 ~~Proponents and opponents will each~~ The public hearing will be limited to a total of thirty (30) minutes for formal presentations. ~~on any agenda item. Notwithstanding the time limitation in Section 3-6.4, the proponents or opponents may opt to devote their entire time allocation to one or more speakers with the total time of all speakers not exceeding thirty (30) minutes. The presiding chairperson shall determine if this approach will be used by either side prior to recognizing the first speaker.~~
3-6.7

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3-7. EXECUTIVE SESSION

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3-7.1 The Council may hold an executive session only for a purpose permitted by the South Carolina Freedom of Information Act, as amended, from time to time.

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These purposes are defined in the South Carolina Code of Laws and are generally are limited to:

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a. Discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, or a person regulated by a public body, or the appointment of a person to a public body.

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a. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against said agency of a claim.

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b. Discussion regarding the development of security personnel or devices.

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c. Investigative proceedings regarding allegations of criminal misconduct.

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d. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of an industry or other business in the area served.

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3-7.2 To hold an executive session, a motion must be made stating the specific purpose of the executive session or referring to the published agenda wherein the specific purpose is listed, seconded, and adopted to go onto executive session for a permitted purpose.

3-7.3 No vote shall be taken in executive session.

3-8. ELECTRONIC MEETINGS

3-8.1 Upon authorization and vote, and in accordance with the South Carolina Freedom of Information Act (also referred herein as "the Act"), Council and all Georgetown County Boards and Commissions (collectively referred to throughout as "the Governing Body") conduct public meetings exclusively in electronic form, provided the medium for such meeting, whether telephonic, broadcast video, computer-based, or other electronic media,

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or any combination of these, and the conduct of the electronic meeting, allows for the following standards and practices to be met:

(a) At the beginning of any electronic meeting, the presiding officer shall poll the members of the Governing Body to confirm attendance, and any member of the Governing Body attending by way of electronic media shall be considered present for the purposes of constituting a quorum.

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(b) Throughout the duration of the electronic meeting, all members of the Governing Body, as well as any officials or staff required to speak at such meeting, must have the capability to be heard at all times by any other member of the governing body and by the general public.

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(c) Any vote of the Governing Body must be conducted by individual voice vote of the members of the Governing Body, who shall verbally indicate their vote on any matter by stating "yay" or "nay." All individual votes shall be recorded by the clerk, secretary, or presiding officers, as appropriate.

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(d) Meetings shall be recorded or minutes kept in the same manner as an in-person meeting as required by the Act; provided, however, any digital broadcast of the meeting is not required to be kept as a record by the Governing Body.

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(e) All members of the governing body, officials, staff, and presenters should identify themselves and be recognized prior to speaking. Members of the Governing Body shall comply with the rules of the Governing Body as they relate to procedural matters in order to preserve order and allow for the effectiveness of electronic meetings.

(f) Electronic executive sessions shall be permitted in accordance with the provisions of the Act and the Governing Body shall properly announce its reason for going into any executive session in conformance with Section 30-4-70 of the Act. Upon the entry into any electronic executive session, meeting minutes need not be kept and the electronic meeting utilized for such executive session may be held by (i) a separate telephonic, broadcast video, computer-based, or other electronic media, or any combination of these wherein the public shall not be permitted to participate, or (ii) on the initial telephonic, broadcast video, computer-based, or other electronic media, or any combination of these, with the implementation of necessary participation or listening restrictions, provided that in either instance all members of the Governing Body must have the capability to be heard at all times.

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(g) With respect to any electronic meeting, any public comment periods provided for by local ordinance, resolution, policy, or bylaws are hereby suspended. In lieu of public comment periods, members of the public may submit their written public comments via email to the Clerk to Council – tfloyd@gtcounty.org - which shall be distributed to the members of the Governing Body.

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(h) With respect to public hearings required by the South Carolina Code of Laws, said public hearings shall be conducted electronically as provided herein. All public comments made during such hearing shall be submitted in writing to the Clerk to Council via either:

1) U.S. Mail addressed to:

Clerk to Council

Georgetown County Council

716 Prince Street

Georgetown, South Carolina 29440

2) Email addressed to tfloyd@gtcounty.org

All comments must be received one (1) hour prior to the scheduled hearing. The comments shall be distributed to the members of the Governing Body prior to the public hearing and read into the record at the time of the public hearing. The comments shall be limited to three hundred (300) words or less. In the event more than ten (10) comments are received, the Chairperson is authorized to paraphrase the reading of the comments into the record in order to optimize time efficiency of the public hearing.

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ARTICLE FOUR

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QUORUM

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- 4-1. **QUORUM:** A majority of the seven members of the Council shall constitute a quorum to begin a meeting for the transaction of official business.

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ARTICLE FIVE

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~~PUBLISHED AGENDA~~ORDER OF BUSINESS

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- 5-1 **~~PUBLISHED AGENDA~~ORDER OF BUSINESS:** For all regularly scheduled meetings, the Council shall address itself to an established, published agenda. The Council shall approve the published agenda, including the Consent Agenda and the

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Executive Session agenda. ~~Once the agenda is published, requests to change the agenda will only be granted upon a majority vote of Council.~~

~~Once an agenda for a regular, special, called or rescheduled meeting is posted, no items may be added to the agenda without an additional 24-hour notice to the public. The notice must be made in the same manner as the original posting.~~

~~After a meeting begins, an action item which is not a final action and for which public comment has been or will be received at a publicly noticed meeting, may be added to the agenda by a two-thirds vote of the members present and voting.~~

~~After a meeting begins, an action item which is a final action or for which there will be no opportunity for public comment, may be added to the agenda by~~

- ~~▪ a two-thirds vote of the members present and voting, and~~
- ~~▪ a finding that an emergency or exigent circumstance exists (an exigent circumstance would be considered an urgent or time-sensitive issue).~~

The order of business shall be:

- Invocation
- Pledge of Allegiance
- Public Comment Period
- Approval of the Agenda (including the Consent Agenda and Executive Session Agenda)
- Approval of Minutes
- Consent Agenda
- Public Hearings
- Appointments to Boards and Commissions
- Resolutions
- Third Reading of Ordinances
- Second Reading of Ordinance
- Introduction of Ordinances
- Council Briefing & Committee Reports
- Reports to Council
- Legal Briefing
- Executive Session
- Adjourn

5-1.1 ~~A~~ The public comment period ~~may shall~~ be the first item of business on the agenda and shall be limited to thirty (30) minutes. Each speaker will be limited to no more than ~~threefive~~ (35) minutes. If there are more than ~~tensix~~ speakers, time allotted will be reduced to allow all speakers ~~signed in~~ to present within the 30 minute period. No speaker may yield his/her allotted time to another speaker. Members of the public who wish to

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address Council during the public input period ~~shall~~should sign up with the Clerk of Council before the meeting is called to order by the presiding officer. Preference as to the order of the speakers shall be given to those who have notified the Clerk in advance of the meeting of their desire to speak. When there are several members of the public present to address the same issue, ~~it is recommended that~~ one spokesperson shall be chosen on behalf of the group and the presiding officer has the authority to enforce this provision. A public comment period is not required under the South Carolina Code of Laws, rather it is authorized by Council as a means for the citizenry to speak to their representatives in a public setting. Consequently, No person shall be allowed to indulge in personalities, use language personally offensive, charge deliberate misrepresentation, or use language tending to hold a member of Council, a member of the County staff, or a member of the public up to contempt or ridicule.

5-1.2 Any Council member desiring to place an item on the agenda shall notify the ~~Chairman~~Chairperson. ~~Clerk~~ The ChairmanChairperson shall notify the Clerk no later than 12:00 ~~e'clock~~ p.m. ~~on Thursday, 12-7~~ days prior to the regular meeting. This provision shall include the names and applications of appointees to various county boards and commissions.

5-1.3 The consent agenda may consist of items that are more than likely not likely to to be controversial as well as any ordinance proposed for first reading. Any Council member may request that an item be placed on the consent agenda, and any member may request that an item be removed therefrom. Any ordinance may be read in at first reading by title only.

ARTICLE SIX

DECORUM AND DEBATE

- 6-1. When a measure is before the Council for consideration, the presiding officer shall recognize the appropriate individual to present the case.
- 6-2. When two (2) or more members wish to speak, the presiding officer shall decide and recognize such members in turn.
- 6-3. No member of Council shall interrupt another while speaking, except to make a point of order or make a point of personal privilege.
- 6-4. The presiding officer shall not be obligated to recognize any Council member for a second comment on a subject or amendment until every Council member wishing to speak has been allowed a first comment.

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- 6-5. No member shall speak more than five (5) minutes on any subject or amendment. Such member may use his/her time in any combination, in separate speech or comments totaling five (5) minutes. Council members shall also have the right to yield a portion of their time to another member.
- 6-6. Any member wishing to speak more than five (5) minutes on any question or any amendment to the question shall be accorded the privilege without objection or upon motion supported by two-thirds of the Council members present.
- 6-7. The Council may agree to limit debate on any item of business before it. That agreement may be formalized by a majority vote of the Council.
- 6-8. The presiding officer shall not entertain any dilatory motions.
- 6-9. No Council member shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use other language tending to hold a member of Council or the public up to contempt or ridicule.
- 6-10. If a member is speaking or otherwise transgressing the rules of the Council, the presiding officer shall, or any Council member may, call him or her to order. In such case, he or she shall immediately be silent unless permitted to explain. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he/she shall be at liberty to proceed, but otherwise shall remain silent.
- 6-11. Any member found in violation of the rules of Council by a majority vote of Council may be censured.

ARTICLE SEVEN

VOTING

- ~~7-1~~ 7-1. A member ~~may must be present cast his/her vote in person or by any electronic means if a member is unable to attend in person. to cast his/her vote.~~ No members of the County Council, or a committee, shall be allowed under any circumstances to vote by proxy at any Council or Committee meeting.
- ~~7-2~~ 7-2. Any member may request a roll call vote at any time.
- ~~7-3~~ 7-3. No member shall vote on any question where his/her private interest in the matter presents a conflict of interest (according to the South Carolina State

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Ethics Act). Members shall declare their conflict of interest in an issue and refrain from participating in the discussion or the vote on the issue. The meeting minutes shall reflect any conflict of interest declaration.

ARTICLE EIGHT

COUNCIL DECISIONS

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- 8-1. The members of Council have the responsibility to establish policy, make Council decisions, and adopt ordinances which in the majority view will be in the best interest of Georgetown County and all its citizens. Council members thus have an obligation to expect differences of opinion and to respect the views of each individual member of Council. At the same time, individual members should recognize that when the Council has made a decision, the issue has been decided whether or not they were in the majority or the minority.

ARTICLE NINE

ORDINANCES AND RESOLUTIONS

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- 9-1. **ORDINANCES AND RESOLUTIONS IN GENERAL:** The Council shall take legislative action by Ordinance. Executive action shall be taken by Resolution. ~~All Ordinances and/or Resolutions that require funding for the following and/or subsequent years shall contain an impact statement of costs and funding options stated in dollars and millage based upon the current millage value.~~
- 9-2. **READINGS:** With the exception of emergency ordinances, all ordinances shall be read at three public meetings of Council on three separate days with an interval of not less than seven days between the second and third reading. A verbatim reading of an ordinance shall not be required unless such reading is requested by a member.
- 9-3. **FIRST READING:** An ordinance may be introduced for first reading by title only at any meeting of Council. ~~by title only. No vote shall be taken and a~~ No debate or amendment shall be in order unless a member makes a motion to invoke the pending ordinance doctrine for a zoning ordinance matter. The ordinance may be referred by the Chairperson to an appropriate committee or to the Council as a whole.

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- 9-4. **SECOND READING:** Reports on a proposed ordinance shall be presented at the next regular meeting after the first reading. Prior to second reading, a draft of the text of the ordinance shall be delivered to every member. After the proposed ordinance has been read, amendments shall be in order, but shall not be considered unless they are germane to the proposed ordinance. Any member of the Council may require that amendments be in writing. After all amendments and privileged motions, if any, are disposed of, the question shall be, "shall the ordinance receive second reading."
- 9-5. **THIRD READING:** After the ordinance has been given second reading, and if a public hearing has been held if required by law or action of Council, it shall be given third reading ~~at a~~ a subsequent public meeting and amendments may be offered on third reading the same as on second reading. After all amendments and privileged motions, if any are disposed of, the question shall be passage of the ordinance.
- 9-6. **VOTES REQUIRED FOR PASSAGE:** ~~With the exception of those items requiring a 2/3rd majority or alternate majority type for approval as found in State law, No~~ ordinance or amendment shall be adopted unless at least a majority of the members present shall have voted for its passage on second and third readings. The repeal or amendment of ordinances shall follow the same procedure set forth for adoption.
- 9-7. **EMERGENCY ORDINANCES:** To meet public emergencies, affecting life, health, safety of the property of the people, Council may adopt emergency ordinances, but such ordinances shall not levy taxes, grant, renew, or extend a franchise or impose or change a service rate. Every emergency ordinance shall be designated as such and shall contain declaration that an emergency exists and shall describe the emergency. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirement, or public notice. Such ordinances shall expire automatically as of the 61st day of the following enactment.
- 9-8. **CODIFICATION:** All ordinances enacting general law shall be compiled, indexed, codified, ~~published by title and made available online. to public inspection at the office of the Clerk of Council. Further, all ordinances, regardless of type, shall be kept by the~~ the Clerk and shall maintained in a permanent record of all ordinances adopted. Nothing herein prevents any requirement of this section from being satisfied by electronic means. and shall furnish a copy to the Clerk of Court for filing in that office.
- 9-9. **EFFECTIVE DATE OF ORDINANCES:** Ordinances shall take effect on the day the ordinance is given third reading unless another date is specified in the ordinance.

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9-10. **RESOLUTIONS:** A resolution shall require only one reading for its adoption, and may be adopted at either a regular or special meeting by a majority vote of the members present at the meeting.

9-11. **STANDARD CODES OR TECHNICAL REGULATIONS:** The Council may adopt any standard code or technical regulation by reference. ~~Copies of any adopted code to technical regulation shall be made available by the Clerk for distribution or for purchase at a reasonable price.~~

ARTICLE TEN

COMMITTEES

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~~10-1~~ **10-1. APPOINTMENTS TO STANDING COMMITTEES:** All members of Council shall be appointed to serve on at least one of the Council standing committees. Standing committee appointments shall be made by the Chairperson no later than the second regular meeting of Council in January following each general election and the Chairperson shall also designate the respective Chairperson of each committee. Members of the standing committees shall serve until the next general election of Council, unless they are removed by their consent or cease to be member of Council. Each standing committee shall consist of not less than three members.

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~~10-2~~ **10-2. STANDING COMMITTEES:** Standing committees of the Council shall be as follows:

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~~10-2.1~~ **10-2.1** An Administration and Finance Committee which shall ~~consist of not~~

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~~10-2.2~~ **10-2.2** consist of not less than three members of the County Council.

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~~10-2.3~~ **10-2.2** A Health, Education, and Leisure Committee which shall consist of

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~~10-2.4~~ **10-2.3** A Justice and Safety Committee which shall consist of

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not less than three members of the County Council.

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~~10-2.4~~ ~~10-2.4~~ A Public Works Committee which shall consist of not less than three members of the County Council.

~~10-2.5~~ ~~10-2.5~~ ~~ADHOC COMMITTEES~~ Ad-Hoc Committees; Upon the authorization

of Council, their Chairperson may appoint ad-hoc committees composed of Council members, a combination of council members and citizens, or citizen members only to study and advise council on a specific issue. Such committees shall function for a specific time periods and shall be dissolved at the end of the time period or when their business is finished, whichever is the earliest. The time period for existence of such committees may be extended for a time certain by action of the Council.

~~10-2.6~~ ~~10-2.6~~ ~~COMMITTEES MEETINGS AND REPORTS~~ Committee Meetings and Reports:

Committee meetings shall be held on the call of the Chairperson of the committee upon two days' notice of such meeting to each committee member, unless all of the members of the committee waive such notice and agree upon an earlier time for such meeting but no earlier than 24 hours before the scheduled start of the meeting. A quorum for each committee shall consist of a majority of its members. The Chairperson of a standing committee shall report upon the activities of the committee at a each regular council meeting, and a time for such reports shall be deemed to be included in every agenda when the subject matter of the report has previously been referred to the committee. Each committee shall function as an advisory committee to the County Administrator when the Administrator so requests and to the County Council. Each committee shall investigate, gather information, make inquiries, and study the issues under its jurisdiction with a purpose of keeping the Council fully informed. Committees may make reports to the Council with recommendations for action by the Council. Action taken by any committee shall not be construed as action taken by the Council until the subject matter of the committee's action has been presented at a regular or special meeting of the Council and acted upon by the Council in accordance with these rules.

~~10-2.7~~ ~~10-2.7~~ ~~RECALL OF REFERRED MATTERS~~ Recall of Referred Matters; Any matter

which has been referred to a committee may be recalled by an affirmative vote of the majority of the members of Council in attendance of a Council meeting.

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ARTICLE ELEVEN

PARLIAMENTARY PROCEDURE

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- 11-1 **CHAIRPERSON TO VOTE:** The Chairperson shall vote in all cases except where a personal conflict exists.
- 11-2 **PRIVILEGE OF COUNCILMEMBERS:** A Council member shall have the privilege of having an abstract of the member's statement on any subject under consideration by the Council member entered in the minutes.
- 11-3 **STATEMENT ON BEHALF OF COUNCIL:** —No Council member shall make or issue any statement which purports to speak on behalf of the entire Council or the Council as a body at any time unless the issue is question has been duly adopted by the Council. The Chairperson shall thereupon be the official spokesman for Council unless the Chairperson has recommended and the Council has approved another person to serve as the spokesman on a particular issue.
- 11-4 **WHEN MOTIONS ARE DEBATABLE:** All motions, except motions to adjourn, to recess, to lay on the table, and questions of order or privilege, shall be debatable. No motion shall be debated until it has been stated by the Chairperson. All questions of order shall be decided by the Chairperson without debate, subject to an appeal to the Council.
- 11-5 **MOTIONS TO RECONSIDER:** A motion to reconsider any action taken by the Council may be made only on the day such action was taken or at the next regular meeting of Council. Such motion must be made by a Council member voting on the prevailing side, but may be seconded by any other Council member, and may be made at any time.
- 11-6 **MOTIONS THAT INTERRUPT A SPEAKER:** Only the following motions shall be permitted to interrupt a speaker:
- 11-6.1 A question of order. This question is to the effect that the rules of Council are not being adhered to. It is not debatable and does not require a second.
- 11-6.2 A question of privilege. This question relates to the rights and privileges of a member of the Council, i.e., charges made against the official character of a member; that the member has not been furnished with pertinent information available to other members

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of Council; that the member did not hear or understand a statement presented to Council, etc. It does not require a second.

11-6.3 A motion to adjourn. This motion is not debatable but does require a second.

11-7. **MOTIONS THAT CANNOT INTERRUPT A SPEAKER BUT MAY INTERRUPT THE PROCEEDINGS:** The following motions cannot interrupt a speaker without the speaker's consent but may interrupt the proceedings and shall be received during debate:

~~11-7.1~~ 11-7.1 A motion to lay on the table. The motion removes the subject from consideration until the Council votes to again consider the subject. It is not debatable but does require a second. Any item remaining on the table at the adjournment of the regular meeting following the meeting where the motion to lay on the table was approved shall be permanently removed from Council consideration.

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11-7.2 A motion for the previous/to call the question. This motion is to the effect that the debate now cease, and the Council immediately proceed to vote on the pending question. It is not debatable but does require a second.

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11-7.3 A motion to adjourn debate to a subsequent meeting. The effect of this motion is to postpone the subject to the time specified in the motion and until which time it cannot be taken up except by majority vote of the Council. It is debatable and does require a second.

11-7.4 A motion to commit or recommit. The effect of this motion is to refer the subject to a committee. It is debatable and requires a second.

11-7.5 A motion to amend. This motion is debatable and requires a second.

The above motions have precedence in the order listed.

~~12-8.~~ 11.8 **MOTIONS THAT DO NOT REQUIRE A SECOND:** The following motions do not require a second.

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~~12-8-1~~ 11.8-1 Inquiries of any kind.

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~~12.8-2~~ 11.8-2 Leave to withdraw a motion.

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~~12.8-3~~ 11.8-3 Nominations.

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~~12.8-4~~ 11.8-4 Point of order.

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~~12.8-5~~ 11.8-5 Question of privilege.

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ARTICLE TWELVE

DOCUMENTS

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12-1. **DOCUMENTS OF THE COUNTY:** All documents, files, correspondence, reports, records, and other written, ~~or~~ printed or electronic material or information pertaining to the business of Georgetown County or to any of its departments or personnel, prepared, received or used by the County Administrator or any other County official or employee in the course of County employment shall be the property of Georgetown County. No such material or information shall be removed from the custody of Georgetown County at any time. Individuals seeking to obtain information related hereto shall may be able to do so in accordance with the South Carolina Freedom of Information Act, as amended.

12-2. **PERSONNEL FILES:** Personnel files are confidential information and shall be available to Council members only as a part of an official inquiry or investigation authorized by Council.

ARTICLE THIRTEEN

SEAL

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13-1. **SEAL OF THE COUNTY OR COUNCIL:** The seal of Georgetown County or the Georgetown County Council shall not be required upon execution or attestation of any document.

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ARTICLE FOURTEEN

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SUSPENSION OF RULES

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- 14-1. **SUSPENSION OF RULES:** Any of these rules may be suspended except those which are matters of State law, upon an affirmative vote of a majority of the members of the Council.

ARTICLE FIFTEEN

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AMENDMENT OF RULES

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- 15-1. **AMENDMENT OF RULES:** Amendment of these ruled shall be by ordinance.

ANY PREVIOUSLY ADOPTED RULES OF PROCEDURE BY GEORGETOWN COUNTY COUNCIL UNDER ORD. 99-30 ARE HEREBY REPEALED AND REPLACED WITH THIS ORDINANCE.

ADOPTED this ____ day of _____, 2021 by a vote of Georgetown County Council.

ChairmanChairperson

ATTEST:

Theresa E. Floyd, Clerk

This ordinance is approved as to form and content.

H. Thomas Morgan, Jr., Esq.
Interim Georgetown County Attorney

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Item Number: 16.b
Meeting Date: 3/23/2021
Item Type: DEFERRED OR PREVIOUSLY SUSPENDED ISSUES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Coroner's Office

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-07 - An Ordinance to Repeal, Replace, and/or Establish Certain Fees Payable to the Georgetown County Coroner's Office, and Set Guidelines for the Same

CURRENT STATUS:

Pending approval.

POINTS TO CONSIDER:

FINANCIAL IMPACT:

OPTIONS:

STAFF RECOMMENDATIONS:

Recommendation to defer action pending finalized information.

ATTORNEY REVIEW:

Item Number: 16.c
Meeting Date: 3/23/2021
Item Type: DEFERRED OR PREVIOUSLY SUSPENDED ISSUES

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:

Ordinance No. 21-09 – An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to an Existing Fee In Lieu of Tax and Incentive Agreement by and Among Georgetown County, South Carolina (The “County”), G2 Composites, LLC (as Successor in Interest to MHG OZ FUND I, LLC), and Eagle Commercial, LLC (as Successor in Interest to MHG OZ FUND II, LLC) to Effect Certain Modifications Thereto; and (2) Other Matters Relating Thereto.

CURRENT STATUS:

Georgetown County, South Carolina, acting by and through its County Council is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended, particularly Title 12, Chapter 44 of the Code and Title 4, Chapter 1 of the Code and by Article VIII, Section 13(D) of the South Carolina Constitution has entered into a contractual agreement with the proposed company to expand certain facilities at one or more locations in the County.

POINTS TO CONSIDER:

Ordinance No. 21-09 proposes to amend the agreement, as previously entered into in October 2019.

FINANCIAL IMPACT:

OPTIONS:

1. Adoption of Ordinance No. 21-09.
2. Decline adoption of Ordinance No. 21-09.

STAFF RECOMMENDATIONS:

Deferred pending public hearing scheduled for April 13, 2021.

ATTORNEY REVIEW:

ATTACHMENTS:

Description	Type
▢ Ordinance No. 21-09 First Amendment to existing FILOT	Ordinance
▢ First Amendment to Agreement	Resolution Letter

**GEORGETOWN COUNTY
ORDINANCE NO. 21-09**

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO AN EXISTING FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND AMONG GEORGETOWN COUNTY, SOUTH CAROLINA (THE "COUNTY"), G2 COMPOSITES, LLC (AS SUCCESSOR IN INTEREST TO MHG OZ FUND I, LLC), AND EAGLE COMMERCIAL, LLC (AS SUCCESSOR IN INTEREST TO MHG OZ FUND II, LLC) TO EFFECT CERTAIN MODIFICATIONS THERETO; AND (2) OTHER MATTERS RELATING THERETO.

WHEREAS, Georgetown County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Negotiated FILOT Act") and by Article VIII, Section 13(D) of the South Carolina Constitution: (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain projects through which the economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; and (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments, including, but not limited to, negotiated FILOT payments made pursuant to the Negotiated FILOT Act, with respect to a project; and

WHEREAS, in connection with the establishment and/or expansion of certain manufacturing, commercial, and related facilities at one or more locations in the County (the "Project"), pursuant to an Ordinance duly enacted by the Council on October 22, 2019, the County and G2 Composites, LLC (as successor in interest to MHG OZ Fund I, LLC by assignment), and Eagle Commercial, LLC (as successor in interest to MHG OZ Fund II, LLC by assignment), each acting for itself, one or more affiliates, and/or other project sponsors (collectively, the "Companies"), entered into that certain Fee in Lieu of Tax and Incentive Agreement dated as of October 22, 2019 (the "Fee Agreement"), whereby the County agreed to provide, amongst other things, certain Negotiated FILOT (as such term is defined in the Fee Agreement) benefits with respect to the Project, all as set forth in greater detail therein; and

WHEREAS, in consideration of the Companies' anticipated investment and employment in the County, and in accordance with the Negotiated FILOT Act, the County has determined to approve certain modifications to the Fee Agreement, the specific terms and conditions of which are set forth in a First Amendment to Fee in Lieu of Tax and Incentive Agreement by and between the County and the Companies (the "First Amendment"), the form of which is presented to this meeting, and which First Amendment is to be dated as of _____, 2021, or such other date as the parties thereto may agree; and

WHEREAS, it appears that the First Amendment now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the Council, as follows:

Section 1. The form, provisions, terms, and conditions of the First Amendment presented to this meeting and filed with the Clerk to the Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the First Amendment was set out in this Ordinance in its entirety. The First Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the official or officials of the County executing the same, upon the advice of counsel, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the First Amendment now before this meeting.

Section 2. The Chairman of the Council is hereby authorized, empowered, and directed to execute the First Amendment in the name and on behalf of the County; the Clerk to the Council is hereby authorized, empowered and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the First Amendment to the Companies. The Chairman of the Council, the County Administrator of the County, and the Clerk to the Council, for and on behalf of the County, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the performance of all obligations of the County under and pursuant to First Amendment, and to carry out the transactions contemplated thereby and by this Ordinance.

Section 3. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 4. All orders, ordinances, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Ordinance shall take effect and be in full force from and after its passage and approval.

[End of Ordinance]

Enacted and approved, in meeting duly assembled, this __ day of _____, 2021.

GEORGETOWN COUNTY, SOUTH CAROLINA

By: _____
Louis R. Morant, Chairman, County Council
Georgetown County, South Carolina

[SEAL]

Attest:

By: _____
Theresa Floyd, Clerk to County Council
Georgetown County, South Carolina

First Reading: February 23, 2021

Second Reading: March 9, 2021

Public Hearing: _____, 2021

Third Reading: _____, 2021

**FIRST AMENDMENT TO
FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT**

by and among

GEORGETOWN COUNTY, SOUTH CAROLINA

and

G2 COMPOSITES, LLC

and

EAGLE COMMERCIAL, LLC

Dated as of _____, 2021

This First Amendment pertains to that certain Fee in Lieu of Tax and Incentive Agreement dated as of October 22, 2019 by and among Georgetown County, South Carolina and G2 Composites, LLC (as successor in interest to MHG OZ Fund I, LLC by assignment), and Eagle Commercial, LLC (as successor in interest to MHG OZ Fund II, LLC by assignment).

FIRST AMENDMENT TO FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT

THIS FIRST AMENDMENT TO FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT (this "First Amendment"), dated as of _____, 2021, by and between **GEORGETOWN COUNTY, SOUTH CAROLINA** (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, and **G2 COMPOSITES, LLC**, a limited liability company organized and existing under the laws of the State of South Carolina (as successor in interest to MHG OZ Fund I, LLC by assignment), and **EAGLE COMMERCIAL, LLC**, a limited liability company organized and existing under the laws of the State of South Carolina (as successor in interest to MHG OZ Fund II, LLC by assignment), each acting for itself, one or more affiliates, and/or other project sponsors (collectively, the "Companies").

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Negotiated FILOT Act") and by Article VIII, Section 13(D) of the South Carolina Constitution: (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain projects through which the economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; and (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments, including, but not limited to, negotiated FILOT payments made pursuant to the Negotiated FILOT Act, with respect to a project; and

WHEREAS, in connection with the establishment and/or expansion of certain manufacturing, commercial, and related facilities at one or more locations in the County (the "Project"), pursuant to an Ordinance duly enacted by the Council on October 22, 2019, the County and G2 Composites, LLC (as successor in interest to MHG OZ Fund I, LLC by assignment), and Eagle Commercial, LLC (as successor in interest to MHG OZ Fund II, LLC by assignment), each acting for itself, one or more affiliates, and/or other project sponsors (collectively, the "Companies"), entered into that certain Fee in Lieu of Tax and Incentive Agreement dated as of October 22, 2019 (the "Fee Agreement"), whereby the County agreed to provide, amongst other things, certain Negotiated FILOT (as such term is defined in the Fee Agreement) benefits with respect to the Project, all as set forth in greater detail therein; and

WHEREAS, in consideration of the Companies' anticipated investment and employment in the County, the County has determined to approve certain modifications to the Fee Agreement, all as memorialized, ratified, and detailed more particularly herein; and

WHEREAS, the Council authorized the modifications to the Fee Agreement referenced above and set forth in this First Amendment, and authorized the execution and delivery of this First Amendment, pursuant to Ordinance No. 21-09 duly enacted by the Council on _____, 2021.

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated herein by reference and other lawful consideration, and respective representations and agreements hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the County and the Companies agree as follows:

Section 1. Definitions. Defined terms utilized herein and not otherwise defined herein shall have the meanings ascribed to them in the Fee Agreement.

Section 2. Amendment of Fee Agreement. The Fee Agreement is hereby amended as follows:

- (a) The second sentence of subsection (a) of Section 3.05 is hereby deleted in its entirety and the following is substituted therefor:

As an additional incentive to induce the Companies to undertake the construction and completion of the Spec Building portion of the Project, and during a term commencing with the issuance of the certificate of occupancy with respect to the Spec Building and ending five (5) years thereafter (the "Lease Backstop Period"), the County hereby commits to pay to the Landlord an annual aggregate amount equal to \$6.00 multiplied by each square foot comprising the square footage of the Spec Building, as constructed, up to a maximum square footage of 40,000 square feet resulting in a maximum annual payment obligation of \$240,000 (the "Lease Backstop Payment Obligation"); provided, however, that in the event that the Landlord leases any such square footage to a tenant for a period comprising all or a portion of the Lease Backstop Period, and the annual lease rate for such square footage is less than \$6.00 per square foot, any such lesser lease amounts received by the Landlord from such tenant with respect to each such square foot shall be offset against the Lease Backstop Payment Obligation with respect to such square footage.

Section 3. Remaining Terms and Provisions. Except as expressly amended hereby, the terms and provisions of the Fee Agreement shall remain unchanged and in full force and effect.

Section 4. Entire Understanding. The Fee Agreement, as amended by this First Amendment, expresses the entire understanding and all agreements of the parties hereto pertaining to the matters set forth herein and therein and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in the Fee Agreement, as amended by this First Amendment, or in certificates delivered in connection with the execution and delivery hereof.

Section 5. Severability. In the event that any clause or provision of this First Amendment shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 6. Multiple Counterparts. This First Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

IN WITNESS THEREOF, the parties hereto, each after due authorization, have executed this First Amendment to Fee in Lieu of Tax and Incentive Agreement to be effective as of the date first written above.

**GEORGETOWN COUNTY, SOUTH
CAROLINA**

(SEAL)

By: _____
Louis R. Morant, Chairman, County Council
Georgetown County, South Carolina

ATTEST:

By: _____
Theresa Floyd, Clerk to County Council
Georgetown County, South Carolina

G2 COMPOSITES, LLC

By: _____

Name: _____

Title: _____

EAGLE COMMERCIAL, LLC

By: _____

Name: _____

Title: _____

Item Number: 17.a
Meeting Date: 3/23/2021
Item Type: LEGAL BRIEFING / EXECUTIVE SESSION

AGENDA REQUEST FORM
GEORGETOWN COUNTY COUNCIL



DEPARTMENT: Economic Development

ISSUE UNDERCONSIDERATION:
30-4-70 (a) 2

CURRENT STATUS:

POINTS TO CONSIDER:

FINANCIAL IMPACT:

OPTIONS:

STAFF RECOMMENDATIONS:

ATTORNEY REVIEW: