



Aiken County Council Agenda

Council Administrator Form of Government for Aiken County
Council Chambers - 1930 University Parkway, Aiken, SC

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MINUTES

E. APPROVAL OF MINUTES

1. January 20, 2026 Work Session
2. January 20, 2026 Regular Meeting

Documents:

[CCL Minutes.pdf](#)
[Worksession Minutes.pdf](#)

F. APPROVAL OF AGENDA

G. AWARDS AND RECOGNITIONS

H. PUBLIC HEARINGS

I. OLD BUSINESS

J. CONSENT AGENDA

1. Resolution to Appoint Members to Designated Boards, Commissions and Committees with Terms of the Appointments to Run Concurrent with that of the Appointing Member of Council.
(County Council) (Title Only)
2. Resolution to Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2026 Council Contingency Fund.
(County Council)
3. Resolution to Declare Used Coats as Surplus and Donate Them to the Salvation Army Aiken.
(Judicial & Public Safety Committee)

Documents:

[Consent 3.pdf](#)
[Consent 2.pdf](#)

K. CONSENT AGENDA

L. INTRODUCTION OF ORDINANCES FOR FIRST READING

1. First Reading of an Ordinance to Authorize the Council Chairman to Execute an Intergovernmental Agreement Between The City of New Ellenton and Aiken County, South Carolina for Certain Code Enforcement Activities. (County Council)

Documents:

[New 1.pdf](#)

M. INTRODUCTION OF ORDINANCES FOR FIRST READING

N. NEW BUSINESS

O. ITEMS FOR INFORMATION AND THE PUBLIC RECORD

P. INFORMAL MEETING OF THE WHOLE

Q. EXECUTIVE SESSION

R. ITEMS REQUIRING ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

S. ADJOURNMENT

NOTICE: THIS PAGE AND THE FOLLOWING PAGE THAT LIST THE INDIVIDUAL ITEMS TO BE CONSIDERED BY COUNTY COUNCIL CONSTITUTE THE COMPLETE AGENDA FOR THIS MEETING OF COUNTY COUNCIL. COUNTY COUNCIL MAY CONSIDER AND ADOPT AMENDMENTS TO THE AGENDA DURING THE MEETING. ITEMS MAY BE ADDED TO THE AGENDA BY COUNTY COUNCIL DURING THE MEETING SUBJECT TO S.C. CODE SECTION 30-4-80(A). THE MATERIALS ON INDIVIDUAL ITEMS, INCLUDING ORDINANCES AND RESOLUTIONS, THAT FOLLOW THE AGENDA ARE SEPARATE FROM THE AGENDA. THE COUNTY COUNCIL MAY CONSIDER AND ADOPT AMENDMENTS TO THE INDIVIDUAL ITEMS, SUCH AS ORDINANCES AND RESOLUTIONS, LISTED ON THE AGENDA WHEN IT CONSIDERS THEM DURING THE MEETING.

MINUTES



Aiken County Council MINUTES for January 20, 2026 7:00 PM, 2nd Meeting of 2026

Council Administrator Form of Government for Aiken County
Council Chambers - 1930 University Parkway, Aiken, SC

A. CALL TO ORDER at 7:05 pm Council Members Present:

Chairman Gary Bunker
Ron Felder
Mike Kellems
Danny Feagin
Landon Ball
Sandy Haskell
Phil Napier
L. Andrew Siders
P. K. Hightower

Also present:

Brian Sanders, County Administrator
Lynn Strom, Deputy Administrator/ CFO
Joel Duke, Assistant Administrator/CDO
Teresa Crain, Assistant Administrator
Brad Farrar, County Attorney
Katelyn Gorby, Council Clerk

B. INVOCATION- Councilwoman Hightower

C. PLEDGE OF ALLEGIANCE- Councilman Siders

D. APPROVAL OF MINUTES

1. January 6, 2026 Work Session (p. 1)
2. January 6, 2026 Regular Meeting (pp. 2-5)

Councilman Siders made a motion to approve the minutes. Councilman Kellems seconded the motion. The minutes were approved unanimously.

E. APPROVAL OF AGENDA

Councilman Siders made a motion to amend the agenda by removing New Business Item #1. Councilman Ball seconded the motion. The agenda was approved as amended by a unanimous vote.

F. AWARDS AND RECOGNITIONS

G. PUBLIC HEARINGS

1. Ordinance to Approve an Amendment to the Aiken County Official Zoning and Development District Atlas to Rezone Tax Parcel(s) 108-20-02-001, 108-20-02-002, & 108-20-03-001 Located on Anderson Pond Road in Aiken, SC in Council District 7 from Residential-Horse 5 District (RH5) & Rural Development District (RUD) to Residential Single-Family Conservation District (RC). (County Council) (pp. 139-177) (*Application was withdrawn.*)

No comments & no speakers.

H. OLD BUSINESS

1. Third Reading of an Ordinance Abandoning Maintenance on Roadway Formerly Known as Secondary Road (S-965) and Rescinding Ordinance No. 24-06-20.
(County Council) **(pp. 6-7)**
Councilman Feagin made a motion to adopt the Ordinance on third reading. Councilman Kellems seconded the motion. The ordinance was approved and adopted on third reading by a unanimous vote.
2. Third Reading of an Ordinance to Amend Aiken County Code of Ordinances, Chapter 13, "Licenses, Permits and Miscellaneous Business Regulations," Article II, "Peddling and Soliciting."
(County Council) **(pp. 8-12)**
Councilman Kellems made a motion to adopt the Ordinance on third reading. Councilman Feagin seconded the motion. The ordinance was approved and adopted on third reading by a unanimous vote.

I. CONSENT AGENDA

1. Resolution to Appoint Members to Designated Boards, Commissions and Committees with Terms of the Appointments to Run Concurrent with that of the Appointing Member of Council.
(County Council) **(p. 13)**
2. Resolution to Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2026 Council Contingency Fund.
(County Council) **(pp. 14-15)**
3. Resolution Honoring Loron and Lena Sue Williamson on the Occasion of Their 70th Wedding Anniversary.
(Councilman Kellems) **(p. 16)**
4. Resolution to Award the Contract to, and Authorize the Council Chairman to Enter into an Agreement with Thomas & Hutton Engineering for RFP 26-01-P, Request for Qualifications for qualified engineering firm to support implementation of the Wastewater Treatment Plant Assessment and Master Plan.
(Development Committee) **(pp. 17-24)**
5. Resolution to Approve the Aiken County Public Sewer Authority's Horse Creek Wastewater Treatment Facility Pretreatment Enforcement Response Guide.
(Development Committee) **(pp. 25-49)**
6. Resolution to Accept a Grant from the South Carolina Coordinating Council for Economic Development-Economic Development Set-Aside Fund in the Amount of \$400,000 for Rolls-Royce Solutions America, Inc.
(Development Committee) **(p. 50)**
7. Resolution to Authorize the Council Chairman to Execute a Lease with Aiken Barnwell Genealogical Society for Space within the North Wing at 314 Chesterfield Street, Southeast.
(Administrative Committee) **(pp. 51-59)**
8. Resolution to Authorize the Council Chairman to Execute a Lease with Centerra-SRS for Office Space at the Cooperative Research Center.
(Administrative Committee) **(pp. 60-78)**
9. Resolution to Authorize the Council Chairman to Execute a Lease with IGUA Local 159 for Office Space at the Cooperative Research Center.
(Administrative Committee) **(pp. 79-98)**
10. Resolution to Authorize the Council Chairman to Execute a Lease with United Professional Pro Force of Savannah River Local #125, aka, UPPSR Local #125, for Office Space at the Cooperative Research Center.
(Administrative Committee) **(pp. 99-118)**

11. Resolution to Authorize the Council Chairman to Execute a Lease with Wilson David Corporation d/b/a Wilson David Investment Advisors for Office Space at the Cooperative Research Center. (Administrative Committee) (pp. 119-138)

J. INTRODUCTION OF ORDINANCES FOR FIRST READING

Councilman Siders made a motion to approve all Consent Agenda and Introduction of Ordinances for First Reading items. Councilman Kellems seconded the motion. The items were approved unanimously.

K. NEW BUSINESS

~~1. First Reading of an Ordinance to Approve an Amendment to the Aiken County Official Zoning and Development District Atlas to Rezone Tax Parcel(s) 108-20-02-001, 108-20-02-002, & 108-20-03-001 Located on Anderson Pond Road in Aiken, SC in Council District 7 from Residential-Horse 5 District (RH5) & Rural Development District (RUD) to Residential Single-Family Conservation District (RC): (County Council) (pp. 139-177) (*Application has been withdrawn*)~~

Removed from the agenda.

L. ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2026 Aiken County Contingency Report as of January 6, 2026. (pp. 178-179)

M. INFORMAL MEETING OF THE WHOLE

Clyde Conger addressed Council on noise issues he is having from the Shaw plant. Vicki Simons spoke to Council on what services she thinks the County should provide for citizens. Barb Rollins invited Council members to her student's band concerts to celebrate the 250th anniversary of the American Revolution. Roger Rollins thanked Council for their service to our community, and said a prayer for them. Steven Petersen asked Council to consider alcohol sales on Sunday. Jim Oremus addressed Council in support of Mr. Petersen. Don Moniak asked Council if there are any impact fees included in FILOT agreements with companies like Shaw. Janice Williams informed Council she is not in favor of Sunday alcohol sales and asked Council to not approve this. Councilman Kellems wanted to note on record that he would be asking for Live Streaming of Council meetings to be included in the FY27 budget this coming year, and asked staff to go ahead and start working on the numbers for this. Councilman Napier asked staff what the status was on working with Code Enforcement to start fining people with out of state tags that are not Aiken County citizens.

N. EXECUTIVE SESSION

O. ITEMS REQUIRING ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

P. ADJOURNMENT

With there being no need for an Executive Session and no further business to discuss, Chairman Bunker asked for a motion to adjourn the meeting. Councilman Kellems made a motion, and Councilman Felder seconded the motion. The meeting was adjourned at 7:59 pm.

Official recording and documents of the meeting are on file with the Council Clerk.

Respectfully submitted,

Signed:

Katelyn Gorby, Council Clerk

Gary Bunker, Chairman



MINUTES

Aiken County Council Work Session
Tuesday, January 20, 2026
6:00 PM

Determining there was a quorum, with all Council Members present, Chairman Bunker called the meeting to order at 6:00 pm.

1. Introduction of Colby Parnell, Parks & Recreation Director.

Teresa Crain introduced Colby to Council.

2. Presentation from the Aiken County Communications Department.

Gave Council an update on their projects from the year and goals they have for the new year.

3. Pending Appointment Resolutions (CC p. 13)

**Councilman Kellems appointed James Anderson to the Recreation Commission to represent District 2.
Chairman Bunker also appointed Tim Dangerfield to the Economic Development Board, replacing Scott Singer.**

4. Status of Contingency Funds (CC pp. 14-15)

Tri-Development Center	\$500
Battle of Aiken	\$1,000
American Legion Post 71	\$1,000
Aiken County Roads & Bridges	\$175

5. Clarification and Discussion of Agenda Items- **No changes were made or updated.**

6. Finance Reports- November 2025 (attached)- **Received as information.**
(Lynn Strom, Deputy Administrator/CFO)

7. Calendar Reminder Dates:

- *Thursday, January 29: North Augusta Annual Chamber Dinner*
- *Wednesday, February 4: Rotary Club 2026 Economic Symposium Luncheon*
- *Friday, February 6: Groundbreaking for Fire Training Facility 9:00 am*
- *Thursday, February 19: Aiken Chamber Annual Dinner*

8. Executive Session (if needed)

With there being a need for an executive session, Chairman Bunker asked for a motion to go into Executive Session. Councilman Feagin made a motion, and Councilman Kellems seconded. Council adjourned work session at 6:52 pm by a unanimous vote and went into Executive Session.

Official recording and documents from the meeting are on file with the Council Clerk.

Respectfully submitted,

Signed:

Katelyn Gorby, Council Clerk

Gary Bunker, Chairman

Sponsor(s) : County Council
Committee Referral : Judicial & Public Safety
Committee Consideration Date : February 3, 2026
Committee Recommendation :
Effective Date : February 3, 2026

RESOLUTION NO.

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

To Declare Used Coats as Surplus and Donate Them to the Salvation Army Aiken.

WHEREAS:

1. During the last procurement of uniforms for Emergency Medical Services (EMS) staff, it was determined that purchasing heavy duty coats was more cost effective than renting them; and
2. These coats served our staff well but most were beginning to show wear and it was determined that they were at the end of their usefulness for a professional staff; and
3. EMS purchased a replacement set of coats; and
4. The Salvation Army Aiken had a need for coats for many clients with the impending severe winter weather approaching; and
5. Aiken County Council declares these 100 (approximately) coats as surplus and donates them to the Salvation Army Aiken for distribution to needy citizens.

NOW, THEREFORE BE IT RESOLVED BY THE AIKEN COUNTY COUNCIL THAT:

1. Aiken County Council deems the used coats from the EMS staff as surplus and authorizes their donation to the Salvation Army Aiken.

Adopted at the regular meeting of Aiken County Council on February 3, 2026.

ATTEST:

SIGNED:

Katelyn Gorby, Council Clerk

Gary Bunker, Chairman

IMPACT STATEMENT: Approximately 100 used coats with an estimated value of \$25 each, for a total of approximately \$2,500.

COUNCIL VOTE:

Sponsor(s) : County Council
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Effective Date : February 3, 2026

RESOLUTION NO.

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

To Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2026 Council Contingency Fund.

WHEREAS:

1. County Council has received many requests for funding from non-profit agencies operating in Aiken County; and
2. Council desires to approve certain of these allocations to assist the agencies.

NOW THEREFORE BE IT RESOLVED BY THE AIKEN COUNTY COUNCIL THAT:

1. County Council approves the following allocations from the FY 2026 Council Contingency Fund:

Agency

Amount

Adopted at the regular meeting of Aiken County Council on February 3, 2026.

ATTEST:

SIGNED:

Katelyn Gorby, Council Clerk

Gary Bunker, Chairman

COUNCIL VOTE:

Contingency Fund Request Pending:

Organization

Dist

Need

Cost

Sponsor(s) : County Council
First Reading : February 3, 2026
Second Reading: January 6, 2026
Third Reading :
Effective Date :

I, _____
Council Clerk, certify that this Ordinance was
published for a Public Hearing on _____.

ORDINANCE NO.

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

To Authorize the Council Chairman to Execute an Intergovernmental Agreement Between The City of New
Ellenton and Aiken County, South Carolina for Certain Code Enforcement Activities.

WHEREAS:

1. The County is a body politic and corporate and a political subdivision of the State of South Carolina, possessing all general power granted by the Constitution and statutes of the State of South Carolina to counties; and
2. Pursuant to S.C.Code Ann. Section 4-9-30, a county's governing body has the power to "[m]ake and execute contracts"; and
3. The City desires to provide certain code enforcement services described herein, within its territorial limits, and requests that the County provide such services; and
4. S.C.Code Ann. Section 4-9-145(A) provides that, "[t]he governing body of a county may appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the county. These officers are vested with all the powers and duties conferred by law upon constables in addition to duties imposed upon them by the governing body of the county; and
5. Under the provisions of S.C.Code Ann. Section 6-9-20(A) municipalities and counties may establish agreements with other governmental entities of the State to issue permits and enforce building codes in order to provide the services required by Title 6, Chapter 9 of the Code of Laws of South Carolina, 1976, as amended; and
6. Section 13 of Article VIII of the Constitution of South Carolina provides in relevant part:
 - (A) Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof.
 - (B) Nothing in this Constitution may be construed to prohibit the State or any of its any of its counties, incorporated municipalities, or other political subdivisions from agreeing to share the lawful cost, responsibility, and administration of functions with any one or more governments, whether within or without this State; and
7. In accordance with S.C.Code Ann. Section 4-9-41:
 - (A) Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution.
 - (B) The provisions of this section may not be construed in any manner to result in diminution or alteration of the political integrity of any of the participant subdivisions which agree to and become a part of the functional consolidation, nor may any constitutional office be abolished by it; and

8. The legislative history of Section 4-9-41 provides, “[t]his chapter is provided as enabling legislation to be liberally construed as a utilization of the constitutional power granted by Section 12 (sic) of Article VIII of the Constitution of South Carolina, 1895.”

NOW THEREFORE BE IT ENACTED BY THE AIKEN COUNTY COUNCIL THAT:

1. The Chairman of County Council is authorized to enter into on behalf of Aiken County the Intergovernmental Agreement with the City of New Ellenton, attached to and made part of this Ordinance as **Exhibit A**.

This Ordinance shall become effective on _____.

Adopted at the regular meeting of Aiken County Council on _____.

ATTEST:

SIGNED:

Katelyn Gorby, Council Clerk

Gary Bunker, Chairman

COUNCIL VOTE:

REVIEWED BY: _____
County Attorney

EXHIBIT A

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF AIKEN) **INTERGOVERNMENTAL AGREEMENT**
) **BETWEEN THE TOWN OF BURNETTOWN**
) **AND AIKEN COUNTY, SOUTH CAROLINA**
) **(Building Code Enforcement, Code Enforcement,**
) **Flood Damage Prevention, and MS4 Program**
) **Management)**

THIS AGREEMENT is entered into this ____ day of _____, 2026, by and between the Town of Burnetttown (“Town”), and Aiken County, South Carolina (“County”).

RECITALS

WHEREAS, the Town desires to implement certain code enforcement services described herein, within its territorial limits, and requests that the County provide such services; and

WHEREAS, S.C.Code Ann. § 4-9-145(A) provides in relevant part:

[t]he governing body of a county may appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the county. These officers are vested with all the powers and duties conferred by law upon constables in addition to duties imposed upon them by the governing body of the county; and

WHEREAS, S.C.Code Ann. § 6-9-20(A) provides in relevant part:

Municipalities and counties may establish agreements with other governmental entities of the State to issue permits and enforce building codes in order to provide the services required by this chapter (S.C.Code Ann, Title 6, Chapter 9); and

WHEREAS, Section 13 of Article VIII of the Constitution of South Carolina provides in relevant part:

(A) Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof.

(B) Nothing in this Constitution may be construed to prohibit the State or any of its counties, incorporated municipalities, or other political subdivisions from agreeing to share the lawful cost, responsibility, and administration of functions with any one or more governments, whether within or without this State; and

WHEREAS, S.C.Code Ann. § 4-9-41 provides:

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Town of Burnetttown and Aiken County
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(A) Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution.

(B) The provisions of this section may not be construed in any manner to result in diminution or alteration of the political integrity of any of the participant subdivisions which agree to and become a part of the functional consolidation, nor may any constitutional office be abolished by it; and

WHEREAS, the legislative history of § 4-9-41 provides:

This chapter is provided as enabling legislation to be liberally construed as a utilization of the constitutional power granted by Section 12 (sic) of Article VIII of the Constitution of South Carolina, 1895.

NOW, THEREFORE, the Parties agree as follows:

1. Services. Pursuant to Section 13 of Article VIII of the Constitution of South Carolina, and S.C.Code Ann. § 4-9-41, the Town, acting by and through its governing body, hereby authorizes:
 - (a) Code Enforcement Within the Territory of the Town. The County's Code Enforcement Officers, commissioned pursuant to S.C.Code Ann. § 4-9-145, shall provide the following Code Enforcement Services:
 1. Enforcement of the Town of Burnetttown's ordinances within the territorial limits of the Town of Burnetttown; and
 2. Enforcement of Aiken County ordinances within the territorial limits of the Town of Burnetttown.

Code Enforcement Services as contemplated and provided for herein shall be those services that Aiken County's Code Enforcement Officers customarily perform for the County (by way of non-exhaustive examples, enforcement of animal care, litter, property nuisance, zoning, mobile home, and similar ordinances).

Animals impounded by the County Code Enforcement due to enforcement actions within the territorial limits of the Town shall be housed at the Aiken County Animal Shelter. Impounded animals may be redeemed as specified by the Aiken County Code of Ordinances, Chapter 4.

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(b) Building Code Enforcement Within the Territory of the Town. The County's Planning and Development Department shall provide the following building code enforcement services within the territorial limits of the Town:

1. Enforcement of the building, energy, electrical, plumbing, mechanical, gas, and fire codes as adopted by Chapter 5, Aiken County Code of Ordinances, hereinafter referred to as the Building Code; and
2. Utilize the County's existing administrative process for reviewing and issuing building and related permits, and for certifying completion as required by the Building Code; and
3. Complete all necessary inspections and reports to ensure permitted structures comply with the Building Code; and
4. Maintain all the necessary records of application, permits, inspections, and certificates of completion or occupancy. The Town may review said records upon reasonable notice to the County.
5. The County shall provide a summary report at the conclusion of each fiscal year listing the permits issued and fees collected within the territorial limits of the Town. The report shall be provided by September 30 of each year.
6. The County will provide registration and inspection services in accordance with the Aiken County Code of Ordinances, as applicable, and the laws and regulations promulgated by the South Carolina Manufactured Housing Board.

Pursuant to S.C. Code Ann. §6-9-30, the chief building official of Aiken County is designated as the building official for the Town.

The building permitting and inspection contemplated and provided for herein shall be those services that the Planning and Development Department customarily performs for the County.

(c) Enforcement of the Burnetown Flood Damage Prevention Ordinance. The County's Planning and Development Department shall provide the following code enforcement services within the territorial limits of the Town:

1. Enforcement of the Town of Burnetown Flood Damage Prevention Ordinance, adopted on ? (will required adoption of an updated version), hereinafter referred to as the Flood Ordinance; and
2. Administer the requirements of the Flood Ordinance utilizing the County's existing and ongoing flood damage prevention program; and
3. Complete all necessary inspections and reports to ensure compliance with the flood ordinance; and

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4. Maintain, as required by SC Code and federal regulations, all the necessary records of applications, permits, inspections, elevation certificates, and related documents. The Town may review said records upon reasonable notice to the County.
5. The County shall provide a summary report at the conclusion of each fiscal year listing the flood development permits issued within the territorial limits of the Town. The report shall be provided by September 30 each year.
6. Upon reasonable notice, the County staff shall be available to meet with state or federal agencies regarding the Town's flood damage prevention program.

Pursuant to Article III of the Flood Ordinance, the chief building official of Aiken County is designated as the Floodplain Administrator for the Town.

The flood ordinance enforcement contemplated and provided for herein shall be those services that the Planning and Development Department customarily performs for the County.

(d) Administration and Enforcement of the Burnetown Municipal Separate Storm Sewer System (MS4) program. The County's Engineering Department, Stormwater Division shall provide the following services within the territorial limits of the Town:

1. Assist in implementing a public education program to distribute educational materials or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies, and the steps that the public can take to reduce pollutants in stormwater runoff.
2. Assist in implementing public participation programs and placing such projects on public notice to encourage community involvement.
3. Implement a program to detect illicit discharges and assist in developing a storm sewer map showing the location of all outfalls, and the names and locations of all waters of the State that receive discharges from those outfalls.
4. Assist in implementing a program to reduce pollutants in any stormwater runoff to the regulated MS4 from construction activities that result in a land disturbance of greater than or equal to one acre.
5. Assist in implementing a program to address stormwater runoff from new development and redevelopment projects that disturb an area greater than one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the regulated MS4.
6. The Aiken County Stormwater Division will offer guidance in implementing an operation and maintenance program that should include a training component and goals for preventing or reducing pollutant runoff from municipal operations.

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Flood Damage Prevention, and MS4 Program Management

7. Upon reasonable notice, the County staff shall be available to meet with state or federal agencies regarding the Town's MS4 program.

The Town of Burnetttown agrees to the following:

1. Adopt, and updating as needed, a Town ordinance mirroring the Aiken County Stormwater Ordinance in order to meet the requirements of the Town's NPDES MS4 permit.
2. Ensure Town employees receive stormwater training made available by the Aiken County Stormwater Division.
3. Document all information as it relates to stormwater issues and provide a report to the Aiken County MS4 Coordinator four (4) weeks before the annual MS4 report is scheduled to be sent to SCDES.
4. The Town of Burnetttown shall be responsible for any fines and remedial actions assessed by the EPA or SCDES for violations of the MS4 permit within its jurisdiction.

Upon reasonable notice, the County staff shall be available to meet with state or federal agencies regarding the Town's MS4 program.

2. Personnel. The Parties understand and agree that code enforcement, as provided for herein, shall be based on the personnel and resources available, as solely determined by the County.

At all times, the County's personnel shall be under the administrative and operational control of the County.

3. Compensation for Services. The Town shall compensate the County for the services provided as follows:

- a. Code Enforcement Within the Territory of the Town.

According to Aiken County Code Enforcement Department records, the average number of enforcement cases responded to in the Town of Burnetttown from 2021 to 2024 was 69. A fee shall be charged when the number of cases handled by Aiken County in a given Burnetttown fiscal year (Jan. 1 – Dec. 31) exceeds 69. The fee shall be \$100 per case. Each year, the fee shall increase by 2% of the previous year's fee. Payment shall be due to the County each year by March 31. The fee shall be effective beginning the first day of Burnetttown Fiscal Year 2027 (January 1, 2027). The code enforcement fee shall be reviewed by the County and the Town every five years.

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b. Aiken County Animal Shelter Services – Unredeemed Animals

The Town shall reimburse the County for all costs associated with the housing, care, and disposition of any impounded animal not redeemed by its owner during the required holding period. Costs shall include, but are not limited to, daily boarding fees, veterinary treatment, vaccination, medication, and any other necessary expenses incurred for the welfare of the animal. Fees for these services shall be consistent with the schedule of charges adopted by the County for animal shelter services, as may be amended from time to time. The Town shall be invoiced quarterly. Payment shall be due to the County within thirty (30) days of receipt of the invoice.

c. Building Code Enforcement Within the Territory of the Town. And

Enforcement of the Burnetttown Flood Damage Prevention Ordinance.

Administration and Enforcement of the Burnetttown Municipal Separate Storm Sewer System (MS4) program.

Fees for building and related permits, flood development permits, and grading and stormwater permits issued within the territorial limits of the Town shall be equivalent to the permit fees established and amended from time to time by the County. The County shall collect and receive all fees for building and related permits, flood development permits, and stormwater permits. The Town shall not be required to provide further compensation to the County for these services.

4. Entirety of County Obligation. Other than providing the Code Enforcement services described herein, the County shall have no further obligations hereunder. In the event a prior agreement conflicts with the terms of this Agreement, this Agreement shall prevail.
5. Insurance, Indemnification and Hold Harmless Agreement. The Parties to this Agreement shall determine for themselves what kinds of insurance and in what amounts they carry. Each Party shall be solely responsible for determining that its insurance is current and adequate prior to undertaking the duties and responsibility set forth in this Agreement. The Town indemnifies and holds harmless the County up to the limits of the South Carolina Tort Claims Act of and from any and all claims, demands, damages, attorneys' fees, costs, actions, cause of action, or suit in law or equity of whatsoever kind or nature whether heretofore or hereafter accruing or whether now known or not known for the County's provision of services hereunder.
6. Effective Date, Term, Termination. This Agreement shall commence on the date set forth above and shall continue until either Party decides, for any reason or no reason at all, to terminate it. Such termination shall be made by giving the other Party thirty (30) days' written notice of intent to terminate.