

ORDINANCE NO. 325.2018

**ORDINANCE BY KERSHAW COUNTY COUNCIL
RE-DESIGNATING THE ALPHA BEHAVIORAL HEALTH CENTER AS KERSHAW
COUNTY'S DESIGNATED ALCOHOL AND DRUG ABUSE COUNSELING AND
THERAPY AGENCY AND REPEALING A PRIOR INCONSISTENT ORDINANCE**

WHEREAS, Section 61-12-20 of the South Carolina Code of Laws states in part that, "the governing body of each county must ...designate a single existing county agency or organization, either public or private, as the sole agency in the county for alcohol and drug abuse planning..."

WHEREAS, Act 301, S.C. Code Ann. §44-49-10, et seq., established the South Carolina Department of Alcohol and Other Drug Abuse Services that works with county-designated agencies to distribute funds and develop county-level plans for counseling services pursuant to S.C. Code Ann §61-12-20.

WHEREAS, pursuant to South Carolina Law an Ordinance was enacted on March 18, 1980 by Kershaw County which "established the Kershaw County Commission on Alcohol and Drug Abuse to be the designated single county authority for alcohol and drug abuse programming pursuant to South Carolina Act 301 of 1973".

WHEREAS, the Kershaw County Commission on Alcohol and Drug Abuse is not a functioning commission of the County; and

WHEREAS, ALPHA Behavioral Health Center is a 501(c)(3) corporation serving a public purpose and is eligible to receive and does receive public funding;

WHEREAS, Kershaw County has designated the ALPHA Behavioral Health Center as the sole agency in the County for alcohol and drug abuse counseling and planning services;

WHEREAS, the ALPHA Behavioral Health Center is serving as the sole agency in the county for alcohol and drug abuse counseling and planning services;

WHEREAS, the ALPHA Behavioral Health Center is eligible to receive and does receive public funding including funding through Kershaw County of state funds designated for drugs and alcohol counseling and planning services;

WHEREAS, Kershaw County has provided for certain capital funding for the ALPHA Behavioral Health Center subject to certain terms and conditions;

WHEREAS, Kershaw County finds it advantageous to re-designate the ALPHA Behavioral Health Center as Kershaw County's designated drug and alcohol abuse counseling and therapy agency for drug and alcohol counseling and planning services and finds it advantageous for the ALPHA Behavioral Health Center to report its financial condition and operations to Kershaw County on an annual basis by submission to Kershaw County of its annual audit as to its use of funds including its use of public funds and as Kershaw County's designated agency for drugs and alcohol counselling and planning services;

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KERSHAW COUNTY, S.C.
CLERK OF COURT
SHERI G. HESTY

WHEREAS, due to the opioid crisis and the drug abuse of certain opioid substances Kershaw County has designated the ALPHA Behavioral Health Center as Kershaw County's designated alcohol and drug abuse counseling and therapy agency and has designated it to coordinate and facilitate efforts to counter the opioid crisis.

NOW, THEREFORE, BE IT ORDAINED by the Kershaw County Council that:

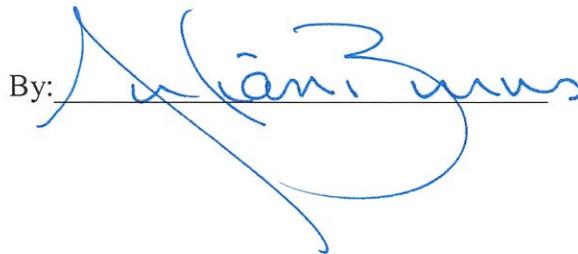
1. Ordinance to Establish the Kershaw County Commission of Alcohol and Drug Abuse enacted on March 18, 1980 is hereby revoked and repealed in its entirety.
2. The ALPHA Behavioral Health Center is designated as the sole agent in the county for alcohol and drug abuse planning and is the designated treatment services authority for Kershaw County.
3. Further the ALPHA Behavioral Health Center shall submit to Kershaw County on an annual basis its annual audit as to its use of funds including public funds provided by Kershaw County subject to certain conditions and the State of South Carolina directly and through Kershaw County and update Kershaw County on the county level plans for counseling pursuant to Section 61-12-20 of the South Carolina Code of Laws.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THIRD READING.

ADOPTED by Kershaw County Council this 11th day of December, 2018.

KERSHAW COUNTY COUNCIL

By: _____



ATTEST:


Merri M. Seigler
Clerk to County Council

First Reading: November 13, 2018
Second Reading: November 27, 2018
Third Reading: December 11, 2018