

**AGENDA**  
**COLLETON COUNTY COUNCIL**  
**SPECIAL MEETING**  
**FRIDAY, DECEMBER 16, 2016**  
**1:00 P.M.**  
**COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Old Business
  - a) 2<sup>nd</sup> Reading Ordinance 16-O-14, Authorizing the County of Colleton to join with the Walterboro-Colleton County Airport Commission and the City of Walterboro in Approving a Commercial Ground Lease for Lowcountry Aviation Co., LLC (Project C).
5. New Business
  - a) Resolution 16-R-93, Certifying 1310 N. Jefferies Boulevard as an Abandoned Building Site in Colleton County, South Carolina.
  - b) 1<sup>st</sup> Reading Ordinance 16-O-15, to Amend the Agreement for Development for Joint County Industrial Park Executed by Colleton County on December 12, 2007 by and among Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Multi-County Industrial Park, so as to Include Additional Property in that Portion of the Park Geographically Located in Colleton County, South Carolina and Other Matters Related Thereto
6. Adjournment
7. Informal Meeting of the Whole

Sponsor(s)	: County Council	
First Reading	: December 6, 2016	I, _____
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on _____.
Second Reading	: December 16, 2016	
Public Hearing	: January 3, 2017	
Third Reading	: January 3, 2017	
Effective Date	: Immediately	

**ORDINANCE NO. 16-O-14**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[An Ordinance Authorizing the County of Colleton to join with the Walterboro-Colleton County Airport Commission and the City of Walterboro in Approving a Commercial Ground Lease for Lowcountry Aviation Company, LLC (Project C).]**

**WHEREAS:**

1. Lowcountry Aviation Company, LLC (Project C) has identified a parcel consisting of approximately 5.85 acres, more or less, located on a property owned by the County of Colleton and the City of Walterboro and managed by the Walterboro-Colleton Airport commission; and
2. Lowcountry Aviation Company, LLC (Project C) when completed will be in vesting \$3,270,000 more or less, in buildings, infrastructure, new machinery and equipment; and
3. Lowcountry Aviation Company, LLC (Project C) is anticipated to employ approximately 127 full-time employees upon the completion of the project; and
4. The leased premises is to be used for the business purpose of aircraft management, aircraft maintenance/repair/overhaul including electronic/avionic components, aircraft modifications and upgrades, engineering design, aircraft paint, charter airline services, flight training and simulation, aircraft brokerage, aircraft rentals, aircraft on ground services and aircraft storage fees.

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

1. The County of Colleton joins with the City of Walterboro and the Walterboro-Colleton County Airport Commission in approving the commercial ground lease for Lowcountry Aviation Company, LLC (Project C). Execution of the ground lease by the County of Colleton is subject to approval by the Federal Aviation Authority (FAA).

2. Conflict: All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.
  
3. Severability: If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

\_\_\_\_\_  
Steven D. Murdaugh, Chairman

\_\_\_\_\_  
Approved as to Form  
Sean P. Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : December 16, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

## RESOLUTION NO. 16-R-93

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

#### **[A Resolution Certifying 1310 N. Jefferies Boulevard as an Abandoned Building Site in Colleton County, South Carolina.]**

WHEREAS, Colleton County, South Carolina (the “County”), acting by and through its County Council (the “Council”) is authorized and empowered to certify a piece of real property as an “abandoned building site” by binding resolution of the governing body of the county pursuant to Title 12, Chapter 67 of the Code of Laws of South Carolina 1976, as amended (the “Act”); and

WHEREAS, Section 12-67-120(1) of the Act provides that an “Abandoned building” means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a “Notice of Intent to Rehabilitate”;

WHEREAS, Section 12-67-120(2) of the Act provides that a “Building site” means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building’s income producing use.

WHEREAS, the letter from JGBR American Real Estate, LLC to the South Carolina Department of Revenue dated as of June 9, 2016 indicating the taxpayer’s intent to rehabilitate the building site, the location of the building site, the amount of acreage involved in the building site, the amount of square footage of existing buildings involved in the building site, and the estimated expenses to be incurred in connection with rehabilitation of the building site serves as a Notice of Intent to Rehabilitate under 12-67-120(7) of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Council, the governing body of Colleton County, hereby certifies as follows:

Section 1. The abandoned building site located at 1310 N. Jefferies Boulevard and further described in Exhibit A attached hereto is an “abandoned building” under Section 12-67-120(1) of the Act.

Section 2. The geographic area of the abandoned building site is consistent with Section 12-67-120(2) of the Act.

ATTEST:

SIGNED:

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Ruth Mayer, Council Clerk

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Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Exhibit A

ALL that piece, parcel or lot of land, with improvements thereon, situate, lying and being near the City of Walterboro, in the County of Colleton, State of South Carolina, consisting of approximately 10.912 acres, and shown and delineated as Parcel "A" on a plat entitled "A BOUNDARY SURVEY OF 11.491 ACRES A PORTION OF TMS 147-15-00-009 – PARCELS "A" & "B" prepared for JGBR American Real Estate, LLC by Fowler Land Surveying, LLC dated March 23 2016, revised May 12, 2016, and recorded in the Office of the Register of Deeds for Colleton County, South Carolina in Plat Book 930 at page 5 and being more particularly described by reference to said plat which is incorporated herein by reference.

Tax Map Number 147-15-00-009 (portion)

Sponsor(s)	: County Council	
First Reading	: December 16, 2016	I, _____
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on _____.
Second Reading	: January 3, 2017	
Public Hearing	: February 7, 2017	
Third Reading	: February 7, 2017	
Effective Date	: Immediately	

**ORDINANCE NO. 16-O-15**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY**

**[An Ordinance to Amend the Agreement for Development for Joint County Industrial Park Executed by Colleton County on December 12, 2007 by and among Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Multi-County Industrial Park, so as to Include Additional Property in that Portion of the Park Geographically Located in Colleton County, South Carolina and Other Matters Related Thereto.]**

**WHEREAS**, Colleton County entered into an Agreement for Development for Joint County Industrial Park executed by Colleton County on December 12, 2007 with Hampton County (the “Agreement”); and

**WHEREAS**, pursuant to Section 3(A) of the Agreement, the boundaries of the Park created therein may be enlarged pursuant to an ordinance of the county council of the county in which property to be added is located and an ordinance of the county council of the other county; and

**WHEREAS**, JGBR Walterboro Corp. (the “Company”) is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the “Project”) on land described in Exhibit A attached hereto, which is located in Colleton County (the “Property”); and

**WHEREAS**, the Property is not located in any multi-county industrial and business park; and

**WHEREAS**, the Company has requested Colleton County and Hampton County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

**WHEREAS**, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Colleton County and JGBR Walterboro Corp. dated as of \_\_\_\_\_, 201\_\_; and

**WHEREAS**, Colleton County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to

include the Property in the joint industrial and business park created by the Agreement (the "Park").

**NOW, THEREFORE,** be it ordained by the Colleton County Council that:

1. The Agreement is hereby and shall be amended to include the Property in Park III for the longer of 30 years or the term of the Fee Agreement, and the County Administrator or Chairman of the Colleton County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Colleton County Council pertaining to the Park.

3. This Ordinance shall be effective after third and final reading thereof.

Approved and adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

COLLETON COUNTY, SOUTH CAROLINA

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Chairman of County Council

ATTEST:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Clerk to County Council

First Reading: \_\_\_\_\_, 201\_\_

Second Reading: \_\_\_\_\_, 201\_\_

Public Hearing: \_\_\_\_\_, 201\_\_

Third Reading: \_\_\_\_\_, 201\_\_



## **EXHIBIT A**

ALL that piece, parcel or lot of land, with improvements thereon, situate, lying and being near the City of Walterboro, in the County of Colleton, State of South Carolina, consisting of approximately 11.491 acres, and shown and delineated as “Parcel ‘A’ 10.912 Acres” and “Parcel ‘B’ 0.579 Acres” on a plat entitled “A BOUNDARY SURVEY OF 11.491 ACRES A PORTION OF TMS 147-15-00-009 – PARCELS “A” & “B” prepared for JGBR American Real Estate, LLC by Fowler Land Surveying, LLC dated March 23, 2016, revised May 12, 2016, and recorded in the Office of the Register of Deeds for Colleton County, South Carolina in Plat Book 930 at page 5 and being more particularly described by reference to said plat which is incorporated herein by reference.