

**AMENDED AGENDA  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 23, 2024**

**6:00 P.M.**

**COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
  - a) Regular Meeting, June 18, 2024
  - b) Special Joint Meeting, July 15, 2024
5. Awards and Recognitions
  - a) Colleton County Sheriff's Office Cadet Post #843
6. Appearances & Public Presentations
7. Administrator's Briefing
8. Public Hearing
  - a) Ordinance 24-O-07, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and Sand Ridge Solar, LLC, A Company Formerly Known to the County as Project Bobcat, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; To Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, So as to Include Property in Colleton County as Part of the Park; And Other Related Matters
  - b) Ordinance 24-O-08, Authorizing the County to Borrow \$2,300,000 on Behalf of the Lowcountry Regional Airport Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport
9. Old Business
  - a) 3<sup>rd</sup> Reading Ordinance 24-O-07, Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Colleton County, South Carolina And Sand Ridge Solar, LLC, A Company Formerly Known To The County As Project Bobcat, As Sponsor, To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits;

To Further Amend The Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Property In Colleton County As Part Of The Park; And Other Related Matters

- b) 2<sup>nd</sup> Reading Ordinance 24-O-09, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares
  - c) 2<sup>nd</sup> Reading Ordinance 24-O-10, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and Project Sun, as Sponsor, and One or More Sponsor Affiliates, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits for the Benefit of a Project in the County; to Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Project Sun, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Related Matters
10. New Business
- a) 1<sup>st</sup> Reading Ordinance 24-O-12, To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto
  - b) 1<sup>st</sup> Reading Ordinance 24-O-13, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code Of Laws of South Carolina 1976, As Amended, (1) The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and a Company Known to the County as Project Ironsides, as Sponsor, To Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) The Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to include Certain Property Located in Colleton County, South Carolina now or to be Hereafter Owned and/or Operated by Project Ironsides, or one or More Companies Related Thereto; and (3) Other Related Matters
  - c) 1<sup>st</sup> Reading Ordinance 24-O-14, By Title Only, To Authorize the Rezoning of a 12.1 Acre Parcel Located on Oswald Court, Identified as T.M.S. No. 131-16-00-114, from Residential Suburban (RS) to Urban Development – 1 (UD-1)
  - d) Resolution 24-R-46, to Establish Millage for School Operations for the Fiscal Year 2019-2020 Budget Year
  - e) Resolution 24-R-47, to Authorize Acceptance and Budgeting of Various Grants for FY 2024-2025

- f) Resolution 24-R-48, to Authorize the Addition of Three Floater Positions within Colleton County Fire-Rescue
  - g) Resolution 24-R-49, to Approve the Purchase of a Kenworth Dump Truck for the Roads and Bridges Department and a Kenworth Roll-off truck for the Solid Waste Department
11. Items for Information and Public Record
  12. Public Comments (3 minutes per person/max time 20 min.)
  13. Council Time
  14. Executive Session
    - a) Legal
      1. CCSO Flock Cameras
      2. Boards and Commissions
      3. Airport Loan
    - b) Personnel
      1. Council Member Recognition
      2. Fire Rescue Volunteers
      3. Holiday Schedule
  15. Adjournment
  16. Informal Meeting of the Whole

Colleton County Council will hold a regular meeting on Tuesday, July 23, 2024, at 6:00 pm. The public will be able to stream the meeting from a link on the County's home page or by going to [www.colletoncounty.org/live](http://www.colletoncounty.org/live).

MINUTES  
TUESDAY, JUNE 18, 2024  
REGULAR MEETING  
6:00 P.M.

Colleton County Council  
Council Chambers, Old Jail Building  
109 Benson Street  
Walterboro, SC 29488

Present: Chairman Steven D. Murdaugh called the meeting to order with Council Members Dr. Joseph Flowers, Phillip Taylor, Bubba Trippe, and Scott Biering in attendance.

Others Included: Kevin Griffin, Meagan Utsey, Sean Thornton, Jon Carpenter, Barry McRoy, Laura Clark, Sue Keith, Janet Smith, Mayor Crawford Moore, Mayor Donald Dulin, Jessica Williams, Sharon Witkin, Johnny Frank, Scott Catterton, Wesley McDonald, Lynn Stroble, Clarence Wiggins, Felicia Johnson, Scott Karai, and Greg Googer.

Councilman Phillip Taylor gave the invocation and led the Pledge of Allegiance.

**Approval of Minutes**

- A. Special Meeting May 3, 2024— Councilman Taylor moved to approve the minutes of the Special Meeting held on May 3, 2024. The motion was seconded by Councilman Biering and the motion carried unanimously.
- B. Regular Meeting May 7, 2024 — Dr. Flowers moved to approve the minutes of the Regular Meeting held on May 7, 2024. The motion was seconded by Councilman Trippe and the motion carried unanimously.
- C. Special Meeting May 9, 2024— Councilman Taylor moved to approve the minutes of the Special Meeting held on May 9, 2024. The motion was seconded by Councilman Biering and the motion carried unanimously.
- D. Public Health and Safety Committee Meeting June 6, 2024— Councilman Taylor moved to approve the minutes of the Public Health and Safety Committee Meeting held on June 6, 2024. The motion was seconded by Councilman Biering and the motion carried unanimously.

**Awards and Recognitions**

- A. Proclaiming – Chief Apostle Jeanette Manigo Hall

A motion to approve the Proclamation was made by Councilman Taylor and seconded by Councilman Biering. The motion carried unanimously.

Councilman Taylor: Stated, I cannot let this go without saying how my life has been enriched. I have been interacting with Chief Apostle Hall for about 40 years. I was a young child, and she was

a minister with the late Pastor Christina. I have seen this work she is doing in the county and abroad. I would like to congratulate her again with this Proclamation and say thank you.

B. Proclaiming the Week of July 27 – August 4, 2024, as Gullah-Geechee Nation Appreciation Week

A motion to approve the Proclamation was made by Councilman Taylor and seconded by Councilman Biering. The motion carried unanimously.

C. Proclaiming June 2024 as The Joy of Fatherhood Month in Colleton County

A motion to approve the Proclamation was made by Councilman Taylor and seconded by Councilman Biering. The motion carried unanimously.

\*\*\*Chairman Murdaugh read the Proclamations into the record.

**Appearances & Public Presentations**

A. Community Innovations Colleton Voice – Shiela Keaise Executive Director & Founder, and Braxton Vaughn, 2024 Mr. Colleton Voice

Ms. Epple: Stated, I wanted to give you a brief rundown of how we got connected. Most of you know me as I have been a local business owner for 36 years. Shiela and I have known each other for 20+ years. It just so happened at the end of 2022 I was getting involved in something just as Shiela was getting ready to retire from 28 years as the Colleton County Librarian. It was a divine connection, and we brought a parenting program entitled “Raising Highly Capable Kids” to South Carolina. It is a 13-week evidence-based program. We were the first to bring it to South Carolina. We have a partnership with the Colleton County School District and DSS has been with us from the beginning. They have referred to us some of our students. That is just one of four pillars community innovations encompasses. I would like to introduce to you Shiela Keaise the Executive Director and Founder of Community Innovations. We have with us the winner of Colleton Voice in his age group, Mr. Braxton Vaughn. He will be performing a song for you all, supported by his mother and grandmother.

Ms. Keaise: Stated, thank you Councilmen for allowing us to come and share. Julie has given the foundation, and quite well. We wanted to tell you exactly what we are doing in Colleton County and why. We would love your support in any way that you can to make us more visible and to help us continue our work. You will see all the things that we are doing. We have decided to give you all a description, impact, the pillars Julie was talking about, and what it costs. We have funded Community Innovations with volunteerism, grants, donations, and free love from the community. Believe it or not, these programs were done with all the above that we have talked about. No one has been compensated for our services. So, we wanted to bring it to the forefront. We want Colleton County to benefit from the things that I have envisioned for our community innovations. Not all of our programs are for children. Some are for teens, children, and adults. These programs are designed to provide an outlet for children, teens, and adults to grow, meet, interact, and play through the four pillars of health, mentoring, education, and parenting. I will not go into all the

details, but for the benefit of our public we have seven active programs. The Young Authors Program, which we provide one on one consulting on the proper etiquette of writing, a picture book of the idea to the publication. Our Family Fun Zone, we partnered with the Rice Festival to provide a fun element to the community where children, adults, and families come together to play games, win prizes, and learn new things. We had Christmas with seniors, where we provided fun musical and interactive sessions with seniors. Last year, we visited three senior centers and provided gift cards. This year we would like to do something a little different. We want to build on their health and wellness where we will sing and do story telling that will allow them to share their favorite Christmas memories. Then we have “Raising Highly Capable Kids”. I would love for Julie to speak about that. This is where Julie brought me on board and is our very first Community Innovations program that we sponsored.

Ms. Epple: Stated, I do not want to take up too much of your time, but it is an excellent program. We reach out to single parents, mother and father, and even grandmothers have attended. We all know that there is a need for strengthening the family unit. We are currently wrapping up another session, and there are a couple of graduation bulletins from our first graduation. What we leave here is free for you all to take. We are already making plans for another session in the fall. As I mentioned earlier, we have the backing of the school district, DSS, and many local churches.

Ms. Keaise: Stated, thank you, Julie. Then we have Literary Tea with local authors. This is where we bring in local authors in formal settings that requires a hat and gloves for woman, a jacket for men, and dress cute attire for children. Where we inspire and encourage them for literary book signing, hors d’oeuvres, and a variety of teas. We also have a writing contest. Then there is story telling with Ms. Literacy, where we provide fun, informative, and creative stories. We teach literacy and build a love for reading. We are partnered with Colleton County School District in that effort. Also, we have mentoring where we offer one on one mentoring, distance mentoring, group mentoring, which includes motivational speaking. The final program we have done and will be doing this coming year is Colleton Voice. We provide a mentoring program where gifted children can sing and share their talents. We encourage them to build on that talent. Before we have Braxton come up to sing, he won for his age group this year. This is his second time competing. Last year he came in third place. This is a testament that if you don’t succeed try, try, again. You will see on the handouts some partial and full funding. Those are things we would like you to consider as you do your budgeting. If you have some encouraging words and ideas, we will take those as well. We will continue to do the programs and things to make our community a better place. We appreciate your time. We would like to present to you the Colleton County Voice 2024 winner, Braxton Vaughn. He will be around the community a lot and will sing at several locations.

Chairman Murdaugh: Stated, Braxton, that was very good. You’re on your way to American Idol. It was priceless watching you, but it was really priceless watching your mom and grandmother’s faces. Thank you for coming here and doing that. It takes a lot of courage, but it did not look like you were nervous at all.

Councilman Taylor: Stated, I just want to hear the administrator follow that.

Councilman Biering: Stated, Braxton, you did very good. You have a lot to be proud of getting up here and doing that and putting the effort in to come back again a second year, that is a big

accomplishment. I would like to recognize that all the Proclamations tonight have one theme, pouring into children. Thank you for what you do each and every one of you. Also, the culture. That all goes hand in hand, thank you for doing what you do. It is my pleasure to honor you all.

Councilman Trippe: Stated, Braxton, you did great, and you had Barry in the back moving.

### **Administrator's Briefing**

Mr. Griffin: Stated, Braxton, that was fantastic. I wanted to remind everyone that we have one meeting for July and August due to the Association of Counties Meeting. This year that meeting will be on July 23, 2024, at 6pm in the Council Chambers. We have three different borrowing items on the agenda tonight. First, is a bond anticipation note. That is to assist with the Voter's Registration Office, Coroner's Office, the upfit at the jail, and a few other various small items. Second, we do a lease purchase for heavy equipment every three years. It just ran out of its third year, and we are renewing that. The third is something that we have not done before. It is an RDA loan for the airport. We will be the borrower from the USDA. It will be for two t-hangars and a fuel farm. They will pay the note back with the revenue from the t-hangars. I did want to make you aware that it will go against our GO capacity.

Councilman Taylor: Stated, they said it would not go against our GO.

Mr. Griffin: Stated, Jon did some research and we just found out late this week.

Councilman Taylor: Stated, we were told it would be revenue neutral.

Mr. Griffin: Stated, we can get it in full faith and credit with the county behind it. There was one other item I had a couple questions about, the Freedom Field and pickle ball courts. We got an earmark about 3 years ago. Freedom Field is an ADA accessible baseball and basketball court for disabled children and adults. We are finally getting around to that project. Layered on with that is a PARD grant. Mrs. Carmichael has talked with some of you all. She went to the recreation commission, and they agreed to look into a PARD grant to put pickle ball courts in. I did not know this, but pickle ball has outgrown tennis as a recreation. Currently, she has a group of 40-50 seniors right now. We have one field, but it is at capacity. There is one over in Forest Hills, but they do tennis practices there and often get run off from pickle ball. I just wanted to explain that to you all.

Councilman Taylor moved to open executive session. Councilman Biering seconded that motion and the motion carried unanimously.

### **Public Hearing**

**A. Ordinance 24-O-03, To Provide for the Issuance and Sale of Not to Exceed \$10,000,000 General Obligation Bonds and Not to Exceed \$10,000,000 General Obligation Bond Anticipation Notes of Colleton County, South Carolina for the Purposes of Defraying the Costs of Acquisition, Improvement, Construction, Installation, Equipping, and Renovation of the Project Described Herein, and Other County Government Facilities;**

**To Provide for the Payment Thereof; To Declare the County Council's Intent to Reimburse Expenditures for Some or All Such Costs from the Proceeds of Tax-Exempt Bonds or Notes; And Other Matters Relating Thereto**

- B. Ordinance 24-O-04, Authorizing the Acquisition of Certain Equipment and Heavy Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$3,000,000; The Execution and Delivery of Certain Instruments, including a Lease-Purchase Agreement by Colleton County; And Other Matters Relating Thereto**
- C. Ordinance 24-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2024, through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto**

Councilman Taylor made a motion to close Public Hearing. Councilman Trippe seconded that motion and the motion carried unanimously.

### **Old Business**

- A. 3<sup>rd</sup> Reading Ordinance 24-O-03, To Provide for the Issuance and Sale of Not to Exceed \$10,000,000 General Obligation Bonds and Not to Exceed \$10,000,000 General Obligation Bond Anticipation Notes of Colleton County, South Carolina for the Purposes of Defraying the Costs of Acquisition, Improvement, Construction, Installation, Equipping, and Renovation of the Project Described Herein, and Other County Government Facilities; To Provide for the Payment Thereof; To Declare the County Council's Intent to Reimburse Expenditures for Some or All Such Costs from the Proceeds of Tax-Exempt Bonds or Notes; And Other Matters Relating Thereto**

Councilman Trippe moved to approve 3<sup>rd</sup> Reading Ordinance 24-O-03, To Provide for the Issuance and Sale of Not to Exceed \$10,000,000 General Obligation Bonds and Not to Exceed \$10,000,000 General Obligation Bond Anticipation Notes of Colleton County, South Carolina for the Purposes of Defraying the Costs of Acquisition, Improvement, Construction, Installation, Equipping, and Renovation of the Project Described Herein, and Other County Government Facilities; To Provide for the Payment Thereof; To Declare the County Council's Intent to Reimburse Expenditures for Some or All Such Costs from the Proceeds of Tax-Exempt Bonds or Notes; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

- B. 3<sup>rd</sup> Reading Ordinance 24-R-04, Authorizing the Acquisition of Certain Equipment and Heavy Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$3,000,000; The Execution and Delivery of Certain Instruments, including a Lease-Purchase Agreement by Colleton County; And Other Matters Relating Thereto**



Councilman Taylor moved to approve 3<sup>rd</sup> Reading Ordinance 24-R-04, Authorizing the Acquisition of Certain Equipment and Heavy Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$3,000,000; The Execution and Delivery of Certain Instruments, including a Lease-Purchase Agreement by Colleton County; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

**C. 3<sup>rd</sup> Reading Ordinance 24-R-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto**

Councilman Trippe moved to approve 3<sup>rd</sup> Reading Ordinance 24-R-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

**D. 2<sup>nd</sup> Reading, Ordinance 24-O-07, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement, by and between Colleton County, South Carolina and a Company known to the County as Project Bobcat, as Sponsor, to Provide for a Fee-in-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; to Further Amend the Multi-County Industrial/Business Park Agreement between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Property in Colleton County as Part of the Park; and Other Related Matters**

Councilman Trippe moved to approve 3<sup>rd</sup> Reading Ordinance 24-O-07, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement, by and between Colleton County, South Carolina and a Company known to the County as Project Bobcat, as Sponsor, to Provide for a Fee-in-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; to Further Amend the Multi-County Industrial/Business Park Agreement between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Property in Colleton County as Part of the Park; and Other Related Matters The motion was seconded by Councilman Biering. The motion carried unanimously.

Dr. Flowers: Asked, where is this park going to be located?

Mr. Griffin: Stated, between exit 42 and the rest area, back off the highway on the Northbound side.

**E. 2nd Reading Ordinance 24-O-08, Authorizing the County to Borrow \$2,300,000 on Behalf of the Lowcountry Regional Airport Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport**

Dr., Flowers moved to approve 2nd Reading Ordinance 24-O-08, Authorizing the County to Borrow \$2,300,000 on Behalf of the Lowcountry Regional Airport Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport. The motion was seconded by Councilman Trippe. The motion carried unanimously.

Councilman Biering: Stated, do we have any proposed time on paying this note back?

Mr. Griffin: Stated, the term of the loan is a 30 year pay back.

**New Business**

**A. 1st Reading, Ordinance 24-O-09, By Title Only, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares**

Councilman Taylor moved to approve 1st Reading, Ordinance 24-O-09, By Title Only, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares. The motion was seconded by Councilman Biering. The motion carried unanimously.

Councilman Taylor: Stated, I was at the annual meeting when they announced wanting to change the name. They recognized Happy McLeod. The history of the Board of Disabilities of South Carolina, and the work that Happy McLeod did for this state and this nation. I believe we need to recognize her for what she has done. This board is really the fruit of a lot of the labor that she put in using her personal car and her time traveling this nation.

**B. 1st Reading Ordinance 24-O-10, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, (1) The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and a Company Known to the County As Project Sun, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) The Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to Include Certain Property Located in Colleton County, South Carolina Now or to be Hereafter Owned and/or Operated by Project Sun, or One or More Companies Related Thereto; And (3) Other Related Matters**

Dr. Flowers moved to approve 1st Reading Ordinance 24-O-10, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, (1) The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and a Company Known to the County As Project Sun, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) The Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to Include Certain Property Located in Colleton County, South Carolina Now or to be Hereafter Owned and/or Operated by Project Sun, or One or More Companies Related Thereto; And (3) Other Related Matters. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Dr. Flowers made a motion to move into discussion. Councilman Taylor seconded the motion.

Dr. Flowers: Asked, where is this one going to be?

Mr. Griffin: Stated, if you travel down I-95 northbound and take exit 68 at Hwy 61, it is about 1-2 miles past Scott Crosby's place on the right.

Dr. Flowers: Asked, did we negotiate the fee?

Mr. Griffin: Stated, the first one is a \$500,000 fee. This one is not as big, it is about 80 million dollars so the fee with this one is not as big at around \$300,000.

The motion carried unanimously.

**C. Resolution 24-R-24-R-38, To Amend the Colleton County Record of Roads to Include Champion Lane**

Dr. Flowers moved to approve Resolution 24-R-24-R-38, To Amend the Colleton County Record of Roads to Include Champion Lane. The motion was seconded by Councilman Biering. The motion carried unanimously.

**D. Resolution 24-R-39, To Reschedule the July County Council Meeting and Cancel the August County Council Meeting**

Councilman Biering moved to approve Resolution 24-R-39, To Reschedule the July County Council Meeting and Cancel the August County Council Meeting. The motion was seconded by Councilman Trippe and the motion was carried unanimously.

**E. Resolution 24-R-40, Committing to Negotiate a Fee-in-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Sun; Identifying the Project; and Other Matters Related Thereto**

Councilman Taylor moved to approve Resolution 24-R-40, Committing to Negotiate a Fee-in-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Sun; Identifying the Project; and Other Matters Related Thereto. The motion was seconded by Councilman Trippe and the motion carried unanimously.

**F. Resolution 24-R-41, To Authorize Acceptance and Budgeting of a PARD Grant for FY 2023-2024 and to Approve the Local Match**

Councilman Taylor moved to approve Resolution 24-R-41, To Authorize Acceptance and Budgeting of a PARD Grant for FY 2023-2024 and to Approve the Local Match. The motion was seconded by Dr. Flowers and the motion carried unanimously.

**G. Resolution 24-R-42, To Award the Contract for Design Build Services for the Freedom Field and Pickleball Courts**

Dr. Flowers moved to approve Resolution 24-R-42, To Award the Contract for Design Build Services for the Freedom Field and Pickleball Courts. The motion was seconded by Councilman Biering and the motion carried unanimously.

**H. Resolution 24-R-43, To Approve the Renewal of Various Service Contracts for Colleton County**

Councilman Taylor moved to approve Resolution 24-R-43, To Approve the Renewal of Various Service Contracts for Colleton County. The motion was seconded by Councilman Biering. The motion was carried unanimously.

**I. Resolution 24-R-44, To Authorize the Council Clerk to Advertise for Board Vacancies**

Councilman Taylor moved to approve Resolution 24-R-44, To Authorize the Council Clerk to Advertise for Board Vacancies. The motion was seconded by Councilman Biering and the motion carried unanimously.

\*\*\*Chairman Murdaugh read the vacancies aloud.

**J. Resolution 24-R-45, To Appoint Members to Board Vacancies**

Councilman Taylor moved to approve Resolution 24-R-45, To Appoint Members to Board Vacancies. Items 1 and 2 were approved by acclamation. The motion was seconded by Councilman Biering. Council submitted ballots for item 3- Planning Commission. Councilman Biering moved to accept the results. The motion was seconded by Dr. Flowers and the motion carried unanimously.

**Public Comments**

Mrs. Sue Keith: Stated, On Tuesday, August 13<sup>th</sup> at 6pm located at the Colleton County Memorial Library there will be a Delegation Meeting. This is your opportunity to hear what activities occur during the Legislative year from our Representatives and Senators. There will also be an opportunity for you to voice your opinions and ask questions. The other part of business that day are board openings. The board of Voter's Registration and Elections, Forestry Board, Foster Care Review Board, and one seat available for the Board of Trustees for the Technical College of the Lowcountry. If you are interested in serving your county, please contact me at the Delegation office Monday-Thursday and I will be glad to give you an application. Thank you for your time.

Mrs. Lynn Stroble: Stated, I come before you tonight and thank you for the opportunity for public comment. I come on behalf of our Superintendent who is representing us at the annual conference for administrators for South Carolina. A council member asked that we provide a little more information to you all, after the last meeting. Mrs. Witkins will bring before you, as our board chair, a document that Superintendent Williams has prepared for you with her staff. It is a year-end review. We would like to provide each of you with this and would like to start a tradition with this. We have just finished graduation and the school year. We would like to thank Councilman Biering for asking us to bring this to you. We would like all our taxpayers to know that we are doing our best to fulfill our mission for Colleton County to prepare each child today for tomorrow. We would like to fulfill our mission to ensure our students are globally competitive for any career or college path they choose. Just to highlight the academic, and of course we cannot tell you everything. The academic year is over, and we would love to tell you everything our students have achieved. By state law we cannot give out that data. The state will actually provide that publicly in October. We do know in the Spring when we gave students the IReady assessment, it predicts that we had growth in our 3<sup>rd</sup>-8<sup>th</sup> grade. Specifically, we had an increase in English and Math. The graduation rate will be part of how we are measured, and we are so glad to report that we are back in the category of over 300 students' graduation. We were at 270 and are now over 300 students graduating. We will continue working on that and having a mentorship from the state department to help us with our graduation rate. So, as you can see, we have a class for 2024 to be thankful for. Please see our program if you would like to see individual highlights, if you weren't able to be there. We can provide these to you as well. The class of 2024 brought in 7 million dollars that included internal, institutional, scholarships, and state scholarships provided by the lottery. We had three students that received academic honors from the state, and we have not had that since 2018. We would like to talk about Salkehatchie and the partnership there. We had 15 students graduate with their high school diploma and their associates degree. One of those students had a dual associates degree. Salkehatchie is a great partner of ours, as you can see, we have our partners highlighted on the back. We are so thankful for our career and technology center. Mr. Kubik couldn't be here tonight, because he is preparing a trip to Romania. So, I asked him to give me some highlights for tonight. We had 134 students receive a CATE certificate, which means they completed a program in a career area. 10 Students received a double status CATE completer and will be able to show their employer or college this completion certificate. The nursing program with the CNA state tested kids, we had 100% passing rate providing 25 students a CNA license by graduation. We are really doing well with that program as you can see. We see great work placement with our welding students and Colleton Fire Rescue. Our health students do internships at the Veterans Victory House and the science students are helping at the animal shelter. We are so thankful that our students get these opportunities. You can see our early childhood students go to work at Black Street Elementary and North Side Elementary. We also are offering OSHA

through the PE classes. Also, First Aid comes through the health classes. So, we are trying to help kids graduate with some certifications. 12 of our graduating students are enlisted and joining our United States Services. Our NJROTC and recruiters that come in have 12 of our students signed up to protect our country. You can see our achievements as far as investing our money since we last saw you. We have begun to invest our money in the local government investment pool that is offered through the state treasurer. Our audit has been good for 17 years and we are proud to be a part of the state initiative to get our beginning teachers' salaries up to \$47,000. We are always trying to get grants, but we want to give you a snapshot of where we are with our finances. We do feel like the climate culture has improved this year in our schools. You can always see highlights of our band, chorus, arts, and athletics. Since we went to a zero tolerance with discipline at our schools, the fighting has reduced by 34%. We will continue to expect good behavior from our students. We wanted to let you know that lunch buddy has started back, and we have volunteers from businesses going in and working with our students during lunch. One of our teachers, Mr. William Smyly, was recognized by the state treasurer's office. He was chosen as a South Carolina Financial Literacy master teacher for the month of March. There are many more things that we could tell you, but if you look on the back, you will see all our sponsors. We were so happy to see Community Innovations here tonight. Councilman Taylor can tell you more about our partnership with the Technical College of the Lowcountry. We are happy to now have an office, in our district office, for the Technical College of the Lowcountry. So, we wanted to highlight how the Sheriff's Office works with us, not just with SRO, but Officer Valentine and I had over 50 students out at Bell's for the DARE program trying to help kids make good choices. As the largest employer in Colleton County, we thank you for your public service and support. We hope that you will find us good stewards and making the best use of the services you are able to provide us with. We thank you for your time tonight.

Mrs. Sharon Witkin: Stated, I want to thank you for hearing the Tuesday, May 7<sup>th</sup> presentation on the financial status of the Colleton County School District. We shared with council the new salary mandates that the SC Legislature mandated, which are only 75% funded in South Carolina. We shared our projected 2024 and 2025 deficits and asked the council to consider a mil increase for school district operations. A millage increase has not been considered or made since 2019. For reference, we know the current projected 2024-2025 budget was shared with the public Thursday, May 16<sup>th</sup> in the Press and Standard newspaper. The millage increase for school operations was identified as 0%. This is not about my kids or your kids. This is not about the kids of today or the kids of tomorrow. This is about all Colleton County Kids and the time is now. We need your help, and if you can please consider a millage increase this year for our school district operations. There are kids who need your help who cannot be here tonight. Thank you.

### **Council Time**

Councilman Taylor: Stated, I would like to announce on June 24<sup>th</sup> I will be facilitating an expungement clinic at the Colleton Career Skills Center. It is a free clinic for those who may have dots on their records and need to get them expunged. There are flyers available, but I do not have any with me tonight. They can call me or can come to the council clerk, and she will have a copy of that made available. Also, I wanted to let you know that when we had that public health and safety meeting Weyerhaeuser requested that we abandon maintenance on Parkers Ferry Road, and they will take it on from there.

Chairman Murdaugh: Stated, I wanted to mention we received a letter from Edisto Beach that the Chief of Police sent to us recommending a lifesaving award for Firefighter/Paramedic Robert Jennings and Firefighter/EMT Tyler Allen. \*\*\*Letter read into record. I congratulate those individuals, let's give them a round of applause.

Councilman Taylor: Stated, Barry Mcroy and David Greene put together this Business Preparedness Workshop. It is such a good thing for during the time of emergencies. I will make this available. It will be held on June 27<sup>th</sup> and is sponsored by Colleton County Economic Alliance, CCSO, CCFR, Colleton County Chamber of Commerce, EIS IT Consulting, State Farm, and SC Department of Commerce. This is a lot of people coming together for this event. So, please take advantage of this.

### **Executive Session**

Councilman Taylor moved to go into executive session to discuss the following: Real Estate – Discussion of road closures, School District Millage Request, and Personnel – Fire-Rescue. Councilman Trippe seconded the motion. The motion was carried unanimously.

Councilman Taylor moved to exit executive session. Councilman Trippe seconded the motion, which was carried unanimously.

**Ordinance 24-O-11, By Title Only, To Provide for the Levy of Taxes in Colleton County, South Carolina, by Establishing the Colleton County School District Millage in the Amount of 118.92 for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto.**

Councilman Taylor moved to approve 1st Reading Ordinance 24-O-11, By Title Only, To Provide for the Levy of Taxes in Colleton County, South Carolina, by Establishing the Colleton County School District Millage in the Amount of 118.92 for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. The motion was seconded by Chairman Murdaugh.

Councilman Biering: Stated, this is first reading only, that way we will and are going to set up meetings between now and then to have discussions.

Councilman Trippe: Stated, I would like to echo what Scott said, this is first reading only, and we will have some discussions and go from there.

Dr. Flowers: Stated, when spending taxpayers' money, you want to ensure you are getting an adequate description of what this money will go to so that it is spent wisely. We have had a lot of problems over the past 7 years. Unless you can ensure that this money will go specifically to teachers and not into a general fund, I can't go along with it. We did this a number of years ago and asked them to specify that it will go to the teachers and into the classrooms and they didn't do it. This should go to enhance education not administration. That is my opinion.

The motion carried 3 approved and 2 opposed.

**Adjournment**

Councilman Taylor moved to adjourn the meeting, Councilman Trippe seconded the motion, which was carried unanimously.

This 23<sup>rd</sup> day of July 2024.

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

ATTEST:

\_\_\_\_\_  
Kaela Brinson, Clerk to Council



MINUTES  
MONDAY, JULY 15, 2024  
JOINT MEETING  
COLLETON COUNTY COUNCIL  
COLLETON COUNTY SCHOOL BOARD  
5:00 P.M.

Joint Meeting  
Conference Room, Lowcountry Regional Airport  
537 Aviation Way  
Walterboro, SC 29488

Present: Vice Chairman Phillip M. Taylor called the meeting to order with Council Members Dr. Joseph Flowers, Bubba Trippe, and Scott Biering. Chairman Murdaugh entered the meeting minutes after the meeting was called to order.

Others Included: Meagan Utsey, Superintendent Jessica Williams, Sharon Witkin, Lynn Stroble, Charles Murdaugh, Daryl Erwin, Craig Stivender, Romona Barrett, Johnny Frank, and Beth Frank.

Councilman Phillip Taylor gave the invocation and led the Pledge of Allegiance.

**Discussion**

\*\*\*Recording available upon request.

**Adjournment**

Councilman Taylor moved to adjourn the meeting. Councilman Biering seconded the motion, which carried unanimously.

This 15<sup>th</sup> day of July, 2024.

ATTEST:

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

\_\_\_\_\_  
Kaela Brinson, Clerk to Council

Sponsor(s) : County Council  
First Reading : May 7, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : June 18, 2024  
Public Hearing : July 23, 2024  
Third Reading : July 23, 2024  
Effective Date : Immediately

I, Kaela Brinson, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on

\_\_\_\_\_.

## ORDINANCE NO. 24-O-07

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

**[AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND SAND RIDGE SOLAR, LLC, A COMPANY FORMERLY KNOWN TO THE COUNTY AS PROJECT BOBCAT, AS SPONSOR, TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; TO FURTHER AMEND THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK AGREEMENT BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND HAMPTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE PROPERTY IN COLLETON COUNTY AS PART OF THE PARK; AND OTHER RELATED MATTERS.]**

WHEREAS, Colleton County, South Carolina (the “County”), acting by and through its County Council (the “County Council”) is authorized by Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the “Act”), and Article VIII, Section 13 of the South Carolina Constitution (i) to enter into agreements with qualifying companies to encourage investment in projects constituting economic development property through which the economic development of the State of South Carolina (the “State”) will be promoted by inducing new and existing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ manpower and other resources of the State; (ii) to covenant with such industry to accept certain fee payments in lieu of *ad valorem* taxes (“FILOT”) with respect to such investment (“FILOT Payments”); (iii) to provide credits to qualifying companies to offset eligible infrastructure related expenses (each a “Special Source Revenue Credit” or “SSRC”) pursuant to Section 4-1-175, 4-29-68, and 12-44-70 of the Code of Laws of South Carolina 1976, as amended (“Infrastructure Credit Act”); (iv) to create a multi-county park with a contiguous county pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (“MCIP Act”) and, the County has formed such a multi-county park with Hampton County, South Carolina (the “Park”) through that “Agreement for Development of Joint Industrial Park” dated December 4, 2007 (the “Park Agreement”); and (v) to make and execute contracts of the type hereinafter described pursuant to Section 4-9-30 of the Code of Laws of South Carolina 1976, as amended; and

WHEREAS, Sand Ridge Solar, LLC, a company known to the County as Project Bobcat, a South Carolina limited liability company, along with any other existing, or to-be-formed or acquired subsidiaries, or affiliated or related entities, as Sponsor (collectively, “Company”), contingent upon satisfaction of certain commitments made by and on behalf of the County, as set forth herein and be further set forth in future agreements, and, to the extent allowed by law, plans to establish a new utility-scale solar facility in the County through the acquisition, lease, construction and purchase of certain land, including the Project Property (defined below), buildings, furnishings, fixtures, apparatuses, and equipment (the “Project”), which will result in approximately \$150,000,000 in new investment in real and personal property (“Investment”) in the County; and

WHEREAS, by its Resolution adopted on May 7, 2024, the County identified the Project, as required by the Act; and

WHEREAS, the Project will comprise one or more parcels of real property or portions thereof, bearing Tax Map Numbers 232-00-00-002.000, 256-00-00-001.000, and 233-00-00-039.000 and with improvements thereon, a more detailed description of which is set forth on the attached **Exhibit A** (“Project Property”); and

WHEREAS, the County desires to enlarge the boundaries of Park to include the Project Property and to ensure that the Project Property remains in the Park or any other multi-county park created by the County pursuant to the MCIP Act for no less than the duration of the Fee Agreement; and

WHEREAS, Sections 3(A) of the Park Agreement establishes the procedure for enlargement of the boundaries of the Park to include additional property; and

WHEREAS, pursuant to Section X of Ordinance No. 07-O-29, the County has the authority to amend the allocation of revenue received as fee-in-lieu of tax payments from the Park as it sees fit; and

WHEREAS, in connection with the Project, the Company has requested the County to enter into an incentive agreement, to the extent and subject to the conditions provided in such agreements, to establish the commitments of (i) the Company and any Sponsor Affiliate(s) to make the Investment and create of the Jobs; and (ii) the County to provide the Incentives (defined below); and

WHEREAS, the County has determined: (i) to offer a FILOT arrangement and enter into a fee-in-lieu of *ad valorem* taxes agreement with the Company and, as applicable, any Sponsor Affiliate(s), the form of which is attached as **Exhibit B** (“Fee Agreement”), with the principal terms as follows: equalized FILOT Payments calculated pursuant to Section 12-44-50(A)((3) of the Act using a 30-year term, a 6% assessment ratio, and a fixed millage rate equal to that millage rate in effect at the Project Property, for all taxing entities, on June 30, 2023, which the parties hereto believe to be 360.69, for the entire term of the FILOT arrangement; (ii) to provide an annual Special Source Revenue Credit (“SSRC”) against such equalized FILOT Payments to be made by the Company and any of the Sponsor Affiliates to the County for the Project in the amount equal to the difference between the Net FILOT Payment (as defined in the Fee Agreement) and the

amount of the FILOT Payment that would otherwise be due under the Fee Agreement; and (iii) any other incentives as may be further set forth in the Fee Agreement (collectively, the “Incentives”); and

WHEREAS, the parties recognize and acknowledge that the Company would not otherwise locate the Project in the County but for the delivery of the Incentives.

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

**Section 1. Findings.** The County hereby finds and affirms, based on information provided by the Company: (i) the Project will benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise provided locally; (ii) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against its general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; and (iv) the benefits of the Project to the public are greater than the costs to the public; and (v) the Project will provide a substantial public benefit to the County.

**Section 2. Authorization to Execute and Deliver Fee Agreement; Approval of SSRCS.** The form, terms, and provisions of the Fee Agreement (which includes the provision of the SSRCS) presented to Council at this meeting and filed with the Clerk to County Council are hereby approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if the Fee Agreement was set out in this Ordinance in its entirety. The Chairman of County Council and the Clerk to County Council be and they are hereby authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Company. The Fee Agreement attached hereto is in substantially final form; however, may be changed, amended or modified provided that it shall not materially adversely affect the rights of the County thereunder; and, shall be approved by the officials of the County executing the same upon the advice of the County Attorney, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein.

**Section 3. Park Boundaries.** The County Council approves the expansion of the Park boundaries to include the Project Property and the County Council agrees to ensure that the Project is incorporated into and remains in the Park for the term of the Fee Agreement. The Company may request, from time to time, that all or a portion of the Project Property be removed from the Park.

**Section 4. Allocation of Park Funds.** The County will provide that the annual allocation of the Fee Agreement payments generated by the Project will be distributed (after distribution of a portion of the Fee Agreement payment to Hampton County in accordance with the MCIP Agreement) as follows:

- (i) For five (5) years, to the County, for providing the SSRCS, an amount equal to the annual SSRC as outlined in the recitals of this Ordinance and provided in the Fee Agreement; and

(ii) Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the Fee Agreement payments to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

**Section 5. *No Recapitulation Required.*** Pursuant to Section 12-44-55(B) of the Act, the County hereby agrees that no recapitulation information, as set forth in Section 12-44-55(A) of the Act is required to be provided by the Company in the Fee Agreement, or in any other documents or agreements in connection with the FILOT arrangement between the Company and the County, so long as the Company shall file a copy of the South Carolina Department of Revenue form PT-443, and any subsequent amendments thereto, and all filings required by the Act with the County after the execution of the Fee Agreement by the County and the Company.

**Section 6. *Further Acts.*** The County Council authorizes the County Administrator, other County staff, and the County Attorney, along with any designees and agents who any of these officials deems necessary and proper, in the name of and on behalf of the County (each an “Authorized Individual”), to take whatever further actions, and enter into whatever further agreements, as any Authorized Individual deems to be reasonably necessary and prudent to effect the intent of this Ordinance and induce the Company to locate the Project in the County.

**Section 7. *General Repealer.*** All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

**Section 8. *Severability.*** Should any part, provision, or term of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Ordinance or any part, provision or term thereof, all of which is hereby deemed separable.

This Ordinance takes effect and is in full force only after the County Council has approved this Ordinance following three readings and a public hearing.

[signature page to follow]

COLLETON COUNTY,  
SOUTH CAROLINA

---

Steven D. Murdaugh, Chairman  
Colleton County Council

*(SEAL)*

ATTEST:

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Kaela Brinson, Clerk to Council  
Colleton County, South Carolina

First Reading: May 7, 2024  
Second Reading: June 18, 2024  
Third Reading: July 23, 2024  
Public Hearing: July 23, 2024

**EXHIBIT A**

**PROJECT PROPERTY LEGAL DESCRIPTION**

All or a portion of that parcel of real property, with improvements thereon, located in Colleton County, South Carolina, consisting of approximately 4982 acres, identified by tax number(s):

- 1) 232-00-00-002.000
- 2) 256-00-00-001.000
- 3) 233-00-00-039.000.

**EXHIBIT B**

FEE AGREEMENT

[Attached]



Sponsor(s) : County Council  
First Reading : May 7, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : June 18, 2024  
Public Hearing : July 23, 2024  
Third Reading : July 23, 2024  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on  
\_\_\_\_\_.

## ORDINANCE NO. 24-O-08

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

**[AN ORDINANCE AUTHORIZING THE COUNTY TO BORROW \$2,300,000 THROUGH THE USDA RURAL DEVELOPMENT LOAN PROGRAM FOR THE CONSTRUCTION OF A NEW FUEL FARM AND TWO T-HANGER UNITS AT THE LOWCOUNTRY REGIONAL AIRPORT.]**

WHEREAS, the County Council of Colleton County, South Carolina (the “County Council”) have previously authorized the “Airport Hanger Project,” consisting of the rehabilitation and equipping of an empty building, located at 537 Aviation Way, Walterboro, South Carolina, with two hangar complexes and a fuel farm (collectively, the “Project”); and

WHEREAS, 537 Aviation Way is presently owned by the Walterboro-Colleton County Airport Commission (the “Commission”); and

WHEREAS, at the request of Commission, Colleton County, South Carolina (the “County”) has (i) agreed to develop and finance the costs of the Project and (ii) agreed to the use of the Project by the County during the term of the financing; and

WHEREAS, the County intends to make certain payments (the “Acquisition Payments”) for the acquisition of the Project and, pending acquisition thereof, shall be entitled to the use and occupancy of the Project, and certain other matters pursuant to the terms of the Public Facilities Purchase and Occupancy Agreement (the “Facilities Agreement”), among the Commission, the County, and the Lender; and

WHEREAS, the rights of the County to receive Acquisition Payments will be assigned to the Lender as security for and the source of payment of the \$2,300,000 Installment Purchase Revenue Loan (Hangar and Fuel Farm Project), Series 2024 (the “Loan”) from to the Lender to the Corporation; and

WHEREAS, in order to provide funds for the payment of the costs of the Project, the County is entering into the Loan, to be evidenced by the Note, under and by the terms of the Facilities Agreement pursuant to the terms of the Commitment Letter; and

WHEREAS, the County will grant to the Lender a mortgage interest in the property located at 537 Aviation Way and the Project as security for it obligations under the Loan pursuant to the Mortgage and Security Agreement (the “Mortgage”);

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AS FOLLOWS:**

Section 1. Approval of Acquisition and Use of the Project by County; Approval and Execution of the Facilities Agreement. The acquisition and use of the Project by the County from the County pursuant to the terms set forth in the Facilities Agreement is hereby approved, and the form of the Facilities Agreement as submitted herewith is hereby approved. The Chairman is hereby authorized and directed to execute and deliver the Facilities Agreement, with any changes, insertions, and omissions as may be approved by the Chairman, with the advice of counsel, his execution being conclusive evidence of his approval.

Section 2. Agreement to Accept Title to Project. The County Council hereby agrees to accept title to the Project and any other property financed by the Loan, including any additions to the Project, when the Loan is discharged.

Section 3. Consent to Mortgage. The County Council hereby consents to the Mortgage now before this meeting, with any changes as may be thereafter made as shall be in furtherance of the transactions contemplated therein and in this Ordinance and as shall not be inconsistent with or contrary to the matters contemplated herein. The County Council hereby further consents to the execution and delivery of the Mortgage by the parties thereto.

Section 4. Consent to Loan. The County Council hereby consents to the undertaking by the County respecting the Project, and the issuance of the Note to the Lender, in the principal amount not to exceed \$2,300,000, to finance the costs of acquisition and renovation thereof.

Section 5. Use of Proceeds of the Loan. The proceeds of the Loan shall be applied, as provided in the Facilities Agreement, to (a) provide the amounts necessary for the acquisition, construction, renovation, and equipping of the Project and (b) pay the transaction costs of the Loan.

Section 6. Loan; Approval and Execution of Commitment Letter. The Loan shall be incurred pursuant to the terms of the Commitment Letter and the Facilities Agreement. The County Administrator is hereby authorized and directed to execute and deliver the Commitment Letter, with any changes, insertions, and omissions as may be approved by the County Administrator subject to the provisions hereof, with the advice of counsel, his execution being conclusive evidence of his approval.

Section 7. Execution of Closing Documents. The Chairman, the County Administrator, and all other appropriate officials and employees of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions contemplated by the Facilities Agreement, and the Commitment Letter (collectively, the "County Agreements"). The consummation of all transactions contemplated by the County Agreements is hereby approved.

Section 8. Law and Place of Enforcement of the Ordinance. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in the State of South Carolina.

Section 9. Effective Date. This Ordinance shall become effective immediately upon approval after receiving third reading by the County Council.

Section 10. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

Section 11. Repeal of Inconsistent Ordinances. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 12. No Personal Liability. No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the County contained in this Ordinance, the County Agreements, or the Loan, against any member of the County Council, any officer or employee, as such, in his or her individual capacity, past, present, or future, of the County, either directly or through the County, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise; it being expressly agreed and understood that this Ordinance, the County Agreements, and the Loan are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer, or employee as such, past, present, or future, of the County, either directly or by reason of any of the obligations, covenants, promises, or agreements, entered into between the County and the owners of the Loan or to be implied therefrom as being supplemental hereto or thereto; and that all personal liability of that character against every such member, officer, and employee is, by the enactment of this Ordinance and the execution of the County Agreements and the Loan and as a condition of, and as a part of the consideration for, the enactment of this Ordinance and the execution of the County Agreements and the Loan, expressly waived and released. The immunity of the members, officers, and employees, of the County under the provision contained in this Section shall survive the termination of this Ordinance.

Section 13. Effect of Article and Section Headings and Table of Contents. The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this Ordinance.

COLLETON COUNTY, SOUTH CAROLINA

(SEAL)

By: \_\_\_\_\_

Its: Chairman, County Council of Colleton County

ATTEST:

\_\_\_\_\_

Clerk to County Council

Sponsor(s) : County Council  
First Reading : June 18, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : July 23, 2024  
Public Hearing : September 3, 2024  
Third Reading : September 3, 2024  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on

\_\_\_\_\_.

## **ORDINANCE NO. 24-O-09**

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

**[An Ordinance to Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares.]**

#### **WHEREAS:**

1. Colleton County Council passed Ordinance 83-O-23 establishing the Colleton County Mental Retardation Board; and
2. In June of 1993, the State of South Carolina implemented a reorganization of the South Carolina Department of Mental Retardation; and
3. Colleton County Council passed Ordinance 93-O-29 renaming the Board to Colleton County Board of Disabilities and Special needs; and
4. On July 24, 2023, the Colleton County Board of Disabilities and Special Needs voted officially to request that Colleton County Council change the Board's current name to add DBA (Doing Business As) Colleton Cares.

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

1. Colleton County Council hereby authorizes that Ordinance 93-O-29, an Ordinance to amend Colleton County Ordinance 83-O-23 is hereby amended to add DBA "Colleton Cares" to the name of Colleton County Board of Disabilities.
2. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be 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.

3. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : June 18, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : July 23, 2024  
Public Hearing : September 3, 2024  
Third Reading : September 3, 2024  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on  
\_\_\_\_\_.

**ORDINANCE NO. 24-O-10**

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

**[AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND PROJECT SUN, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES, TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS FOR THE BENEFIT OF A PROJECT IN THE COUNTY; TO FURTHER AMEND THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK AGREEMENT BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND HAMPTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN COLLETON COUNTY AS PART OF THE PARK; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY PROJECT SUN, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER RELATED MATTERS.]**

WHEREAS, Colleton County (the “County”), acting by and through its County Council, is authorized and empowered (i) under and pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the “Act”) to enter into agreements with qualifying companies to encourage investment in projects constituting economic development property through which the economic development of the State of South Carolina (the “State”) will be promoted by inducing new and existing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ manpower and other resources of the State and to covenant with such industry to accept certain fee payments in lieu of *ad valorem* taxes (“FILOT”) with respect to such investment; and (ii) to make and execute contracts pursuant to Section 4-9-30 of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to Title 4, Section 1, of the Code of Laws of South Carolina, 1976, as amended (“MCIP Act”), the County is authorized (i) to develop multi-county industrial or business parks in partnership with counties having contiguous borders with the County, (ii) to include within the boundaries of such parks the property of eligible companies; and (iii) further to grant credits against FILOT payments made by qualifying companies to offset qualifying

infrastructure related expenditures pursuant to Sections 4-1-175, 4-29-68, and 12-44-70 of the Code of Laws of South Carolina 1976 as amended (“SSRC Act”); and

WHEREAS, in order to promote the economic welfare of the citizens of Colleton County and Hampton County (collectively, the “the Counties”) by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development of Joint County Industrial Park dated \_\_\_\_\_ (the “Park Agreement”), to develop jointly an industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with the MCIP Act; and

WHEREAS, the Park Agreement was initially approved by Colleton County Council Ordinance \_\_\_\_; and the Park Agreement was initially approved by Hampton County Council Ordinance \_\_\_\_; and was further amended by the Counties from time-to-time to add property to the Park; and

WHEREAS, the Park Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, Project Sun, along with one or more existing, or to-be-formed or acquired subsidiaries, or affiliated or related entities, as Sponsor (collectively, “Company”) along with the owner or owners of the property upon which the Project may be located, and any additional Sponsor Affiliates (as defined under the Act and the Fee Agreement) that the Sponsor may designate in the future and have the County approve in accordance with the Act, contingent upon satisfaction of certain commitments made by and on behalf of the County as set forth herein and to be further set forth in future agreements to the extent allowed by law, plans to establish a utility scale solar facility in the County through the acquisition, lease, construction and purchase of certain real and personal property, including the Project Property (defined below), buildings, furnishings, fixtures, apparatuses, and equipment (the “Project”), which will result in approximately \$80,000,000 in new investment in real and personal property in the County (“Investment”) during the investment period; and

WHEREAS, by its Resolution adopted on June 18, 2024, the County identified the Project, as required by the Act; and

WHEREAS, the Project will comprise one or more parcels of real property or portions thereof, initially bearing Tax Map Number [●] with improvements thereon, a description of which is set forth on the attached **Exhibit A** (“Project Property”); and

WHEREAS, the County is authorized to include the Project Site within a multi-county industrial and business park pursuant to the MCIP Act and to provide special source revenue or infrastructure credits pursuant to the SSRC Act; and

WHEREAS, the Project is located entirely within Colleton County and will be included in and subject to the multi-county park and fee-in-lieu of tax arrangements as described herein; and



WHEREAS, in connection with the Project, the Company has requested the County enter into a fee in lieu of tax agreement to establish the commitments of (i) the Company and any Sponsor Affiliate(s) to make the Investment; and (ii) the County to provide certain incentives; and

WHEREAS, the County has determined: (i) to offer a FILOT arrangement and enter into a fee-in-lieu of *ad valorem* taxes agreement with the Company and, as applicable, any Sponsor Affiliate, the form of which is attached hereto as **Exhibit B** (“Fee Agreement”), with the principal terms as follows: a term of years for each Phase (as defined in the Fee Agreement) of the Project Property, anticipated to be thirty (30) years for each Phase, a 6.0% assessment ratio (subject to adjustment as described in the Fee Agreement), and a fixed millage rate equal to that millage rate in effect at the Project Property, for all taxing entities, on June 30, 2024<sup>1</sup>, which is further outlined in the Fee Agreement, for the entire term of the FILOT arrangement; (ii) to provide an annual credit for ten (10) years over the term of the Fee Agreement against those FILOT payments made by the Company and any of the Sponsor Affiliates to the County for the Project, or to increase the FILOT payments made by the Company and any of the Sponsor Affiliates to the County for the Project, in an amount equal to the difference between the Net FILOT Payment (as defined in the Fee Agreement) and the amount of FILOT payment that would otherwise be due under the Fee Agreement (each a “Special Source Revenue Credit” or “SSRC”); and (iii) any other incentives set forth in the Fee Agreement (collectively, the “Incentives”); and

WHEREAS, the parties recognize and acknowledge that the Company would not otherwise locate the Project in the County but for the delivery of the Incentives.

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

**Section 1. Findings.** The County hereby finds and affirms, based on information provided by the Company: (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally; (ii) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against its general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; (iv) the benefits of the Project are greater than the costs; and (v) the Project will provide a substantial public benefit to the County.

**Section 2. Authorization to Execute and Deliver Fee Agreement.** The form, terms, and provisions of the Fee Agreement (which includes the provision of Special Source Revenue Credits) presented to this meeting and filed with the Clerk to County Council are hereby approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if the Fee Agreement was set out in this Ordinance in its entirety. The Chairman of County Council and the Clerk to County Council are hereby authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Company. The Fee Agreement 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

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<sup>1</sup> Note to County: Please confirm the lowest available millage rate and its effective date.

approved by the officials of the County executing the same upon the advice of the County Attorney, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting. The Fee Agreement shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds are not achieved (a “clawback” provision); (ii) that the Company will pay the County’s administrative expenses associated with the approval and administration of the SSRC; (iii) that under certain terms and conditions, the County will have access to certain information of the Company; and (iv) that the Company will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project.

**Section 3. *Inclusion and Maintenance of Project in Park.***

(a) The expansion of the Park boundaries is hereby authorized as part of the County’s normal expansion procedures to include the Project Property, as described on the attached **Exhibit A**. The County Council agrees to use commercially reasonable efforts to place the Project into the Park and to maintain the Project in the Park (or a successor multi-county industrial or business park) for no less than the term of the Fee Agreement.

(b) The County will provide for [20 years] that the annual allocation of the FILOT payments generated by the Project will be distributed (after distribution of a portion of the FILOT payments to Hampton County in accordance with the Park Agreement) as follows:

- i. To the County, for providing the SSRCs, an amount equal to the annual SSRC provided in Section 2 of this Ordinance and in the Fee Agreement; and
- ii. Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the FILOT payments to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

**Section 4. *No Recapitulation Required.*** Pursuant to Section 12-44-55(B) of the Act, the County hereby agrees that no recapitulation information, as set forth in Section 12-44-55(A) of the Act is required to be provided by the Company in the Fee Agreement, or in any other documents or agreements in connection with the fee-in-lieu of tax arrangement between the Company and the County, so long as the Company shall file a copy of the South Carolina Department of Revenue form PT-443, and any subsequent amendments thereto, and all filings required by the Act with the County after the execution of the Fee Agreement by the County and the Company.

**Section 5. *Further Acts.*** The County Council authorizes the County Administrator, other County staff, and the County Attorney, along with any designees and agents who any of these officials deems necessary and proper, in the name of and on behalf of the County (each an “Authorized Individual”), to take whatever further actions, and enter into whatever further agreements, as any Authorized Individual deems to be reasonably necessary and prudent to effect the intent of this Ordinance and induce the Company to locate the Project in the County.

**Section 6. *General Repealer.*** All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

**Section 7. Severability.** Should any part, provision, or term of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Ordinance or any part, provision or term thereof, all of which is hereby deemed separable.

This Ordinance takes effect and is in full force only after the County Council has approved this Ordinance following three readings and a public hearing.

COLLETON COUNTY, SOUTH CAROLINA

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Steven D. Murdaugh, Chairman  
Colleton County Council

(SEAL)

ATTEST:

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Kaela Brinson, Clerk to Council

First Reading: June 18, 2024  
Second Reading: July 23, 2024  
Third Reading: September 3, 2024  
Public Hearing: September 3, 2024

**EXHIBIT A**

PROJECT PROPERTY DESCRIPTION

**EXHIBIT B**

FEE AGREEMENT

[Attached]

Sponsor(s)	: County Council	
First Reading	: July 23, 2024	I, _____,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised
Committee Recommendation	: N/A	for Public Hearing _____.
Second Reading	: September 3, 2024	
Public Hearing	: October 8, 2024	
Third Reading	: October 8, 2024	
Effective Date	: Immediately	

**ORDINANCE NO. 24-O-12**

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

**[To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto.]**

**WHEREAS:**

1. Colleton County Budget Ordinance requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and
2. The County regularly adopts a final budget amendment ordinance to account for budget resolutions and interfund transfers authorized by Council during the fiscal year, as well as grants and any other supplemental appropriation actions in accordance with the 1976 South Carolina Code of Laws, as amended, and the County’s budget ordinance.

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

1. The Colleton County Council hereby:
  - a. Ratifies all previously approved FY24 Budget Resolutions and authorizes and directs the County Administrator to amend the FY24 budgetary appropriations as so resolved;
  - b. Ratifies all previously approved FY24 Resolutions related to amendments to the County Record of Roads (ROR), if any.
  - c. Ratifies all Resolutions, voice motions, and other actions approved by County Council for Fiscal Year ending 6/30/24 including those awarding contracts, directing specific fiscal actions such as authorizing, increasing or reducing fund transfers, operational transfers, reclassifications, fund balance designations, and fund balance appropriations.
  - d. Approves the budgeting of funds, if any, received by the CCRFC from Covenant Billing and private ambulance transports during the Fiscal year ending 6/30/24, within Fund 156 to meet the needs of the County.
  - e. Approves acceptance of South Carolina Election Commission Aid to Counties funds in the amount of \$23,094 to cover election costs related to the presidential primaries.
  - f. Approves acceptance of donations to the Animal Services department in Fund 100 in the amount of \$7,509.72 to offset the cost of animal care.

- g. Approves acceptance of Colleton County School District School Resource Officer (SRO) funds deposited to fund 120 Special Revenue Fund for services outside of school hours.
  - h. Approves acceptance of Federal Emergency Management Agency disaster response funds of \$10,543.48 and South Carolina Emergency Management Agency disaster response funds of \$3,514.49 related to Hurricane Idalia emergency protective measures.
  - i. Approves the write-off of all Colleton County Fire and Rescue Medical Services billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/24 audit as identified by CCRFC and approved by the Colleton County Administrator.
  - j. Approves the write-off of all Colleton County Solid Waste Billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/24 audit as identified and approved by the Colleton County Administrator.
  - k. Approves end-of-year adjustments as necessary to the Operational Transfers of various funds in order to decrease particular fund appropriation and correspondingly increase other fund appropriation in accordance with the operational needs and expenditures of the various Funds in FY24 and to balance the required revenue to expenditures in said Funds.
2. Conflict: All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.
3. Severability: If any provision 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.
4. This ordinance includes the ratification of all Resolutions, voice motions and other actions as previously approved by Colleton County Council for the fiscal year ending 06/30/2024.

ATTEST:

\_\_\_\_\_  
Kaela Brinson, Clerk to Council

SIGNED:

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

COUNCIL VOTE:  
OPPOSED:

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

Sponsor(s) : County Council  
First Reading : July 18, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 3, 2024  
Public Hearing : October 1, 2024  
Third Reading : October 1, 2024  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on  
\_\_\_\_\_.

**ORDINANCE NO. 24-O-13**

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

**[AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, (1) THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AS PROJECT IRONSIDES, AS SPONSOR, TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; (2) THE ENLARGEMENT OF THE BOUNDARIES OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK PREVIOUSLY CREATED BY COLLETON COUNTY AND HAMPTON COUNTY TO INCLUDE CERTAIN PROPERTY LOCATED IN COLLETON COUNTY, SOUTH CAROLINA NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY PROJECT IRONSIDES, OR ONE OR MORE COMPANIES RELATED THERETO; AND (3) OTHER RELATED MATTERS]**



Sponsor(s) : County Council  
First Reading : July 23, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : September 3, 2024  
Public Hearing : October 1, 2024  
Third Reading : October 1, 2024  
Effective Date : Immediately

I, \_\_\_\_\_, Council Clerk,  
certify that this Ordinance was  
advertised for Public Hearing on  
\_\_\_\_\_.

**ORDINANCE NO. 24-O-14**

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

**[To Authorize the Rezoning of a 12.1 Acre Parcel Located on Oswald Court, Identified as T.M.S. No. 131-16-00-114, from Residential Suburban (RS) to Urban Development – 1 (UD-1).]**

Sponsor(s) : County Council  
Adopted : July 23, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 24-R-46**

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

**[A Resolution to Establish Millage for School Operations for the Fiscal Year 2019-2020 Budget Year.]**

**WHEREAS:**

1. Budget Ordinance 24-O-06 provides that sufficient millage to support the tax levy for the School District Operating appropriations may be established by County Resolution prior to September 1<sup>st</sup>; and
2. County Council approved Budget Ordinance 24-O-06 reserving the establishment of the final School Operating Appropriation and Millage; and
3. Colleton County School District requested an increase of 2.5 mills, resulting in a total School District Operating Millage of 118.92 mills.

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

County Council hereby establishes the School Operating Millage for Fiscal Year 2024-2025 at 118.92 mills.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 23, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 24-R-47**

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

**[A Resolution to Authorize Acceptance and Budgeting of Various Grants for FY 2024-2025.]**

**WHEREAS:**

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Economic Development Department, is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY25 received from the South Carolina Department of Agriculture Agribusiness Infrastructure Incentives Distribution Initiative Panel Grant Project Mac in the amount of \$100,000.

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

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenues and expenditures in the following fund for the grant and unbudgeted revenue for FY24 as listed:
  - a. Fund 120 – Special Revenue Fund; South Carolina Department of Agriculture; \$100,000; Agribusiness Infrastructure Incentives Distribution Initiative Panel Grant; Project Mac.
2. The above listed OPRs (Offices of Primary Responsibility) are responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY25 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 23, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 24-R-48**

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

**[A Resolution to Authorize the Addition of Three Floater Positions within Colleton County Fire-Rescue.]**

**WHEREAS:**

1. Colleton County Fire-Rescue has requested the addition of three floater positions within the department; and
2. The addition of these positions is budget neutral as funding previously used for overtime pay will cover the cost of the positions.

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

1. Council hereby approves the addition of three floater positions within Colleton County Fire-Rescue.
2. Funding for these positions is included in the FY 2024-2025 Fire-Rescue Fund – Fund 156.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : July 23, 2024  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 24-R-49**

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

**[A Resolution to Approve the Purchase of a Kenworth Dump Truck for the Roads and Bridges Department and a Kenworth Roll-off truck for the Solid Waste Department.]**

**WHEREAS:**

1. There are remaining in the 2024 Lease Purchase; and
1. Resolution 22-R-17 authorized a sole source purchasing arrangement for Kenworth trucks; and
2. The Fleet Management Department has requested the purchase of a Kenworth Dump Truck for the Roads and Bridges Department and a Kenworth Roll-off truck for the Solid Waste Department from Worldwide Equipment of South Carolina, Inc.; and
3. Staff recommends that Council approve this request.

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

1. The purchase of a 2024 Kenworth T880 Tri-Axle Dump Truck with an Ox Body in the amount of \$234,856 and the purchase of a 2024 Kenworth T880 Roll-off Truck with Hoist in the amount of \$273,663 from Worldwide Equipment of South Carolina, Inc. are hereby approved.
2. The County Administrator is hereby authorized to execute on behalf of the County any paperwork necessary for the purchases.
3. Funding for this purchase is available in the remaining 2024 Lease Purchase and budgeted in the Capital Fund – Fund 115.

ATTEST:

SIGNED:

\_\_\_\_\_  
Kaela Brinson, Council Clerk

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

COUNCIL VOTE:  
OPPOSED: