



COLLETON COUNTY COUNCIL REGULAR MEETING
County Council Chambers, Old Jail Building
109 Benson Street, 2nd Floor Walterboro, SC 29488
Tuesday, June 3, 2025, at 6:00 P.M.

AGENDA

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. **Approval of Minutes**
 - a) Regular Meeting, May 6, 2025
5. **Awards and Recognitions**
 - a) Proclaiming June 3, 2025 as Sandy Steele Day
 - b) Brian Haines, National Weather Service Charleston, SC-Letter of Appreciation to Colleton County Emergency Management
 - c) Proclaiming June 2025 as Gun Violence Awareness Month
 - d) Proclaiming June 2025 as Elevate Fatherhood Month
 - e) Birthday Proclamation for Mr. Lee O. McKinnon, Sr.
 - f) Proclaiming Recognition and Appreciation for Jimmy Hiott
 - g) Proclaiming the Week of July 26-August 3, 2025 as Gullah/Geechee Nation Appreciation Week
6. **Appearances & Public Presentation**
 - a) Aspire2Inspire Presentation-Mr. Michael Lewis and Mrs. Octavia Lewis
7. **Public Comments (3 minutes per person/max time 20 min.)**
8. **Administrator’s Briefing**
9. **Public Hearing**
 - a) Ordinance 25-O-03, To Amend and Extend the Term of the Agreement for Development for Joint County Industrial Park (The “Park”) Between Colleton County and Hampton County, South Carolina; to Further Amend the Agreement for Development Property in Colleton County as part of The Park; and other Matters Related Thereto.
 - b) Ordinance 25-O-04, Approving an Application for Preliminary Certification for Historic Rehabilitation; and Other Matters Related Thereto.

10. **Old Business**

- a) 3rd Reading Ordinance 25-O-03, To Amend and Extend the Term of the Agreement for Development for Joint County Industrial Park (The “Park”) Between Colleton County and Hampton County, South Carolina; to Further Amend the Agreement for Development Property in Colleton County as part of The Park; and other Matters Related Thereto.
- b) 3rd Reading Ordinance 25-O-04, Approving an Application for Preliminary Certification for Historic Rehabilitation; and Other Matters Related Thereto.

11. **New Business**

- a) 1st Reading Ordinance 25-O-07, Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Special Source Credit Agreement by and Between Colleton County, South Carolina and a Company Known to the County as the time as Project Star with respect to certain Economic Development Property in the County, Whereby Such Property will be Subject to Certain Payments in Lieu of Taxes, Including the Provision of Certain Special Source Credits; and Others Matters Related Thereto.
- b) 1st Reading Ordinance 25-O-06, To Amend Title 10 - Vehicles and Traffic, Chapter 10.04 Truck and Bus Restrictions, of the Colleton County Code of Laws to Prohibit No Through Traffic on Approved Colleton County Roads
- c) Resolution 25-R-33, Authorizing, Under Certain Conditions, the Execution and Delivery by Colleton County, South Carolina of a Fee in Lieu of Tax Agreement with One or More Related or Affiliated Legal Entities as Sponsors and as Sponsor Affiliated Identified by the County as Project Star with Respect to a Project in the County Whereby the Project Would be Subject to Payment of Certain Fees in Lieu of Taxes; and Whereby Project Star will be Provided Certain Credits Against the Fee Payments in Reimbursement of Investment in Related Qualified Infrastructure; and Providing for Related Matters.
- d) Resolution 25-R-34, To Authorize Acceptance and Budgeting of Funds for a Grant for FY25
- e) Resolution 25-R-35, To Award the Contract for Planning Services for the County’s Comprehensive Plan Update
- f) Resolution 25-R-36, To Award an Indefinite Delivery Contract for Colleton County Solid Waste Engineering Services
- g) Resolution 25-R-37, To Reschedule the July and August County Council Meeting
- h) Resolution 25-R-38, To Declare Surplus Equipment and to Authorize the Sale in Accordance with County Policy

- i) Resolution 25-R-39, To Approve Appointment to the Lowcountry Workforce Board
- j) Resolution 25-R-40, To Appoint Members to Board Vacancies
- 12. Items for Information and Public Record
- 13. Council Time
- 14. **Executive Session**
 - a) Matters Concerning Economic Development
 - 1. Project Fanatic
 - 2. Project Quail
 - 3. Project Craft
 - 4. Project Badger
 - 5. Project Bruin
 - 6. Project Montreal
 - 7. Project Star
- 15. Items discussed in Executive Session
- 16. Adjournment
- 17. Informal Meeting of the Whole

Colleton County Council will hold a regular meeting on Tuesday, June 3, 2025, 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.

The following statement is provided in compliance with the South Carolina Freedom of Information Act: Subsequent to Executive Session, County Council may take action on matters discussed in Executive Session upon return to open session

REGULAR MEETING MINUTES **Tuesday, May 6, 2025, at 6:00 P.M.**

Chairman Scott Biering called the meeting to order with Council Members Steve Murdaugh, Phillip Taylor, Bubba Trippe, and Johnny Frank in attendance.

Others Included: Meagan Utsey, Sean Thornton, Jon Carpenter, Barry McRoy, David Greene, Brantley Strickland, Donna Lamb, Thomas Higgs, Gary Rhode, Crawford Moore, Jr., Queenie Crawford, Central Williams, Cornelius Hamilton, Dolphus Pickney, Clareace Wiggins, Theodore Reed, Sheryl Gray, Felicia Johnson, David Lies, Beate Lies, Michael Lies, Raymond Allen, Michele Jones, Clint Ferrell, Jacqueline Jenkins, Lashawn Williams, Myrra Arthur, David Arthur

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

Approval of Minutes

Regular Meeting, April 1, 2025

Councilman Murdaugh moved to approve the minutes of the Regular Meeting held on April 1, 2025. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Special Meeting, April 12, 2025

Councilman Murdaugh moved to approve the minutes of the Special Meeting held on April 12, 2025. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Special Meeting, April 14, 2025

Councilman Murdaugh moved to approve the minutes of the Special Meeting held on April 14, 2025. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Budget Work Session, April 15, 2025

Councilman Murdaugh moved to approve the minutes of the Budget Work Session held on April 15, 2025. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Special Meeting, April 18, 2025

Councilman Murdaugh moved to approve the minutes of the Special Meeting held on April 18, 2025. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Awards and Recognitions

Proclamation- Veterans of Foreign Wars “Buddy”® Poppy

Chairman Biering read the Proclamation into the record; Councilman Taylor made a motion to approve the proclamation. The motion was seconded by Councilman Trippe and the motion carried unanimously.

Councilman Murdaugh ask about ways to donate, David Lies advised that there would be a Poppy Drive at Ace Hardware on the 24th of May.

Councilman Trippe also advised everyone of the Memorial Day Ceremony that will take place on the 26th of May at the Waterfall Plaza.

Appearances & Public Presentations

South Carolina State University 1890 Extension Services-Mr. Cornelius Hamilton

Mr. Cornelius Hamilton opened the presentation by thanking Council for allowing him to come and speak. Mr. Hamilton discussed some of the service they have been offering to the Lowcountry the following.

- *SC State University 1890 Research and Extension is the cornerstone of the historical land grant status of South Carolina State University.*
- *The Extension belongs to a national system of more than 100 land grant universities and colleges.*
- *The Extension is Public Service grounded with research based data and information.*
- *The SC State University 1890 Research and Extension main office is in Hampton, South Carolina.*
- *Along with Hampton, they also serve Colleton, Beaufort, Allendale and Jasper.*
- *Partnerships with local, state and national agencies and institutions*
- *Three ways for which they can reach their clients, and that is in person, virtually, or through a hybrid model, SC State University try to customize their services to fit their clients needs.*
- *SC State University Research and Extension innovates and educates to elevate the quality of life and raise the standard of living for all South Carolinians.*
- *Through outreach programs and services, SC State 1890 Extension addresses quality of life opportunities for underserved and socially disadvantages minority communities and entrepreneurs.*
- *At the core of it mission, SC State's 1890 agricultural research seeks to identify scientific solutions that would positively impact current and emerging food and agricultural issues at local, state, national and global levels.*
- *The SC State 1890 Agriculture Innovation Scholarship Program covers student, tuition, fees, books and room and board.*
- *The SC State 1890 Extension 4-H Youth Development Program is an educational youth program that helps young people discover and develop their potential, so they will grow into competent, contributing and caring citizens. Some of the programs are Citizenship/Civic Engagement, Healthy Lifestyles, Financial Management, S.T.R.E.A.M, and youth camps.*
- *The Community and Economic Development program is geared toward identifying technical assistance by way of training, coaching, mentoring, networking, and competitive*

grant awards for small business development, non-profit organizations development as well as adult and youth entrepreneurship.

- *SC State University 1890 Research and Extension encourages healthy, active and well-nourished youth, individuals and families by offering evidence-based programs and activities for a healthier South Carolina.*
- *The Education Innovation and Support spearheaded the development of the issue-based action teams that align with current and emerging education innovation and support related needs and opportunities and provide college and career readiness for youth.*
- *SC State 1890 Extension efforts are geared toward providing farmers with the educational tools they can use to take business approach to agriculture. Through the promotion of niche marketing, specialty crops, cooperatives and entrepreneurial opportunities, producers gain skills to advance farm management and increase profit.*
- *Highlights specific to Colleton County are Spring Break Camp(One Week Camp held at the Recreational Center), Residential Camps(Take ages 8-12 away from home from Sunday to Friday, they are taught how to cook, they do rock climbing, fishing and nature walks), 4-H National Conference(designed for professional development-took 4 students from CCHS), Homeschool Club(30 students in the club, award from Tractor Supply for the students to complete garden), Sustainable Agriculture Incentives (local farmers that have signed up for this program had an 100% increase on there income.), Business Expo (Helps local businesses and nonprofit, develop business models.), Cooking Demonstration Graduates (30 people graduated from the cooking demonstration course), 50 partnerships within Colleton County.*
- *How SC State University 1890 Research and Extension is impacting Colleton's economic drive; 80% of staff are residents of Colleton, starting salaries \$50,000, 2025 All Hands Meeting(statewide professional development that is kicked off at the beginning of the year with 100 professional), program supplies are purchased in Colleton, vehicle maintenance is completed in Colleton, local catering, as well as dry cleaning and rentals of vehicles are completed in Colleton.*
- *SC State University 1890 Research and Extension future plans are seeking more visibility, relocation of their office, increase full time staff, expand services, secure more resources, establish more partnership.*

Administrator's Briefing

Interim County Administrator Meagan Utsey introduced Emergency Management Director Dr. David Greene to review the upcoming changes on Public and Individual Assistance for the new hurricane season with Council. Dr. David Greene approached Council and shared the following;

- *Hurricane season starts on June 1st.*
- *Change in Public Assistance (PA-assistance to state and local government). Colleton can expect the threshold to increase (possibly by a factor of 4). If this occurs, Colleton would have to spend \$728,843.52 and the State of South Carolina would have to spend \$38,695,293.00 before Colleton would be eligible for Public Assistance from FEMA.*

- *For Individual Assistance (IA-assistance to citizens), those with insured losses will no longer be encouraged to apply for IA; it is unknown if FEMA will continue to cover uninsured loss or insurance deductible.*
- *Small Business Administration loans would likely remain the same as the previous years.*
- *FEMA IA Grants are very limited in both awards and amounts. For this fiscal year, the maximum amount for an IA grant is \$42,500.*
- *Statics shared; Hurricane Helene last year, South Carolina seen roughly 447,500 IA applications with FEMA. Out of those applicates only fifty-six(56) received the maximum award, that is roughly 0.01% of applicants.*
- *The average FEMA IA award is between \$1,000.00 and \$1,500.00, FEMA assistance is not designed to make individuals whole. Insurance remains still the homeowners best defense against a loss from hurricanes or any other hazard.*

Public Hearing

Councilman Biering advised there were no items for information and public hearing on the agenda.

Old Business

2nd Reading Ordinance 25-O-03, To Amend and Extend the Term of the Agreement for Development for Joint County Industrial Park (The “Park”) Between Colleton County and Hampton County, South Carolina; to Further Amend the Agreement for Development Property in Colleton County as part of The Park; and other Matters Related Thereto.

Councilman Murdaugh moved to approve 2nd Reading Ordinance 25-O-03, To Amend and Extend the Term of the Agreement for Development for Joint County Industrial Park (The “Park”) Between Colleton County and Hampton County, South Carolina; to Further Amend the Agreement for Development Property in Colleton County as part of The Park; and other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

2nd Reading Ordinance 25-O-04, Approving an Application for Preliminary Certification for Historic Rehabilitation; and Other Matters Related Thereto.

Councilman Frank moved to approve 2nd Reading Ordinance 25-O-04, Approving an Application for Preliminary Certification for Historic Rehabilitation; and Other Matters Related Thereto. The motion was seconded by Councilman Murdaugh. The motion carried unanimously.

Councilman Murdaugh advised that some revisions would need to be complete before 3rd reading of the Ordinance.

2nd Reading Ordinance 25-O-05, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2025 through June 30, 2026 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto

Councilman Frank moved to approve 2nd Reading Ordinance 25-O-05, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2025 through June 30, 2026 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. The motion was seconded by Councilman Murdaugh. The motion carried unanimously.

New Business

Resolution 25-R-26, To Authorize Acceptance and Budgeting of Various Grants FY-25-26

Councilman Murdaugh moved to approve, Resolution 25-R-26, To Authorize Acceptance and Budgeting of Various Grants FY-25-26. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Resolution 25-R-27, To Declare Surplus Equipment and to Authorize the Sale or Donate in Accordance with County Policy

Councilman Trippe moved to approve, Resolution 25-R-27, To Declare Surplus Equipment and to Authorize the Sale or Donate in Accordance with County Policy. The motion was seconded by Councilman Taylor. The motion carried unanimously.

Resolution 25-R-28, To Amend County Council Agenda Order of Business

Councilman Frank moved to approve, Resolution 25-R-28, To Amend County Council Agenda Order of Business. The motion was seconded by Councilman Murdaugh. The motion carried unanimously.

Resolution 25-R-29, To Recognize and Honor the late Miss Emma Mackenzie Lake by Naming the Intersection of Highway 15 and Pleasant Grove Road in Colleton County, South Carolina, “Emma Mackenzie Lake Intersection” and Having Erected Appropriate Markers or Signage at the Section of the Intersection Containing the Designation

Councilman Trippe moved to approve, Resolution 25-R-29, To Recognize and Honor the late Miss Emma Mackenzie Lake by Naming the Intersection of Highway 15 and Pleasant Grove Road in Colleton County, South Carolina, “Emma Mackenzie Lake Intersection” and Having Erected Appropriate Markers or Signage at the Section of the Intersection Containing the Designation. The motion was seconded by Councilman Murdaugh. The motion carried unanimously.

Resolution 25-R-30, To Endorse the 2025 Community Development Block Grant, Community Enrichment Application for the Colleton County – New Well/Well Upgrade Project and Funds for the 10% Local Match for the Grant from the City of Walterboro

Councilman Trippe moved to approve, Resolution 25-R-30, To Endorse the 2025 Community Development Block Grant, Community Enrichment Application for the Colleton County – New Well/Well Upgrade Project and Funds for the 10% Local Match for the Grant from the City of Walterboro. The motion was seconded by Councilman Frank. The motion carried unanimously.

Resolution 25-R-31, To Approve the Purchase of a Volvo Articulated Haul Truck for the Solid Waste C&D Landfill

Councilman Taylor moved to approve, Resolution 25-R-31, To Approve the Purchase of a Volvo Articulated Haul Truck for the Solid Waste C&D Landfill. The motion was seconded by Councilman Murdaugh. The motion carried unanimously.

Resolution 25-R-32, To Appoint Members to Board Vacancies

Councilman Taylor made a motion to approve the following by acclamation; the motion was seconded by Councilman Frank; Colleton County Resource and Development Board; John Givens III. The motion carried unanimously.

Items for Information and Public Record

Councilman Biering advised there were no items for information and public record on the agenda.

Public Comments (3 minutes per person/max time 20 min.)

Felicia Johnson stressed to Council for streetlights, speed limit signs and caution lights on River St. and she also asked about finding a solution to the water laying in the ditches in the neighborhood. She was thankful that the club on River St was shut down.

Chef Lashawn Johnson presented the culinary students Seniors Rocco Vera and Hayden Chaplin who participated in the Rice Festivals Annual Rice Cook-Off. The Seniors took home first place for their delicious red rice recipe, and earned a \$500 cash prize and trophy.

Jacqueline Jenkins spoke on drainage and flooding issues in the Del Ray Community.

Council Time

Councilman Murdaugh publicly congratulated Sen. Margie Bright Matthews for reaching a milestone this week, for ten years in the South Carolina Senate. Councilman Murdaugh also addressed how sorry he was that he was not able to make the Voter Registration Ceremony recognizing Mrs. Price and his dear friend Mrs. Lynette. Councilman Murdaugh also wanted to recognize Mrs. Meagan Utsey (Interim County Administrator), that being in the role as Interim



County Administrator is a very tough role, often criticized for all kinds of things, but he wanted to publicly let Mrs. Utsey know that she has done a great job and hopes that she will be around for many years to come. Councilman Murdaugh thanked Mrs. Utsey for serving in that capacity when the County needed her the most, and for all that she has done for the County. Council concurred with Councilman Murdaugh.

Councilman Biering, reiterated the importance of not drinking and driving.

Executive Session

Councilman Trippe made a motion to move into Executive Session to discuss the following: Contractual, Real Estate, and Economic Development-Update. Councilman Frank seconded the motion and the motion carried unanimously. Councilman Taylor recused himself during the discussion of the Contractual matter with TCL as he is an employee with TCL.

Councilman Trippe made a motion to exit Executive Session. Councilman Frank seconded the motion, and the motion carried unanimously.

Items discussed in Executive Session

Councilman Murdaugh made a motion to enter into an agreement with The Technical College of the Lowcountry. Councilman Frank seconded the motion. With Councilman Taylor abstaining from the vote the majority was favorable to enter into agreement, and the motion carried.

Adjournment

Councilman Trippe moved to adjourn the meeting. Councilman Frank seconded the motion, and the motion carried unanimously.

The full County Council meeting is available at the link below:

[Signature Page to Follow]



This 6th day of May 2025.

Scott Biering, Chairman

ATTEST:

Danielle Murdaugh, Clerk to Council



Proclaiming June 3, 2025 as “Sandy Steele Day” in Colleton County

WHEREAS, Sandy Steele dutifully and ably served her community as Colleton County Interim Economic Development Director from December of 2024 to May of 2025; and

WHEREAS, she assisted the county during a critical juncture, securing more than \$3 million in needed funding for the Colleton County Megasite option property acquisition; and

WHEREAS, she led Colleton County in the search, vetting and hiring of a new, permanent economic development director; and

WHEREAS, she advanced several active economic development projects to the announcement stage, including Cannady’s Solar, Heidelberg North America and Banks Construction; and

WHEREAS, led spearheaded a Colleton County delegation’s trip to the Southwest, convincing an industrial prospect (Project Fanatic) to continue considering the county for a major investment and employment opportunities of an unprecedented scope; and

WHEREAS, she has enjoyed a decorated career in economic development, serving the Lowcountry Council of Governments, Hampton and Jasper Counties and SouthernCarolina Alliance; and

WHEREAS, she is known as a mentor and advocate of young economic development professionals, with three of her former employees now serving as county directors throughout South Carolina; and

WHEREAS, she is a longstanding member of the S.C. Economic Developers Association, chairing the Legislative Committee and serving as SCEDA president for 2023-2024; and

WHEREAS, she is a proud mother to Chancey and Travis and the coolest “Ya Ya” there is to five grandchildren.

THEREFORE, County Council hereby proclaims June 3, 2025 as “Sandy Steele Day” in Colleton County.

Adopted this 3rd day of June, 2025.

ATTEST: _____
Danielle Murdaugh, Clerk to Council

BY: _____
Scott Biering, Chairman



Proclamation Recognizing June 2025 as Gun Violence Awareness Month

WHEREAS, gun violence remains a critical public safety issue that affects our communities, families, and individuals across Colleton County; and,

WHEREAS, the impact of gun violence extends beyond the immediate victims, creating a ripple effect that touches all aspects of society, including mental health, education, and economic stability; and,

WHEREAS, it is essential to raise awareness about the devastating consequences of gun violence and promote strategies that foster safer communities; and,

WHEREAS, June serves as an important time to reflect on the lives lost and irrevocably changed due to gun violence, and to honor the victims and their families; and,

WHEREAS, Colleton County Council is committed to supporting initiatives that promote gun violence prevention, including education, community engagement, and advocacy for responsible gun ownership; and,

WHEREAS, by uniting as a community, we can work together towards solutions that address the root causes of gun violence and create a safer environment for all residents.

NOW, THEREFORE, BE IT PROCLAIMED, that Colleton County Council does hereby proclaim the month of June as **GUN VIOLENCE PREVENTION MONTH** in Colleton County and encourages all citizens to participate in local events, educational programs, and discussions aimed at reducing gun violence and promoting a culture of peace and safety in our community

Adopted on June 3, 2025.

ATTEST: _____
Danielle Murdaugh, Council Clerk

BY: _____
Scott Biering, Chairman



**Proclamation
Elevate Fatherhood Month 2025**

WHEREAS, fathers represent the foundational element of resilient families, providing love, guidance, and support to their children; and

WHEREAS, the significant influence of fathers on their children’s development is profound, as they impart values, encourage personal growth, and nurture resilience; and

WHEREAS, the South Carolina Center for Fathers and Families, established in 2002, has emerged as a pivotal source of support, equipping tens of thousands of fathers throughout our state with essential resources and knowledge to fulfill their responsibilities in fatherhood; and

WHEREAS, the longstanding collaboration between the Center and the South Carolina Department of Social Services, alongside other state, local, and private entities, has facilitated the Center’s expansion into all forty-six counties and the enhancement of innovative programs designed to better serve a greater number of fathers; and

WHEREAS, the Center has successfully supported, developed, and broadened its Father365 statewide network of regional fatherhood organizations that directly impacts thousands of fathers and families every year; and

WHEREAS, when fathers take an active role in leading and engaging with their children, these young individuals thrive in social, emotional, and academic domains; and

WHEREAS, the Center continues to exemplify a model for fatherhood initiatives on a national level; and

WHEREAS, the month of June presents an opportunity for all citizens of our county to celebrate and honor the essence of fatherhood, acknowledging the unwavering efforts of fathers in shaping the future of our communities; and

NOW, THEREFORE, BE IT PROCLAIMED, by Colleton County Council, duly assembled, that we hereby declare the month of June 2025 as **ELEVATE FATHERHOOD MONTH** throughout the county and encourage all citizens in Colleton County, South Carolina, to express their gratitude for the fathers in their lives. This initiative aims to celebrate the significant contributions of fathers and to promote their active involvement in the lives of their children. Such involvement is essential for enhancing the well-being of young individuals, cultivating responsible citizens, and strengthening families and communities across our county.

Adopted the 3rd day of June 2025

ATTEST: _____

Danielle Murdaugh, Clerk to Council

BY: _____

Scott Biering, Chairman



Birthday Proclamation for Mr. Lee O. McKinnon, Sr.

WHEREAS, our community will celebrate the 100th birthday of Mr. Lee O McKinnon, Sr. on August 16, 2025; and

WHEREAS, Mr. Lee O. McKinnon was born in 1925 and raised in Valdosta, Georgia. Due to segregation in the South, Mr. McKinnon only received a grade school level education, but did develop the necessary reading and writing skills to qualify to serve in the Navy; and

WHEREAS, Mr. McKinnon joined the Navy on August 20, 1942, in Macon, Georgia. He completed basic training at the Naval Operating Base in Norfolk, Virginia. Due to the Navy’s limited number of ratings available for African American men at the time, Mr. McKinnon became a steward; and

WHEREAS, in 1946, Mr. McKinnon became an atomic veteran by participating in Operation Crossroad, atomic veterans were often sworn to secrecy about the test they were having to perform, making it difficult for them to discuss their experiences and seek help; and

WHEREAS, Mr. McKinnon was inducted into an elite group known as the “Order of the Blue Nose” for passing through the Domain of the Polar Bear in the Artic Circle. Also, in the US Navy a sailor who has crossed the equator, is awarded with a ceremony classifying them as a “shellback” Mr. McKinnon was awarded this honor; and

WHEREAS, Mr. McKinnon served on USS Calvert and USS Bottineau. In Pearl Harbor, he served aboard USS Artemis and USS Essex. HE also served at Naval Air Station in Guantanamo Bay, Cuba. Mr. McKinnon served with attack squadrons 5 and 61 on multiple deployments and ships, including USS Coral Sea, USS Midway and USS Franklin D Roosevelt, and

WHEREAS, in 1962, Mr. Kinnon transferred to the Navy Fleet Reserve at Charleston Naval Base in Charleston, South Carolina; and

WHEREAS, during his service, he received six Good Conduct Medals, an American Area Campaign Medal, a European-African-Middle Eastern Area Campaign Medal, a World War II Victory Medal, a National Defense Service Medal and a Navy Occupation Service Medal, and;

WHEREAS, on October 1, 1972, Mr. McKinnon left as a steward petty officer 3rd class and return to civilian life in Islandton, South Carolina, with his wife and four children; and

WHEREAS, today, Mr. McKinnon is active in his church and community and enjoys playing music. He also recently visited The National World War II Museum in New Orleans to place a “Road to Victory Brick.”it

WHEREAS, it is a great pleasure for the members of Colleton County Council to join with Mr. Lee O. McKinnon’s family and friends to recognize this momentous occasion and congratulate him on reaching this remarkable milestone.

NOW, THEREFORE, BE IT RESOLVED, that Colleton County Council, hereby congratulates Mr. Lee O. McKinnon on the grand occasion of his one hundredth birthday and wishes him a joyous birthday celebration.

BE IT FURTHER RESOLVED, that Colleton County does hereby extends congratulations to Mr. Lee O. McKinnon and encourages all citizens to join in the recognition and celebration of his 100th birthday.

Done, this 3th day of June 2025.

ATTEST: _____
Danielle Murdaugh, Council Clerk

BY: _____
Scott Biering, Chairman



Proclamation for Colleton County Council’s Recognition and Appreciation of Jimmy Hiott and his Service to Colleton County

WHEREAS, we are here to express our appreciation to Mr. Jimmy Hiott and to recognize his serve to Colleton County; and

WHEREAS, Mr. Hiott and his wife have made Walterboro, South Carolina home for the last 20 years with their daughter Emily; and

WHEREAS, Mr. Hiott holds a Bachelor’s Degree in Accounting from Newberry College and received his MBA in Healthcare Management from Western Governors University; and

WHEREAS, Mr. Hiott has served with distinction as the Chief Executive Officer of Colleton Medical Center, demonstrating unwavering commitment, visionary leadership, and a deep dedication to improving the health and well-being of our community for 25 years; and

WHEREAS, Mr. Hiott’s years of service brought a wide breath of experience and knowledge to his role at Colleton Medical as the CEO, including being instrumental in growing the acuity of services offered at Colleton including acquiring Walterboro OB/GYN and recruiting two new OB/GYNs and securing approval from Medicare for Colleton to be considered a Sole Community Provider; and

WHEREAS, Mr. Hiott has exemplified the highest standards of professionalism and compassion, fostering a culture of excellence and inclusivity throughout the hospital and inspiring colleagues at every level; and

WHEREAS, the legacy of Mr. Hiott will be felt for years to come, through improved healthcare services, innovative programs, and the enduring values instilled throughout Colleton Medical Center, we extend our heartfelt wishes for continued success in all future endeavors; and

NOW, THEREFORE, BE IT PROCLAIMED, in grateful recognition for a distinguished record of public service and outstanding leadership in Colleton County, Colleton County Council does hereby proclaim its appreciation for Mr. Jimmy Hiott’s service to Colleton County.

Adopted on June 3, 2025.

ATTEST: _____
Danielle Murdaugh, Council Clerk

BY: _____
Scott Biering, Chairman



Proclaiming the Week of July 26 – August 3, 2025 as Gullah/Geechee Nation Appreciation Week

WHEREAS, Colleton County is one of the Lowcountry counties in which Africans had been enslaved and created the Gullah/Geechee culture; and

WHEREAS, the Gullah/Geechee culture has had a powerful impact on the Lowcountry of South Carolina and;

WHEREAS, the preservation and celebration of the Gullah/Geechee culture has gained momentum due to the Gullah/Geechee Cultural Heritage Act, created by United States Representative James Clyburn, as well as the efforts of others such as Queen Quet, of the Gullah/Geechee Nation, and Kwame Sha, co-founders of the Gullah/Geechee Nation International Music & Movement Festival™; and

WHEREAS, Queen Quet has provided Gullah/Geechee educational presentations at the Colleton County Memorial Library for the past 24 years; and

WHEREAS, these presentations have taught about sustaining Gullah/Geechee land; and

WHEREAS, the Gullah/Geechee Sustainability Plan has been created to sustain the land and the Gullah/Geechee culture; and

WHEREAS, Queen Quet, who became the first Gullah/Geechee to speak before the United Nations on behalf of Gullah/Geechees, lead the creation of this plan; and

WHEREAS, it is appropriate to recognize the importance of bringing awareness and appreciation for this rich culture and history in order to increase understanding of all the contributions the Gullah/Geechee have given to our area; and

WHEREAS, the “Gullah/Geechee Nation International Music & Movement Festival™” moves to various parts of the Gullah/Geechee Nation and the African Diaspora each year to educate the world about and to celebrate the continuation of Gullah/Geechee traditions; and

WHEREAS, the “Gullah/Geechee Nation International Music & Movement Festival™” will be the culmination of “Gullah/Geechee Nation Appreciation Week;” and

WHEREAS, a series of activities will take place throughout Colleton County and virtually to honor the history and legacy of the Gullah/Geechee Nation and are part of the United Nations Decade of People of African Descent; and,

WHEREAS, Colleton County joins in celebrating the lives of Gullah/Geechees that have left such a rich legacy of our county, region, and nation by joining in with the theme this year, “**25 Years of Self-Determination: Celebrating the Roots and Legacy of the Gullah/Geechee Nation;**”

NOW, THEREFORE, BE IT RESOLVED that the **COLLETON COUNTY COUNCIL**, does hereby proudly proclaim the week of July 26 - August 3, 2025, as **GULLAH/GEECHEE NATION APPRECIATION WEEK** in Colleton County and encourages all citizens to actively participate in educational activities aimed at increasing both knowledge and appreciation of this rich culture.

Adopted this 3rd day of June 2025.

ATTEST: _____
Danielle Murdaugh, Clerk to Council

BY: _____
Scott Biering, Chairman

Sponsor(s) : County Council
First Reading : April 1, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : May 6, 2025
Public Hearing : June 3, 2025
Third Reading : June 3, 2025
Effective Date : Immediately

I, Danielle Murdaigh Council Clerk,
certify that this Ordinance was
advertised for Public Hearing on
May 15, 2025.

ORDINANCE NO. 25-O-03

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO AMEND AND EXTEND THE TERM OF THE AGREEMENT FOR DEVELOPMENT FOR JOINT COUNTY INDUSTRIAL PARK (THE “PARK”) BETWEEN COLLETON COUNTY AND HAMPTON COUNTY, SOUTH CAROLINA; TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT FOR JOINT COUNTY INDUSTRIAL PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN COLLETON COUNTY AS PART OF THE PARK; AND OTHER MATTERS RELATED THERETO.]

WHEREAS, Colleton County, South Carolina (“Colleton County”) and Hampton County, South Carolina (“Hampton County”) (collectively, the “Counties” and together with any additional counties that become parties to the Agreement described below, the “Member Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), propose to amend and extend the term of the Agreement for Development for Joint County Industrial Park, dated _____ (the “Original Agreement”) between the Counties with respect to a Joint County Industrial and Business Park (the “Park) between the Counties; and

WHEREAS, Article VIII, Section 13(B) of the South Carolina Constitution provides that nothing in the State Constitution may be construed to prohibit any of the counties in South Carolina from agreeing to share the lawful cost, responsibility, and administration of functions with one or more governments, whether within or without the State of South Carolina; and

WHEREAS, Colleton County previously authorized the establishment of the Park pursuant to Ordinance No. 07-O-29 enacted by the County Council of Colleton County on November 4, 2007, and Hampton County previously authorized the establishment of the Park pursuant to Ordinance No. _____ enacted by the County Council of Hampton County on _____, 2007; and

WHEREAS, the Original Agreement specified a term of thirty (30) years for the Agreement; and

WHEREAS, since the creation of the Park, the Counties have provided specific economic development incentives to various industries in return for the agreement of such industries to provide economic development and job creation in the Counties by expanding the

boundaries of the Park to include the sites of such industries; descriptions of such properties are set forth in Exhibits B-1 and B-2 hereto; and

WHEREAS, because the South Carolina General Assembly has extended the statutory term of a fee-in-lieu of tax incentive for companies meeting certain statutory requirements for a period of time up to fifty (50) years, the Counties desire to extend the term of the Original Agreement to fifty (50) years from the date of the extension, with a provision that would automatically extend the term further in the event that a property to be placed in the Park would be qualified to receive fee-in-lieu of tax incentives beyond the then-current remaining term of the Original Agreement as so extended, and the Counties desire to amend the Original Agreement to evidence such extension of the term; and

WHEREAS, the Counties have further determined that certain modifications of the Original Agreement are desirable in order to streamline the administration and operation of the Park by the Counties, and the Counties desire to amend the Original Agreement to evidence such modifications; and

WHEREAS, in order to promote the economic development of Colleton County and Hampton County, the Counties have agreed to include in the Park properties located in Colleton County as more particularly described in Exhibit C hereto; and

WHEREAS, the Counties have agreed to the specific terms and conditions of the arrangement to be set forth in the Amended Multi-County Park Agreement (the “Amended MCP Agreement”), the form of which is attached hereto as Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE COLLETON COUNTY COUNCIL AS FOLLOWS:

Section 1. Extension of Term of Multi-County Park; Approval of Amended MCP Agreement; Location of Park; Change of Park Boundaries.

(a) The term of the Original Agreement, set forth in Section 12 of the Original Agreement, is hereby authorized to be extended to a term of fifty (50) years from the date of execution of the Amended MCP Agreement, with a further provision that would automatically extend the term further in the event that a property to be placed in the Park during the term of the Park as so amended would be qualified to receive fee-in-lieu of tax incentives beyond the then-current remaining term of the Amended MCP Agreement, is hereby authorized.

(b) The Amended MCP Agreement is to be in substantially the form now before this meeting as Exhibit A and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Colleton County thereunder and as shall be approved by the officials of Colleton County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Amended MCP Agreement now before this meeting. The Chairman of County Council, for and on behalf of Colleton County, is hereby authorized, empowered, and directed to do any and all things necessary or proper to effect the execution and delivery of the Amended MCP Agreement

and the performance of all obligations of Colleton County under and pursuant to the Amended MCP Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

(c) As of the date of enactment of this Ordinance, the Park shall consist of the property located in Colleton County more particularly described in Exhibit B and Exhibit C to the Amended MCIP Agreement. It is recognized that the Park will from time to time consist of non-contiguous properties within each or any Member County. The boundaries of the Park may be enlarged or diminished from time to time as authorized by (a) an ordinance of the Member County in which the property to be added or removed from the Park is physically located, and (b) a resolution (or comparable action) of the governing bodies of the other applicable Members.

Section 2. Payment of Fee-in-lieu of Taxes. (a) In accordance with Article VIII, Section 13(D) of the South Carolina Constitution, the area comprising the Park and all property having a situs therein is exempt from all *ad valorem* taxation. All owners and lessees of property situated in the Park will pay a fee in lieu of *ad valorem* taxes as provided for in the Amended MCP Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the county treasurer of the county in which such property is physically located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the Amended MCP Agreement to the other Member County shall be paid to the respective county treasurer (or other designated official) of the other Member County in accordance with the terms of the Amended MCP Agreement. Payments of fees in lieu of *ad valorem* taxes will be due on the due date for *ad valorem* property taxes for a particular year. Penalties for late payment will be at the same rate as for late tax payments. Any late payment beyond the due date will accrue interest at the rate of statutory judgment interest in South Carolina. The Member Counties, acting by and through the appropriate official, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes.

(b) Nothing herein shall be construed to prohibit any Member County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4, Chapter 29 or Chapter 12, or Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision of South Carolina law.

Section 3. Sharing of Expenses and Revenues. Sharing of expenses and revenues of the Park by the Member Counties shall be as set forth in the Amended MCP Agreement.

Section 4. Distribution of Revenues to Taxing Entities. Revenues from the Park shall be distributed to and within the Member Counties as set forth in the Amended MCP Agreement.

Section 5. Allocation of Revenues Within Colleton County. After making provision for the appropriations provided in paragraph (a) above, all net park revenues generated by the Park shall be distributed to the applicable overlapping taxing entities in accordance with the provisions of Section 6(A) or (B) of the Amended MCP Agreement, as applicable.

Section 6. Governing Laws and Regulations. In order to avoid any conflict of laws or ordinances among the Member Counties, the ordinances or other local laws of each Member County will be the reference for such regulations or laws in connection with Park premises

located within such Member County. Nothing herein shall be taken to supersede any applicable municipal, state, or federal law or regulation. The Member County in which a parcel of Park premises is located is specifically authorized to adopt restrictive covenants and land use requirements in accordance with law for each such parcel at that Member County's sole discretion. The ordinances of a Member County shall in no way apply to Park property not located in such Member County.

Section 7. Savings Clause. If any portion of this Ordinance shall be held void or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 8. General Repealer. Any prior ordinance or resolution of Charleston County Council, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 9. Effectiveness. This Ordinance shall be effective upon approval following third and final reading.

COLLETON COUNTY, SOUTH CAROLINA

By: _____
Scott Biering Chairman of County Council
Colleton County, South Carolina

ATTEST:

Daniele Murdaugh Clerk to County Council
Colleton County, South Carolina

First reading: April 1, 2025
Second reading: May 6, 2025
Public hearing: June 3, 2025
Third reading: June 3, 2025

EXHIBIT B-1

PROPERTY DESCRIPTION
COLLETON COUNTY PROPERTY CURRENTLY IN PARK

PROPERTY DESCRIPTION FOR EACH PROPERTY CURRENTLY INCLUDED IN THE
PARK.

Parcels Currently in Park Further Property Description

EXHIBIT B-2

PROPERTY DESCRIPTION
HAMPTON COUNTY PROPERTY CURRENTLY IN PARK

PROPERTY DESCRIPTION FOR EACH PROPERTY CURRENTLY INCLUDED IN THE
PARK

Parcels Currently in Park Further Property Description

EXHIBIT C

**PROPERTY DESCRIPTION
COLLETON COUNTY ADDITIONAL PROPERTY**

PROPERTY DESCRIPTION FOR EACH PROPERTY TO BE INCLUDED IN THE PARK AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

<u>Parcels to be Added</u>	<u>Property Description</u>	<u>Initial Tax Year</u>
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SCHEDULE 1

PROPERTY DESCRIPTION

**AMENDED AND RESTATED AGREEMENT FOR THE
DEVELOPMENT FOR JOINT COUNTY
INDUSTRIAL PARK**

THIS AMENDED AND RESTATED AGREEMENT FOR THE DEVELOPMENT FOR JOINT COUNTY INDUSTRIAL PARK is made and entered into and to be effective as of [_____, 2025] (this “Agreement”), by and between Colleton County, South Carolina (“Colleton County”) and Hampton County, South Carolina (“Hampton County;” Colleton County and Hampton County are collectively referred to herein as the “Counties”) (the Counties and any other counties, political subdivisions, or other governmental entities that become parties hereto are collectively referred to herein as the “Members”).

RECITALS

WHEREAS, in order to promote economic development and thus provide additional employment opportunities within each of the Counties, the County Councils of Colleton County and Hampton County previously established the Joint County Industrial Park (the “Original Park”) pursuant to Ordinance No. 07-O-29 enacted by the County Council of Colleton County on November 4, 2007, and Ordinance No. _____ enacted by the County Council of Hampton County on _____, 2007, and the Agreement for Development for Joint County Industrial Park dated _____, 2007 (the “Original Agreement”); and

WHEREAS, as a consequence of the establishment of the Original Park, the area comprising the Original Park and all property having a situs therein will be exempt from all *ad valorem* taxation, but the owners, any lessees, or any other taxpayers of such property shall pay annual fees in an amount equal to that amount for which such owner, lessee, or other taxpayer would be liable except for such exception; and

WHEREAS, the Original Agreement specified a term of thirty (30) years for the Original Agreement; and

WHEREAS, since the creation of the Park, the Counties have provided specific economic development incentives to various industries in return for the agreement of such industries to provide economic development and job creation in the Counties by expanding the boundaries of the Park to include the sites of such industries; descriptions of such properties are set forth in Exhibit A and Exhibit B hereto; and

WHEREAS, Colleton County and Hampton County have agreed to accept responsibility for the costs of infrastructure, maintenance, promotional costs, and other appropriate costs associated with the establishment and operation of the Park; and

WHEREAS, because the South Carolina General Assembly has extended the statutory term of a fee-in-lieu of tax incentive for companies meeting certain statutory requirements for a period of time up to fifty (50) years, the Counties desire to extend the term of the Original Agreement to fifty (50) years from the date hereof, with a provision that would automatically

extend the term further in the event that a property to be placed in the Park would be qualified to receive fee-in-lieu of tax incentives beyond the then-current remaining term of the Original Agreement as so extended, and the Counties desire to amend the Original Agreement to evidence such extension of the term; and

WHEREAS, the Counties have further determined that certain modifications of the Original Agreement are desirable in order to streamline the administration and operation of the Park by the Counties, and the Counties desire to amend the Original Agreement to evidence such modifications; and

WHEREAS, the Counties desire to administer the Park pursuant to this Agreement;

NOW, THEREFORE, in consideration of the mutual agreement, representations, and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Binding Agreement. This Agreement serves as a written instrument setting forth the entire agreement among the Members with respect to the subject matter hereof and shall be binding on the Members, their successors and assigns.

2. Authorization. (A) Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties which are contiguous to each other may jointly develop a multi-county industrial or business park within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a means by which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability for school districts. The Code of Laws of South Carolina 1976, as amended (the "Code"), and particularly Section 4-1-170 thereof, satisfies the conditions imposed by Article VIII, Section 13(D) of the Constitution of South Carolina and provides the statutory vehicle whereby a multi-county industrial or business park may be created.

(B) Article VIII, Section 13 of the South Carolina Constitution provides that nothing in the State Constitution may be construed to prohibit any of the counties, incorporated municipalities, or other political subdivisions in South Carolina from agreeing to share the lawful cost, responsibility, and administration of functions with one or more governments, whether within or outside the State of South Carolina.

3. Location of the Park.

(A) (i) As of the date of this Agreement, the Park consists of real property located in [Hampton County and] Colleton County. [The Park Property located within Hampton County is hereinafter described in Exhibit A attached hereto and the Park property located within Colleton County is hereinafter described in Exhibit B attached hereto. In the event that the Park is enlarged pursuant to the terms hereof to include additional property located in Hampton County, such property shall be identified and included in Exhibit A and attached hereto. In the event that the Park is enlarged pursuant to the terms hereof to include additional property located

in Colleton County, such property shall be identified and included in Exhibit B and attached hereto. The boundaries of the Park may be enlarged or diminished from time to time as provided in this Section 3.

(ii) The Park may at any time and from time to time consist of non-contiguous properties. Except as otherwise authorized by paragraph (D) of this Section 3, the Park may be enlarged or diminished from time to time upon completion of all of the following authorizations approving such action: (a) an ordinance of the County in which the property to be added or removed from the Park is actually located (such County is herein referred to as the “Host County”), (b) a resolution of the governing body of each of the other county or counties (such county or counties are herein referred to as the “Partner County” or “Partner Counties”), and (c) a resolution of the applicable municipality, if any (as provided in subparagraph (A)(iii) of this Section 3).

(iii) To the extent required by Section 4-1-170 of the Code, if property proposed for addition to the Park is located within the corporate limits of a municipality, then before adding such property to the Park, the Host County shall obtain such municipality's consent, by resolution of its municipal council, to the addition of such property to the Park.

(B) In the event of any enlargement or diminution of the Park, this Agreement shall be deemed amended, and the Host County shall cause to be attached to this Agreement (i) an appropriate revision of the applicable Exhibit hereto which, when read cumulatively with previous revisions, shall contain a legal description of all real property located in the Park, as enlarged or diminished, (ii) a copy of the ordinance of the Host County adding or removing the property from the Park, and (iii) copies of the resolutions of the governing bodies of the Partner County and, if applicable, the municipality or municipalities as provided in subparagraph (A)(iii) of this Section 3.

(C) So long as fee-in-lieu of tax revenues derived from the Park are pledged as security for special source revenue bonds issued by either County, that County agrees that it will not wilfully modify or terminate this Agreement unless there shall first be provided such certifications, if any, as may be required by such special source revenue bonds.

(D) (i) Prior to the enactment of an ordinance authorizing the removal of property from the Park, a public hearing shall first be held by the Host County. Notice of the public hearing shall be published in a newspaper of general circulation in the Host County not less than fifteen (15) days before the public hearing. At least fifteen (15) days before the public hearing, the Host County shall mail written notice of the public hearing to the owner or lessee (in the event the Host County is the owner pursuant to a negotiated fee-in-lieu-of-tax agreement under Title 4, Chapter 29 or Chapter 12 of the Code) or other taxpayer of or with respect to property that is proposed to be removed from the Park, by United States first class registered or certified mail, postage prepaid, return receipt requested, or via facsimile transmission or reputable courier service at the address shown on the Host County’s property tax records.

(ii) No action of any municipality is required for the removal of property from the Park.

(iii) Except as provided in Subsection (D)(iv) of this Section 3, for a period of five (5) years commencing with the later of the effective date of this Agreement, as amended and restated, or the effective date of the expansion of the boundaries of the Park to include such parcel, the boundaries of the Park shall not be diminished so as to exclude therefrom any parcel of real property without the consent of the owner thereof and the Counties and, if applicable, the lessee of such parcel; and this sentence of this Agreement may not be modified or deleted herefrom for a period of five (5) years commencing with the effective date hereof, except as provided in subsection (iv) below.

(iv) Notwithstanding paragraph (D)(iii) of this Section 3, but subject to Section (C) of this Section 3, a parcel previously included within the boundaries of the Park may be removed from the Park at any time if any of the following circumstances occurs:

(1) If the owner of the parcel requests in writing that the parcel be removed from the Park, then the County Administrator (or other chief administrative officer) of the Host County in which such parcel is located shall attach an appropriate revision of Exhibit A or Exhibit B removing such parcel from the Park and provide a copy of such revised Exhibit A or Exhibit B to the County Administrator (or other chief administrative officer) of the Partner County or Counties; or

(2) If the County Council of the Host County determines, after reasonable inquiry, that any condition which was represented as existing, or to exist in the future, at the time of agreement by the Host County to include such property within the boundaries of the Park, has not been reasonably met (such as, without limitation, relocation of the owner or tenant[s] which was anticipated to benefit from inclusion within the boundaries of the Park at the time of initial inclusion), then the boundaries of the Park may be diminished in accordance with the provisions of Subsection (B) above; or

(3) If the County Council of the Host County determines that the owner or tenant of the parcel to be removed from the Park has failed to provide to the Host County information which the Host County reasonably requires in order to determine (a) whether the owner or tenant(s) of the parcel complies with any condition which was represented as existing, or to exist in the future, at the time of agreement by the Host County to include such property within the boundaries of the Park; or (b) whether such owner or tenant(s) continues to benefit from such inclusion, then the boundaries of the Park may be diminished in accordance with the provisions of Subsection (B) above.

4. Fee in Lieu of Taxes. Property located in the Park shall be exempt from *ad valorem* taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount equivalent to the *ad valorem* property taxes or other fee-in-lieu-of-payments that would have been due and payable but for the location of such property within the Park. Such payments are herein referred to as the "Park Revenues."

5. Allocation of Park Expenses. Each County shall bear, or cause to be borne, 100% of the expenses, including, but not limited to, development, operation, maintenance, and promotion of that portion of the Park located within the boundaries of such County and the cost of providing customary public services for that portion of the Park located within the boundaries

of such County. Notwithstanding the foregoing, nothing herein shall be construed to prevent the applicable County from requiring the owner of privately owned property within the Park to bear any such expenses.

6. Allocation of Park Revenues.

(A) Hampton County and Colleton County shall receive an allocation of all Park Revenues, including revenues attributable to the business personal property with a situs in the Park in the following proportions:

- | | | |
|------|--|-----|
| (i) | Host County (where Park property is located) | 99% |
| (ii) | Partner County | 1% |

(B) Any payment from a Host County to the Partner County of such other County's allocable share of Park Revenues: (i) shall be made no later than ninety (90) days following the end of the calendar quarter in which the Host County receives such Park Revenues; and (ii) shall be accompanied by a statement showing the manner in which total payment and each Host County's share were calculated. If any Park Revenues are received by a Host County through payment by any owner, lessee, or other taxpayer made under protest, or otherwise as part of a dispute, then such Host County is not obligated to pay the other County more than such County's share of the undisputed portion of the Park Revenues until thirty (30) days after the final resolution of the protest or dispute.

7. Revenue Allocation Within Each of the Counties. (A) Park Revenues shall be paid to the applicable County as provided in Section 6 hereof. Such Park Revenues shall be distributed within the applicable County to the political subdivisions in such County in accordance with the applicable governing ordinance of such County in effect from time to time.

(B) Any distribution of Park Revenues must be in accordance with applicable law, including as of the date of original execution and delivery of this Agreement, Section 4-1-170 of the Code, Article VIII, Section 13(D) of the Constitution of South Carolina, and *Horry County School District v. Horry County*, 346 S.C. 621, 552 S.E.2d 737 (2001). To the extent that a school district receives Park Revenues, then the Park Revenues received by such school district shall be divided on a pro-rata basis between operational and debt service expenditures in accordance with the amount of operating and debt service millage levied by such school district or collected on behalf of such school district.

8. Negotiated Fee in Lieu of Ad Valorem Tax Arrangements. It is hereby agreed that each Member County is entitled to have heretofore entered or to hereafter enter into any one or more negotiated fee-in-lieu-of-tax agreements ("Negotiated FILOT Incentive") pursuant to Title 4, Chapter 29 or Chapter 12 of the Code, or Title 12, Chapter 44 of the Code, or any successor or comparable statutes, with respect to property located in the Park and within the boundaries of such Member County with the terms of these Negotiated FILOT Incentives being at such Member County's sole discretion. Property subject to a Negotiated FILOT Incentive is referred

to herein as “Negotiated FILOT Property.” Property that is not subject to a Negotiated FILOT Incentive is referred to herein as “Non-Negotiated FILOT Property.”

9. Assessed Valuation. For the purpose of calculating bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability of school districts of Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to each Member County shall be identical to the percentage established for the allocation of Park Revenues to each Member County pursuant to Section 7 herein.

10. Governing Laws and Regulations. In order to avoid any conflict of laws or ordinances among the Member Counties, the ordinances or other local laws of each Member County will be the reference for such regulations or laws in connection with Park premises located within such Member County. Nothing herein shall be taken to supersede any applicable municipal, state, or federal law or regulation.

11. South Carolina Law Controlling. This Agreement shall be governed by, and construed in accordance with, South Carolina law.

12. Severability. In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision of this Agreement.

13. Counterpart Execution. This Agreement may be executed in multiple counterparts.

14. Additional Members. This Agreement may be amended from time to time to add as Members hereto additional municipalities, other political subdivisions, or governmental entities located within either Member County, subject to any limitation contained in Article VIII, Section 13 of the Constitution of South Carolina or Title 4, Chapter 1 of the Code, by ordinances or comparable action of the governing body of each then current Member.

15. Amendments. This Agreement may not be amended, changed, modified, or altered except:

(A) to add property to or remove property from the Park solely in compliance with Section 3 hereof; or

(B) otherwise, with the written consent of all then current Members; provided, however, that so long as fee-in-lieu of tax revenues derived from the Park are pledged as security for special source revenue bonds issued by either County, that County agrees that it will not wilfully modify or terminate this Agreement unless there shall first be provided such certifications, if any, as may be required by such special source revenue bonds.

16. Term of Agreement; Withdrawal of Members.

(A) The term of this Agreement shall end on the date that is fifty (50) years from the effective date hereof; provided, however, that the term hereof shall automatically be extended in

the event that a property which has been placed in the Park qualifies to receive fee-in-lieu of tax incentives beyond the then-current remaining term of this Agreement, in which event, the term hereof shall coincide with the term of the applicable fee-in-lieu of tax incentive.

(B) The term of this Agreement may be extended by prior written agreement of two or more Counties which are at such time Members hereunder.

(C) Notwithstanding any provision of this Agreement to the contrary, Colleton County and Hampton County agree that neither Colleton County nor Hampton County may terminate this Agreement, unilaterally, for a period of fifty (50) years commencing with the effective date hereof.

(D) In the event that the Park is enlarged to include additional property in accordance with Section 3 hereof, the ordinance of the Host County and the resolutions of the other Member County and applicable municipalities that approve such enlargement of the Park may include additional limitations on the termination of this Agreement with respect to such additional property.

(E) Except as otherwise provided in Section 3 or this Section 17 of this Agreement, this Agreement may only be terminated prior to the stated termination date hereof by ordinances (or comparable action) of the governing bodies of each of the Member Counties and other Members.

(F) Any Member may terminate all of its rights hereunder and withdraw from this Agreement by providing to each other Member (i) written notice of its intention to withdraw from this Agreement at least 45 days prior to the effective date of such withdrawal and (ii) a certified copy of the ordinance (or comparable action) of its governing body terminating all of such Member's rights hereunder. The withdrawing Member agrees to pay all costs and expenses incurred by the other Members in connection with its withdrawal from this Agreement.

IN WITNESS WHEREOF, the initial parties hereto have executed this Agreement the day and the year first above written.

HAMPTON COUNTY, SOUTH CAROLINA

By: _____
Chairman of County Council
Hampton County, South Carolina

[SEAL]

Attest:

By: _____
Clerk to County Council
Hampton County, South Carolina

COLLETON COUNTY, SOUTH CAROLINA

By: _____
Chairman of County Council
Colleton County, South Carolina

[SEAL]

Attest:

By: _____
Clerk to County Council
Colleton County, South Carolina

Sponsor(s) : County Council
 First Reading : April 1, 2025
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : May 6, 2025
 Public Hearing : June 3, 2025
 Third Reading : June 3, 2025
 Effective Date : Immediately

I, Danielle Murdaugh,
 Council Clerk, certify that this
 Ordinance was advertised
 for Public Hearing on
 May 15, 2025.

ORDINANCE NO. 25-O-04

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE APPROVING AN APPLICATION FOR PRELIMINARY CERTIFICATION FOR HISTORIC REHABILITATION; AND OTHER MATTERS RELATED THERETO.]

WHEREAS, Colleton County, South Carolina (the “*County*”) was created as a body politic under the laws of the State of South Carolina; and

WHEREAS, the County is authorized pursuant to Section 4-9-195 of the Code of Laws of South Carolina 1976, as amended (the “*Bailey Bill*”), to grant special property tax assessments to real property that qualifies as a “rehabilitated historic property;” and

WHEREAS, pursuant to Ordinance No. 18-O-06 dated June 26, 2018, which is codified at Article XI, Chapter 2 of the County’s code of ordinances, the County enacted the Bailey Bill. Terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Bailey Bill Ordinance; and

WHEREAS, consistent with Section 2-268 of the Bailey Bill Ordinance, Scott Lockwood (the “*Petitioner*”) has submitted an Application for the property located at 227 N. Memorial Ave. (the “*Property*”) and the Application was received and has been recommended for approval by the Walterboro HPC.

NOW, THEREFORE, BEING DULY ASSEMBLED, BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, AS FOLLOWS:

Section 1. All findings of fact above are ratified, confirmed and approved.

Section 2. (a) Consistent with Section 2-268(d) of the Bailey Bill Ordinance, it is hereby determined and declared that:

- (i) The Property constitutes an Eligible Property;
- (ii) The Minimum Expenditures are expected to be met; and

- (iii) The fair market value of the Property for purposes of calculating the Special Assessment and Expense Percentage is \$450,000.
- (b) The Petitioner and the Property must continue to comply with the terms of the Bailey Bill Ordinance, including those provisions which govern monitoring, substantive changes and Final Certification.

Section 3. On the basis of the foregoing, the Property is granted Preliminary Certification and shall be entitled to receive the initial Special Assessment dictated under the Bailey Bill Ordinance.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held or determined to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Nothing in this Ordinance hereby enacted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict or inconsistency. This Ordinance shall take effect immediately upon its enactment.

DONE AND ORDAINED IN COUNCIL ASSEMBLED, this 3rd day of June, 2025.

ATTEST:

SIGNED:

Danielle Murdaugh, Clerk to Council

Scott Biering, Chairman

COUNCIL VOTE:

OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s) : County Council
First Reading : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : July 8, 2025
Public Hearing : August 12, 2025
Third Reading : August 12, 2025
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on ____, 2025.

ORDINANCE NO. 25-O-06

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Amend Title 10 - Vehicles and Traffic, Chapter 10.04 Truck and Bus Restrictions, of the Colleton County Code of Laws to Prohibit No Through Traffic on Approved Colleton County Roads.]

WHEREAS, South Carolina Code 56-5-4210 allows restrictions on loads and weights and speed limits for certain roads and highways under the jurisdiction of local authorities when necessary to provide for the public safety and convenience on certain roads and highways; and

WHEREAS, Colleton County Council seeks to regulate through truck traffic on certain roads within Colleton County, upon approval of the South Carolina Department of Transportation, allowing for public safety and convenient travel along such roadways; and

THROUGH TRUCK ROUTES

WHEREAS, the following, words, terms and phrases, shall have the meanings ascribed to them, except where the context clearly indicated a different meaning; and

- a) *Person* means any individual, or agent, servant, employee, or owner of a corporation or other business entity, driving or operating a truck as defined in this section, within the County of Colleton.
- b) *Truck* means any commercially regulated vehicle as defined herein which is designed, used, or maintained for the transportation of material or property. It does not include non-commercially regulated vehicles.
 - i. The term "non-commercially regulated vehicles" (light trucks) means personal pickup trucks and passenger vans, as well as church, school, and public buses.
 - ii. The term "commercially regulated vehicles" (medium and heavy trucks) means any vehicle having more than two axles or six wheels.

WHEREAS, *No Through Truck Route* means certain streets as designated by appropriate signage by the Director of Public Works with approval of the South Carolina Department of Transportation for No Through Truck traffic; and

OBSERVANCE OF TRUCK ROUTES REQUIRED, EXCEPTIONS

WHEREAS, No person shall operate a truck in the commercially regulated vehicle classification over and along a No Through Truck Route established pursuant to this article unless otherwise provided herein; and

The following route shall be designated as a no through truck route:

1. S-15-216 (Dandridge Road)

WHEREAS, Future additions or modifications to the no through truck routes may be established by Resolution approved by County Council; and

WHEREAS, This article does not prohibit: (1) Operation of regulated vehicles that are making pickups, deliveries, or which have other specific business such as being enroute to repairs provided that the driver can show proof of said business through documentation; (2) Authorized emergency vehicles or other vehicles operated by units of federal, state, or local government; or (3) Detoured trucks, on an officially established detour, if such trucks could lawfully be operated upon the street for which the detour is established; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF COLLETON COUNTY, SOUTH CAROLINA,

1. **Title 10 – Vehicles and Traffic, Chapter 10.04 Truck and Bus Restrictions, of the Colleton County Code of Laws, is hereby amended to add the following section:**

Section 10.04.050

- a) All though truck traffic is prohibited on the following road in Colleton County:

1. Dandridge Road, Walterboro, SC

- b) For the purpose of this section, the following definitions shall apply:

1. Truck means any commercially regulated vehicle as defined herein which is designed, used, or maintained for the transportation of material or property. It does not include non-commercially regulated vehicles.
 - a. The term "non-commercially regulated vehicles" (light trucks) means personal pickup trucks and passenger vans, as well as church, school, and public buses.
 - b. The term "commercially regulated vehicles" (medium and heavy trucks) means any vehicle having more than two axles or six wheels.
2. *Through truck traffic* means truck traffic moving from the beginning point of the road to the ending point of the road without stopping.

- c) This article does not prohibit:

1. Operation of regulated vehicles that are making pickups, deliveries, or which have other specific business such as being enroute to repairs provided that the driver can show proof of said business through documentation.

2. Authorized emergency vehicles or other vehicles operated by units of federal, state, or local government; or

3. Detoured trucks, on an officially established detour, if such trucks could lawfully be operated upon the street for which the detour is established

2. BE IT FURTHER ORDAINED that the No Through Truck routes shall be clearly posted with appropriate signs along designated streets to control Through Truck operations in accordance with the provisions of this article. Signs shall be approved by the South Carolina Department of Transportation. The signs may use the term "thru" in lieu of "through."

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. CONFLICT

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

This Ordinance shall take effect upon third reading by County Council, on the 12th day of August 2025.

[Signature Page to Follow]

Attest:

Signed:

Danielle Murdaugh, Clerk to Council

Scott Biering, Chairman

Approved as to Form
Sean P. Thornton, County Attorney

Council Vote:
Opposed:

First reading: June 3, 2025
Second reading:
Public hearing:
Third reading:

Sponsor(s) : County Council
First Reading : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : July 8, 2025
Public Hearing : August 12, 2025
Third Reading : August 12, 2025
Effective Date : Immediately

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

_____.

ORDINANCE NO. 25-O-07

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AND IDENTIFIED FOR THE TIME BEING AS “PROJECT STAR,” WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.]

WHEREAS, COLLETON COUNTY, SOUTH CAROLINA (the “*County*”), acting by and through its County Council (the “*County Council*”), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the “*FILOT Act*”), Title 4, Chapter 1 (the “*Multi-County Park Act*”), and Title 4, Chapter 29, of the Code of Laws of South Carolina 1976, as amended, to enter into agreements with industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified projects; to provide infrastructure credits against payment in lieu of taxes for reimbursement in respect of investment in certain infrastructure enhancing the economic development of the County; through all such powers the industrial development of the State of South Carolina (the “*State*”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, pursuant to the FILOT Act, and in order to induce investment in the County, the County did previously adopt a resolution on June 3, 2025 related to anticipated investment by _____, a South Carolina corporation (the “*Company*”) (which was known to the County at the time as “*Project Star*”), with respect to the acquisition, construction, and installation of land, buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal property to constitute a new industrial facility in the County (collectively, the “*Project*”); and

WHEREAS, the Company has represented that the Project will involve an investment of approximately \$10,000,000 in the County and the expected creation of approximately 20 new, full-time jobs at the Project, all within the Investment Period (as such term is defined in the hereinafter defined Fee Agreement; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a “project” and “economic development property” as such terms are

defined in the FILOT Act, and that the Project would serve the purposes of the FILOT Act; and

WHEREAS, pursuant to the authority of Section 4-1-170 of the Multi-County Park Act and Article VIII, Section 13 of the South Carolina Constitution, the County intends to cause the Project, to the extent not already therein located, to be placed in a joint county industrial and business park such that the Project will receive the benefits of the Multi-County Park Act; and

WHEREAS, pursuant to the Inducement Agreement, the County has agreed to, among other things, (a) enter into a Fee in Lieu of Tax and Special Source Credit Agreement with the Company (the "**Fee Agreement**"), whereby the County would provide therein for a payment of a fee-in-lieu-of taxes by the Company with respect to the Project, and (b) provide for certain special source credits to be claimed by the Company against its payments of fees-in-lieu-of taxes with respect to the Project pursuant to Section 4-1-175 of the Multi-County Park Act; and

WHEREAS, the County Council has caused to be prepared and presented to this meeting the form of the Fee Agreement which the County proposes to execute and deliver; and

WHEREAS, it appears that the documents above referred to, which are now before this meeting, are in appropriate form and are an appropriate instrument to be executed and delivered or approved by the County for the purposes intended;

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

Section 1. Based on information supplied by the Company, it is hereby found, determined and declared by the County Council, as follows:

(a) The Project will constitute a "project" and "economic development property" as said terms are referred to and defined in the FILOT Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the FILOT Act;

(b) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

(c) The Project will give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either;

(d) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs and addition to the tax base of the County, are proper governmental and public purposes; and

(e) The benefits of the Project are anticipated to be greater than the costs.

Section 2. The form, terms and provisions of the Fee Agreement presented to this meeting are hereby approved and all of the terms and provisions 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 or the County Administrator are hereby authorized, empowered and directed to execute, acknowledge and deliver the Fee Agreement in the name of and on behalf of the County, and the Clerk to County Council is hereby authorized and directed to attest the same, and thereupon to cause the Fee Agreement to be delivered to the Company and cause a copy of the same to be delivered to the Colleton County Auditor, Assessor and Treasurer. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the Chairman of County Council or the County Administrator, upon advice of counsel, their execution thereof to constitute

conclusive evidence of their approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting.

Section 3. The Chairman of County Council, the County Administrator and the Clerk to County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County thereunder.

Section 4. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This Ordinance shall take effect and be in full force from and after its passage by the County Council.

ENACTED in meeting duly assembled this __ day of _____, 2025.

COLLETON COUNTY, SOUTH CAROLINA

Scott Biering, Chairman of County Council

Attest:

Danielle Murdaugh, Clerk to County Council

First Reading: June 3, 2025
Second Reading: July 8, 2025
Third Reading: August 12, 2025
Public Hearing: August 12, 2025

STATE OF SOUTH CAROLINA

COUNTY OF COLLETON

I, the undersigned Clerk to County Council of Colleton County, South Carolina, do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received approval, by the County Council at its meetings of June 3, 2025, July 8, 2025, and August 12, 2025, at which meetings a quorum of members of County Council were present and voted, and an original of which ordinance is filed in the permanent records of the County Council.

Danielle Murdaugh
Clerk to County Council,
Colleton County, South Carolina

Dated: August 12, 2025

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-33

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution Authorizing, Under Certain Conditions, the Execution and Delivery by Colleton County, South Carolina of a Fee in Lieu of Tax Agreement with One or More Related or Affiliated Legal Entities as Sponsors and as Sponsor Affiliated Identified by the County as Project Star with Respect to a Project in the County Whereby the Project Would be Subject to Payment of Certain Fees in Lieu of Taxes; and Whereby Project Star will be Provided Certain Credits Against the Fee Payments in Reimbursement of Investment in Related Qualified Infrastructure; and Providing for Related Matters.]

WHEREAS, Colleton County, South Carolina (the “*County*”), acting by and through its County Council (the “*County Council*”), is authorized and empowered, under and pursuant to the provisions of Title 12, Chapter 44 (the “*FILOT Act*”), Title 4, Chapter 1 (the “*Multi-County Park Act*”), Code of Laws of South Carolina 1976, as amended (the “*Code*”), to enter into agreements with industry, to offer certain privileges, benefits and incentives as inducements for economic development within the County; to acquire, or cause to be acquired, properties as may be defined as “projects” in the Act and to enter agreements with the business or industry to facilitate the construction, operation, maintenance and improvement of such projects; to enter into or allow financing agreements with respect to such projects; and to accept any grants for such projects through which powers the industrial and business development of the State will be promoted, whereby the industry would pay fees-in-lieu-of taxes with respect to qualified industrial projects; to provide credits against payment in lieu of taxes for reimbursement in respect of investment in certain infrastructure serving the County or the project, including improved or unimproved real estate and personal property, including machinery and equipment, used in the manufacturing or industrial enterprise (collectively, “*Infrastructure*”); through all such powers, the industrial development of the State of South Carolina (the “*State*”) will be promoted and trade developed by inducing manufacturing, industrial and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, Project Star, including certain related or affiliated legal entities which may qualify as a sponsor under the FILOT Act and certain entities which may qualify as a sponsor affiliate under the FILOT Act (collectively, the “*Company*”), has requested that the County assist in the acquisition, construction and installation of land, buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal property to locate an industrial facility in the County (collectively, the “*Project*”), which will result in expected investment by the Company in the Project of at least \$10,000,000 in non-exempt investment and the expected creation of an expected 20 new jobs in connection therewith, by December 31 of the fifth year after the first year in which any portion of the Project is first placed in service; and

WHEREAS, the Company has requested that the County enter into a fee in lieu of *ad valorem* taxes agreement with the Company, thereby providing for certain fee in lieu of *ad valorem* taxes and special source credit incentives with respect to the Project; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a “project” and “economic development property” as such terms are defined in the FILOT Act and that the Project would serve the purposes of the FILOT Act; and

WHEREAS, pursuant to the authority of Section 4-1-170 of the Multi-County Park Act and Article VIII, Section 13 of the South Carolina Constitution (collectively, the “Multi-County Park Authority”), the County has previously placed the site on which the Project will be located in a multi-county industrial and business park (a “*Park*”) established by the County pursuant to qualifying agreement with an adjoining South Carolina county (the “*Park Agreement*”); and

WHEREAS, the County has determined and found, on the basis of representations of the Company, that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; that the Project will give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, *i.e.*, economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; that the inducement of the location of the Project within the County and State is of paramount importance; and that the benefits of the Project will be greater than the costs.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. (a) Pursuant to the authority given to County Council by the South Carolina Constitution, the Code, the FILOT Act and the Multi-County Park Act, and subject to the enactment of required legislative authorizations by the County Council, and for the purpose of providing development incentives for the Project through the payment by the Company of fees in lieu of taxes with respect to the Project pursuant to Section 12-44-40 of the Act, there is hereby authorized to be executed a fee in lieu of tax agreement (the “*FILOT Agreement*”) between the Company and the County. The FILOT Agreement shall provide an assessment ratio of 6% for Project property and the normal five-year investment period and a twenty-year term allowed under the FILOT Act. The millage rate for Project property for FILOT purposes shall be fixed for the term of the FILOT Agreement at the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located as of June 30, 2025, which millage rate was 360.69 mills.

(b) Pursuant to the Multi-County Park Act, the County Council will use its best efforts to cause the site of the Project to be located in a Park. Pursuant to Section 4-1-175 of the Multi-County Park Act, and for the purpose of providing reimbursement to the Company for certain of its investment in qualified Infrastructure within the meaning and purposes of Section 4-29-68 of the Code, the FILOT Agreement shall provide for a special source tax credit against payments in lieu of taxes due pursuant to the FILOT Agreement in the following amounts: 20% in the first year, 15% in the second year and 10% in the third year.

Section 2. The provisions, terms and conditions of the FILOT Agreement shall be prescribed and authorized by subsequent ordinance(s) of the County Council, which, to the extent not prohibited by law, shall be consistent with the terms of this Resolution.

Section 3. All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This Resolution shall take effect and be in full force from and after its passage by the County Council.

Section 4. The authorization of the execution and delivery of the documents related to the FILOT Agreement and all other related documents or obligations of the County is subject to the compliance by the County Council with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 5. It is the intention of the County Council that this Resolution shall constitute an inducement resolution with respect to the Project, within the meaning of the FILOT Act.

DONE in meeting duly assembled this 3rd day of June, 2025.

COLLETON COUNTY, SOUTH CAROLINA

Scott Biering, Chairman of County Council

ATTEST:

Danielle Murdaugh
Clerk to County Council of Colleton County, South Carolina

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-34

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Acceptance and Budgeting of Funds for a Grant for FY25.]

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 Commerce, LocateSC Fund Grant, in the amount of \$1,500,000 for real property improvements to the Colleton County Mega Site.

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 revenue and expenditures in the following fund for the grant and unbudgeted revenues for FY25 as listed:
 - a. Fund 120 – Special Revenue Fund; South Carolina Department of Commerce, LocateSC Fund Grant; \$1,500,000 for real property improvements to the Colleton County Mega Site.

The above listed OPR (Office of Primary Responsibility) is 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 party for providing copies of external reports to the Finance Department, grant auditors, and to external auditors at the end of FY25 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-35

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award the Contract for Planning Services for the County's Comprehensive Plan Update.]

WHEREAS:

1. The County advertised Request for Qualifications PD-29 for Planning Services for the County's Comprehensive Plan Update; and
2. Three proposals were received, and a committee reviewed and ranked the proposals; and
3. Benchmark CMR, Inc received the highest ranking by the committee; and
4. Staff recommend that the contract be awarded to Benchmark CMR. Inc. for Planning Services for the County's Comprehensive Plan Update.

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

1. The contract for Planning Services for the County's Comprehensive Plan Update in accordance with the specifications of Request for Qualifications PD-29 is hereby awarded to Benchmark CMR, Inc.
2. The County Administrator is hereby authorized to negotiate and execute the contract on behalf of the County, pending the approval of same by the County Attorney.
3. Planning and Development Department General Fund provides funding for this service.

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:
OPPOSED

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-36

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Award an Indefinite Delivery Contract for Colleton County Solid Waste Engineering Services.]

WHEREAS:

1. The County advertised a Request for Qualifications, SW-34, for an Indefinite Delivery Contract for Solid Waste Engineering Services;
2. Five proposals were received, and a three-member committee scored them based on qualifications;
3. Labella Associates received the highest ranking by the committee; and
4. Staff recommend that County Council award the contract to Labella Associates for the Solid Waste Engineering Services.

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

1. The contract for the Solid Waste Engineering Services in accordance with the specifications of Request for Qualifications SW-34 is hereby awarded to Labella Associates.
2. The County Administrator is hereby authorized to execute a two (2) year contract with the option to renew said contract for an additional three (3) one year term, with a total up to five (5) years; on behalf of the County pending approval of same by the County Attorney.
3. The Solid Waste Landfill General Fund provides funding for this contractual service.

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-37

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Reschedule the July and August County Council Meeting.]

WHEREAS:

1. The first Tuesday of July falls during the week of a national holiday; and
2. The South Carolina Association of Counties Annual Conference is scheduled for August 4, 2025 – August 7, 2025; and
3. Staff recommends that County Council reschedule the July’s meeting to July 8, 2025, and reschedule the August meeting to August 12, 2025.

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

County Council hereby reschedules the July 2025 County Council meeting to July 8, 2025, and reschedules the August 2025 County Council meeting to August 12, 2025.

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-38

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Declare Surplus Equipment and to Authorize the Sale in Accordance with County Policy.]

WHEREAS:

1. The Solid Waste department has evaluated equipment, and deemed it to be no longer suitable for County operations; and
2. It is recommended that Council declare said equipment surplus and authorize their sale or trade on upgraded equipment or contractual arrangements related to the equipment.

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

1. The following equipment, submitted by the Solid Waste department, is hereby declared surplus to the needs of the County.

Description	Serial Number
2000 Kenworth Tractor Trailer-Fleet Unit 7108	IXKDDU9XOYJ843428

2. Said equipment shall be placed for sale or for trade on upgraded equipment or contractual arrangements related to the equipment.

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-39

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Approve Appointment to the Lowcountry Workforce Board.]

WHEREAS:

1. One vacancy exists on the Colleton County Lowcountry Workforce Board for a Business Representative;
2. The Workforce Development Director recommends that Council approve the appointments as nominated.
3. Chairman recommends the appointment of the Business Representative through the Lowcountry Workforce Board.

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

1. County Council hereby approves the following appointments to the Lowcountry Workforce Board:
2. Business Representative: Shawntel Brown, Recruiting Manager Wayne Brothers Companies

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : June 3, 2025
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 25-R-40

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Appoint Members to Board Vacancies.]

WHEREAS:

Colleton County Board of Disabilities and Special Needs has one vacancy; and
Applicant: Sheila McGruder

The County Council is the appointing authority for Boards.

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

The Council hereby appoints the following: *Colleton County Board of Disabilities and Special Needs: Sheila McGruder*

ATTEST:

SIGNED:

Danielle Murdaugh, Council Clerk

Scott Biering, Chairman

COUNCIL VOTE:
OPPOSED: