COLLETON COUNTY
SOUTH CAROLINA

Colleton County Council Regular Meeting Minutes
Date: October 5, 2026
Time: 6:00 p.m.

Pursuant to the Freedom of Information Act, the news media was notified, and notice was posted 24 hours prior to the meeting.

Call to Order: Chairman Biering called the meeting to order at 6:00 p.m.

Roll Call: Chairman Scott Biering, Vice-Chairman Bubba Trippe, Councilman Steve Murdaugh, Councilman Johnny Frank, and Councilman Phillip Taylor were present. Chairman Biering declared a quorum was present.

Invocation & Pledge of Allegiance: Vice-Chairman Trippe gave the invocation and led the Pledge of Allegiance.

Approval of Agenda: Chairman Biering requested a motion to approve the agenda. Councilman Frank made a motion to approve the agenda, seconded by Councilman Murdaugh. The motion carried unanimously.

Approval of Minutes: Chairman Biering requested a motion to approve the minutes of the Regular Meeting of September 4, 2026, Public Hearing of September 14, 2026, Special Called meeting of September 14, 2026, and Special Called Meeting of September 30, 2026. Councilman Frank made a motion to approve the minutes, seconded by Vice-Chairman Trippe. The motion carried unanimously.

Awards and Recognitions:

a. Proclamation Honoring Sean Thornton Upon His Retirement as Colleton County Attorney: Chairman Biering presented the Proclamation. Councilman Murdaugh made a motion to approve the Proclamation, seconded by Councilman Taylor. Following the motion and second, members of Council expressed their appreciation to Mr. Thornton for his many years of dedicated service to Colleton County and thanked him for his hard work and commitment to the County. The motion carried unanimously.

Public Comment: (3 minutes per person/max time 20 minutes)

Mark Wysong spoke regarding data centers and thanked Council and staff for their efforts to protect the ACE Basin while continuing to explore opportunities for growth, including data centers. He discussed the potential benefits a data center could bring to the County, including improvements to infrastructure and education. He also spoke about the importance of expanding water and sewer infrastructure beyond the City of Walterboro and the need for affordable housing in the County.

Frank Santorella stated that he echoed Mr. Wysong's comments and congratulated Council for its courage and steadfastness in doing what it believes is best for Colleton County.

Jeff Jones spoke regarding Veterans Park and thanked Council for its continued support of veterans. He stated that his only concern with the park is the lack of a designated parking area and asked whether there are plans to construct a parking lot.

Miles Crosby thanked Council and others involved for their efforts to reach an agreement regarding data centers while protecting the ACE Basin. He announced that the County and the Southern Environmental Law Center had reached a settlement agreement regarding the lawsuit and thanked the County, the Southern Environmental Law Center, and the ACE Basin Task Force for working together to find a solution. Mr. Crosby stated that he was not opposed to data centers but had opposed the originally proposed location. He said the community had come together to express its concerns regarding the location and thanked Council for working toward a resolution.

Marsha Johnson spoke regarding the proposed data center and expressed hope that it will generate sufficient revenue to support improvements and services within the County. She encouraged Council to ensure that any agreement related to the data center provides the greatest possible benefit to Colleton County.

Administrator's Briefing: Administrator Higgs announced the following upcoming community events:

- **National Night Out** – Tuesday, October 6, 2026, from 6:00 to 8:00 p.m. at First Baptist Church of Walterboro.
- **Trunk or Treat** – Thursday, October 29, 2026, from 5:00 to 7:00 p.m. at the Sheriff's Office.

Administrator Higgs recognized October as Domestic Violence Awareness Month and Breast Cancer Awareness Month. He encouraged citizens to support victims of domestic violence, recognize the signs of abuse, and promote prevention efforts. He also emphasized the importance of regular health screenings and supporting those affected by breast cancer.

Administrator Higgs provided an overview of the settlement agreement reached between the County and the Southern Environmental Law Center, which included the development of a Data Center Exclusionary Map. He stated that the County is working with the Southern Environmental Law Center to identify areas where data centers should not be located.

Administrator Higgs also expressed his appreciation to those involved in the negotiations and settlement process for their efforts in reaching an agreement.

Following the Administrator's Briefing, members of Council expressed their appreciation to everyone involved in reaching the settlement agreement and emphasized the importance of working together to support economic growth while protecting the County's natural resources and environment.

Administrator Higgs then introduced Mike McShane of the ACE Basin Task Force, who spoke about the importance of balancing economic development with environmental conservation and protecting the County's natural resources for future generations.

New Business

a. A Resolution of the Colleton County Council Acknowledging the Conservation Efforts of the Ace Basin Task Force, Expressing Appreciation for Its Work to Preserve the Ace Basin, and Committing to a Continued Partnership to Support the Preservation of this Important Ecological and Cultural Asset: Chairman Biering presented the Resolution. Councilman Taylor made a motion to approve the Resolution, seconded by Councilman Frank. The motion carried unanimously.

Following the presentation of the resolution recognizing the ACE Basin Task Force for its efforts, Administrator Higgs introduced Mike McShane of the ACE Basin Task Force. Mr. McShane spoke about the importance of balancing economic growth with environmental conservation and protecting the County's natural resources.

b. First Reading by Title Only of an Ordinance Authorizing, Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement, by and Between Colleton County, South Carolina and Boise Cascade Building Materials Distribution, LLC, Including any Related or Affiliated Entities, to Provide for a Fee-in-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; and Other Related Matters: Vice-Chairman Trippe made a motion to approve the first reading of the Ordinance, seconded by Councilman Murdaugh. The motion carried unanimously.

c. First Reading by Title Only on an Ordinance (1) Repealing and Replacing the Provisions of Ordinance No. 03-O-04 Pertaining to Procurement; and (2) Other Matters Relating Thereto: Councilman Frank made a motion to approve the first reading of the Ordinance, seconded by Vice-Chairman Trippe. The motion carried unanimously.

Council Time:

Chairman Biering commended County staff and the legal team for their efforts in reaching the settlement agreement. He emphasized the importance of working together to achieve a resolution

that supports economic growth while protecting the environment and expressed his belief that the County's approach has set a precedent for other counties and municipalities to follow.

Executive Session: Chairman Biering requested a motion to go into Executive Session. Councilman Murdaugh made a motion to go into Executive Session to discuss the following topic:

a. Receipt of Legal Advice Regarding Case #2024-CP-15-00319

The motion was seconded by Councilman Frank. The motion carried unanimously. Council entered into Executive Session at 6:45 p.m.

Public Session: Councilman Taylor made a motion to return to Public Session, seconded by Vice-Chairman Trippe. Council returned to Public Session at 7:11 p.m. Chairman Biering stated that no action was taken during Executive Session.

Adjournment: Chairman Biering requested a motion to adjourn. Councilman Taylor made a motion to adjourn, seconded by Councilman Frank. The motion carried unanimously. The meeting was adjourned at 7:12 p.m.

COLLETON COUNTY SEAL WALTERBORO SC

COLLETON COUNTY COUNCIL

Scott Biering

By: Scott Biering, Chairman

ATTEST:

Martha B. Thompson

Martha B. Thompson, Clerk to Council

Approved: 11/9/26