

MINUTES
TUESDAY, MAY 7, 2024
REGULAR MEETING
6:00 P.M.

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

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

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

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

Approval of Minutes

- A. Regular Meeting April 2, 2024— Councilman Taylor moved to approve the minutes of the Regular Meeting held on April 2, 2024. The motion was seconded by Councilman Trippe and the motion carried unanimously.
- B. Budget Work Session April 25, 2024 — Councilman Taylor moved to approve the minutes of the Budget Work Session held on April 25, 2024. The motion was seconded by Councilman Trippe and the motion carried unanimously.

Appearances & Public Presentations

- A. Energy Share Small Business Program– Tawana Tolbert, Customer Outreach
***See attached presentation.

Chairman Murdaugh: Stated, thank you for being here. I know that it states you must have a past due balance, is that as of now? For example, as I sit here tonight, I am not past due on my power bill, but the program is out there, and I don't pay my power bill so now I am past due.

Mrs. Tolbert: Stated, if it is past due, you are eligible. We will still do payment plans as it goes through the approval process. It is not advised to wait until you become delinquent. You will still need to pay enough to not experience an interruption of service. There will be an option to call customer service for an extension while your application is being processed.

Councilman Biering made a motion to open Public Hearing. Councilman Taylor seconded that motion.

Public Hearing

- A. Ordinance 24-O-01, Authorizing Colleton County to Join with the Walterboro – Colleton County Airport Commission and the City of Walterboro in Conveying 8.863 Acres of a Portion of Real Property, Located at the Colleton County Recreation Center, Identified by T.M.S. No. 132-00-00-028.00 to Colleton County**

- B. Ordinance 24-O-02, Granting an Easement to CDP Walterboro 2, LLC on a Portion of Property Owned by Colleton County Located at 113 Mable T. Willis Boulevard, County Colleton, SC, and Identified by TMS No. 178-00-00-205.00; Such Easement is to be Used for the Construction of a Dollar General Store; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto**

- C. Ordinance 24-O-05, To Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Business Park in Conjunction with Charleston County, South Carolina; To Provide for a Written Agreement with Charleston County as to the Sharing of the Revenues and Expenses of the Park; To Provide for the Distribution of Revenues from the Park Among Taxing Entities Having Jurisdiction Over the Park; To Provide for a Fee in Lieu of Ad Valorem Taxation; And Other Matters Related Thereto**

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

Old Business

- A. 3rd Reading Ordinance 24-O-01, Authorizing Colleton County to Join with the Walterboro – Colleton County Airport Commission and the City of Walterboro in Conveying 8.863 Acres of a Portion of Real Property, Located at the Colleton County Recreation Center, Identified by T.M.S. No. 132-00-00-028.00 to Colleton County.**

Dr. Flowers moved to approve 3rd Reading Ordinance 24-O-01, Authorizing Colleton County to Join with the Walterboro – Colleton County Airport Commission and the City of Walterboro in Conveying 8.863 Acres of a Portion of Real Property, Located at the Colleton County Recreation Center, Identified by T.M.S. No. 132-00-00-028.00 to Colleton County. The motion was seconded by Councilman Biering. The motion carried unanimously.

- B. 3rd Reading Ordinance 24-R-02, Granting an Easement to CDP Walterboro 2, LLC on a Portion of Property Owned by Colleton County Located at 113 Mable T. Willis Boulevard, County Colleton, SC, and Identified by TMS No. 178-00-00-205.00; Such Easement is to be Used for the Construction of a Dollar General Store; to Authorize**

Execution and Recording of the Easement Documents; and Other Matters Related Thereto

Councilman Taylor moved to approve 3rd Reading Ordinance 24-R-02, Granting an Easement to CDP Walterboro 2, LLC on a Portion of Property Owned by Colleton County Located at 113 Mable T. Willis Boulevard, County Colleton, SC, and Identified by TMS No. 178-00-00-205.00; Such Easement is to be Used for the Construction of a Dollar General Store; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

- C. 3rd Reading Ordinance 24-R-05, To Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Business Park in Conjunction with Charleston County, South Carolina; To Provide for a Written Agreement with Charleston County as to the Sharing of the Revenues and Expenses of the Park; To Provide for the Distribution of Revenues from the Park Among Taxing Entities Having Jurisdiction Over the Park; To Provide for a Fee in Lieu of Ad Valorem Taxation; And Other Matters Related Thereto**

Dr. Flowers moved to approve 3rd Reading Ordinance 24-R-05, To Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Business Park in Conjunction with Charleston County, South Carolina; To Provide for a Written Agreement with Charleston County as to the Sharing of the Revenues and Expenses of the Park; To Provide for the Distribution of Revenues from the Park Among Taxing Entities Having Jurisdiction Over the Park; To Provide for a Fee in Lieu of Ad Valorem Taxation; And Other Matters Related Thereto. The motion was seconded by Councilman Taylor. The motion carried unanimously.

- D. 2nd Reading, Ordinance 24-O-03, To Provide for the Issuance and Sale of Not to Exceed \$10,000,000 General Obligation Bonds and Not to Exceed \$10,000,000 General Obligation Bond Anticipation Notes of Colleton County, South Carolina for the Purposes of Defraying the Costs of Acquisition, Improvement, Construction, Installation, and Equipping of [List Projects Here], and Other County Government Facilities; to Provide for the Payment Thereof; to Declare the County Council's Intent to Reimburse Expenditures for some or all Such Costs from the Proceeds of Tax-Exempt Bonds or Notes; And Other Matters Relating Thereto**

Dr. Flowers moved to approve 3rd Reading Ordinance 24-O-03, To Provide for the Issuance and Sale of Not to Exceed \$[10,000,000] General Obligation Bonds and Not to Exceed \$[10,000,000] General Obligation Bond Anticipation Notes of Colleton County, South Carolina for the Purposes of Defraying the Costs of Acquisition, Improvement, Construction, Installation, and Equipping of [List Projects Here], and Other County Government Facilities; to Provide for the Payment Thereof; to Declare the County Council's Intent to Reimburse Expenditures for some or all Such Costs from the Proceeds of Tax-Exempt Bonds or Notes;

And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

E. 2nd Reading Ordinance 24-O-04, Authorizing the Acquisition of Certain Equipment and Heavy Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$3,000,000; The Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; And Other Matters Relating Thereto

Councilman Trippe moved to approve 2nd Reading Ordinance 24-O-04, Authorizing the Acquisition of Certain Equipment and Heavy Vehicles by Colleton County, South Carolina by Lease-Purchase Financing in the Amount of Not Exceeding \$3,000,000; The Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

F. 2nd Reading Ordinance 24-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto

Councilman Trippe moved to approve 2nd Reading 24-O-06, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2024 through June 30, 2025 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto The motion was seconded by Councilman Taylor. The motion carried unanimously.

New Business

A. 1st Reading, Ordinance 24-O-07, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, (1) the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement, by and between Colleton County, South Carolina and a Company known to the County as Project Bobcat, as Sponsor, to Provide for a Fee-in-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) the Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to Include Certain Property Located in Colleton County, South Carolina Now or to be Hereafter Owned and/or Operated by Project Bobcat, or One or More Companies Related Thereto; and (3) Other Related Matters

Councilman Biering moved to approve 1st Reading, Ordinance 24-O-07, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, (1) the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement, by and between Colleton County, South Carolina and a Company known to the County as

Project Bobcat, as Sponsor, to Provide for a Fee-in-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) the Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to Include Certain Property Located in Colleton County, South Carolina Now or to be Hereafter Owned and/or Operated by Project Bobcat, or One or More Companies Related Thereto; and (3) Other Related Matters. The motion was seconded by Councilman Trippe. The motion carried unanimously.

B. 1st Reading Ordinance 24-O-08, By Title Only, Authorizing the County to Borrow \$1,500,000 Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport

Councilman Taylor moved to approve 1st Reading Ordinance 24-O-08, By Title Only, Authorizing the County to Borrow \$1,500,000 Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport. The motion was seconded by Councilman Biering. The motion carried unanimously.

C. Resolution 24-R-30, To Award the Contracts in Accordance with Request for Proposal FMD-18 for the Purchase and Installation of Emergency Equipment

Dr. Flowers moved to approve Resolution 24-R-30, To Award the Contracts in Accordance with Request for Proposal FMD-18 for the Purchase and Installation of Emergency Equipment. The motion was seconded by Councilman Biering. The motion carried unanimously.

D. Resolution 24-R-31, To Reschedule the June County Council Meeting

Councilman Taylor moved to approve Resolution 24-R-31, To Reschedule the June County Council Meeting. The motion was seconded by Councilman Trippe and the motion was carried unanimously.

E. Resolution 24-R-32, Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code, so as to Allow Investment Expenditures Incurred by a Company Known to the County as Project Bobcat, its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-In-Lieu of Ad Valorem Taxes Arrangement with Colleton County, South Carolina; Providing for Other Related Economic Development Incentives, Including Special Source Revenue Credits; And Other Matters Related Thereto

Councilman Biering moved to approve Resolution 24-R-32, Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code, so as to Allow Investment Expenditures Incurred by a Company Known to the County as Project Bobcat, its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-In-Lieu of Ad

Valorem Taxes Arrangement with Colleton County, South Carolina; Providing for Other Related Economic Development Incentives, Including Special Source Revenue Credits; And Other Matters Related Thereto. The motion was seconded by Councilman Taylor and the motion carried unanimously.

F. Resolution 24-R-33, To Officially Name the Conference Room in the Colleton County Board of Voter Registration and Elections Office located at 72 Bells Highway, as the “Lynette B. Fryar Conference Room.”

Councilman Trippe moved to approve Resolution 24-R-33, To Officially Name the Conference Room in the Colleton County Board of Voter Registration and Elections Office located at 72 Bells Highway, as the “Lynette B. Fryar Conference Room.” The motion was seconded by Councilman Taylor and the motion carried unanimously.

Chairman Murdaugh: Stated, I would like to thank the board for the recommendation. Mrs. Lynette was a special person. She was a very dear friend to me. I think this is very appropriate and I thank you all for making the recommendation.

G. Resolution 24-R-34, To Authorize the Waiver of Various Fees for the Summer 2024 Mission Serve Home Repair Program

Councilman Biering moved to approve Resolution 24-R-34, To Authorize the Waiver of Various Fees for the Summer 2024 Mission Serve Home Repair Program. The motion was seconded by Councilman Trippe and the motion carried unanimously.

H. Resolution 24-R-35, To Appoint Members to Board Vacancies

Councilman Taylor moved to approve Resolution 24-R-35, To Appoint Members to Board Vacancies by acclamation. The motion was seconded by Dr. Flowers. The motion was carried unanimously.

I. Resolution 24-R-36, To Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024

Councilman Taylor moved to approve Resolution 24-R-36, To Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024. The motion was seconded by Councilman Biering and the motion carried unanimously.

Public Comments

Mrs. Felicia Johnson: Stated, well I am here again. You all should already know what I am talking about, this ditch. Everything stops at my home. Last week it was dry, and I was able to get out there and rake out the leaves. Thankfully I did not see a snake, but a bunch of us have seen snakes. It is truly dangerous out there and we really need lights. For the last two months, in

broad daylight we have had shootings up the street from me. I am scared to ride my bicycle or walk on that side. It is bad enough during the daytime but at night you cannot see going up and down Rivers Street. I have grandkids and I have to tell them no; they cannot go in there. For some reason my little grands and older grands love that ditch. I broke my leg on both sides in that ditch. My ex-husband went in that ditch on Christmas. I am trying to tell you that the area where I am is dangerous. Another thing, we do not need 45 mph speed where I live at. It is nothing but houses straight up Rivers Street. They need to change that sign. It is bad enough that there are races where I live at. I had to call the Sheriff's Office the other night. It is also a hazard for our health, because I can't even tell you what color that water is now. In March they dug it deeper again! We can't even see some of our neighbors' pipes, but they keep coming by me digging deeper and deeper. You cannot sit outside for the mosquitoes. They will tear you apart out there. It's sad we can't even enjoy sitting outside with our grandchildren. We need help badly over here, because like I said everything stops at my house. It will take months for this ditch to dry again. We need help where we live from Dominion or somebody. Please pray for the lady with the club. Two weeks ago, she passed away and her funeral will be Thursday at 5pm at Frazier Funeral Home. Her family needs prayers as they are not doing well.

No further comments.

Council Time

Councilman Trippe: Stated, I knew Mrs. Lynette really well and she was a sweet lady. I think this is a great way to honor her.

Dr. Flowers: Stated, I knew her well and treated her family for years. She was very involved in the community in all aspects. She will certainly be missed.

Councilman Taylor: Stated, I certainly concur with all of those statements, and I think that most people who really knew Mrs. Lynette Fryar knew she called me little buddy. This is certainly a great honor, and I am glad that the commission decided to do this in her memory. I think the community can reflect and see her investment working with children and families in this entire community. One more thing I would like to mention, Mrs. Lola Risher, we have recognized her here several times. If she had lived until next week, she would have been 107 years old. She passed away this week in Columbia. Let's keep her family lifted up in prayer.

Councilman Biering: Stated, I did not know Mrs. Lynette very well, but I did want to say to the commission. This is what it takes for the commissions to stand up for the people in their organizations. I applaud you all for doing that, and I hope other people in the community will do this also. We need to recognize people for what they are doing in the community. Thank you.

Chairman Murdaugh: Stated, I already made some comments about Lynette, but when I spoke a few weeks ago I told a story. One thing about Lynette was you never had a problem knowing where you stood. She was a mentor to me. She would tell me just as often what I was doing right as what I wasn't doing right. When I ran for reelection, candidates got up early and went to the polls and set up tents. I think this was the third time I ran. I was headed to the poll at 6:30 am, my

phone rang and it's Lynette. She prayed with me on the phone, and I have never forgotten that. That was the kind of person she was. Of course, I probably needed prayer. It is an honor for her to be remembered.

There is a letter in our packet, addressed to Chief Barry McRoy, Colleton County Fire Rescue. It is from Congresswoman Nancy Mace.

***Chairman Murdaugh read letter aloud and it is attached.

I would like to thank Chief McRoy and his staff for being recognized by Congresswoman Nancy Mace.

Chief McRoy: Stated, I would like to point out that Michael Banks and Michael Johnson with the fire division. They are our county Fire Marshall's, and they are the ones that put in most of that work. You all have helped with that as well with funding for smook alarms that we are able to give citizens for free. All of that is a part of achieving fire safety in our community. We thank you all too.

Chairman Murdaugh: Stated, I would like to thank all of you for your hard work. I would like to point out that the last sentence says, "If there is anything we can do for you and your family, please do not hesitate to ask." You should request another ambulance and see if we can get that.

Councilman Taylor: Stated, I would like to make the comment about the signs that you all are seeing recently that say, "know your zone." If you look at the stop signs in your community, and you see letters please know your zone as we are entering hurricane season. Our fire department has done a fantastic job getting that information out. You should have received notice in your mail concerning it. Certainly, know your zone and know when to evacuate.

Chairman Murdaugh: Stated, in our packets there is a list of updates on the Capital Sales Tax projects. Make sure you look through that at your own leisure. Finally, I wanted to ask Kevin about this, but it is probably more of a Jon Carpenter question. We pass these Ordinances and Resolutions on these FILOTs and multi-county parks. I know a couple of years ago in the rural counties and real small counties, DOR was having a real issue with allocation of these multi-county park FILOTs that were going to counties. I know we have a good number of those out there. Is there some accounting somewhere where we can get a list of the different FILOTs in the county? I know sometimes we have the burden of sharing the revenue and sometimes we should be receiving the revenue from the multi-county park. I know DOR somewhat tracks that, but that there was an issue because they weren't in the smaller counties because it fell through the crack. Maybe the other council members feel the same. I do not want you to spend days of your time doing this, but I would like to get the bigger picture of the FILOTs and how we track the ends and outs of the parks and FILOTs. Not to overtask you, but it may be very simple. Between Jon and the administrator, if that is something you could work on. I think it would really give us a lot of knowledge and maybe a sense of security in all these multi-county parks. This will help us ensure that we are monitoring all of that properly.

Dr. Flowers: Stated, we need that information. While you are looking at that information, I would like some information on how much taxes the county is giving up. (Inaudible) Industry is good, but this is business, and we need to know how much we're exactly giving up versus how much we are getting.

Councilman Biering: Stated, regarding the multi-county information, I am still new at this, so I had to ask some questions. The state has dictated this since 1976. It is a way for bigger counties that are more profitable to share with the smaller counties that are not, is the simple way to explain this. I would also like to know where we stand on that balance, if we are up or down. For example, Charleston County does better than us as far as economically and the income in the county. Hopefully, this is benefiting the smaller counties like where we are. That is a simple definition, but it helped me understand it better.

Chairman Murdaugh: Stated, to go along with that there are a lot more things and Jon will get us more details with that. This idea developed over time. The larger counties and the smaller counties, because of the demographics of the smaller counties, we qualify for more incentives at the state level than larger counties that are wealthier than we are. It is a way for them to get incentives for their development projects, and the tradeoff for that is that we get partial revenue. It is a good program. The problem is the logistics of it is an absolute nightmare. There was a county that was losing significant revenue and the DOR said that was the counties responsibility to track and not theirs. The smaller counties do not have some of the things that the larger counties have to have maintained and kept up with that. I think the partial revenue is to try and rectify that in some form or fashion. Even our Economic Alliance got involved, because we were questioning it as far as it is run fairly and that it is managed properly. I do not think we have that problem that was not my reasoning behind my question to Jon, but I would like to see what we are giving up and taking in. I think it would be good information for us to know.

Executive Session

Councilman Taylor moved to go into executive session to discuss the following: Real Estate and Personnel. Councilman Biering seconded the motion. The motion was carried unanimously.


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

Adjournment

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

County Council Meeting
May 7, 2024

This 18th day of June 2024.


Steven D. Murdaugh, Chairman

ATTEST:


Kaela Brinson, Clerk to Council

