

**AMENDED AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 1, 2024
6:00 P.M.**

COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
 - a) Regular Meeting, August 27, 2024
5. Awards and Recognitions
6. Appearances & Public Presentations
7. Administrator's Briefing
8. Public Hearing
 - a) *Ordinance 24-O-09, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares*
9. Old Business
 - a) 3rd Reading Ordinance 24-O-09, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares
 - b) 2nd Reading Ordinance 24-O-12, To Ratify FY24 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto
 - c) 2nd Reading Ordinance 24-O-13, Authorizing The Execution and Delivery of a Fee-In-Lieu of Tax Agreement by and Between Colleton County and a Company Known to the County as Project Ironsides, Including any Related or Affiliated Entities and any Sponsor Affiliates, Whereby Colleton County Will Enter into a Fee-In-Lieu of Taxes Arrangement with Project Ironsides; Providing for Payment by Project Ironsides of Certain Fees In Lieu of Ad Valorem Taxes; Providing for Certain Special Source Revenue or Infrastructure Credits; To Further Amend the Agreement for Development of a Joint County Industrial Park Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, So as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Project Ironsides, Under the Agreement for Establishment of Multi-County Industrial/Business Park; And Other Matters Relating Thereto

- d) 2nd Reading Ordinance 24-O-14, To Authorize the Rezoning of a 12.1 Acre Parcel Located on Oswald Court, Identified as T.M.S. No. 131-16-00-114, from Residential Suburban (RS) to Urban Development – 1 (UD-1)
10. New Business
- a) Resolution 24-R-52, to Appoint Employees to the Colleton County Grievance Committee
 - b) Resolution 24-R-53, to Reschedule the November County Council Meeting
 - c) Resolution 24-R-54, to Authorize Acceptance and Budgeting of Various Grants for FY 2024-2025
 - d) Resolution 24-R-55, to Declare Surplus Various Vehicles and Equipment and to Authorize their Sale in Accordance with County Policy
 - e) Resolution 24-R-56, Certifying Property Located at 8446 Ace Basin Parkway, Green Pond, SC 29446 as an Abandoned Building Site Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 of the Code of Laws of South Carolina, 1976, as Amended
11. Items for Information and Public Record
12. Public Comments (3 minutes per person/max time 20 min.)
13. Council Time
14. Executive Session
- a) Economic Development
 - 1. Coastal Electric Cooperative
 - 2. Economic Development Fund
 - b) Personnel
15. Adjournment
16. Informal Meeting of the Whole

Colleton County Council will hold a regular meeting on Tuesday, October 1, 2024, at 6:00 pm. The public will be able to stream the meeting from a link on the County's home page or by going to www.colletoncounty.org/live.

MINUTES
TUESDAY, AUGUST 27, 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: Meagan Utsey, Sean Thornton, Jon Carpenter, Barry McRoy, Sue Keith, Mayor Crawford Moore, Carl Coffin, Jessica Williams, Sharon Witkin, Lynn Stroble, Johnny Frank, Billy Hamilton, Jim Gentry, Philip Rizer, Jeffrey Jones, Marc Jacobs, Madison Carter, Roy Williams, Alyssa Bodison, Zaria Gantt, and Clarence Wiggins.

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

Approval of Minutes

- A. Regular Meeting June 18, 2024— Councilman Taylor moved to approve the minutes of the Special Meeting held on June 18, 2024. The motion was seconded by Councilman Trippe and the motion carried unanimously.
- B. Joint Meeting July 15, 2024 — Councilman Taylor moved to approve the minutes of the Regular Meeting held on July 15, 2024. The motion was seconded by Councilman Biering and the motion carried unanimously.

Awards and Recognitions

- A. Colleton County Sheriff's Office Cadet Post #843

Lieutenant Valentine: Recognized Cadet Lieutenant Hunter Gooding, Cadet Sargent Levi Sightler, Cadet Sargent Aiden Schoulte, and Cadet Conner Liebeck. The advisors that accompanied them on this mission were Sargent Phillip Cole and Deputy Christopher Vandermark. The team placed in the following categories: Individual awards, Cadet Sargent Levi Sightler placed second in the physical agility test. Christopher Vandermark placed second amongst the advisors in the firearms qualifications. Also, our team placed third in high-risk traffic stops, third place in drug search warrant execution, and third place in multi-jurisdiction where our cadets along with Mt. Pleasant and Goose Creek Police Department dealt with an escaped inmate type scenario.

- B. Proclaiming September 29, 2024, as Veterans of Foreign Wars of the United States 125th Anniversary

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

Please watch the video stream available at the link below to view the full presentation.

https://www.youtube.com/watch?v=1JMpIHpE_Mw&t=3740s

Appearances & Public Presentations

- A. Representative Robby Robbins
- B. Presentation - Crawford Moore

Please watch the video stream available at the link below to view the full presentations.

https://www.youtube.com/watch?v=1JMpIHpE_Mw&t=3740s

Administrator's Briefing

Please see the attached presentation from Dr. David Greene. For the full discussion please see the link below.

https://www.youtube.com/watch?v=1JMpIHpE_Mw&t=3740s

Public Hearing

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

- A. Ordinance 24-O-07, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and Sand Ridge Solar, LLC, A Company Formerly Known to the County as Project Bobcat, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; To Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, So as to Include Property in Colleton County as Part of the Park; And Other Related Matters.**
- B. Ordinance 24-O-08, Authorizing the County to Borrow \$2,300,000 on Behalf of the Lowcountry Regional Airport Through the USDA Rural Development Loan Program for the Construction of a New Fuel Farm and Two T-Hanger Units at the Lowcountry Regional Airport.**
- C. Resolution 24-R-46, to Establish Millage for School Operations for the Fiscal Year 2024-2025 Budget Year.**

Phillip Rizer spoke against approving the increase in millage for school operations for fiscal year 24-25 budget year.

Superintendent Jessica Williams gave supporting information and thanked the council for their collaboration and consideration in increasing the millage for school operations for fiscal year 24-25 budget year.

Please watch the video stream available at the link below to view the full presentation.

https://www.youtube.com/watch?v=1JMpiHPe_Mw&t=3740s

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

Old Business

A. 3rd Reading Ordinance 24-O-07, Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Colleton County, South Carolina And Sand Ridge Solar, LLC, A Company Formerly Known To The County As Project Bobcat, As Sponsor, To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits; To Further Amend The Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Property In Colleton County As Part Of The Park; And Other Related Matters

Councilman Biering moved to approve 3rd Reading Ordinance 24-O-07, Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Colleton County, South Carolina And Sand Ridge Solar, LLC, A Company Formerly Known To The County As Project Bobcat, As Sponsor, To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits; To Further Amend The Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina And Hampton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Property In Colleton County As Part Of The Park; And Other Related Matters. The motion was seconded by Councilman Trippe. The motion carried 4 to 1 with Councilman Taylor opposed.

B. 2nd Reading Ordinance 24-R-24-O-09, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs to Colleton Cares

Councilman Biering moved to approve 2nd Reading Ordinance 24-O-09, To Amend Ordinance 93-O-29 to Change the Name of the Colleton County Board of Disabilities and Special Needs

to Colleton Cares The motion was seconded by Councilman Trippe. The motion carried unanimously.

C. 2nd Reading Ordinance 24-R-10, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and Project Sun, as Sponsor, and One or More Sponsor Affiliates, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits for the Benefit of a Project in the County; to Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Project Sun, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Related Matters

Councilman Trippe moved to approve 2nd Reading Ordinance 24-R-10, Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and Project Sun, as Sponsor, and One or More Sponsor Affiliates, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits for the Benefit of a Project in the County; to Further Amend the Multi-County Industrial/Business Park Agreement Between Colleton County, South Carolina and Hampton County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park, so as to Include Additional Property in Colleton County as Part of the Park; Providing for the Allocation of Fee-In-Lieu of Taxes Paid by Project Sun, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Related Matters. The motion was seconded by Councilman Trippe. The motion carried 4 to 1 with Councilman Taylor opposed.

Please see the link below to view the full discussion.

https://www.youtube.com/watch?v=1JMpiHpE_Mw&t=3740s

New Business

A. Discussion – County Holiday Schedule

Dr. Flowers moved to table the discussion on the County Holiday Schedule. The motion was seconded by Councilman Trippe. The motion carried unanimously.

Please see the link below to view the full discussion.

https://www.youtube.com/watch?v=1JMpiHpE_Mw&t=3740s

B. 1st Reading, Ordinance 24-O-12, To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto

Councilman Taylor moved to approve 1st Reading, Ordinance 24-O-12, To Ratify FY21 Grant And Budget Resolutions And Related Appropriations For All Funds; To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other Matters Related Thereto. The motion was seconded by Dr. Flowers. The motion carried unanimously.

C. 1st Reading Ordinance 24-O-13, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code Of Laws of South Carolina 1976, As Amended, (1) The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and a Company Known to the County as Project Ironsides, as Sponsor, To Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) The Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to include Certain Property Located in Colleton County, South Carolina now or to be Hereafter Owned and/or Operated by Project Ironsides, or one or More Companies Related Thereto; and (3) Other Related Matters

Councilman Taylor moved to approve 1st Reading Ordinance 24-O-13, By Title Only, Authorizing Pursuant to Title 12, Chapter 44 of the Code Of Laws of South Carolina 1976, As Amended, (1) The Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Colleton County, South Carolina and a Company Known to the County as Project Ironsides, as Sponsor, To Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; (2) The Enlargement of the Boundaries of a Multi-County Industrial or Business Park Previously Created by Colleton County and Hampton County to include Certain Property Located in Colleton County, South Carolina now or to be Hereafter Owned and/or Operated by Project Ironsides, or one or More Companies Related Thereto; and (3) Other Related Matters. The motion was seconded by Councilman Trippe. The motion carried unanimously.

D. 1st Reading Ordinance 24-O-14, By Title Only, To Authorize the Rezoning of a 12.1 Acre Parcel Located on Oswald Court, Identified as T.M.S. No. 131-16-00-114, from Residential Suburban (RS) to Urban Development – 1 (UD-1)

Councilman Taylor moved to approve 1st Reading Ordinance 24-O-14, By Title Only, To Authorize the Rezoning of a 12.1 Acre Parcel Located on Oswald Court, Identified as T.M.S. No. 131-16-00-114, from Residential Suburban (RS) to Urban Development – 1 (UD-1). The motion was seconded by Councilman Biering. The motion carried unanimously.

E. 1st Reading Ordinance 24-O-15, By Title Only, Providing for the Issuance and Sale of Colleton County, South Carolina, Hospitality and Accommodations Fee Revenue Bonds (Ag Exposition Center Project), Series 2024 in the Principal Amount of Not to Exceed

\$4,000,000; To Prescribe the Purposes for Which the Proceeds Shall be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto.

Councilman Trippe moved to approve 1st Reading Ordinance 24-O-15, By Title Only, Providing for the Issuance and Sale of Colleton County, South Carolina, Hospitality and Accommodations Fee Revenue Bonds (Ag Exposition Center Project), Series 2024 in the Principal Amount of Not to Exceed \$4,000,000; To Prescribe the Purposes for Which the Proceeds Shall be Expended; To Provide for the Payment Thereof; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

F. Resolution 24-R-46, To Establish Millage for School Operations for the Fiscal Year 2019-2020 Budget Year

Councilman Taylor moved to approve Resolution 24-R-46, to Establish Millage for School Operations for the Fiscal Year 2019-2020 Budget Year. The motion was seconded by Chairman Murdaugh. The motion failed 2 to 3. Dr. Flowers, Councilman Trippe, and Councilman Biering were opposed.

Please see the link below to view the full discussion.

https://www.youtube.com/watch?v=1JMpiHPE_Mw&t=3740s

G. Resolution 24-R-47, To Authorize Acceptance and Budgeting of Various Grants for FY 2024-2025

Councilman Trippe moved to approve Resolution 24-R-47, To Authorize Acceptance and Budgeting of Various Grants for FY 2024-2025. The motion was seconded by Dr. Flowers and the motion was carried unanimously.

H. Resolution 24-R-48, To Authorize the Addition of Three Floater Positions within Colleton County Fire-Rescue

Councilman Taylor moved to approve Resolution 24-R-48, To Authorize the Addition of Three Floater Positions within Colleton County Fire-Rescue. The motion was seconded by Councilman Biering and the motion carried unanimously.

I. Resolution 24-R-49, to Waive Solid Waste Construction and Debris Landfill Fees related to Tropical Storm Debby

Dr. Flowers moved to approve Resolution 24-R-49, to Waive Solid Waste Construction and Debris Landfill Fees related to Tropical Storm Debby. The motion was seconded by Councilman Trippe and the motion carried unanimously.

J. Resolution 24-R-50, To Authorize the Council Clerk to Advertise for Board Vacancies

Councilman Biering moved to approve Resolution 24-R-50, To Authorize the Council Clerk to Advertise for Board Vacancies. The motion was seconded by Councilman Trippe and the motion carried unanimously.

K. Resolution 24-R-51, to Appoint Members to Board Vacancies

Dr. Flowers moved to approve Resolution 24-R-51, to Appoint Members to Board Vacancies. The motion was seconded by Councilman Taylor and the motion carried unanimously.

Public Comments

Chairperson Sharon Witkin and Superintendent Jessica Williams comments were taken.

For further information please visit the link below.

https://www.youtube.com/watch?v=1JMpiHPe_Mw&t=3740s

Council Time

No action was taken. Please see the link below to view the full discussion.

https://www.youtube.com/watch?v=1JMpiHPe_Mw&t=3740s

Executive Session

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

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

No action taken.

Adjournment

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

***Watch the video stream available on the County’s website or at the link below to hear the Council’s discussion of a specific topic or the complete meeting.

https://www.youtube.com/watch?v=1JMpiHPe_Mw&t=3740s

County Council Meeting
August 27, 2024

This 1st day of October, 2024.

Steven D. Murdaugh, Chairman

ATTEST:

Kaela Brinson, Clerk to Council

Sponsor(s) : County Council
First Reading : June 18, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : August 27, 2024
Public Hearing : October 1, 2024
Third Reading : October 1, 2024
Effective Date : Immediately

I, Kaela Brinson, Council Clerk,
certify that this Ordinance was
advertised for Public Hearing on
September 12, 2024.

ORDINANCE NO. 24-O-09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

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

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

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

If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

3. Conflict:

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

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
First Reading : August 27, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 1, 2024
Public Hearing : November 5, 2024
Third Reading : November 5, 2024
Effective Date : Immediately

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

ORDINANCE NO. 24-O-12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

**[To Ratify FY24 Grant And Budget Resolutions And Related Appropriations For All Funds;
To Ratify Transfer And Other Resolutions Previously Authorized By Council; And Other
Matters Related Thereto.]**

WHEREAS:

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

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

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

- g. Approves acceptance of Colleton County School District School Resource Officer (SRO) funds deposited to fund 120 Special Revenue Fund for services outside of school hours.
 - h. Approves acceptance of Federal Emergency Management Agency disaster response funds of \$10,543.48 and South Carolina Emergency Management Agency disaster response funds of \$3,514.49 related to Hurricane Idalia emergency protective measures.
 - i. Approves the write-off of all Colleton County Fire and Rescue Medical Services billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/24 audit as identified by CCRFC and approved by the Colleton County Administrator.
 - j. Approves the write-off of all Colleton County Solid Waste Billings which cannot be collected due to the statute of limitations during the fiscal year ending 6/30/24 audit as identified and approved by the Colleton County Administrator.
 - k. Approves end-of-year adjustments as necessary to the Operational Transfers of various funds in order to decrease particular fund appropriation and correspondingly increase other fund appropriation in accordance with the operational needs and expenditures of the various Funds in FY24 and to balance the required revenue to expenditures in said Funds.
2. Conflict: All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.
 3. Severability: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.
 4. This ordinance includes the ratification of all Resolutions, voice motions and other actions as previously approved by Colleton County Council for the fiscal year ending 06/30/2024.

ATTEST:

Kaela Brinson, Clerk to Council

SIGNED:

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Approved as to Form
Sean P. Thornton, County Attorney

Sponsor(s) : County Council
First Reading : August 27, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 1, 2024
Public Hearing : November 5, 2024
Third Reading : November 5, 2024
Effective Date : Immediately

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

ORDINANCE NO. 24-O-13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN COLLETON COUNTY AND A COMPANY KNOWN TO THE COUNTY AS PROJECT IRONSIDES, INCLUDING ANY RELATED OR AFFILIATED ENTITIES AND ANY SPONSOR AFFILIATES, WHEREBY COLLETON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH PROJECT IRONSIDES; PROVIDING FOR PAYMENT BY PROJECT IRONSIDES OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND HAMPTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN COLLETON COUNTY AS PART OF THE PARK; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY PROJECT IRONSIDES, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING 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 of the Code of Laws of South Carolina 1976, as amended (the “FILOT Act”), to designate real and tangible personal property as “economic development property” and to enter into an arrangement which provides for payment in lieu of taxes (“Negotiated FILOT Payments”) for a project qualifying under the FILOT Act; and

WHEREAS, the County, acting by and through the County Council, is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1 of the Code (the “MCIP Act”), to provide for payments in lieu of taxes (“PILOT Payments”) with respect to property situated or having a situs in a multi-county business or industrial park created under the MCIP Act, and pursuant to Section 4-1-175 and 4-29-68 of the Code (the “SSRC Act”), to permit investors to claim infrastructure or special source revenue credits against their PILOT Payments (including any Negotiated FILOT Payments) to reimburse such investors for expenditures for infrastructure serving Colleton County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Colleton County (“Infrastructure

Improvements”), to facilitate the grant of infrastructure or special source revenue credits, and to provide certain enhanced tax credits to such investors; and

WHEREAS, in order to promote the economic welfare of the citizens of Colleton County and Hampton County (collectively, the “the Counties”) by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for the Development of a Joint County Industrial Park between Colleton County and Hampton County, South Carolina, executed on December 11, 2007 by Colleton County and on January 22, 2008 by Hampton County (the “Original Park Agreement”), to develop jointly an industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with the MCIP Act; and

WHEREAS, the Original Agreement was initially approved by Colleton County Council Ordinance 07-O-29, adopted December 4, 2007; and was further amended from time-to-time to add or remove property to the Park

WHEREAS, the Original Park Agreement, as amended, is referred to herein as the “Park Agreement,” and

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

WHEREAS, an entity identified by the County as “Project Ironsides” , a North Carolina Corporation (the “Company”), intends to acquire, construct, renovate, furnish, and equip a construction services facility, including the acquisition of real property, the construction of buildings, and the furnishing of the facility with machinery and equipment (the “Project”); the Project is to be located at [Provide project location(s) here.] ([collectively,] the “Project Site”); and

WHEREAS, the Project when completed will represent an anticipated “investment” (as defined in the FILOT Act) (the “Investment”) by the Company in the aggregate not less than \$[35,545,229], of which \$[25,545,229] will be in real property (land and building) and \$[10,000,000] will be in tangible business personal property (new machinery and equipment) to be located at the Project Site; and

WHEREAS, the County has been advised that the Project is anticipated to employ approximately [170] full-time employees within [five (5) years] [of the date of enactment of this Ordinance/of completion of the Project]; and

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

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

WHEREAS, the County has made specific proposals, including proposals to offer certain economic development incentives set forth herein, for the purpose of inducing the Company to

invest its funds to acquire, construct, renovate, furnish, and equip the Project (the “Incentives”); and

WHEREAS, it is in the public interest, for the public benefit, and in furtherance of the public purposes of the FILOT Act, the SSRC Act, and the MCIP Act for the County Council to provide final approval for qualifying the Project under the FILOT Act, the SSRC Act, and the MCIP Act for the Incentives;

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

Section 1. Evaluation of the Project. County Council have evaluated the Project on the following criteria based upon any advice and assistance of the South Carolina Department of Revenue and the Revenue and Fiscal Affairs Office, as necessary:

- (a) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon information provided by and representations of the Company, County Council’s investigation of the Project, including the criteria described in Section 1 above, and any advice and assistance of the South Carolina Department of Revenue and the Revenue and Fiscal Affairs Office, as necessary, County Council hereby find that:

- (a) the Project constitutes a “project” as that term is defined in the FILOT Act;
- (b) the Project will serve the purposes of the FILOT Act, the SSRC Act, and the MCIP Act;
- (c) the Investment by the Company in the Project will be approximately \$[35,545,229], all to be invested within the “investment period” (as defined in the FILOT Act); and the Company will employ [170] new full-time employees at the Project within [five (5) years] [of the date of enactment of this Ordinance/of completion of the Project];
- (d) the Project will be located entirely within Colleton County and is anticipated to be located in the Park created pursuant to the MCIP Act;
- (e) the Infrastructure Improvements to be financed or reimbursed from the SSRCs consist of infrastructure serving Colleton County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Colleton County; and
- (f) the Project is anticipated to benefit the general welfare of Colleton County by providing services, employment, or other public benefits not otherwise adequately provided locally;

- (g) the Project gives rise to neither a pecuniary liability of the County nor a charge against its general credit or taxing power;
- (h) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (i) the inducement of the location of the Project is of paramount importance; and
- (j) the benefits of the Project to the public are greater than the cost to the public.

Section 3. Fee-in-Lieu of Taxes Arrangement. Pursuant to the authority of the FILOT Act, the Project is designated as “economic development property” under the FILOT Act and there is hereby authorised a fee-in-lieu of taxes arrangement with the Company which will provide Negotiated FILOT Payments to be made with respect to the Project based upon a 6% assessment ratio with the millage rate which is the lower of (a) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the year preceding the calendar year in which the FILOT Agreement (as defined below) is executed or (b) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the calendar year in which the FILOT Agreement is executed, such rate to be fixed for the entire [25-year] term of the fee-in-lieu of taxes, all as more fully set forth in the Fee-in-lieu of Tax Agreement between the County and the Company (the “FILOT Agreement”). The FILOT Agreement shall be a “Fee Agreement” within the meaning of Section 12-44-30(10) of the FILOT Act.

Section 4. Multi-County Park Incentive.

(A) The County will use its commercially reasonable efforts, in cooperation with Hampton County (the “Partner County”), to designate the Project Site as a multi-county business park pursuant to Article VIII, Section 13 of the South Carolina Constitution, the MCIP Act, and the terms of the Agreement for the Development of a Joint County Industrial Park between the County and Hampton County, South Carolina, executed on December 11, 2007 by Colleton County and on January 22, 2008 by Hampton County, as amended to add the Project Site, and as further amended, supplemented, or replaced from time to time (the “MCIP Agreement”).

(B) The County will provide for [10 years] that the annual allocation of the PILOT Payments generated by the Project will be distributed (after distribution of a portion of the PILOT Payments to the Partner County in accordance with the MCIP Agreement) as follows:

- (i) To the County, for providing the SSRCS (as defined in Section 5 hereof), an amount equal to the annual SSRC provided in Section 5 of this Ordinance and in the FILOT Agreement; and
- (ii) Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the PILOT Payments to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year. [Query: Should some portion of the PILOT Payments go to the Colleton County Economic Development fund?]

Section 5. Special Source Revenue Credits.

(A) After the identification of qualifying public infrastructure located solely within Colleton County and the costs thereof to the satisfaction of the County, the County will provide to the Company an infrastructure or special source revenue incentive (the “SSRCs”) as follows:

(i) An annual SSRC of the annual PILOT Payments and Negotiated FILOT payments due with respect to the Project in property tax years one (1) through ten (10) of the term of the FILOT Agreement, as follows:

- a. SSRC of 50% for Year 1;
- b. SSRC of 80% for Year 2;
- c. SSRC of 70% for Year 3;
- d. SSRC of 60% for Year 4;
- e. SSRC of 50% for Year 5;
- f. SSRC of 40% for Year 6;
- g. SSRC of 30% for Year 7; and
- h. SSRC of 10% for Years 8 through 10.

(B) The documents providing for the SSRCs shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds are not achieved (a “clawback” provision); (ii) that the Company will pay the County’s administrative expenses associated with the approval and administration of the SSRC; (iii) that under certain terms and conditions, the County will have access to certain information of the Company; and (iv) that the Company will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project.

Section 6. Execution of the FILOT Agreement. The form, terms, and provisions of the FILOT Agreement presented to the meeting at which this Ordinance received third reading and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if such FILOT Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized and directed to execute and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in substantially the form before the meeting of County Council at which this Ordinance received third reading and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder, upon the advice of legal counsel, by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of FILOT Agreement presented to said meeting.

Section 7. Miscellaneous.

(a) The Chairman and all other appropriate officials of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions authorized by this Ordinance.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council.

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

(e) All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

COLLETON COUNTY, SOUTH CAROLINA

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

ATTEST:

Clerk to County Council
Colleton County, South Carolina

First Reading: August 27, 2024

Second Reading: October 1, 2024

Public Hearing: _____, _____

Third Reading: _____, _____

Sponsor(s) : County Council
First Reading : August 27, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 1, 2024
Public Hearing : November 5, 2024
Third Reading : November 5, 2024
Effective Date : Immediately

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

ORDINANCE NO. 24-O-14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

1. County Council pursuant to Title 6, Chapter 29, Code of Laws of South Carolina, 1976 as amended, has the legal authority to periodically amend the Official Colleton County Zoning Ordinance and Maps; and
2. The Colleton County Zoning Ordinance authorizes County Council to amend the official Zoning Maps for Colleton County; and
3. The owner of the property located along Oswald Court and identified as T.M.S. No. 131-16-00-114 has requested that the property be rezoned from Suburban Residential (RS) to Urban Development-1 (UD-1) to allow for the potential for Greenhouses and Nurseries, Commercial; and
4. The Planning Commission at their Monday, June 24, 2024 meeting, voted unanimously to recommend that Council approve the request for the rezoning of T.M.S. No. 131-16-00-114, located along Oswald Court from Suburban Residential (RS) to Urban Development-1 (UD-1).

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

1. The 12.1 acre tract, located along Oswald Court, identified as T.M.S. No. 131-16-00-114, is hereby rezoned from Suburban Residential (RS) to Urban Development - 1 (UD-1) on the official Zoning Maps for Colleton County.

2. 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.

3. Conflict:

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

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 24-R-52

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Appoint Employees to the Colleton County Grievance Committee.]

WHEREAS:

1. The Colleton County Grievance Committee currently has one vacancy as a result of resignation of employment; and
2. The County Administrator has reviewed the candidates and recommends that Council appoint the following member to the committee.

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

1. The following employee is hereby appointed to serve on the Colleton County Grievance Committee: George Welch. Term ending January 1, 2028.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 24-R-53

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Reschedule the November County Council Meeting.]

WHEREAS:

1. The first Tuesday of November falls on Election Day; and
2. Staff recommends that County Council hold the November meeting on November 12, 2024.

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

County Council hereby reschedules the November 2024 County Council meeting to November 12, 2024.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 24-R-54

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Fire-Rescue Department is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY25 received from the South Carolina Emergency Management Division for FY 24-25 LEMPG Allocations and from Federal Emergency Management Agency (FEMA) for the Hazard Mitigation Grant Program; and

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

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenues and expenditures in the following funds for the grant and unbudgeted revenues for FY24 as listed:
 - a. Fund 156 – Fire-Rescue Fund; South Carolina Emergency Management Division; 2025 Local Emergency Management Performance Grant; \$56,260; match is included in the FY 2024-2025 budget.
2. The above listed OPRs (Offices of Primary Responsibility) are responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY25 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
 Adopted : October 1, 2024
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A

RESOLUTION NO. 24-R-55

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

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

WHEREAS:

1. The Fire Rescue and Fleet Management departments have evaluated various vehicles and equipment, and deemed them to be no longer suitable for County operations; and
2. The Fire-Rescue Commission has recommended that Council donate the 1996 Ford F800/E-One Fire Engine, serial number: 1FDYF80E5TVA17049 to the Kershaw County Fire Department; and
3. It is recommended that Council declare said vehicles and 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 vehicles and equipment, submitted by the Fire-Rescue and Fleet Management departments, are hereby declared surplus to the needs of the County.

Description	Serial Number
2003 Ford E350 Econoline Van	1FMNE31L33HB03531
2008 Chevrolet Suburban	3GNGK26K78G246023
1990 Ford C8000 Pumper	1FDYD80U0LVA05680
1997 E-One Cyclone II Pumper	4EN8AAA86V1007367
2011 International Workstar Dump Truck	1HTGSSJT7CJ052742
2006 Mack CTP713 Roll Off	1M2AT04C87M004876
1996 Ford F800/E-One Engine	1FDYF80E5TVA17049
Lot	Brush Guards for Dodge Chargers

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

3. The 1996 Ford F800/E-One Fire Engine, with serial number 1FDYF80E5TVA17049, will be donated to the Kershaw Fire Department.
4. The proceeds from the sale of the above vehicles and equipment are to go into the Fire-Rescue Fund – Fund 156 and the Capital Fund – Fund 115.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : October 1, 2024
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 24-R-56

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A RESOLUTION CERTIFYING PROPERTY LOCATED AT 8446 ACE BASIN PKWY, GREEN POND, SC 29446 AS AN ABANDONED BUILDING SITE PURSUANT TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, TITLE 12, CHAPTER 67 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.]

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws (1976), as amended, to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees, or premium taxes, or a credit against local property taxes; and

WHEREAS, 8446 Ace Basin, LLC or an affiliate, successor, or assign (the “Taxpayer”) intends to rehabilitate certain real property located at 8446 Ace Basin Pkwy, Green Pond, SC 29446 and identified more particularly by Colleton County Tax Map Number 272-00-00-003.000 (the “Property”), which Property is located entirely within Colleton County (the “County”); and

WHEREAS, the Taxpayer has expressed a desire to claim income tax credits under the Act, which shall have no fiscal impact on the County; and

WHEREAS, Section 12-67-160 of the Act provides that a taxpayer may apply to the County in which an abandoned building is located for a certification of the abandoned building site, and the taxpayer may conclusively rely upon that certification in determining the credits allowed; and

WHEREAS, the Taxpayer has applied to the County to certify the Property as an eligible abandoned building site, defined by Section 12-67-120 of the Act, in order to facilitate Taxpayer’s claim for income tax credits; and

WHEREAS, given that the claim for income tax credits will have no fiscal impact on the County and that certification would enhance the likelihood of restoring non-productive property

in the County to productive use, and, upon inspection and all necessary investigation, it appears that the Property meets the requirements of the Act for certification, the County Council wishes to provide such certification in accordance with Taxpayer's request.

NOW THEREFORE, BE IT RESOLVED by the Colleton County Council in meeting duly assembled, as follows:

Section 1. The Taxpayer has requested the County to certify the Property pursuant to Section 12-67-160 of the Act.

Section 2. The Property satisfies the criteria for abandonment as required by Section 12-67-120(1) of the Act, namely that it has been closed continuously to business or otherwise nonoperational for income producing purposes for more than five years, and the geographic area of the abandoned building site is consistent with Section 12-67-120(2) of the Act, namely that it consists of the abandoned building itself together with the parcel of land upon which it is located and other improvements located on the parcel, provided that the area of the abandoned building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use.

Section 3. The County hereby certifies that (i) the abandoned building site is an abandoned building as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of the abandoned building site is consistent with Section 12-67-120(2) of the Act.

Section 4. 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.

RESOLVED this ____ day of _____, 2024.

**COLLETON COUNTY,
SOUTH CAROLINA**

Signature: _____

Name: _____

Title: _____

(ATTEST)

Signature: _____

Name: _____

Title: Clerk to Council