

**AGENDA  
COLLETON COUNTY COUNCIL  
REGULAR MEETING  
TUESDAY, DECEMBER 6, 2016  
6:00 P.M.  
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Awards & Recognitions - NONE
5. Approval of Minutes
  - a) Regular Meeting November 1, 2016
6. Appearances & Public Presentations
  - a) Sabrena Graham – Lowcountry Council of Government Update
7. Administrator's Briefing
8. Public Hearing
  - a) Ordinance 15-O-05, Providing For Infrastructure Or Special Source Revenue Credits To Lowcountry Aviation Company, LLC; Authorizing An Infrastructure Credit Agreement Between Colleton County And Lowcountry Aviation Company, LLC; Providing For The Allocation Of Fees-In-Lieu Of Taxes Payable Under The Agreement For Development For A Joint County Industrial Park With Hampton County; And Other Matters Relating Thereto.
  - b) Ordinance 16-O-05, Authorizing The Execution And Delivery Of A Fee Agreement By And Between Colleton County, South Carolina And JGBR Walterboro Corp. (Formerly Identified As Project Strickland) Providing For A Payment Of A Fee In Lieu Of Taxes And Other Matters Related Thereto
  - c) Ordinance 16-O-08, to Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Industrial/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.
  - d) Ordinance 16-O-09, Granting Easement No. 895166 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County

Located on Ground Circle near Jonesville Avenue in County Colleton, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical and Gas Facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.

- e) Ordinance 16-O-10, To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.
  - f) Ordinance 16-O-11, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Colleton Habitat for Humanity; and Other Matters Relating Thereto.
9. Old Business
- a) 2<sup>nd</sup> Reading Ordinance 16-O-12, Authorizing The Acquisition Of Certain Property By Colleton County, South Carolina By Lease-Purchase Financing In The Amount Of Not Exceeding \$2,000,000; The Execution And Delivery Of Certain Instruments, Including A Lease-Purchase Agreement By Colleton County; And Other Matters Relating Thereto.
  - b) 2<sup>nd</sup> Reading Ordinance 16-O-13, To Authorize Colleton County to join with the City of Walterboro and The Walterboro-Colleton County Airport Commission to Convey by Quit Claim Deed unto Sealcraft Corporation, as the Grantee, all of its rights, titles and interests, including but not limited to any and all reversionary interest, in an to the 5.00 acre, more or less, tract of land, situate in Colleton County, South Carolina, and being located in the Industrial Area at 418 Wellston Circle, Walterboro, SC 29488, and being designated as Colleton County TMS No. 132-00-00-019, and now owned by Sealcraft Corporation.
  - c) 3<sup>rd</sup> Reading Ordinance 15-O-05, Providing For Infrastructure Or Special Source Revenue Credits To Lowcountry Aviation Company, LLC; Authorizing An Infrastructure Credit Agreement Between Colleton County And Lowcountry Aviation Company, LLC; Providing For The Allocation Of Fees-In-Lieu Of Taxes Payable Under The Agreement For Development For A Joint County Industrial Park With Hampton County; And Other Matters Relating Thereto.
  - d) 3<sup>rd</sup> Reading Ordinance 16-O-05, Authorizing The Execution And Delivery Of A Fee Agreement By And Between Colleton County, South Carolina And JGBR Walterboro Corp. (Formerly Identified As Project Strickland) Providing For A Payment Of A Fee In Lieu Of Taxes And Other Matters Related Thereto
  - e) 3<sup>rd</sup> Reading Ordinance 16-O-08, to Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Industrial/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.

- f) 3<sup>rd</sup> Reading Ordinance 16-O-09, Granting Easement No. 895166 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located on Ground Circle near Jonesville Avenue in County Colleton, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical and Gas Facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.
  - g) 3<sup>rd</sup> Reading Ordinance 16-O-10, To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.
  - h) 3<sup>rd</sup> Reading Ordinance 16-O-11, To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Colleton Habitat for Humanity; and Other Matters Relating Thereto.
10. New Business
- a) 1<sup>st</sup> Reading Ordinance 16-O-14, Authorizing the County of Colleton to join with the Walterboro-Colleton County Airport Commission and the City of Walterboro in Approving a Commercial Ground Lease for Lowcountry Aviation Co., LLC (Project C)
  - b) Resolution 16-R-89, To Approve the Victim Assistance Agreement between the Colleton County Sheriff's Office and the Town of Cottageville.
  - c) Resolution 16-R-90, To Authorize Acceptance and Budgeting of Various Grants for FY 2016-2017.
  - d) Resolution 16-R-91, To Award the Contract for the Construction of the Solid Waste Transfer Station.
  - e) Resolution 16-R-92, To Enter Into an Agreement Between the State of South Carolina, Emergency Preparedness Division, and by and Among Each County and Municipality a Statewide Mutual Aid Agreement for Catastrophic Disaster Response and Recovery.
11. Items for Information and Public Record - NONE
12. Public Comments (3 minutes per person/max time 20 min.)
13. Council Time

14. Executive Session
  - a) Economic Development- Project Global
  - b) Personnel- Human Resources
15. Adjournment
16. Informal Meeting of the Whole

Sponsor(s) : County Council  
 First Reading : March 3, 2015  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : April 7, 2015  
 Public Hearing : December 6, 2016  
 Third Reading : December 6, 2016  
 Effective Date : Immediately

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

**ORDINANCE NO. 15-O-05**

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

**[PROVIDING FOR INFRASTRUCTURE OR SPECIAL SOURCE REVENUE CREDITS TO LOWCOUNTRY AVIATION COMPANY, LLC; AUTHORIZING AN INFRASTRUCTURE CREDIT AGREEMENT BETWEEN COLLETON COUNTY AND LOWCOUNTRY AVIATION COMPANY, LLC; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR DEVELOPMENT FOR A JOINT COUNTY INDUSTRIAL PARK WITH HAMPTON COUNTY; 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 4, Chapter 1 (the “MCIP Act”) of the Code of Laws of South Carolina 1976, as amended (the “Code”) to provide for payments in lieu of taxes (“Fee Payments”) with respect to property located in a multi-county business or industrial park created under the MCIP Act and pursuant to Sections 12-44-70, 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 Fee 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”); and to create, in conjunction with one or more other counties, a multi-county park in order to afford certain enhanced tax credits to such investors and facilitate the grant of infrastructure or special source revenue credits; and

WHEREAS, Lowcountry Aviation Company, LLC (the “Company”) proposes to lease real property located at \_\_\_\_\_ (the “Project Site”) and to construct thereon one or more buildings, and to furnish and equip said buildings, as a modern, state-of-the-art maintenance, repair, overhaul (“MRO”), and aviation services facility (the “Project”); and

WHEREAS, the Project, when completed, will represent an anticipated capital investment by the Company in the aggregate not less than \$3,270,000 in the buildings and new machinery and equipment to be located at the Project Site; and

WHEREAS, the County has been advised by the Company that upon completion of the Project, the Project is anticipated to employ approximately 127 full-time employees; and

WHEREAS, the Project is located entirely within Colleton County and outside of the boundaries of all municipalities and will be included in and subject to the multi-county park arrangement as described herein; and

WHEREAS, the County has made specific proposals, including proposals to offer certain economic development incentives set forth herein, to assist the Company in defraying the costs of infrastructure servicing or comprising 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 MCIP Act that the County Council provide final approval for qualifying the Project under the MCIP Act and SSRC Act for the Incentives;

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

Section 1. Evaluation of the Project. County Council has evaluated the Project on the following criteria based upon the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors:

- (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 the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors, as necessary, County Council hereby find that:

- (a) the Project will be located entirely within Colleton County;
- (b) the Project is anticipated to benefit the general public welfare of Colleton County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;
- (c) the Project gives rise to neither a pecuniary liability of the County nor a charge against its general credit or taxing power;
- (d) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (e) the inducement of the location of the Project is of paramount importance; and
- (f) the benefits of the Project to the public are greater than the cost to the public.

Section 3. Special Source Revenue Credits. The County will provide to the Company infrastructure or special source revenue credits (“SSRCs”) under the SSRC Act, on the conditions described below, as follows:

- (a) Subject to the provisions of the Infrastructure Credit Agreement between the County and the Company (the “Infrastructure Credit Agreement”), the County shall provide to the Company an annual SSRC against the tax payments attributable to the Project (the “Project Fee Payments”), in an amount that annually reduces the Project Fee Payments to an equivalent payment calculated (i) at a four percent (4%) assessment ratio, and (ii) at the fixed millage rate of \_\_\_ mils, beginning for the property tax year 20\_\_\_ (payment for which is due on or about January 15, 20\_\_) and continuing for 25 years through the property tax year 20\_\_\_ (payment for which is due on or about January 15, 20\_\_); and
- (b) The Company shall agree to invest at least \$3,700,000, including the costs of constructing the buildings and improvements on the Project Site, and the furnishing and equipping thereof and to create at least 127 new full-time jobs at the Project by \_\_\_\_\_, 20\_\_;

all as more fully set forth in the Infrastructure Credit Agreement; provided, however, that such SSRCs shall not, in the aggregate, exceed the aggregate cost of the Infrastructure Improvements funded from time to time by the Company.

Section 4. Execution of the Infrastructure Credit Agreement. The form, terms, and provisions of the Infrastructure Credit Agreement presented to this meeting 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 Infrastructure Credit 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, empowered, and directed to execute, acknowledge, and deliver the Infrastructure Credit Agreement in the name and on behalf of the County, and thereupon to cause the Infrastructure Credit Agreement to be delivered to the Company. The Infrastructure Credit Agreement is to be in substantially the form now before this meeting and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the County Attorney and 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 Infrastructure Credit Agreement now before this meeting.

Section 5. Allocation of MCP FILOT Revenues. (a) By separate ordinance (the “MCIP Ordinance”) of the County Council, the County, in cooperation with Hampton County (the “Partner County”), will designate the Project Site as a multi-county park pursuant to Article VIII, Section 13 of the Constitution of South Carolina, the MCIP Act, and the terms of the Agreement for Development for a Joint County Industrial Park (the “MCIP Agreement”). In the Infrastructure Credit Agreement, the County will agree to maintain such designation for a term of at least 25 years to fund the SSRCs, subject to earlier termination as provided therein.

- (b) Pursuant to the terms of the MCIP Act and the MCIP Agreement, the County

hereby provides that for the term of the Infrastructure Credit Agreement commencing with the first tax year in which the Fee Payments are generated by the Project and payable to the County in accordance with the terms of the MCIP Agreement will be distributed as follows:

- (1) After deducting any amounts distributed to the Partner County, to the County an amount equal to the total SSRCs to be provided in such year pursuant to Section 3 hereof; and
- (2) After making the allocations under paragraph (1) of this Section, the balance is to be distributed among the taxing districts based on their then current millage rates.

Section 6. 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.

Attest:

Signed:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

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

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

COUNCIL VOTE:  
OPPOSED:



Sponsor(s): County Council  
First Reading: June 7, 2016  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: November 1, 2016  
Public Hearing: December 6, 2016  
Third Reading: December 6, 2016  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

**ORDINANCE NO. 16-O-05**

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

**[ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND JGBR WALTERBORO CORP. (FORMERLY IDENTIFIED AS PROJECT STRICKLAND) PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES 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 pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), to enter into fee agreements with any industry, with said agreements identifying certain properties of such industries as economic development property, through which powers the industrial development of the State of South Carolina (the "State") and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate, remain, and expand in the State and the County and thus utilize and employ the manpower, products, and natural resources and benefit the general public welfare of the State and County by providing services, employment, or other public benefits not otherwise adequately provided locally; and

WHEREAS, JGBR Walterboro Corp., a corporation existing under the laws of the State of South Carolina (formerly identified as Project Strickland) and authorized to do business in the State and its affiliates (referred to hereinafter as the "Company") intend to invest in the establishment of a manufacturing facility through the acquisition of land, a building, and improvements thereon (the "Land and Building"); the construction of improvements thereon and/or therein; and/or the acquisition of personal property, including, but not limited to, machinery, equipment, and furniture to be installed on and/or in the Land and Building, which would constitute a project within the meaning of the Act and which are eligible for inclusion as economic development property, the cost of which is estimated to be seven million dollars and No/100 (\$7,000,000.00) over five years (the "Project"), all as more fully set forth in the Fee Agreement attached hereto; and

WHEREAS, the County has been advised that upon the completion of the Project, the Project is anticipated to employ approximately 62 full-time employees; and

WHEREAS, pursuant to an Inducement Resolution dated as of \_\_\_\_\_, the County authorized the execution of an agreement providing for fee in lieu of tax payments; and

WHEREAS, the Company has caused to be prepared and presented to this meeting the form of the Fee Agreement by and between the County and the Company (the "Fee Agreement"), which provides for fee in lieu of tax payments utilizing a 6% assessment ratio for a period of 20 years for the Project or each component thereof placed in service during the initial investment period and any investment period extension to which the County and the Company agree and a millage rate to be fixed for the full term of the Fee Agreement and which shall be the lower of the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is to be located on either (1) the June 30 preceding the year in which the Fee Agreement is executed, or (2) the June 30 of the year in which the Fee Agreement is executed; and

WHEREAS, it appears that the Fee Agreement, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

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

Section 1. In order to promote industry, develop trade, and utilize and employ the manpower, products, and natural resources of the State of South Carolina by assisting the Company to expand or locate an industrial facility in the State of South Carolina, the Fee Agreement is hereby authorized, ratified, and approved.

Section 2. Based upon information provided by and representations of the Company, it is hereby found, determined, and declared by the County Council, as follows:

- (a) The Project will constitute a "project" as said term is referred to and defined in the Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act.
- (b) The Project and the payments in lieu of taxes set forth herein are beneficial to the County, and the County has evaluated the Project based upon all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made and the anticipated costs and benefits to the County.
- (c) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.
- (d) The Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

- (e) 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.
- (f) The inducement of the location or expansion of the Project within the County and State is of paramount importance.
- (g) The benefits of the Project to the public will be greater than the costs.

Section 3. The form, terms, and provisions of the Fee Agreement presented to this meeting are hereby approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the Fee Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and/or the County Administrator are authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name of and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Company. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of Counsel to the County, such official's execution thereof to constitute conclusive evidence of such official's approval of any and all changes or revisions therein from the form of the Fee Agreement now before this meeting.

Section 4. The Chairman of the County Council and/or the County Administrator, 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 under and pursuant to the Fee Agreement.

Section 5. The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision 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 6. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.. The Ordinance shall become effective immediately upon approval following third reading by the County Council.

(SIGNATURE PAGE TO FOLLOW)

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Steven D. Murdaugh, Chairman of County Council  
Colleton County, South Carolina

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Ruth Mayer, Clerk to Council

By: \_\_\_\_\_  
Sean Thornton, County Attorney

Sponsor(s) : County Council  
 First Reading : October 11, 2016  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : November 1, 2016  
 Public Hearing : December 6, 2016  
 Third Reading : December 6, 2016  
 Effective Date : Immediately

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

**ORDINANCE NO. 16-O-08**

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

**[An Ordinance to Establish, Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended, a Multi-County Industrial/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.**

WHEREAS, Colleton County, South Carolina (“Colleton County”) and Charleston County, South Carolina (“Charleston County”) (collectively, the “Counties” and together with any additional counties that become parties to the MCP 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 establish jointly a multi-county industrial/business park within the geographical boundaries of one or more of the Member Counties (the “Park”); 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, certain real property sites which the Counties, from time to time, desire to include within the Park have been included within a “redevelopment project area” (within the meaning of Sections 31-6-30, 31-7-30, or 31-12-30 of the Code of Laws of South Carolina 1976, as amended, or comparable provisions of law [the “TIF Law”]) for the purposes of tax increment financing by a municipality, a county, or a redevelopment authority (or comparable governmental entity) (the “TIF Authority”), the effect of which is to limit the allocation of tax revenues derived from such real property sites to be consistent with the applicable “redevelopment plan” (the “Redevelopment Plan”) as established by the applicable TIF Authority under the TIF Law; and

WHEREAS, the Counties desire to establish the Park pursuant to a MCP Agreement (as defined below) having such terms as are consistent with the applicable Redevelopment Plan; and

WHEREAS, in order to promote the economic development of Colleton County and Charleston County, the Counties have initially agreed to include in the Park properties located in Charleston County and described in Exhibit A hereto (the “Initial Property”) and as more particularly described in Exhibit A to that certain “Agreement for the Establishment of Multi-County Industrial/Business Park for TIF Properties” to be entered into by the Counties as of such date as may be agreed to by the Counties (the “MCP Agreement”); and

WHEREAS, the Counties have agreed to the specific terms and conditions of the arrangement set forth in the MCP Agreement; and

WHEREAS, the Counties now desire to establish the Park to include the Initial Property;

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

**Section 1. Establishment of Multi-County Park; Approval of MCP Agreement; Location of Park; Change of Park Boundaries.**

(a) There is hereby authorized to be established, initially in conjunction with Charleston County, a multi-county industrial/business park to include therein the Initial Property. The form, provisions, terms, and conditions of the MCP Agreement now before this meeting and filed with the Clerk to County Council be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the MCP Agreement were set out in this Ordinance in its entirety.

(b) The MCP Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of 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 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 establishment of the Park and the execution and delivery of the MCP Agreement and the performance of all obligations of Colleton County under and pursuant to the 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 Initial Property located in Charleston County. 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 actually located, and (b) a resolution (or comparable action) of the governing bodies of the 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 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 located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the 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 MCP Agreement. Payments of fees in lieu of *ad valorem* taxes will be due on the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payments. Any late payment beyond the due date will accrue interest at the rate of statutory judgment interest. 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 MCP Agreement and as approved by the applicable TIF Authority consistent with the applicable Redevelopment Plan as provided in the 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 MCP Agreement.

**Section 5. 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, including the TIF Law. 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 6. 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 7. General Repealer.** Any prior ordinance or resolution of Colleton County Council, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 8. Effectiveness.** This Ordinance shall be effective upon approval following third and final reading.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

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

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

Council Vote:  
Opposed:



Sponsor(s): County Council  
First Reading: October 11, 2016  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: November 1, 2016  
Public Hearing: December 6, 2016  
Third Reading: December 6, 2016  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## ORDINANCE NO. 16-O-09

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

**[An Ordinance Granting Easement No. 895166 to South Carolina Electric and Gas Across a Portion of Property Owned by Colleton County Located on Ground Circle near Jonesville Avenue in County Colleton, SC; Such Easement is to be Used for the Installation, Operation and Maintenance of Electrical and Gas Facilities within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.]**

#### WHEREAS:

Colleton County Council deems it to be in the best interest of the County to grant an Easement to South Carolina Electric and Gas across a portion of property owned by Colleton County located on Ground Circle near Jonesville Avenue in Colleton County, SC; such easements are to be used for the installation, operation and maintenance of electrical and gas facilities within Colleton County, SC.

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

- 1) The documents attached and included herein by reference grant Easement No. 895166 to South Carolina Electric and Gas across a portion of property owned by Colleton County located on Ground Circle near Jonesville Avenue in Colleton County, SC to be used for the installation, operation and maintenance of electrical facilities within Colleton County, SC.
- 2) The County Administrator is hereby authorized to sign said easement on behalf of the County pending final approval of the document by the County Attorney.
- 3) Said easement shall be recorded in the Office of the Register of Deeds for Colleton County.
- 4) 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.

- 5) Conflict:

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

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s): County Council  
First Reading: October 11, 2016  
Committee Referral: N/A  
Committee Consideration Date: N/A  
Committee Recommendation: N/A  
Second Reading: November 1, 2016  
Public Hearing: December 6, 2016  
Third Reading: December 6, 2016  
Effective Date: Immediately

I, \_\_\_\_\_,  
Council Clerk, certify that  
this Ordinance was advertised  
for public hearing on \_\_\_\_\_.

## **ORDINANCE NO. 16-O-10**

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

**[To Amend Chapter 13, Section 13.04.010 of the Colleton County Code of Laws to Provide for the Adoption of Certain Updated Codes as Mandated by State Law.]**

#### **WHEREAS:**

1. Chapter 13, Section 13.04.010 of the Colleton County Code of Laws provides for the adoption of certain codes by reference; and
2. Updated Editions of said Codes have been issued, and in order to keep current with requirements of said Codes, it is necessary to adopt these editions.

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

1. Chapter 13, Section 13.04.010, Part A (1), is hereby amended to read as follows:

#### **13.04.10 Adoption by reference.**

- A. 1. The following codes are adopted by reference as though they were copied herein fully:

International Building Code – 2015 Edition including Chapter 1;  
International Energy Conservation Code – 2009 Edition;  
International Fire Code - 2015 Edition;  
International Fuel Gas Code – 2015 Edition;  
International Mechanical Code – 2015 Edition;  
International Plumbing Code – 2015 Edition;  
International Residential Code – 2015 Edition including Chapter 1 and  
International Swimming and Spa Code - 2012 Edition;  
National Electrical Code – 2014 Edition;  
International Existing Building Code – 2015 Edition;  
Standard for Residential Construction in High-Wind Regions ICC 600-  
2008 Edition;  
Accessible and Usable Buildings and Facilities ICC A117.1-2009 Edition.

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:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : October 11, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : November 1, 2016  
Public Hearing : December 6, 2016  
Third Reading : December 6, 2016  
Effective Date : Immediately

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

## ORDINANCE NO. 16-O-11

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

**[To Provide for the Sale of Real Property Owned by Colleton County, South Carolina to Colleton Habitat for Humanity; and Other Matters Relating Thereto.]**

#### WHEREAS:

1. The property located at 801 N. Lemacks Street was deeded to the Colleton County (the "County") without the County's knowledge on August 28, 2012; and
2. Colleton Habitat for Humanity has completed projects in the area, and has requested that the County sell the property to Colleton Habitat for Humanity; and
3. Colleton County has no use for the property and wishes to sell it to Colleton Habitat for Humanity; and
4. County Council of the County (the "Council") deems it to be in the best interest of the County to sell the real property located at 801 N. Lemacks Street and further described in the legal description attached hereto as Exhibit A to Colleton Habitat for Humanity, on such terms and conditions as set forth herein.

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

1. The County of Colleton hereby authorizes the conveyance to Colleton Habitat for Humanity the property (the "Property") more fully described in attached Exhibit A for a consideration of Five and No/100 Dollars (\$5.00) and other good and valuable consideration, and upon the other terms and conditions as set forth herein.
2. The County Administrator is hereby authorized, empowered, and directed on behalf of the County of Colleton to execute and deliver a deed for the Property pursuant thereto, and to such other documents as may be necessary or desirable in connection with the conveyance of the Property.
3. Conflict:

All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

4. Severability:

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect the 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.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

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

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

Council Vote:  
Opposed:

Sponsor(s) : County Council  
First Reading : November 1, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : December 6, 2016  
Public Hearing : January 3, 2017  
Third Reading : January 3, 2017  
Effective Date : Immediately

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

## ORDINANCE NO. 16-O-12

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

**[Authorizing the Acquisition of Certain Property by Colleton County, South Carolina by Lease-Purchase Financing in the Amount Of Not Exceeding \$2,000,000; the Execution and Delivery of Certain Instruments, Including a Lease-Purchase Agreement by Colleton County; and Other Matters Relating Thereto.]**

**WHEREAS**, Colleton County, South Carolina, a body politic and corporate and a political subdivision organized and existing under the laws of the State of South Carolina (the "County"), acting by its governing body, the County Council of Colleton County ("County Council"), is authorized to enact ordinances in relation to health and order in Colleton County or respecting any subject as appears to County Council necessary and proper for the security, general welfare, and convenience of Colleton County or for preserving health, peace, order, and good government in Colleton County; and

**WHEREAS**, the County is authorized to acquire and lease personal property (excluding any real property and permanent improvements thereon) (the "Property") by means of lease-purchase financing which does not count against the limitation set forth in Article X, Section 14, paragraph 7(a) of the South Carolina Constitution and Section 11-27-110 of the Code of Law of South Carolina 1976, as amended; and

**WHEREAS**, County Council have determined that it is in the best interest of the County to acquire certain vehicles and equipment to be financed by means of a lease-purchase arrangement or lease-purchase agreements pursuant to which all lease payments are made with respect to all Property so financed and secured by a security interest in such Property so financed; and

**WHEREAS**, County Council intend that Property to be so financed thereunder will be identified and approved in the County budget ordinance or by separate resolution duly enacted by County Council; and

**WHEREAS**, County Council intend that the specific terms of such lease-purchase financing arrangement, including the principal amount to be financed, interest rate, term, and other financing terms, and the selection of the financial institution or institutions providing the

financing, will be approved by the County Administrator, subject to the parameters set forth herein, without further action of County Council; and

**WHEREAS**, the terms of the lease-purchase financing arrangement are to be set forth in a lease purchase agreement (the "Lease Purchase Agreement"), as approved by the County Administrator upon the advice of counsel.

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

Section 1. The lease purchase of the Property set forth in Schedule A attached hereto by the County pursuant to the terms set forth in the Lease Purchase Agreement is hereby approved. The County Administrator is hereby authorized and directed to execute and deliver the Lease Purchase Agreement, in form and substance satisfactory to him upon the advice of counsel, his execution being conclusive evidence of his approval.

Section 2. The consummation of all transactions contemplated by the Lease Purchase Agreement are hereby approved.

Section 3. All property which may be acquired by the County pursuant to the Lease Purchase Agreement, or designated by the County as subject to the Lease Purchase Agreement, in addition to the Property set forth in Schedule A shall be identified and approved by the County Council in the County budget ordinance or by separate ordinance or resolution. The County Administrator is hereby authorized to approve, on behalf of the County, the specific terms of financing any particular Property, including the principal amount to be financed, interest rates, term, and other financing terms, and the selection of the financing institution or institutions providing the financing, as he deems in the best interest of Colleton County Government.

Section 4. The Chairman, the County Administrator, and all other appropriate officials and employees of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions contemplated by the Lease Purchase Agreement and the Purchase Contract.

Section 5. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 6. This Ordinance shall become effective immediately upon approval after third reading by County Council.

Section 7. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.



Section 8. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

Attest:

Signed:

\_\_\_\_\_  
Clerk to Council

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

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

Council Vote:  
Opposed:

Sponsor(s) : County Council  
 First Reading : November 1, 2016  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : December 6, 2016  
 Public Hearing : January 3, 2016  
 Third Reading : January 3, 2016  
 Effective Date : Immediately

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

**ORDINANCE NO. 16-O-13**

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

**[To Authorize Colleton County to join with the City of Walterboro and The Walterboro-Colleton County Airport Commission to Convey by Quit Claim Deed unto Sealcraft Corporation, as the Grantee, all of its rights, titles and interests, including but not limited to any and all reversionary interest, in an to the 5.00 acre, more or less, tract of land, situate in Colleton County, South Carolina, and being located in the Industrial Area at 418 Wellston Circle, Walterboro, SC 29488, and being designated as Colleton County TMS No. 132-00-00-019, and now owned by Sealcraft Corporation.]**

**WHEREAS:**

1. The below described property was conveyed by the Walterboro-Colleton County Airport Commission, The Town of Walterboro and the County of Colleton to Southern Realty and Construction Company, Inc. by deed dated September 27, 1972 and recorded September 29, 1972 in Book 167 at page 158 in the Office of the Clerk of Court for Colleton County, South Carolina; and
2. That deed contained certain conditions, restrictions and a reversionary clause that stated in part if the grantee, it successors and assigns, should fail to use the property conveyed herein for industrial purposes on a regular basis the land would revert back to the grantors, their successors or assigns, provided the grantors met certain conditions; and
3. SealCraft Corporation, A South Carolina Corporation has requested that the Walterboro-Colleton County Airport Commission, The City of Walterboro and the County of Colleton convey to SealCraft Corporation, A South Carolina Corporation by quit claim deed for a consideration of Five and 00/100 (\$5.00) Dollars all of its right, title and interest, including but not limited to any and all reversionary interests, in and to the below described Five (5.00) acre, more or less tract, now owned by SealCraft Corporation, A South Carolina Corporation; and
4. The Walterboro-Colleton County Airport Commission is in agreement with the execution and recording of the within Quit Claim Deed with respect to the below described property unto and in favor of SealCraft Corporation, A South Carolina Corporation under the terms as stated above and has requested that the City of Walterboro and the County of Colleton join in and transfer and convey for a consideration of Five and 00/100 (\$5.00) Dollars to SealCraft Corporation, A South Carolina Corporation all by its resolution adopted at a meeting held on \_\_\_\_\_; and
5. City Council of the City of Walterboro acting on said request approved the execution of this deed on behalf of the City by Ordinance adopted \_\_\_\_\_; and

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

1. The County of Colleton joins with the City of Walterboro and the Walterboro-Colleton County Airport Commission in conveying to SealCraft Corporation, by way of quit-claim deed, for a consideration of Five and no/100 Dollars (\$5.00) the following described property:

All that certain piece, parcel or tract of land, with the buildings and improvements thereon, situate, lying and being in the Industrial Area, a portion of the Old Walterboro Air Field, in the County of Colleton, State of South Carolina, containing five (5) acres, more or less, and which is more particularly described on a plat by W. Gene Whetsell, R.L.S. 3131, dated July 20, 1972, and recorded in the Office of the Clerk of Court for Colleton County in Plat Book 14, at Page 54, said plat being incorporated herein as part of this description, and said tract of land being a semicircle in shape and being bounded now and formerly as follows: On the Northeast by lands of Walterboro Colleton Airport Commission and on all other sides by a road as shown on said plat referred to above as Wellston Circle which separates this tract from other lands of Walterboro Colleton Airport Commission.

TMS No.: 132-00-00-019

Property Address: 418 Wellston Circle, Walterboro, SC 29488

2. The Chairman and Clerk of Colleton County Council be, and they are, hereby authorized, empowered and directed on behalf of the County of Colleton to execute and deliver said Deed, and to execute such other documents as may be necessary or desirable in connection with the Conveyance of the property.
3. Conflict: All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.
4. Severability: If any provisions 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.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Clerk to Council

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

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

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
First Reading : December 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Second Reading : December 16, 2016  
Public Hearing : January 3, 2017  
Third Reading : January 3, 2017  
Effective Date : Immediately

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

**ORDINANCE NO. 16-O-14**

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

**[An Ordinance Authorizing the County of Colleton to join with the Walterboro-Colleton County Airport Commission and the City of Walterboro in Approving a Commercial Ground Lease for Lowcountry Aviation Company, LLC (Project C).]**

**WHEREAS:**

1. Lowcountry Aviation Company, LLC (Project C) has identified a parcel consisting of approximately 5.85 acres, more or less, located on a property owned by the County of Colleton and the City of Walterboro and managed by the Walterboro-Colleton Airport commission; and
2. Lowcountry Aviation Company, LLC (Project C) when completed will be in vesting \$3,270,000 more or less, in buildings, infrastructure, new machinery and equipment; and
3. Lowcountry Aviation Company, LLC (Project C) is anticipated to employ approximately 127 full-time employees upon the completion of the project; and
4. The leased premises is to be used for the business purpose of aircraft management, aircraft maintenance/repair/overhaul including electronic/avionics components, aircraft modifications and upgrades, engineering design, aircraft paint, charter airline services, flight training and simulation, aircraft brokerage, aircraft rentals, aircraft on ground services and aircraft storage fees.

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

1. The County of Colleton joins with the City of Walterboro and the Walterboro-Colleton County Airport Commission in approving the commercial ground lease for Lowcountry Aviation Company, LLC (Project C). Execution of the ground lease by the County of Colleton is subject to approval by the Federal Aviation Authority (FAA).

2. Conflict: All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.
3. Severability: If any provisions 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.

ATTEST:

SIGNED:

---

Ruth Mayer, Clerk to Council

---

Steven D. Murdaugh, Chairman

---

Approved as to Form  
Sean P. Thornton, County Attorney

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : December 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-89**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY  
[A Resolution to Approve the Victim Assistance Agreement between the Colleton  
County Sheriff's Office and the Town of Cottageville.]**

**WHEREAS:**

1. South Carolina State Law mandates that the Colleton County Sheriff's Office provides Victim Assistance to the Town of Cottageville; and
2. The Sheriff's Office has reviewed the Victim Assistance Agreement with the Town of Cottageville and recommends that Council approve said Agreement.

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

1. The Victim Assistance Agreement with the Town of Cottageville (attached and included herein by reference) is hereby approved.
2. The County Administrator is hereby authorized to sign said agreement on behalf of Colleton County.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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

COUNCIL VOTE:  
OPPOSED

Sponsor(s) : County Council  
Adopted : December 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-90**

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

**[A Resolution to Authorize Acceptance and Budgeting of Various Grants for FY 2016-2017.]**

**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 Sheriff's Department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY 17 received from the U.S. Department of Justice for the Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Solicitation as described below; and
3. The Colleton County Sheriff's Department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY 17 received from the South Carolina Department of Public Safety Highway Safety Grant #PT-2017-HS-34-17 as described below; and
4. The Colleton County Engineer, within the Roads and Bridges Department, is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY 17 received from the South Carolina Department of Commerce the Community Development Block Grant Program, Gadsden Loop Neighborhood Revitalization Grant #4-NR-16-002 as described below; and
5. The Colleton County Planning and Development Department is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY17 received from South Carolina Department of Parks, Recreation and Tourism Recreational Trails Program, Ace Basin Greenway – Phase 1 Grant #P28051700317.

**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 grants and unbudgeted revenues for FY17 as listed:
  - a. Fund 120 – Special Revenue Fund; U.S. Department of Justice; \$18,107; Justice Assistance Grant Program; Colleton County Sheriff's Office Evidence Library System.
  - b. Fund 120 – Special Revenue Fund; South Carolina Department of Public Safety; \$135,266; Highway Safety Grant #PT-2017-HS-34-17.
  - c. Fund 120 – Special Revenue Fund; South Carolina Department of Commerce; \$483,502; Community Development Block Grant Program; Gadsden Loop Neighborhood Revitalization Grant #4-NR-16-002; match to be provided by CTC, in the amount of \$250,000, and SCDOT, in the amount of \$400,000.
  - d. Fund 120 – Special Revenue Fund; South Carolina Department of Parks, Recreation and Tourism; \$100,000; Recreational Trails Program Grant #P28051700317; match provided by

CTC, in the amount of \$25,000, and the Colleton County Planning and Development Department FY 17 Budget in the amount of \$5,000.

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 FY17 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED:



Sponsor(s) : County Council  
Adopted : December 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-91**

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

**[A Resolution to Award the Contract for the Construction of the Solid Waste Transfer Station.]**

**WHEREAS:**

1. The County advertised a Request for Bids, CPST-04, for the construction of the Solid Waste Transfer Station, which is a Capital Projects Sales Tax project; and
2. Three bids were received;
3. IP Builders, Inc. meets all of the requirements of the bid and is the lowest bidder.

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

1. County Council hereby awards the contract in accordance with Bid CPST-04 to IP Builders, Inc. for the construction of the Solid Waste Transfer Station a cost of \$1,281,914.57, which is the base bid plus alternate #2.
2. The County Administrator is hereby authorized to execute a contract on behalf of the County pending approval of same by the County Attorney.
3. Funding for this construction shall come from the Capital Projects Sales Tax Fund – Fund 143.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:  
OPPOSED:

Sponsor(s) : County Council  
Adopted : December 6, 2016  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 16-R-92**

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

**[To Enter Into an Agreement Between the State of South Carolina, Emergency Preparedness Division, and by and Among Each County and Municipality a Statewide Mutual Aid Agreement for Catastrophic Disaster Response and Recovery.]**

**WHEREAS:**

1. The South Carolina Constitution, Article VIII, Section 13, provides that any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof; and
2. The South Carolina Code of Laws, Section 25-1-450, requires that State, county and municipal governments shall cooperate in developing and maintaining a plan for mutual assistance in emergencies; and
3. The South Carolina Code of Laws, Section 6-11-1810, provides that any municipality, fire district, fire protection agency, or other emergency service entity may provide mutual aid assistance, upon request, from any other municipality, fire district, fire protection agency, or other emergency service delivery system in South Carolina at the time of a significant incident such as fire, earthquake, hurricane, flood, tornado, hazardous material event, or other such disaster; and
4. The State of South Carolina is geographically vulnerable to hurricanes, tornadoes, flooding, and other natural disasters that in the past have caused severe disruption of essential human services and severe property damage to public roads, utilities, building, parks, and other government-owned facilities; and
5. The parties to this agreement recognize that additional manpower and equipment may be needed to mitigate further damage and restore vital services to the citizens of the affected community should such disasters occur; and
6. To provide the most effective mutual aid possible, each Participating Government intends to foster communications between the personnel of the other Participating Government of plans and procedures to implement this Agreement.

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

1. The Colleton County Council hereto authorizes the County Council Chairman to execute and enter into the Statewide Mutual Aid Agreement for Catastrophic Disaster Response and Recovery on behalf of Colleton County.

ATTEST:

SIGNED:

\_\_\_\_\_  
Ruth Mayer, Council Clerk

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

COUNCIL VOTE:  
OPPOSED: