

MINUTES
TUESDAY, JUNE 6, 2023
REGULAR MEETING
6:00 P.M.

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

Present: Vice Chairman Phillip Taylor called the meeting to order with Council Members Dr. Joseph Flowers, Bubba Trippe, and Scott Biering in attendance. Chairman Steve Murdaugh was not present.

Others Included: Kevin Griffin, Meagan Utsey, Sean Thornton, Kaela Brinson, Jon Carpenter, Barry McRoy, Mayor Crawford Moore, Jerome Kizer, Michelle Knight, James Rutledge, Delma Tyus, Anderson Grant, Felicia Johnson, Dr. John Creel, Jessie Gooding, Clarence Wiggins, and Brenda Perkins.

Councilman Bubba Trippe gave the invocation and led the Pledge of Allegiance.

Approval of Minutes

- A. Administrative Committee Meeting April 24, 2023— Dr. Flowers moved to approve the minutes of the Administrative Committee Meeting held on April 24, 2023. The motion was seconded by Councilman Trippe and the motion carried unanimously.
- B. Regular Meeting May 2, 2023— Dr. Flowers moved to approve the minutes of the Regular Meeting held on May 2, 2023. The motion was seconded by Councilman Biering and the motion carried unanimously.
- C. Budget Work Session— Dr. Flowers moved to approve the minutes of the Budget Work Session held on May 3, 2023. The motion was seconded by Councilman Trippe and the motion carried unanimously.

Appearances & Public Presentations

- A. Eastside Acres Park – Jesse Gooding
***Please see the attached PowerPoint Presentation.

Administrator's Briefing

Mr. Griffin: Stated, Item "A" under "New Business" needs to be removed from the agenda. That is the 1st reading for the Fee in Lieu of Tax Agreement for Project Wren. We still have the inducement Resolution, which is item "C" under "New Business", for Project Wren. We were asked to remove it late this afternoon due to some edits that need to be made to it. Also, we have a number of Economic Development items along with the Budget Ordinance. I was informed by

Barnwell Fishburne that the House, Senate, and Governor have signed off on naming the Ashepoo Bridge at Highway 17 after Mr. Gene Whetsell, a former Councilman here. That unavailing will be on Tuesday, June 20th at 11 AM. We are working on arrangements. I believe this is a wonderful way to honor Mr. Gene Whetsell. If you all have any questions, I will be glad to answer them at this time.

No questions.

Vice Chairman Taylor stated that he would entertain a motion to remove item "A" under "New Business", 1st Reading Ordinance 23-O-10. Dr. Flowers moved to remove item "A" under "New Business". Councilman Biering seconded that motion, and the motion was carried unanimously.

Public Hearing

Dr. Flowers made a motion to move into Public Hearing. Councilman Trippe seconded that motion, and the motion was carried unanimously.

- A. Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. 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 Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto**

- B. Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023, through June 30, 2024, to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto**

No comments were made. Dr. Flowers made a motion to close Public Hearing. Councilman Taylor seconded that motion and the motion carried unanimously.

Old Business

- A. 3rd Reading Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes**

Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. 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 Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto

Dr. Flowers moved to approve 3rd Reading Ordinance 23-O-07, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County And Pomega Energy Storage Technologies, Inc., Including Any Related Or Affiliated Entities And Any Sponsor Affiliates, Whereby Colleton County Will Enter Into A Fee-In-Lieu Of Taxes Arrangement With Pomega Energy Storage Technologies, Inc.; Providing For Payment By Pomega Energy Storage Technologies, Inc. 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 Pomega Energy Storage Technologies, Inc., Under The Agreement For Establishment Of Multi-County Industrial/Business Park; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

B. 3rd Reading Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023 through June 30, 2024 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto

Dr. Flowers moved to approve 3rd Reading Ordinance 23-O-08, To Provide for the Levy of Taxes in Colleton County, South Carolina, for the Fiscal Year July 1, 2023 through June 30, 2024 to Provide for All Other Appropriations Thereof; and to Provide for Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

C. 2nd Reading Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances

Dr. Flowers moved to approve 2nd Reading Ordinance 23-O-09, To Adopt Title 5 – Business Licenses & Regulations, Chapter 5.04 – Late Night Establishments Preclearance, of the Colleton County Code of Ordinances. The motion was seconded by Councilman Trippe. The motion carried unanimously.

New Business

- A. 1st Reading Ordinance 23-O-11, By Title Only, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County, South Carolina (The “County”) And Project Marathon, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The “Project”); The Amendment Of The Multi-County Industrial/Business Park Agreement Between The County 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 And Allocating The Fee In Lieu Of Ad Valorem Taxes Paid By The Company Under The Agreement For Establishment Of Multi-County Industrial/Business Park; The Approval Of Providing Certain Special Source Revenue Credits; And Other Matters Relating Thereto**

Dr. Flowers moved to approve 1st Reading Ordinance 23-O-11, By Title Only, Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Colleton County, South Carolina (The “County”) And Project Marathon, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The “Project”); The Amendment Of The Multi-County Industrial/Business Park Agreement Between The County 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 And Allocating The Fee In Lieu Of Ad Valorem Taxes Paid By The Company Under The Agreement For Establishment Of Multi-County Industrial/Business Park; The Approval Of Providing Certain Special Source Revenue Credits; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

- B. Resolution 23-R-35, Authorizing, Under Certain Conditions, The Execution And Delivery By Colleton County, South Carolina Of A Fee In Lieu Of Tax Agreement With A Company Known To The County And Identified For The Time Being As “Project Wren” With Respect To An Industrial Project In The County Whereby The Project Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, And Whereby “Project Wren” Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; And Other Matters Related Thereto**

Dr. Flowers moved to approve Resolution 23-R-35, Authorizing, Under Certain Conditions, The Execution And Delivery By Colleton County, South Carolina Of A Fee In Lieu Of Tax Agreement With A Company Known To The County And Identified For The Time Being As “Project Wren” With Respect To An Industrial Project In The County Whereby The Project

Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, And Whereby “Project Wren” Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; And Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

C. Resolution 23-R-36, A Resolution Identifying A Project In Order To Satisfy The Requirements Of South Carolina Code Section 12-44-40, So As To Allow Investment Expenditures Incurred By Project Marathon To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes And Special Source Revenue Credit Arrangement With Colleton County, South Carolina; And Other Matters Relating Thereto

Dr. Flowers moved to approve Resolution 23-R-36, A Resolution Identifying A Project In Order To Satisfy The Requirements Of South Carolina Code Section 12-44-40, So As To Allow Investment Expenditures Incurred By Project Marathon To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes And Special Source Revenue Credit Arrangement With Colleton County, South Carolina; And Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

D. Resolution 23-R-37, To Approve Amendment Of The Agreement For Development For Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park

Dr. Flowers moved to approve Resolution 23-R-37, To Approve Amendment Of The Agreement For Development For Joint County Industrial Park, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Joint County Industrial Park. The motion was seconded by Councilman Trippe. The motion carried unanimously.

E. Resolution 23-R-38, To Approve Amendment Of The Agreement For The Establishment Of A Multi-County Industrial/Business Park For Properties Located In A Redevelopment Project Area, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Multi-County Industrial/Business Park, So As To Include Additional Property In Charleston County As Part Of The Multi-County Industrial/Business Park

Dr. Flowers moved to approve Resolution 23-R-38, To Approve Amendment Of The Agreement For The Establishment Of A Multi-County Industrial/Business Park For Properties Located In A Redevelopment Project Area, By And Between Charleston County, South Carolina And Colleton County, South Carolina, Providing For The Development Of A Multi-County Industrial/Business Park, So As To Include Additional Property In Charleston County

As Part Of The Multi-County Industrial/Business Park. The motion was seconded by Councilman Biering. The motion carried unanimously.

F. Resolution 23-R-39, To Award Bid FR-26 to the Six Lowest Bidders on Protective Firefighting Equipment

Dr. Flowers moved to approve Resolution 23-R-39, To Award Bid FR-26 to the Six Lowest Bidders on Protective Firefighting Equipment. The motion was seconded by Councilman Trippe. The motion carried unanimously.

The bid was awarded to the six bids that were received, and each of the six companies were the qualified low bidders on the various items: Wally's Fire & Safety – 25 items; Newton's Fire & Safety Equipment – 8 items; Anderson Fire Safety – 14 items; Rhinehart Fire Services – 15 items; Fireline, Inc. – 17 items; and TechnicalRescue.com, Inc. – 1 item; and

G. Resolution 23-R-40, to Authorize the Sole Source Purchase of One 21 Foot Fiberglass Brunswick Rescue Boat for Colleton County Fire-Rescue

Dr. Flowers moved to approve Resolution 23-R-40, to Authorize the Sole Source Purchase of One 21 Foot Fiberglass Brunswick Rescue Boat for Colleton County Fire-Rescue. The motion was seconded by Councilman Biering. The motion carried unanimously.

Dr. Flowers: Asked, that money is already available?

Mr. Griffin: Stated, yes, it was in the last Fire Bond that we did.

No further questions.

H. Resolution 23-R-41, To Advertise Board Vacancies

Dr. Flowers moved to approve Resolution 23-R-41, To Advertise Board Vacancies. The motion was seconded by Councilman Trippe. The motion carried unanimously.

I. Resolution 23-R-42, To Appoint Members to Board Vacancies

Dr. Flowers moved to approve Resolution 23-R-42, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Biering. The motion carried unanimously.

The following appointments were made by acclimation: – Colleton County Commission of Drug and Alcohol: Tamara Chisolm-Dobison.

J. 1st Reading Ordinance 23-O-12, By Title Only, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and an Entity Currently Known to the County As "Project Palmetto Green", 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 Palmetto Green; Providing for Payment by Project Palmetto Green 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 Palmetto Green, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Matters Relating Thereto.

Dr. Flowers moved to approve 1st Reading Ordinance 23-O-12, By Title Only, Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Colleton County and an Entity Currently Known to the County As “Project Palmetto Green”, 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 Palmetto Green; Providing for Payment by Project Palmetto Green 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 Palmetto Green, Under the Agreement for Establishment of Multi-County Industrial/Business Park; and Other Matters Relating Thereto. The motion was seconded by Councilman Biering. The motion carried unanimously.

K. Resolution 23-R-43, Committing to Negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Palmetto Green; Identifying the Project; and Other Matters Related Thereto

Dr. Flowers moved to approve Resolution 23-R-43, Committing to Negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement Between Colleton County and Project Palmetto Green; Identifying the Project; and Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

Public Comment

Ms. Felicia Johnson: Stated, I received a call from you on Friday and Saturday. I do not know what Buddy Hill is talking about, but my neighbor called the Sheriff’s Department at 1:30 AM, and I called at 4:00 AM. If there is a 1:00 AM curfew, then the people need to go also. You could hear the people over the music the other night. People are selling drugs out there, and if something goes bad more people are going to get shot up, again. I talked to Ms. Sanders; she called me. She claims she went to court against Ms. Bodison for her back pay and lost. So, now she has to go back to court for an eviction against her. I told her she should’ve gone for the eviction first then go for the back pay. Now, we have to still put up with this nuisance club. I didn’t go to sleep after 4 AM Sunday morning. There are kids right next to the club, and my bedroom faces the club.

Also, this situation with these ditches. They need to finish this project. From Wilkey Street to Madison Street, everything stops at my drain. The only thing they did was dig the ditches deeper, which is worse, and put bricks around the pipes. That is all they did. Everything stops at my house. My house flooded out in 2021 and my neighbor's house. My insurance does not cover it, and nobody is going to keep buying my things to replace them. Just like I was at the Stop sign last week; people do not respect that Stop sign. I could've got hit on Saturday on my bicycle waiting to go across the road to go to my home. We need help as soon as possible. I can't afford to keep replacing things in my house, and neither can my neighbor. She had to borrow her mother-in-law's vac to suck all the water out of her house. It is sad. They need to do something for us. Thank you all very much.

Adjournment

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

This 25th day of July 2023.

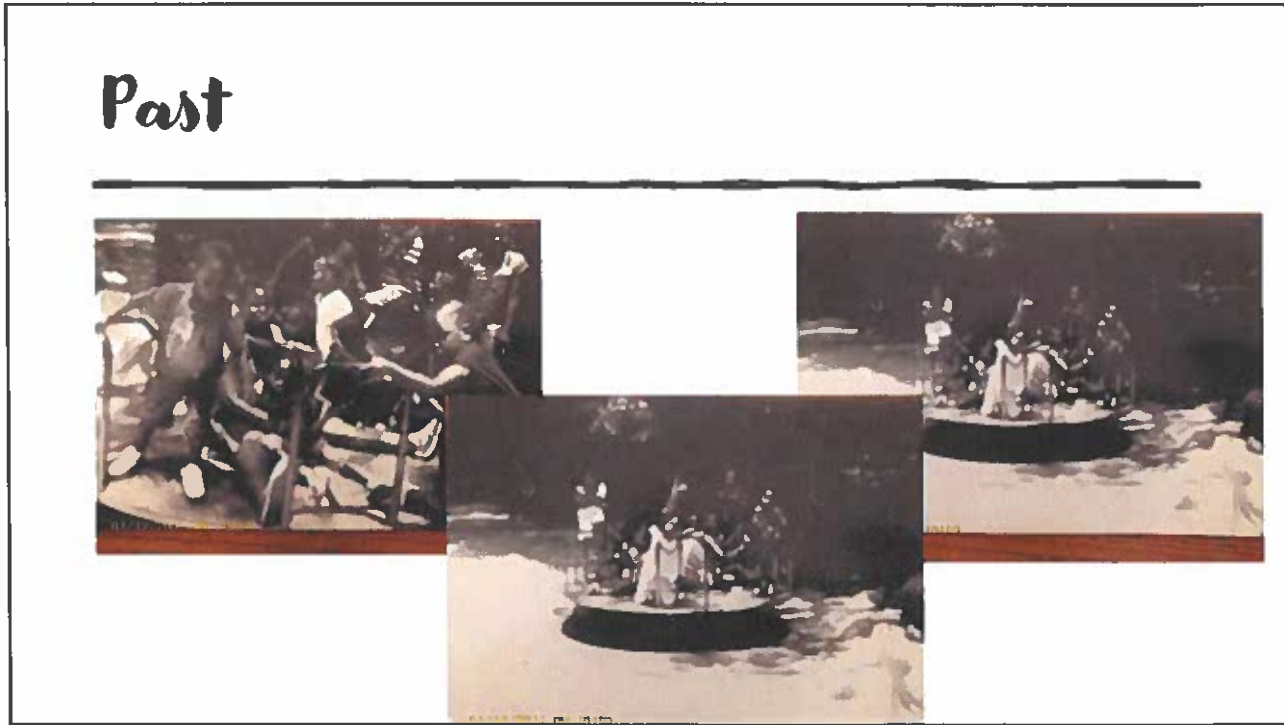

Steven D. Murdaugh, Chairman

ATTEST:


Kaela Brinson, Clerk to Council



1



2

Past



3

Past



4

Present



5

Future

- **Provide new playground equipment**
 - **Replace existing equipment with equipment made of safer material**
 - **New 10 ft basketball goal including backboards, nets, and rims**
 - **Park benches**
 - **Bleachers**
 - **At least 2 barbeque pits/grills**

6

Future

- **Resurface basketball court**
- **Resurface or Pave Cul-de-sac parking area**
- **Level Park ground and provide proper irrigation/water runoff**
- **Remove or grind down tree roots through out park**
- **Plant grass throughout park area**
- **Put safe playground mulch or chips in the playground area and around the playground equipment**
- **Cut trees from around the park's fenced area and to property line**

7

Future

- **Create area for smaller children with mulch or chips**
 - **Child swing and infant swing**
 - **Sliding board**
 - **Seesaw**



8

