

STATE OF SOUTH CAROLINA)
COUNTY OF KERSHAW)

FILED FOR RECORD

2016 SEP 23 PM 2:13 ORDINANCE NO. 284.2016

JOYCE McDONALD

TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH CHESTERFIELD COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN KERSHAW COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH CHESTERFIELD COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF KERSHAW COUNTY, SOUTH CAROLINA:

SECTION I: Kershaw County is hereby authorized jointly to develop an industrial and business park with Chesterfield County (the "Park"). The Park shall be located initially on lands located in Kershaw County only as authorized by Sec. 4-1-170 of the South Carolina Code of Laws 1976, as amended.

SECTION II: Kershaw County will enter into a written agreement to develop the Park jointly with Chesterfield County in substantially the form attached hereto as Schedule I and incorporated herein by reference (the "Park Agreement"). The Chairman of Kershaw County Council is hereby authorized to execute the Park Agreement on behalf of Kershaw County, with such changes thereto as the Chairman shall deem, upon advice of counsel, necessary and do not materially change the import of the matters contained in the form of agreement set forth in Schedule I.

SECTION III: The businesses or industries located in the Park will pay a fee in lieu of ad valorem taxes as provided for by law or as set forth in the Park Agreement. With respect to properties located in the Kershaw County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Kershaw County. That portion of such fee allocated pursuant to the Park Agreement to Chesterfield County shall be thereafter paid by the Treasurer of Kershaw County to the Treasurer of Chesterfield County within ten (10) business days of receipt for distribution in accordance with the terms of the agreement. With respect to properties located in the Chesterfield County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Chesterfield County. That portion of such fee allocated pursuant to the Park Agreement to Kershaw County shall thereafter be paid by the Treasurer of Chesterfield County to the Treasurer of Kershaw County within ten (10) business days of receipt for distribution in accordance with the terms of the Park Agreement.

SECTION IV: Revenues generated from industries or businesses located in the Kershaw County portion of the Park and to be retained by Kershaw County pursuant to the Park Agreement shall be distributed within Kershaw County in the following manner:

First, unless Kershaw County elects to pay the same from only those revenues which Kershaw County would otherwise be entitled to receive as provided under "Fourth"

below, to pay annual debt service on any special source revenue bonds issued by Kershaw County payable in whole or in part by or from revenues generated from any properties in the Park; and

Second, at the option of Kershaw County, to reimburse Kershaw County for any expenses incurred by it in the development, operation, maintenance and promotion of the Park or the businesses located therein; and

Third, to each taxing district which overlaps the applicable properties within Kershaw County's portion of the Park, 1% of the remaining revenues; and

Fourth, all remaining revenues from the Park shall be distributed to fund improvements, operating, and maintenance expenses at the Kershaw County Airport which is known as Woodward Field;

provided, that (i) all taxing districts which overlap the applicable properties within the Park shall receive some portion of the revenues generated from such properties; and (ii) all revenues receivable by a taxing entity in a fiscal year shall be allocated to operations and maintenance and to debt service as determined by the governing body of such taxing entity; and (iii) the County may, by ordinance, from time to time, amend the distribution of the fee in lieu of tax payments to all taxing entities.

SECTION V: This Ordinance shall supersede and amend in its entirety any other ordinances or resolutions of Kershaw County Council pertaining to the Park.

SECTION VI: Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION VII: This Ordinance shall be effective after third and final reading thereof.

(The remainder of this page is intentionally left blank.)

ATTEST:

KERSHAW COUNTY,
SOUTH CAROLINA

By: Merri M. Seigler
Name: Merri M. Seigler
Title: Clerk to Council

By: Julian Burns, Jr.
Name: Julian Burns, Jr.
Title: Chairman

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

I, the undersigned, Clerk to County Council of Kershaw, South Carolina ("County Council") DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on June 28, 2016, July 12, 2016, and August 23, 2016. At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on August 23, 2016, and notice of the public hearing was published in the Camden Chronicle-Independent on July 29, 2016. At each meeting, a quorum of County Council was present and remained present throughout the meeting.

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the Kershaw County Council, South Carolina, as of this 23rd day of August, 2016.

Merri M. Seigler
Merri M. Seigler
Clerk to Kershaw County Council

The regular meeting of the Kershaw County Council was held on Tuesday, June 28, 2016, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

Staff Present: Vic Carpenter Allen Trapp Merri Seigler Ken DuBose
Barry Nelson Judge Branham Peggy McLean Angie Helms
Joyce McDonald Gene Faulkenberry Michael Conley Keith Ray
Danny Templar Barry Catoe Gerald Blanchard Craig Nelson

Members of the public and representatives of the media were also present.

In accordance with the Freedom of Information Act, copies of the agenda were sent to the newspapers, TV and radio stations, citizens of the county, department heads, and posted on the county website and in the lobby of the Kershaw County Government Center.

Chairman Burns called the meeting to order and welcomed those in attendance, after which Councilman Miles gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Jim Steele commented on HUD and property rights.

Mr. Ben Strickland introduced himself to Council and acknowledge his application for the Zoning Board of Appeals.

Mr. Sidney Butler is concerned about Wateree Elementary using septic tanks instead of a sewer system.

s. Donna Pushic voiced her displeasure about the unscheduled closing of the recycle centers in Elgin on Mother's Day and Father's Day.

ADOPTION OF AGENDA

Councilman Gary moved to adopt the agenda, seconded by Councilman Tucker.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

APPROVAL OF MINUTES

Councilman Arledge moved to approve the minutes of June 14, 2016, seconded by Councilman Tucker.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

RESOLUTION

A Resolution Approving Lease/Purchase

Vice-Chairman Gardner moved to approve the resolution, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

A Resolution Approving the MOU between the County and the SCAC Regarding Debt Setoff

Councilman Gary moved to approve the resolution, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

A Resolution Identifying Project Ernest and Preliminary Approval for Certain Inducements

Councilman Gary moved to approve the resolution, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

ORDINANCES

First Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #272-13-00-100 for Randy Bock from MRD-1 to R-15 and Providing an Effective Date

Councilman Miles moved to adopt the ordinance, seconded by Councilman Gary.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

First Reading of an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Chesterfield County, such Industrial/Business Park to be Geographically Located in Kershaw County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Chesterfield County to Provide for the Expenses of the Park, the Percentage of Revenue of Application, and the Distribution of Fees in Lieu of AD VALOREM Taxation; and Other Matters Related Thereto

Vice-Chairman Gardner moved to adopt the ordinance, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

NEW BUSINESS

ATAX Committee Appointments

Tabled

Assessment Appeals Board Appointments

Tabled

Library Board Appointments

Tabled

Zoning Board of Appeals Appointments

Tabled

Adopt Kershaw County Public Utilities Ordinance Appeals Process and Establish Hearing Dates of Appealed Weylchem Pre-treatment Permit and two Administrative Compliance Orders

Councilman Tucker moved to adopt the Kershaw County Public Utilities Ordinance Appeals Process, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

Councilman Tucker moved to amend the motion to set the hearing date of August 23, 2016, at 4:00 p.m. as to the appeals by Weylchem of pretreatment permit #1004, and of the Administrative Compliance Order dated October 19, 2015, and as to the Administrative Compliance Order dated April 13, 2016, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary C. R. Miles, Jr. Jimmy Jones

Request from Richland County Regarding Palmetto Utilities

Councilman Miles moved to defer action on the request by Palmetto Utilities to Richland County and the Richland County request to Kershaw County until after Kershaw County Council has had a work session to receive information and discuss the proposal. He further moved that Kershaw County set the work session for

3:00 p.m. on July 26, 2016 (prior to the July 26, 2016 County Council meeting) He further moved that Kershaw County at the meeting on July 12, 2016 adopt a structure for the work session, seconded by Councilman

Arledge.

In favor:

Julian Burns

Dennis Arledge

Sammie Tucker, Jr.

Tom Gardner

Robert Gary

C. R. Miles, Jr.

Jimmy Jones

Councilman Jones moved to amend the motion to endorse Richland County. No second. Motion failed.

COUNCIL BRIEFINGS

Councilman Miles

None

Councilman Jimmy Jones

Mr. Jones apologized for the Recycling Centers not being open on regularly scheduled days. He remarked the Debt Set-Off Ordinance is a good thing.

Councilman Arledge

None

Councilman Tucker

Mr. Tucker thanked the Economic Development office for all their hard work. He wished everyone a Happy 4th of July and reminded them to be safe.

Vice-Chairman Gardner

None

Councilman Gary

Mr. Gary wished everyone a blessed and safe 4th of July.

Chairman Burns

Mr. Burns commented on the business Mr. Kip Wolfe produces in Kershaw County. He encouraged the County to continue to support small local businesses. The West Wateree Transportation Study is still active. Mr. Burns explained the outcome of the study is dependent on the participation of Kershaw County residents. Roads will not be repaired if the SCDOT is not aware of the need.

ADMINISTRATOR'S BRIEFING

Mr. Carpenter informed everyone there is another West Wateree Transportation Study meeting July 25 at 6:00 p.m. at Lugoff-Elgin High School. He apologized for the unscheduled closing of the Recycling Centers on Mother's Day and Father's Day. Mr. Carpenter introduced Mr. Danny Templar as the new Assistant Administrator who will replace Mr. Allen Trapp. Mr. Trapp has been appointed as a magistrate judge. Mr. Carpenter echoed earlier sentiment and encouraged all to be safe and conscious of your surroundings this holiday weekend.

LEGAL BRIEFING

Mr. DuBose distributed a packet of documents regarding official action by Palmetto Utilities and Kershaw County.

ADJOURNMENT

Councilman Tucker moved to adjourn, seconded by Councilman Gary.

In favor:

Julian Burns

Dennis Arledge

Sammie Tucker, Jr.

Tom Gardner

Robert Gary

C. R. Miles, Jr.

Jimmy Jones

The meeting adjourned at 6:45 p.m.

7-12-16

Date Approved

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Clerk to Council

The regular meeting of the Kershaw County Council was held on Tuesday, July 12, 2016, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones
Council Absent: Sammie Tucker, Jr.

Staff Present: Vic Carpenter Allen Trapp Merri Seigler Ken DuBose
Barry Nelson Judge Branham Joyce McDonald Gene Faulkenberry
Michael Conley Keith Ray Danny Templar Barry Catoe
Craig Nelson

Members of the public and representatives of the media were also present.

In accordance with the Freedom of Information Act, copies of the agenda were sent to the newspapers, TV and radio stations, citizens of the county, department heads, and posted on the county website and in the lobby of the Kershaw County Government Center.

Chairman Burns called the meeting to order and welcomed those in attendance, after which Councilman Arledge gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Buster Beckham expressed his concerns regarding the Kershaw County School Board's proposed referendum.

Mr. Jim Steele shared with Council his view of Kershaw County as a "newcomer". He described Kershaw County as the friendliest place.

Mr. Tom Webb voiced his concerns regarding rapid change for the community.

Mr. Brian Stone, Pacolet Milliken Utilities, requested Council consider allowing time to address any concerns or questions at the Work Session on July 26.

Mr. Bob Clithero encouraged everyone to be mindful of the dangerous job law enforcement officers perform every day.

ADOPTION OF AGENDA

Councilman Gary moved to adopt the agenda, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

PUBLIC PRESENTATION

Kershaw Health/Capella Healthcare

Mr. Roy Fakoury, Chairman of the KershawHealth Board, informed Council of the public health campaign that kicked off the end of May. Quality healthcare is their #1 priority. He introduced Mr. Terry Gunn, CEO of KershawHealth. Mr. Gunn reminded Council that 8 ½ months ago KershawHealth moved to the private sector. Ms. Divya Reddy, Chief Quality Officer, presented a PowerPoint explaining what "quality" means to KershawHealth.

APPROVAL OF MINUTES

Councilman Gary moved to approve the minutes of June 28, 2016, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

ORDINANCES

Second Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #272-13-00-100 for Randy Bock from MRD-1 to R-15 and Providing an Effective Date

Councilman Miles moved to adopt the ordinance, seconded by Councilman Gary.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

Second Reading of an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Chesterfield County, such Industrial/Business Park to be Geographically Located in Kershaw County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Chesterfield County to Provide for the Expenses of the Park, the Percentage of Revenue of Application, and the Distribution of Fees in Lieu of AD VALOREM Taxation; and Other Matters Related Thereto

Vice-Chairman Gardner moved to adopt the ordinance, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

NEW BUSINESS

Adopt a Structure for the Work Session on July 26, 2016 Regarding Palmetto Utilities/Richland County Request Kershaw County

Councilman Miles moved to adopt the proposed structure, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

Purchase, Delivery and Installation of Wireless Intercom Systems in seven Buffalo/Mt. Pisgah Fire Service Vehicles

Mr. Carpenter explained a \$42,124.05 FEMA Assistance Grant has been awarded to Buffalo/Mt. Pisgah Fire Department. The matching 5% funds have been received from Kershaw County Fire Services. Vice-Chairman Gardner moved to approve the purchase, seconded by Councilman Miles.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
C. R. Miles, Jr. Jimmy Jones

Potential Partnership with Duke Energy regarding paving of Tail Race Road

Mr. Carpenter explained Duke Energy has offered to pave Tail Race Road if Kershaw County agrees to fund the engineering costs of approximately \$90,000. Duke Energy will be responsible for the construction and building. This item will appear on the next agenda.

COUNCIL BRIEFINGS

Councilman Arledge

None

Vice-Chairman Gardner

None

Councilman Gary

None

Councilman Miles

None

Councilman Jimmy Jones

Mr. Jones expressed his opinion that Boards and Commissions applicants should be registered voters and residents of Kershaw County. He thanked Mr. Clithero for his comments regarding Public Safety officers. Mr. Jones thanked all first responders for what they do every day.

Chairman Burns

Mr. Burns has met all three County football coaches. Summer activities at the Recreation Department are underway. Fall sign-up starts the first of August. The American Legion baseball tournament is battling tonight. He reminded everyone the West Wateree Transportation Study continues July 25 at Lugoff-Elgin High School. Mr. Burns thanked the Finance Department for their work on the budget. He expressed concern over Mr. Beckham's fact sheet. Stating there were some inaccuracies.

ADMINISTRATOR'S BRIEFING

Mr. Carpenter affirmed Mr. Burns comments regarding the West Wateree Transportation Study. Mr. Carpenter cited the recent tragedy at the Marion County Michigan Courthouse involving Public Safety Officers. Our local Emergency Management has been awarded a \$60,000 grant for equipment. The bid for the spec building will be awarded to Alliance Engineering at a cost of \$34,000. Mr. Carpenter thanked Mr. Martin Kahn, Camden Chronicle-Independent, for his time covering the County for the newspaper. Mr. Kahn is moving to Virginia to accept a position there.

LEGAL BRIEFING

None

ADJOURNMENT

Councilman Gary moved to adjourn, seconded by Vice-Chairman Gardner.

In favor:	Julian Burns	Dennis Arledge	Tom Gardner	Robert Gary
	C. R. Miles, Jr.	Jimmy Jones		

The meeting adjourned at 6:34 p.m.

7-26-16
Date Approved

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Clerk to Council

The regular meeting of the Kershaw County Council was held on Tuesday, August 23, 2016, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Robert Gary Jimmy Jones
Council Absent: C. R. Miles, Jr.

Staff Present: Vic Carpenter Danny Templar Merri Seigler Ken DuBose
Barry Nelson Barry Catoe Allen Trapp Judge Branham
Michael Conley Kevin Weathers

Members of the public and representatives of the media were also present.

In accordance with the Freedom of Information Act, copies of the agenda were sent to the newspapers, TV and radio stations, citizens of the county, department heads, and posted on the county website and in the lobby of the Kershaw County Government Center.

Chairman Burns called the meeting to order and welcomed those in attendance, after which he gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Sidney Butler inquired as to why there was a sewer study done and never implemented.

Mr. Vic Dabney provided each Council member with *A Guide to Historic Sites in Camden, South Carolina* and reiterated his belief that county schools can be repaired and maintained rather than torn down.

Mr. Jim Steele voiced his opposition to the storage container ordinance.

Ms. Mary Henry appeared before Council to inquire if any progress had been made regarding improvements to the Knights Hill Community Center.

ADOPTION OF AGENDA

Councilman Tucker moved to adopt the agenda, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

PUBLIC HEARING

A Public Hearing in Regards to an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Chesterfield County, such Industrial/Business Park to be Geographically Located in Kershaw County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Chesterfield County to Provide for the Expenses of the Park, the Percentage of Revenue of Application, and the Distribution of Fees in Lieu of AD VALOREM Taxation; and Other Matters Related Thereto

No comments

APPROVAL OF MINUTES

Vice-Chairman Gardner moved to approve the minutes of August 9, 2016, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Tom Gardner Robert Gary
Jimmy Jones
Abstained: Sammie Tucker, Jr. (absent from August 9 meeting)

RESOLUTION

A Resolution Approving Financing Terms for the Purchase of a CAT Tractor

Councilman Gary moved to approve the resolution, seconded by Councilman Tucker.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

ORDINANCES

Third Reading of an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Chesterfield County, such Industrial/Business Park to be Geographically Located in Kershaw County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Chesterfield County to Provide for the Expenses of the Park, the Percentage of Revenue of Application, and the Distribution of Fees in Lieu of AD VALOREM Taxation; and Other Matters Related Thereto

Councilman Gary moved to adopt the ordinance, seconded by Vice-Chairman Gardner.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

Second Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #242-00-00-055 66 Acres for Paul White from RD-1 to R-15 and Providing an Effective Date

Councilman Tucker moved to adopt the ordinance, seconded by Councilman Gary.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

Second Reading of an Ordinance by Kershaw County to Amend the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR) Section 3:3, Conditional Provisions for Motor Vehicle Towing Services by Re-Numbering the Section, Amending the Title, and Amending the Fencing Requirements

Councilman Jones moved to adopt the ordinance, seconded by Councilman Arledge.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

First Reading of an Ordinance by Kershaw County to Amend the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR) Table 3:3, Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements by Zoning Districts to Allow for Motor Vehicle Towing Services as a Conditional Use in the B-2 Zoning Districts

Councilman Tucker moved to adopt the ordinance, seconded by Councilman Gary.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

First Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #215-00-00-021 1.8 Acres for Rana Bernhardt from RD-2 to GD and Providing an Effective Date

Councilman Gary moved to adopt the ordinance, seconded by Councilman Tucker.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.
	Tom Gardner	Robert Gary	Jimmy Jones

First Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #215-00-00-022 .5 Acres for Rana Bernhardt from RD-2 to GD and Providing an Effective Date

Councilman Gary moved to adopt the ordinance, seconded by Councilman Tucker.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

First Reading of an Ordinance of the County Council of Kershaw County, South Carolina to Amend the County's Official Zoning Map Designation for Tax Parcel #264-00-00-051 and Tax Parcel #264-00-00-055 for Leslie Gibson from RD-2 to B-2 and Providing an Effective Date

Councilman Gary moved to adopt the ordinance, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

First Reading of an Ordinance by Kershaw County to Amend the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR) Article 2, Definitions to Add the Definition for Gatehouse

Vice-Chairman Gardner moved to adopt the ordinance, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

First Reading of an Ordinance by Kershaw County to Amend the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR) Section 3:2.5-3 Location of Accessory Structures, to Add Provisions for Gatehouses, Entry Structures, or Security Structures

Councilman Arledge moved to adopt the ordinance, seconded by Councilman Tucker,

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

First Reading of an Ordinance Setting the Millage Rate for Kershaw County for the Fiscal Year Beginning July 1, 2016

Councilman Tucker moved to adopt the ordinance, seconded by Vice-Chairman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Opposed: Robert Gary Jimmy Jones

NEW BUSINESS

Steeplechase Industrial Boulevard Roadway Extension Bid

Councilman Gary moved to award the bid to Kershaw Builders, Inc., Lugoff, SC in the amount of \$729,237.00. This project is funded by a commitment from Duke Energy for \$85,000, a pass-through State grant for \$100,00, Kershaw County Transportation Committee has programmed \$250,00, a commitment from AT&T for \$50,000 and the remaining \$244,237 will come out of the 2015 Bond. Councilman Arledge seconded the motion.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

Doby Soccer Field Musco Light System Installation Bid

Councilman Tucker moved to award the bid to KMB Electric Co., Inc. in the amount of \$33,790.00, seconded by Councilman Gary. This project is funded out of the 2014 Bond.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
Tom Gardner Robert Gary Jimmy Jones

Kershaw County School Board Appointment

Councilman Arledge moved to appoint Dr. Donald Copley to the unexpired seat resigned by Dr. Charles King., seconded by Councilman Jones. Dr. Copley's term will expire December 2018.

☐ In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
 Tom Gardner Robert Gary Jimmy Jones

COUNCIL BRIEFINGS

Councilman Gary

Mr. Gary thanked the Knights Hill Community for appearing with their concerns. He wished Ms. Cynthia Alexander a Happy Birthday!

Councilman Jimmy Jones

None

Councilman Arledge

None

Councilman Tucker

Mr. Tucker expressed his feelings on "being hammered" for past decisions. His belief is you can't vote "no" and make progress.

Vice-Chairman Gardner

None

Chairman Burns

☐ Mr. Burns offered prayers for Mr. Bobby Jones and Mr. Tommy Hammond. School is back in session and football has started. Our law enforcement is very active keeping our students and citizens safe. Mr. Burns feels what you get is what you pay for. Industry shoulders the bulk of County costs. And that emphasizes the need for a trained and ready workforce for our local industries.

ADMINISTRATOR'S BRIEFING

Recreation fall registration is ahead of last year. They have had approximately 3000 participants this year. The majority of registrations have been done online. The County is holding a photo contest for the new webpage. The deadline for submission is August 31. Mr. Carpenter reminded everyone of the September 5 holiday. Recycling Centers will be closed. September 17 is our Sports Jamboree and September 23 is the Senior Golf Tournament. Any citizen wishing to help control the mosquito population may come by or contact the Government Center to obtain mosquito dunks. Mr. Carpenter pointed out to Council the November 8 meeting is on Election Day and they may want to consider cancelling. Mr. Carpenter advised Council Mr. DuBose would be in Ethiopia for vacation from September 2 -23.

LEGAL BRIEFING

None

EXECUTIVE SESSION

Administrator's Evaluation

Councilman Tucker moved to go into Executive Session, seconded by Vice-Chairman Gardner,

☐ In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr.
 Tom Gardner Robert Gary Jimmy Jones

Vice-Chairman Gardner moved to come out of Executive Session, seconded by Councilman Gary. No votes were taken.

In favor:

Julian Burns
Tom Gardner

Dennis Arledge
Robert Gary

Sammie Tucker, Jr.
Jimmy Jones

ADJOURNMENT

Councilman Gary moved to adjourn, seconded by Vice-Chairman Gardner.

In favor:

Julian Burns
Tom Gardner

Dennis Arledge
Robert Gary

Sammie Tucker, Jr.
Jimmy Jones

The meeting adjourned at 7:28 p.m.

9-13-16

Date Approved

Meri On Seigler

Clerk to Council

SCHEDULE I

**AGREEMENT FOR THE DEVELOPMENT OF A
JOINT INDUSTRIAL AND BUSINESS PARK**

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)
COUNTY OF CHESTERFIELD) AGREEMENT FOR THE DEVELOPMENT
 OF A JOINT INDUSTRIAL
 AND BUSINESS PARK
 (Kershaw and Chesterfield Counties)

THIS AGREEMENT for the development of a joint industrial and business park to be located within Kershaw County and Chesterfield County is made and entered into as of this 23rd day of August, 2016, by and between Kershaw County and Chesterfield County.

WITNESSETH:

WHEREAS, Kershaw County, South Carolina ("Kershaw County") and Chesterfield County, South Carolina ("Chesterfield County"), are contiguous counties which, pursuant to ordinance no. 252.2015 adopted by Kershaw County Council on March 24, 2015, and ordinance no. 14-15-12 adopted by Chesterfield County Council on April 1, 2015 (collectively, the "Enabling Ordinances"), have each determined that, in order to promote economic development and thus provide additional employment opportunities within both of said counties, there should be established, initially in Kershaw County, a Joint County Industrial and Business Park (the "Park"), to be located upon property described in Exhibit A hereto; and

WHEREAS, as a consequence of the establishment of the Park, property comprising the Park and all property having a situs therein shall be exempt from ad valorem taxation pursuant to Article VIII, Section 13 of the South Carolina Constitution, but the owners or lessees of such property shall pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption;

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Binding Agreement. This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on Kershaw County and Chesterfield County, and their successors and assigns.

2. Authorization. Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a manner in which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability pursuant to any provision of law which measures the relative fiscal capacity of a school district to support its schools based on the assessed valuation of taxable property in the district as compared to the assessed valuation of taxable property in all school districts in South Carolina. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended (the "Code") satisfied the conditions imposed by Article VIII, Section 13(D) of the Constitution and provides the statutory vehicle whereby a joint county industrial or business park may be created.

3. Location of the Park.

(A) As of the date of this Agreement, the Park consists of properties located in Kershaw County only, as further identified in Exhibit A (Kershaw County) hereto. It is specifically recognized that the Park may, from time to time, consist of non-contiguous properties within each county. The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinances of the County Councils of both Kershaw County and Chesterfield County. If the Park encompasses all or a portion of a municipality, the counties must obtain the consent of the municipality prior to creation of the Park.

(B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit A (Kershaw County Properties) or Exhibit B (Chesterfield County Properties), as the case may be, which shall contain a legal description of the boundaries of the Park, as enlarged or diminished, together with a copy of the ordinances of Kershaw County Council and Chesterfield County Council pursuant to which such enlargement or diminution was authorized.

4. Fee in Lieu of Taxes. Pursuant to Article VIII, Section 13(D), South Carolina Constitution, property located in the Park shall be exempt from ad valorem taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of ad valorem property taxes) equivalent to the ad valorem property taxes that would have been due and payable but for the location of such property within the Park, provided that this paragraph shall not prohibit Kershaw or Chesterfield from entering into a negotiated fee in lieu of tax incentive agreement applicable to any property located within the park. Payments of fees in lieu of taxes will be made on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. The counties, acting by and through the Treasurers of Kershaw County and Chesterfield County, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.

5. Allocation of Expenses. Kershaw County and Chesterfield County shall bear expenses, including, but not limited to, development, operation, maintenance and promotion of the Park and the cost of providing public services, in the following proportions:

If property is in Kershaw County portion of the Park:

(1)	Kershaw County	100%
(2)	Chesterfield County	0%

If property is in Chesterfield County portion of the Park:

A.	Kershaw County	0%
B.	Chesterfield County	100%

6. Allocation of Revenues. Kershaw County and Chesterfield County shall receive an allocation of all revenue generated by the Park through payment of fees in lieu of ad valorem property taxes or from any other source (net of any special source revenue credits provided by either County) in the following proportions:

If property is in Kershaw County portion of the Park:

A.	Kershaw County	99%
B.	Chesterfield County	1%

If property is in Chesterfield County portion of the Park:

A.	Kershaw County	1%
B.	Chesterfield County	99%

7. Revenue Allocation Within Each County.

(A) Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes shall be distributed to Kershaw County and to Chesterfield County, as the case may be, according to the proportions established by Paragraph 6 herein. With respect to revenues allocable to Kershaw County or Chesterfield County by way of fees in lieu of taxes generated within its own County (the "Host County"), such revenue shall be distributed within the Host County in the manner provided by ordinance of the county council of the Host County; provided, that (i) all taxing districts which overlap the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such portion, and (ii) with respect to amounts receivable in any fiscal year by a taxing entity, the governing body of such taxing entity shall allocate the revenues received to operations and/or debt service of such entity; and (iii) the Host County may, by ordinance and to the extent not otherwise prohibited, from time to time amend the distribution of the fee in lieu of taxes to all taxing entities. Each Host County is hereby specifically authorized to use a portion of revenue for economic development purposes as permitted by law and as established by ordinance of the County Council of the Host County.

(B) Revenues allocable to Kershaw County by way of fees in lieu of taxes generated within Chesterfield County shall be distributed solely to Kershaw County. Revenues allocated to Chesterfield County by way of fees in lieu of taxes generated within Kershaw County shall be distributed solely to Chesterfield County.

8. Fees In Lieu of Taxes Pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina.

It is hereby agreed that the entry by Kershaw County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12 of the Code with respect to property located within the Kershaw County

portion of the Park and the terms of such agreements shall be at the sole discretion of Kershaw County. Likewise, entry by Chesterfield County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12, of the Code as amended, with respect to property located within the Chesterfield County portion of the Park and the terms of such agreements shall be at the sole discretion of Chesterfield County.

9. Regulation and Jurisdiction. Any ordinances of Kershaw County and Chesterfield County concerning zoning, health and safety regulations, and building code requirements will apply for the respective portions of the Park in Kershaw County and Chesterfield County. The Sheriff's Departments of Kershaw County and Chesterfield County will have jurisdiction to make arrests and exercise all authority and power within the boundaries of the respective portions of the Park in Kershaw County and Chesterfield County.

10. Assessed Valuation. For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to Kershaw County and Chesterfield County and to each of the taxing entities within the participating counties shall be identical to the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Paragraph 6 and 7 herein.

11. Severability. In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Agreement.

12. Termination. Notwithstanding any provision of this Agreement to the contrary, Kershaw County and Chesterfield County agree that this Agreement may not be terminated by either party for a period of 20 years commencing with the effective date hereof.

WITNESS our hands and seals as of the date first above written.

(SEAL)

ATTEST:

By: _____

Name: _____

Title: _____

Merri M Seigler
Merri M Seigler
Clerk to Council

KERSHAW COUNTY, SOUTH CAROLINA

By: _____

Name: _____

Title: _____

[Signature]

CHESTERFIELD COUNTY, SOUTH
CAROLINA

(SEAL)

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

EXHIBIT A
Kershaw County Properties

Kershaw County Airport (Woodward Field)

Property of Kershaw County

Tax Map No. 259-00-00-001

Tax Map No. 258-00-00-081

Tax Map No. 258-00-00-082

Tax Map No. 258-00-00-083

Tax Map No. 258-00-00-035

Tax Map No. 244-00-00130

Tax Map No. 244-00-00-131

Tax Map No. 244-00-00-134

Tax Map No. 244-00-00-133

Tax Map No. 244-00-00166

EXHIBIT B

CHESTERFIELD COUNTY PROPERTIES

None as of ____/____/2015

4827-7992-5538, v. 1

STATE OF SOUTH CAROLINA
COUNTY OF KERSHAW
COUNTY OF CHESTERFIELD

)
)
)
)

AGREEMENT FOR THE DEVELOPMENT
OF A JOINT INDUSTRIAL
AND BUSINESS PARK
(Kershaw and Chesterfield Counties)

THIS AGREEMENT for the development of a joint industrial and business park to be located within Kershaw County and Chesterfield County is made and entered into as of this 20th day of October, 2016, by and between Kershaw County and Chesterfield County.

WITNESSETH:

WHEREAS, Kershaw County, South Carolina ("Kershaw County") and Chesterfield County, South Carolina ("Chesterfield County"), are contiguous counties which, pursuant to ordinance no. 252.2015 adopted by Kershaw County Council on March 24, 2015, and ordinance no. 14-15-12 adopted by Chesterfield County Council on April 1, 2015 (collectively, the "Enabling Ordinances"), have each determined that, in order to promote economic development and thus provide additional employment opportunities within both of said counties, there should be established, initially in Kershaw County, a Joint County Industrial and Business Park (the "Park"), to be located upon property described in Exhibit A hereto; and

WHEREAS, as a consequence of the establishment of the Park, property comprising the Park and all property having a situs therein shall be exempt from ad valorem taxation pursuant to Article VIII, Section 13 of the South Carolina Constitution, but the owners or lessees of such property shall pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption;

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Binding Agreement. This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on Kershaw County and Chesterfield County, and their successors and assigns.

2. Authorization. Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a manner in which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxing ability pursuant to any provision of law which measures the relative fiscal capacity of a school district to support its schools based on the assessed valuation of taxable property in the district as compared to the assessed valuation of taxable property in all school districts in South Carolina. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended (the "Code") satisfied the conditions imposed by Article VIII, Section 13(D) of the Constitution and provides the statutory vehicle whereby a joint county industrial or business park may be created.

3. Location of the Park.

(A) As of the date of this Agreement, the Park consists of properties located in Kershaw County only, as further identified in Exhibit A (Kershaw County) hereto. It is specifically recognized that the Park may, from time to time, consist of non-contiguous properties within each county. The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinances of the County Councils of both Kershaw County and Chesterfield County. If the Park encompasses all or a portion of a municipality, the counties must obtain the consent of the municipality prior to creation of the Park.

(B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit A (Kershaw County Properties) or Exhibit B (Chesterfield County Properties), as the case may be, which shall contain a legal description of the boundaries of the Park, as enlarged or diminished, together with a copy of the ordinances of Kershaw County Council and Chesterfield County Council pursuant to which such enlargement or diminution was authorized.

4. Fee in Lieu of Taxes. Pursuant to Article VIII, Section 13(D), South Carolina Constitution, property located in the Park shall be exempt from ad valorem taxation. The owners or lessees of any property

situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of ad valorem property taxes) equivalent to the ad valorem property taxes that would have been due and payable but for the location of such property within the Park, provided that this paragraph shall not prohibit Kershaw or Chesterfield from entering into a negotiated fee in lieu of tax incentive agreement applicable to any property located within the park. Payments of fees in lieu of taxes will be made on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. The counties, acting by and through the Treasurers of Kershaw County and Chesterfield County, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.

5. Allocation of Expenses. Kershaw County and Chesterfield County shall bear expenses, including, but not limited to, development, operation, maintenance and promotion of the Park and the cost of providing public services, in the following proportions:

If property is in Kershaw County portion of the Park:

(1)	Kershaw County	100%
(2)	Chesterfield County	0%

If property is in Chesterfield County portion of the Park:

A.	Kershaw County	0%
B.	Chesterfield County	100%

6. Allocation of Revenues. Kershaw County and Chesterfield County shall receive an allocation of all revenue generated by the Park through payment of fees in lieu of ad valorem property taxes or from any other source (net of any special source revenue credits provided by either County) in the following proportions:

If property is in Kershaw County portion of the Park:

A.	Kershaw County	99%
B.	Chesterfield County	1%

If property is in Chesterfield County portion of the Park:

- | | | |
|----|---------------------|-----|
| A. | Kershaw County | 1% |
| B. | Chesterfield County | 99% |

7. Revenue Allocation Within Each County.

(A) Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes shall be distributed to Kershaw County and to Chesterfield County, as the case may be, according to the proportions established by Paragraph 6 herein. With respect to revenues allocable to Kershaw County or Chesterfield County by way of fees in lieu of taxes generated within its own County (the "Host County"), such revenue shall be distributed within the Host County in the manner provided by ordinance of the county council of the Host County; provided, that (i) all taxing districts which overlap the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such portion, and (ii) with respect to amounts receivable in any fiscal year by a taxing entity, the governing body of such taxing entity shall allocate the revenues received to operations and/or debt service of such entity; and (iii) the Host County may, by ordinance and to the extent not otherwise prohibited, from time to time amend the distribution of the fee in lieu of taxes to all taxing entities. Each Host County is hereby specifically authorized to use a portion of revenue for economic development purposes as permitted by law and as established by ordinance of the County Council of the Host County.

(B) Revenues allocable to Kershaw County by way of fees in lieu of taxes generated within Chesterfield County shall be distributed solely to Kershaw County. Revenues allocated to Chesterfield County by way of fees in lieu of taxes generated within Kershaw County shall be distributed solely to Chesterfield County.

8. Fees In Lieu of Taxes Pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina.

It is hereby agreed that the entry by Kershaw County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12 of the Code with respect to property located within the Kershaw County portion of the Park and the terms of such agreements shall be at the sole discretion of Kershaw County. Likewise, entry by Chesterfield County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12,

of the Code as amended, with respect to property located within the Chesterfield County portion of the Park and the terms of such agreements shall be at the sole discretion of Chesterfield County.

9. Regulation and Jurisdiction. Any ordinances of Kershaw County and Chesterfield County concerning zoning, health and safety regulations, and building code requirements will apply for the respective portions of the Park in Kershaw County and Chesterfield County. The Sheriff's Departments of Kershaw County and Chesterfield County will have jurisdiction to make arrests and exercise all authority and power within the boundaries of the respective portions of the Park in Kershaw County and Chesterfield County.

10. Assessed Valuation. For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to Kershaw County and Chesterfield County and to each of the taxing entities within the participating counties shall be identical to the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Paragraph 6 and 7 herein.

11. Severability. In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Agreement.

12. Termination. Notwithstanding any provision of this Agreement to the contrary, Kershaw County and Chesterfield County agree that this Agreement may not be terminated by either party for a period of 20 years commencing with the effective date hereof.

WITNESS our hands and seals as of the date first above written.

(SEAL)

ATTEST:

By: Merri M. Seigler
Name: Merri M. Seigler
Title: Clerk to Council

KERSHAW COUNTY, SOUTH CAROLINA

By: [Signature]
Name: Sylvan Burns, Jr.
Title: Chairman

(SEAL)

ATTEST:

By: Betty M. Boswell
Name: Betty M. Boswell
Title: Clerk to Council

CHESTERFIELD COUNTY, SOUTH CAROLINA

By: [Signature]
Name: Al Johnson
Title: Council Chairman

EXHIBIT A
Kershaw County Properties

Kershaw County Airport (Woodward Field)

Property of Kershaw County

Tax Map No. 259-00-00-001

Tax Map No. 258-00-00-081

Tax Map No. 258-00-00-082

Tax Map No. 258-00-00-083

Tax Map No. 258-00-00-035

Tax Map No. 244-00-00-130

Tax Map No. 244-00-00-131

Tax Map No. 244-00-00-134

Tax Map No. 244-00-00-133

Tax Map No. 244-00-00-166

EXHIBIT B

CHESTERFIELD COUNTY PROPERTIES

None as of ____/____/2015

4827-7992-5538, v. 1