

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

ORDINANCE NO. 309-2017

FILED FOR RECORD
2017 AUG 18 PM 3:08
JANE C. MARTIN
CLERK OF COUNTY
KERSHAW COUNTY, SC

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 expenses of the Kershaw County Sewer System including improvements, operating, and maintenance expenses of the Kershaw County Sewer System including sewer lines, pump stations, treatment plant, and other equipment or appurtenances of the Kershaw County Sewer System;

Fifth, in the event revenues exceed expenses of the Kershaw County Sewer then any excess revenue to be appropriated in the Kershaw County Annual Fiscal Budget.

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 and use of the fee payment by Kershaw County.

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.

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SCHEDULE I

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

The regular meeting of the Kershaw County Council was held on Tuesday, June 13, 2017, 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
Al Bozard Ben Connell Jimmy Jones

Staff Present: Vic Carpenter Danny Templar Merri Seigler Ken DuBose
Judge Branham Lauren Reeder Peggy McLean Barry Nelson
Craig Hudson Michael Conley Angie Helms Gene Faulkenberry
Sheriff Matthews Gerald Blanchard Joe Eason Peggy Spivey
Jill Catoe Billie McLeod David West Todd Shafer
Sandra Brown William West Bubba Morris Samantha Kelly
Peter Furlong Scott Wiles Keith Ray

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

In accordance with the Freedom of Information Act, the agenda was 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. Vic Dabney expressed his opposition to increased taxes.

Mr. Allen Gilliland encouraged Council to reinstate the Blaney crossing guard and the SRO.

Ms. Debbie Bryson requested Council reconsider removing the Blaney crossing guard.

Mr. Jim Steele asked that Council consider more privatization in next year's budget.

Mr. Tom Webb fears we are becoming a socialist society. He read a poem in honor of D-Day, June 6, 1944.

PUBLIC HEARING

A Public Hearing in regards to an Ordinance to Provide Budget Appropriations for County Ordinary Purposes in the County of Kershaw for the Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018 and Adopt and Implement the Charge and Collection of Service and User Fees; and for Other Tax Purposes and County Appropriation Purposes

No comments

ADOPTION OF AGENDA

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

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

APPROVAL OF MINUTES

Councilman Gardner moved to approve the minutes of May 23, 2017, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

OLD BUSINESS

Reconsideration of Motion by Councilman Jones to Fund West Wateree Ball Fields

Councilman Jones moved to reconsider his motion on May 23, 2017 to fund the West Wateree Ball Fields, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Councilman Jones moved to include Option #1 in the budget with funding from Recreation Restricted Funds (\$200,000), Recreation Bond Funds (\$200,000), 2014 Installment Purchase Revenue Bond Funds (\$200,000) and funds from additional resources, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

ORDINANCES

Third Reading of an Ordinance by Kershaw County Council Amending Kershaw County Ordinance 126.2008-Tap Fee and Sewer Impact Fees-To Require that Impact Fees for New Development shall be Collected at the Time a Building Permit is Requested from the County

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

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Third Reading of an Ordinance to Provide Budget Appropriations for County Ordinary Purposes in the County of Kershaw for the Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018 and Adopt and Implement the Charge and Collection of Service and User Fees; and for Other Tax Purposes and County Appropriation Purposes

Mr. Vic Carpenter requested a series of staff administrative amendments to the ordinance (handout will be attached to the approved minutes) that provide a net of \$38,740. He also requested to carry forward unexpended funds for a Public Works project previously approved by County Council for the Pecan Orchard (\$148,505); staff does not recommend carrying forward the unexpended funds for the North Central library project (\$69,000). Councilman Connell moved to approve the Administrator's amendments to the budget, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Vice-Chairman Tucker moved to reinstate a Blaney crossing guard for \$13,478 from the net funds (\$38,740) from Mr. Carpenter's amendments, seconded by Councilman Connell.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Councilman Bozard moved to complete the Airport project for the terminal bathrooms (\$63,000) with funds formerly designated for the Library and reinstated by Mr. Carpenter's amendments, seconded by Councilman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
 Al Bozard Ben Connell Jimmy Jones

Councilman Connell moved to remove the 2% employee pay raises and instate a \$500 salary increase to be paid in November for a total of \$163,000; add \$50,000 to the Solicitor's budget; and reinstate \$60,000 for an SRO, seconded by Councilman Jones.

In favor: Al Bozard Ben Connell Jimmy Jones
Opposed: Dennis Arledge Sammie Tucker, Jr. Tom Gardner Julian Burns

Councilman Connell moved to approve the West Wateree Ball Fields Option #1 funded with Recreation Restricted Funds (\$224,609), 2014 Installment Purchase Revenue Bond Funds (\$227,272) and funds remaining from a Capital murder case (\$250,000), seconded by Vice-Chairman Tucker,

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

Vice-Chairman Tucker moved to use the remaining \$25,262 from the net funds associated with Mr. Carpenter's amendments for professional services to include contracted studies, seconded by Councilman Connell.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

Vice-Chairman Tucker moved to amend the budget as presented, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

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

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell
Opposed: Jimmy Jones

First Reading of an Ordinance by Kershaw County 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

Mr. Carpenter explained this industrial park would focus on sewer issues. Vice-Chairman Tucker moved to adopt the ordinance, seconded by Councilman Gardner.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

NEW BUSINESS

Lugoff Fire District Budget

Councilman Gardner moved to approve and adopt the Lugoff Fire District budget, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Tom Gardner
Al Bozard Ben Connell Jimmy Jones

Update on Building Projects

Mr. Carpenter presented Council with the latest updates regarding County projects. The CCTC project is 26% complete; the less than 1/3 acre disturbed wetlands at the CCTC site has been addressed; the Wastewater Treatment Plant building construction has not begun; the bids for the EMS station on Mesa Road have been received and will be on the next agenda; the 50,000 sq. ft. shell building at the Heritage Pointe Industrial Park and the waterline to the park have not begun; the Governor's Hill Industrial Park shell building construction date is to be determined; the tree harvesting at the Governor's Hill Industrial Park will begin in August. (handout will be attached to the approved minutes)

COUNCIL BRIEFINGS

Councilman Bozard

Mr. Bozard thanked everyone for their hard work on the budget.

Councilman Connell

Mr. Connell appreciated the public comments. He hopes those who are elected to federal offices will consider addressing federal spending.

Councilman Jones

None

Councilman Arledge
None

Vice-Chairman Tucker

Mr. Tucker thanked staff, Mr. Carpenter, Miss Brown and Mrs. Helms for the work on the budget.

Councilman Gardner

Mr. Gardner thanked his colleagues for the tough budget. County government is about services and the people. To cut 40 people in order to secure \$1,000,000 in funding would be devastating. Our workers are our biggest asset. He thanked the employees.

Chairman Burns

Mr. Burns acknowledged Mr. Joe Eason's efforts for the children of the County. He commended Mr. Jones for discussing the unfunded items in the budget. Mr. Burns bid farewell to Mrs. Helms and welcomed Miss Brown as new finance director. He applauded the application for *All-American County*. Mr. Burns assured the local veterans that the traveling Vietnam Wall would come to Camden.

ADMINISTRATOR'S BRIEFING

Mr. Carpenter advised everyone the new website is live. He enumerated all the programs being offered by the Recreation Department. The summer programs host over 240 daily. Mr. Carpenter also recognized June 6, D-Day. His father was one of the soldiers who went ashore.

LEGAL BRIEFING

None

EXECUTIVE SESSION

Contractual Matter Regarding Land Use

Councilman Jones moved to go into Executive Session to discuss a land use matter, seconded by Councilman Bozard.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Tom Gardner
	Al Bozard	Ben Connell	Jimmy Jones	

Councilman Bozard moved to come out of Executive Session, seconded by Councilman Connell. No votes were taken.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Tom Gardner
	Al Bozard	Ben Connell	Jimmy Jones	

ADJOURNMENT

Vice-Chairman Tucker moved to adjourn, seconded by Councilman Connell.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Tom Gardner
	Al Bozard	Ben Connell	Jimmy Jones	

The meeting adjourned at 7:42 p.m.

6-27-17

Date Approved

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Clerk to Council

The regular meeting of the Kershaw County Council was held on Tuesday, June 27, 2017, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones
Council Absent: Tom Gardner

Staff Present: Vic Carpenter Danny Templar Merri Seigler Ken DuBose
Judge Branham Lauren Reeder Peggy McLean Barry Nelson
Craig Hudson Michael Conley Angie Helms Gene Faulkenberry
Joe Eason Sandra Brown Keith Ray Pam Mahoney
Amy Bates Jackie Reeves Linda McLeod Janet Hasty
Nancy Ogburn Todd Shafer Sarah Williams

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

In accordance with the Freedom of Information Act, the agenda was 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 Bozard gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Doug White, President of Camden Construction Company, acknowledged he was not awarded the bid for the new EMS station and enumerated his qualifications.

ADOPTION OF AGENDA

Vice-Chairman Tucker moved to adopt the agenda, seconded by Councilman Bozard. Councilman Arledge moved to amend the agenda to include District #5 under New Business, Item #2, seconded by Vice-Chairman Tucker. It was determined that the amendment was legal due to time constraints and exigent circumstances.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Vice-Chairman Tucker moved to adopt the agenda as amended, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

PUBLIC PRESENTATION

WaterWell Trust

Ms. Margaret Martens presented a PowerPoint presentation explaining the function and requirements of the WaterWell Trust.

APPROVAL OF MINUTES

Vice-Chairman Tucker moved to approve the minutes of June 13, 2017, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

RESOLUTIONS

Resolution Honoring Mrs. Angie Helms, Finance Director

Vice-Chairman Tucker move to approve the resolution, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard

Ben Connell

Jimmy Jones

A Resolution by Kershaw County Council Approving and Authorizing the Execution of a Master Equity Lease Agreement, Various Lease Subschedules, a Maintenance Agreement and Other Matters Related Thereto

Councilman Connell moved to approve the resolution, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

A Resolution Declaring the Intention of Kershaw County, South Carolina to Reimburse Itself for Certain Expenditures with the Proceeds of Debt to be Incurred by Kershaw County, South Carolina

Vice-Chairman Tucker moved to approve the resolution, seconded by Councilman Connell.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

ORDINANCE

Second Reading of an Ordinance by Kershaw County 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

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

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

NEW BUSINESS

Discussion Regarding SRO

Councilman Arledge moved to transfer funds from line item Professional Services (\$24,000) to cover a portion of the cost of a 9-month SRO. The remaining cost would be shared by the Kershaw County School District and the City of Camden, seconded by Vice-Chairman Tucker. Councilman Bozard moved to amend the motion requesting Mr. Carpenter find funding for the entire \$63,000, seconded by Councilman Jones.

In favor: Al Bozard Ben Connell Jimmy Jones
Opposed: Dennis Arledge Sammie Tucker, Jr. Julian Burns

Motion failed.

Original motion by Councilman Arledge:

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell

Opposed: Jimmy Jones

District 2 Council Funds

(Item amended to include District 5 funds.) Vice-Chairman Tucker moved to allocate \$4000 from District 2 funds for the St. Matthews Community Center roof, seconded by Councilman Bozard. Councilman Arledge moved to amend the motion to include \$2000 from District 5 funds for the American Legion's Vietnam Moving Wall and \$2000 for the Kershaw County Farmers Market building program. Councilman Arledge moved to amend the motion to state the \$2000 for the American Legion must be paid within 60 days after the current budget closes, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Motion as amended:

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard

Ben Connell

Jimmy Jones

Design-Build Emergency Medical Services (EMS) Station

Vice-Chairman Tucker moved to approve the bid from J. P. Smith Builders, LLC in the amount of \$443,780.00 for the Emergency Medical Services Station located on Highway 601 at Mesa Lane, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Jimmy Jones

Abstained: Ben Connell (family connections)

Electronic Waste Removal and Recycling Service Contract

Vice-Chairman Tucker moved to approve the bid to Powerhouse Recycling Inc. in the amount of \$1960 per ton for the removal of electronic waste, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Grievance Committee Appointments

Vice-Chairman Tucker moved to approve the appointments to the Grievance Committee as recommended by the Administrator, seconded by Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Assessment Appeals Board Appointments

Councilman Bozard moved to reappoint Mr. Lee Williams to the Assessment Appeals Board, seconded by Councilman Arledge.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Councilman Jones moved to appoint Mr. Louis Williams, Mr. George Gibson, Mr. Russell Brazell and Ms. Tana Simmons, seconded Councilman Bozard.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

Health Services District Board Appointment

Councilman Jones moved to appoint Mr. Napoleon (Nick) Moore to the Health Services District Board to fill the unexpired term of Mr. Steve Holliday that will expire on September 30, 2018, seconded by Councilman Connell.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
Ben Connell Jimmy Jones

COUNCIL BRIEFINGS

Councilman Bozard

Mr. Bozard told Mrs. Helms she would be missed. He will be at her farewell party on Thursday.

Councilman Connell

Mr. Connell said he was sorry Mrs. Helms would not be around longer for him to bother her. He respects her for disagreeing with him on one issue. Mr. Connell will do more research into funding for an SRO. He wants to see taxes decrease.



Councilman Jones

The SRO was in the original balanced budget. Mr. Jones is concerned about the security at the Government Center. He requested Mr. Carpenter to make it a priority to assemble figures to address issue and report to Council in approximately three months. To Angie: WOW! She is phenomenal, fantastic, and wonderful. Mr. Jones stated he is honored and humbled to sign the resolution for her. She can always call him if she needs anything. Mr. Jones restate his position on the SRO being in the original balanced budget. He went on to say statements made at the last Council meeting regarding the comparisons between the School District budget and the County's budget were not accurate.

Councilman Arledge

Mr. Arledge thanked Angie for her dedication, loyalty and direction. He wished her success.

Vice-Chairman Tucker

Mr. Tucker reminded Council the SRO originally came under a federal grant and then it was absorbed into the budget. To Mrs. Angie – a personal thanks. He wants her to enjoy life and may God continue to bless her. He stated Miss Brown has big shoes to fill, but he knows she can do it.

Chairman Burns

Mr. Burns noted EMS got their new station. He advised Miss Brown that disagreements will come. He acknowledged this was Chief Dennis Ray's last week as President of the Chamber of Commerce.- thank you. He advised Angie he could tell her where the red fish were biting in Beaufort. Mr. Burns shared with Mayor Emmons money was needed to be found in order to implement the West Wateree study. He cautioned everyone to be safe on July 4.

ADMINISTRATOR'S BRIEFING

Mr. Carpenter referenced the solar eclipse on August 21. He would like to consider allowing the employees the afternoon off in order to experience a once in a lifetime event. August 15 is the Employee Recognition luncheon at the Recreation Department. There is a new sign at the Airport that will allow instant communication. The Dixie softball tournament had 24 teams. The first convenience center to receive one of the new containers will be Elgin on August 23. The construction of an office building at the Wastewater Treatment plant has begun and the construction at CCTC continues. A company currently working on Whitehead Road is available to start on the West Wateree ball fields that would significantly reduce the cost. We could issue a sole source/emergency bid.

LEGAL BRIEFING

Mr. DuBose requested an Executive Session to discuss an Economic Development project, legal litigation and contractual land use update.

EXECUTIVE SESSION

Councilman Bozard moved to go into Executive Session, seconded by Councilman Connell.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Al Bozard
	Ben Connell	Jimmy Jones		

Councilman Jones moved to come out of Executive Session, seconded by Councilman Connell. No votes were taken.

In favor:	Julian Burns	Dennis Arledge	Sammie Tucker, Jr.	Al Bozard
	Ben Connell	Jimmy Jones		



ADJOURNMENT

Councilman Bozard moved to adjourn, seconded by Councilman Jones.

In favor: Julian Burns Dennis Arledge Sammie Tucker, Jr. Al Bozard
 Ben Connell Jimmy Jones

The meeting adjourned at 8:15 p.m.

7-11-17
Date Approved

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Clerk to Council

The regular meeting of the Kershaw County Council was held on Tuesday, July 11, 2017, at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present: Julian Burns Dennis Arledge Al Bozard Ben Connell
Council Absent: Sammie Tucker, Jr. Jimmy Jones

Staff Present: Vic Carpenter Danny Templar Merri Seigler Ken DuBose
Barry Nelson Craig Hudson Sandra Brown Todd Shafer
Janet Hasty

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

In accordance with the Freedom of Information Act, the agenda was 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 Connell gave the invocation and led the pledge of allegiance.

PUBLIC COMMENTS

Mr. Vic Dabney is not in favor of closing the Government Center during the August 21 eclipse. He also doesn't believe there is much air traffic at the Kershaw County Airport. Mr. Dabney feels he would be able to easily cut \$1.5 million from the budget.

Mr. Donald Carter, Sr. expressed his disappointment that St. Matthews Community Center has not been able to coordinate assistance from the County.

Mr. Tom Webb referenced a Presidential Order regarding religious freedoms.

Mr. Sidney Butler addressed the original implementation of School Resource Officers.

ADOPTION OF AGENDA

Councilman Arledge moved to amend the agenda to include cancelling the July 25, 2017 Council meeting, seconded by Councilman Bozard.

In Favor: Julian Burns Dennis Arledge Tom Gardner Al Bozard Ben Connell

PUBLIC HEARING

A Public Hearing in Regards to an Ordinance by Kershaw County 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

No comments

APPROVAL OF MINUTES

Councilman Connell moved to approve the minutes of June 27, 2017, seconded by Councilman Arledge.

In Favor: Julian Burns Dennis Arledge Al Bozard Ben Connell

Abstained: Tom Gardner (absent from last meeting)

ORDINANCE

Third Reading of an Ordinance by Kershaw County 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

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

In Favor: Julian Burns Dennis Arledge Tom Gardner Al Bozard Ben Connell-+

NEW BUSINESS

Belton Road Culvert Replacement

Councilman Gardner moved to approve the bid award to Site Concepts, Inc. in the amount of \$478,000 to replace the culvert on Belton Road. This is a 2015 flood repair project; FEMA will reimburse 75% and the State 25%, seconded by Councilman Bozard.

In Favor: Julian Burns Dennis Arledge Tom Gardner Al Bozard Ben Connell

Brazell Road Culvert Replacement

Councilman Bozard moved to approve the bid award to C R Jackson, Inc. in the amount of \$401,500 to replace the culvert on Brazell Road. This is a 2015 flood repair project; FEMA will reimburse 75% and the State 25%, seconded by Councilman Gardner.

In Favor: Julian Burns Dennis Arledge Tom Gardner Al Bozard Ben Connell

COUNCIL BRIEFINGS

Councilman Connell

Connell has great hopes for Lugoff-Elgin football this year.

Councilman Arledge

None

Councilman Gardner

None

Councilman Bozard

Mr. Bozard visited several parks in the County and is very pleased and impressed with how the Recreation Department is managing them. He made an observation that maybe Kershaw County should take note of why BMW chose their location – skilled workers, neatly maintained homes, etc. He is still disappointed the Council didn't pass the debris ordinance.

Chairman Burns

Mr. Burns echoed Mr. Bozard's sentiments. He stated that industry considering Kershaw County do a "windshield" tour and evaluate the County on their observations. Mr. Burns congratulated the media and the Sheriff's Office on their balanced approach of opioid misuse. The Sheriff's Office and EMS are trained to deal with it. Mr. Burns has visited all the high schools to observe the football teams' preparation for the coming year. He noted a letter has been sent to Chairman Ron Blackmon, Kershaw County School District, regarding an agreement for a School Resource Officer. Mr. Burns has spoken to the VFW and the American Legion about the possibility of bringing the traveling Vietnam Wall to Kershaw County.

ADMINISTRATOR'S BRIEFING

Mr. Carpenter presented a time-lapse video of the CCTC construction site. He informed everyone the new website was live. Mr. Todd Shafer, Information Services Director, gave a PowerPoint presentation outlining the features of the new website.

LEGAL BRIEFING

None

ADJOURNMENT

Councilman Bozard moved to adjourn, seconded by Councilman Connell.

In Favor: Julian Burns Dennis Arledge Tom Gardner Al Bozard Ben Connell

The meeting adjourned at 6:16 p.m.

8-8-17

Date Approved

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Clerk to Council

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STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTERFIELD)

ORDINANCE NO. 17-18-04 Wanda C. Miles
CLERK OF COURT
CHESTERFIELD COUNTY, S.C.

AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH KERSHAW 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 KERSHAW 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 CHESTERFIELD COUNTY, SOUTH CAROLINA:

SECTION I: Chesterfield County is hereby authorized jointly to develop an industrial and business park with Kershaw 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: Chesterfield County will enter into a written agreement to develop the Park jointly with Kershaw County in substantially the form attached hereto as Schedule I and incorporated herein by reference (the "Park Agreement"). The Chairman of Chesterfield County Council is hereby authorized to execute the Park Agreement on behalf of Chesterfield 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:

- a. Revenues generated from industries or businesses located in the Chesterfield County portion of the Park and to be retained by Chesterfield County shall be distributed within Chesterfield County in accordance with this subsection:

A True Copy Attest
Wanda C. Miles
CLERK OF COURT C.P. & G.S.
CHESTERFIELD COUNTY, SC

- (1) First, unless Chesterfield County elects to pay or credit the same from only those revenues which Chesterfield County would otherwise be entitled to receive as provided under item (3) below, to pay annual debt service on any special source revenue bonds issued by Chesterfield County pursuant to, or to be utilized as a credit in the manner provided in Section 4-1-175, Code of Laws of South Carolina 1976, as amended.
- (2) Second, at the option of Chesterfield County, to reimburse Chesterfield County for any expenses incurred by it in the administration, development, operation, maintenance, and promotion of the Park or the industries and businesses located therein or for other economic development purposes of Chesterfield County, provided that 10% of the revenues generated from industries or businesses located in the Chesterfield County portion of the Park to be retained by Chesterfield County and remaining after the application of Section 6(a)(1) of this Ordinance shall be allocated each year to the County to be used exclusively for economic development purposes.
- (3) Third, to those taxing entities in which the property is located, in the same manner and proportion that the millage levied for the taxing entities would be distributed if the property were taxable but without regard to exemptions otherwise available pursuant to Section 12-37-230, Code of Laws of South Carolina 1976, as amended, for that year.

b. Notwithstanding any other provision of this section:

- (1) All taxing entities which overlap the applicable properties within the Park shall receive at least some portion of the revenues generated from such properties; and
 - (2) 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 the taxing entity.
- c. Revenues generated from industries or businesses located in the Kershaw County portion of the Park shall be retained by Chesterfield County, with at least 10% of such revenues used exclusively for economic development purposes.

SECTION V: This Ordinance shall supersede and amend in its entirety any other ordinances or resolutions of Chesterfield 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:

CHESTERFIELD COUNTY,
SOUTH CAROLINA

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

By: Al Johnson
Name: Al Johnson
Title: Council Chairman

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTERFIELD)

I, the undersigned, Clerk to County Council of Chesterfield, 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 7, 2017, June 28, 2017, and July 12, 2017. 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 July 12, 2017, and notice of the public hearing was published in the Pageland Progressive Journal on June 13, 2017. 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 Chesterfield County Council, South Carolina, as of this 12th day of July, 2017.

Betty M. Boswell
Betty M. Boswell
Clerk to Chesterfield County Council

SCHEDULE I

AGREEMENT FOR THE DEVELOPMENT OF A
JOINT INDUSTRIAL AND BUSINESS PARK

STATE OF SOUTH CAROLINA)	AGREEMENT FOR THE DEVELOPMENT
)	OF A JOINT INDUSTRIAL
COUNTY OF KERSHAW)	AND BUSINESS PARK
COUNTY OF CHESTERFIELD)	(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 ____ day of _____, 2017, 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. 309.2017 adopted by Kershaw County Council on July 11, 2017, and ordinance no. 17-18-04 adopted by Chesterfield County Council on July 12, 2017 (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") satisfies 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. This Agreement as to a non-host county may be amended by resolution.

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 or special source revenue financing arrangements or credits applicable to any property located within the park; provided further, this paragraph shall not prohibit any applicable abatements, allowances, credits or exemptions authorized or required by state law. 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%
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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 or Special Source Revenue Financing Pursuant to Title 4 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, as amended, or any successor or comparable statutes, 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, or any successor or comparable statutes, 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. The Host County is further authorized to issue special source revenue bonds the repayment of which is to come from the payments in lieu of taxes attributable to projects subject to this Agreement and to grant special source revenue credits under S.C. Code Section 4-1-175 or sister provisions in the negotiated fee in lieu of tax statutes. Repayments of such bonds or the application of payments in lieu of taxes and/or special source revenue credits shall occur prior to the allocation to the non-Host Counties under Section 6 above.

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 unless by concurrent agreement of Kershaw County and Chesterfield County in the form of an ordinance entered by each jurisdiction terminating the agreement or otherwise changing the termination date.

13. Effective Date. This Agreement is effective as of the date on which the last County executes the same.

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

KERSHAW COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
Name: Julian Burns
Title: Council Chairman

ATTEST:

By: _____
Name: Merri Seigler
Title: Clerk to Council

CHESTERFIELD COUNTY, SOUTH
CAROLINA

(SEAL)

By: _____
Name: Al Johnson
Title: Council Chairman

ATTEST:

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

Exhibit "A"
Three (3) Parcels Totaling 73.82 Acres

Parcel One:

Tax Map No. 368-00-00-003

18.82 acres more particularly shown on that plat prepared by Tetterton & Riddick, Surveyors, dated July 17, 1972, and recorded in the Office of the Clerk of Court for Kershaw County in Plat Book 35 at page 320.

Derivation: Deed of C. Heath Manning, Sr. to Wildewood Utilities, Inc. dated March 1, 1988 and recorded July 19, 1988 in Book JD at page 1103, in the Office of the RMC for Kershaw County.

Parcel Two:

Tax Map No. 368-00-00-022

20 acres more particularly shown on that plat prepared by R. Stanley Jones, PLS, dated July 15, 1988 and recorded in the Office of the RMC for Kershaw County in Plat Book 38 at page 751.

Derivation: Deed of C. Heath Manning to Wildewood Utilities, Inc. dated March 1, 1988 and recorded July 19, 1988 in Book JD at page 1102, in the Office of the RMC for Kershaw County.

Parcel Three:

Tax Map 368-00-00-027

35 acres more particularly described as:

10 acres as shown on plat by United Design Services, Inc. dated May 13, 1994 and recorded in the Office of the RMC for Kershaw County in Plat Book 43 at page 174.

Derivation: Deed of C. Heath Manning to Wildewood Utilities, Inc. dated May 13, 1994 and recorded June 1, 1994 in Book 268 at page 116, in the Office of the RMC for Kershaw County.

AND

25 acres shown as a portion of that plat prepared by Cox and Dinkins, Inc. dated September 14, 1994 and recorded September 29, 1994 in n Plat Book 44 at page 28.

Derivation: Deed of Mulberry Hall Properties, LLC to Palmetto Utilities, Inc. dated February 22, 2016 and recorded February 23, 2016 in Book 3487 at page 297, in the Office of the RMC for Kershaw County.

EXHIBIT B

CHESTERFIELD COUNTY PROPERTIES

None as of ___/___/2017