

# DUE TO THE COVID-19 CONSIDERATIONS, IN-PERSON COUNCIL MEETINGS ARE REPLACED WITH ELECTRONIC MEETINGS.

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To Participate in Public Comment, please email to <a href="mailto:comments@jaspercountysc.gov">comments@jaspercountysc.gov</a> or mail to Attn: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. To be called for public Comment, please email at the mentioned email address. \*Public Comments must be submitted by Monday, November 1, 2021, at 3:00pm.\*

Instructions may also be found at the Jasper County website <a href="https://www.jaspercountysc.gov">www.jaspercountysc.gov</a>

FOR MORE INFORMATION, PLEASE CALL (843) 717-3696

## DEPER COUNTY CAROLINE

#### **JASPER COUNTY COUNCIL**

### VIRTUAL MEETING

Jasper County Clementa C. Pinckney Government Bldg 358 3<sup>rd</sup> Avenue Ridgeland, SC 29936

> November 1, 2021 AGENDA

### 5:00 P.M.

I. Call to Order by Chairwoman Barbara B. Clark

Clerk's Report of Compliance with the Freedom of Information Act.

\*\*In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification\*\*

- II. Executive Session SECTION 30-4-70.
  - (a) A public body may hold a meeting closed to the public for one or more of the following reasons:
    - (2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim Carolina Metal Castings; Exit 3; Nickel Plate;
    - (5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body Jasper Ocean Terminal (JOT); Prospect Update; Project South (Salt Land Holdings/SouthernCarolina Alliance)

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS

### 6:30 P.M.

- III. Return to Open Session
- IV. Pledge of Allegiance
- V. Invocation

- VI. Approval of Agenda
- VII. Approval of the Minutes of October 18, 2021, October 20, 2021, and October 25, 2021

#### VIII. Presentations:

A: Pegeen Hanrahan - Southeast Conservation Finance Director Trust for Public Land - Presentation of the October 2021 Conservation Finance Feasibility Study for Jasper County

- B: Robert L. Horner, Paige Lux and Ron Joy Regional Solid Waste Study Presentation
- C: Ted Moyd Presentation from Jasper County Neighbor's United to the County Council
- IX. Open Floor to the Public per Ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.

  \*Please submit Public Comments via email at comments@jaspercountysc.gov or via US Mail at Attention: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. If you would like to be contacted by phone during Open Floor. please email your name, address and phone number to the email address listed above.

#### X. Resolutions:

A: David Tedder - Resolution # <u>2021-23</u> committing to negotiate a Fee-In-Lieu of *Ad Valorem* Taxes and Incentive Agreement between Jasper County and Salt Land Holdings, LLC and the SouthernCarolina Regional Development Alliance; identifying the Project; and other related matters thereto.

B: Andrew Fulghum - Resolution # 2021-24 of Jasper County Council to adopt a revised Americans with Disabilities Act and Section 504 Grievance Procedure; to appoint members to the Jasper County Americans with Disabilities Act and Section 504 Grievance Committee; and to adopt the Jasper County Transition Plan dated November 1, 2021.

C: Andrew Fulghum - Resolution #2021-25 to Approve and Adopt a Reasonable Accommodations Policy as Required by the ADA - Americans With Disabilities Act, Public Law 101-336

#### XI. Ordinances:

A: David Tedder - 2<sup>nd</sup> reading of Ordinance # 2021-31 authorizing the execution and delivery of a Fee-In-Lieu Of Tax Agreement by and between SALT Land Holdings LLC and the Southern Carolina Regional Development Alliance (previously identified as "Project South") (collectively, the "Company") and Jasper County, whereby Jasper County will enter into a Fee-In-Lieu Of Tax Agreement with the Company and providing for payment by the Company of Certain Fees-In-Lieu Of Ad Valorem Taxes; providing for Special Source Revenue Credits in connection with such agreement; authorizing and approving (1) Development of a new Joint County Industrial and Business Park pursuant to section 4-1-170 of The Code of Laws of

South Carolina 1976, as amended, in conjunction with Hampton County (The "Park"), such Park to be geographically located in Jasper County on a tract of land bearing TMP # 030-00-01-019, 030-00-01-020, 031-00-00-017, 030-00-01-022, 030-00-01-021, 030-00-01-007 and generally known as a portion of the Sherwood Tract located in the City of Hardeeville; (2) the execution and delivery of a written Park Agreement with Hampton County as to the requirement of payments of Fee In Lieu Of Ad Valorem Taxes with respect to Park Property and the sharing of the Revenues and Expenses of The Park; and (3) the distribution of revenues from the Park within Jasper County; and other matters relating thereto.

B. Lisa Wagner - 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 029-40-04-022 from the Residential Zone to the Industrial Development Zone on the Jasper County Official Zoning Map.

#### XII. New Business:

A: Danny Lucas - Airport Consultant Selection

B: Andrew Fulghum - Staff recommendation for South Carolina Rural Initiative Grant Program

#### XIII. Old Business:

A: Chief Russell Wells - COVID update

- XIV. Council Members Comments
- XV. Administrator's Report
- XVI. Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II.
- XVII. Adjourn

\*Council may act on any item appearing on the agenda including items discussed in executive session.

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the County Council Building at a publicly accessible place and on the county website at least 24 hours prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

<u>Special Accommodations Available Upon Request to Individuals with Disabilities</u> (843) 717-3696

### **AGENDA ITEM:**

### X

Resolution: Item A

SOUTH CAROLINA	)	
	)	A RESOLUTION NO. 2021-23
JASPER COUNTY	)	

COMMITTING TO NEGOTIATE A FEE-IN-LIEU OF *AD VALOREM* TAXES AND INCENTIVE AGREEMENT BETWEEN JASPER COUNTY AND SALT LAND HOLDINGS, LLC AND THE SOUTHERN CAROLINA REGIONAL DEVELOPMENT ALLIANCE; IDENTIFYING THE PROJECT; AND OTHER MATTERS RELATED THERETO

WHEREAS, Jasper County, South Carolina ("County"), acting by and through its County Council ("County Council") is authorized pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended ("Act") to encourage manufacturing and commercial enterprises to locate in the State of South Carolina ("South Carolina" or "State") or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the Act, that provides for the payment of a fee-in-lieu of ad valorem tax ("FILOT Payments") with respect to economic development property, as defined in the Act;

WHEREAS, SALT Land Holdings, LLC ("Sponsor") and the Southern Carolina Regional Development Alliance ("Additional Sponsor") desires to invest capital in the County in order to establish logistic, distribution and/or manufacturing facilities in the County ("Project");

WHEREAS, the Project is anticipated to result in an investment of at least \$170,000,000 in taxable real and personal property in the County; and

WHEREAS, as an inducement to the Sponsor and the Additional Sponsor to locate the Project in the County, the Sponsor has requested that the County negotiate an agreement ("Agreement"), which provides for FILOT Payments and other incentives with respect to the portion of the Project which constitutes economic development property, as defined in the Act.

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

Section 1. This Resolution is an inducement resolution for this Project for purposes of the Act.

Section 2. County Council commits to enter into the Agreement, which provides for FILOT Payments and other incentives with respect to the portion of the Project which constitutes economic development property. The further details of the FILOT Payments and the Agreement will be prescribed by subsequent ordinance of the County to be adopted in accordance with South Carolina law and the rules and procedures of the County.

Section 3. County Council identifies and reflects the Project by this Resolution, therefore permitting expenditures made in connection with the Project before the date of this Resolution to qualify as economic development property, subject to the terms and conditions of the Agreement and the Act.

Section 4. This Resolution is effective after its approval by the County Council.

RESOLVED: [DATE]	JASPER COUNTY, SOUTH CAROLINA
(SEAL) ATTEST:	Chair, Jasper County Council
Clerk to County Council	

### **AGENDA ITEM:**

### X

Resolution: Item B

### STATE OF SOUTH CAROLINA JASPER COUNTY

RESOLUTION NO. 2021-24

### RESOLUTION OF JASPER COUNTY COUNCIL

To adopt a revised Americans with Disabilities Act and Section 504 Grievance Procedure; to appoint members to the Jasper County Americans with Disabilities Act and Section 504 Grievance Committee; and to adopt the Jasper County Transition Plan dated November 1, 2021

WHEREAS, Jasper County Council by Resolution 06-34 Jasper County did adopt a Grievance Procedure for Section 504 of the Rehabilitation Act, as amended, and the Americans with Disabilities Act of 1990 (ADA) and create the Jasper County Americans with Disabilities Act Section 504 Grievance Committee; and

WHEREAS, the Grievance Procedure requires certain amendments; and

WHEREAS, Jasper County Council believes that it is in the best interests of the County in order to comply with its obligations under the Americans with Disabilities Act and Section 504 to appoint and in some cases to re-appoint members of that Committee; and

WHEREAS, the administration of Jasper County has prepared a proposed Jasper County Transition Plan dated November 1, 2021 and recommends its approval to Jasper County Council;

**NOW THEREFORE, BE IT RESOLVED** by Jasper County Council, in Council duly assembled and by the authority of the same:

- 1. The Jasper County Americans with Disabilities Act and Section 504 Grievance Procedure, dated November 1, 2021, a copy of which is attached to this Resolution as Exhibit "A", is hereby adopted for Jasper County.
- 2. The following individuals are appointed to the Jasper County Americans with Disabilities Act and Section 504 Grievance Committee to serve until replaced:

Tisha L. Williams, Coordinator Andrew P. Fulghum, Jasper County Administrator, Member; Dale Terry, Director of Engineering Services, Member.

<ol><li>The Jasper County Transition Pl is attached to this Resolution as County.</li></ol>	an dated November 1, 2021, copy of which Exhibit "B", is hereby adopted for Jasper
This Resolution made this 1st day of No	vember 2021.
	Barbara B. Clark Chairwoman
	ATTEST:
RESOLUTION	Wanda Simmons Clerk to Council
It is required that the following Exhibits be	attached:
Exhi	ibit "A"
Jasper County Americans with Disabilitie dated Nove	es Act and Section 504 Grievance Procedure ember 1, 2021
	and
Exhi	bit "B"
The Jasper County Transition	n Plan dated November 1, 2021.
# #	*
Reviewed for form and draftsmanship by th	ne Jasper County Attorney.
E .	
David Tedder	Date

### **AGENDA ITEM:**

### X

Resolution: Item C

### RESOLUTION NO. 2021-25

(To Approve and Adopt a Reasonable Accommodation Policy as Required by the ADA — Americans With Disabilities Act, Public Law 101-336.)

#### WHEREAS:

- 1. Jasper County is required by the Statutes of the ADA -- Americans With Disabilities Act to approve and adopt a Reasonable Accommodations Policy for employees and participants with disabilities; and
- 2. Jasper County is required by the statutes of the ADA Americans With Disabilities Act to approve and adopt a Grievance Procedure; and
- 3. Jasper County is required by the statutes Of the ADA Americans With Disabilities Act to appoint an ADA committee; and
- 4. The adoption of the items is also required as a condition of receipt and close out of CDBG grant funding.

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

- 1. The attached Accessibility Policy (Reasonable Accommodation Policy), included herein by reference, is approved and adopted; and
- 2. The attached Grievance Procedure, included herein by reference, is approved and adopted; and
- 3. The attached listing of appointees to the ADA Committee, included herein by reference, is approved and adopted; and
- 4. Said policies shall become effective immediately upon passage.

ATTEST:	SIGNED:
Wanda Simmons	Barbara B. Clark
Clerk to Council	County Council Chairwoman
Date:	Date:

### AGENDA ITEM: XI-A

Ordinance item A

STATE OF SOUTH CAROLINA	)	
	)	ORDINANCE NO. 2021-31
COUNTY OF JASPER	<b>1</b>	

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN SALT LAND HOLDINGS. LLC AND THE SOUTHERN CAROLINA REGIONAL DEVELOPMENT ALLIANCE (PREVIOUSLY IDENTIFIED AS "PROJECT SOUTH") (COLLECTIVELY, THE "COMPANY") AND JASPER COUNTY, WHEREBY JASPER COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH THE COMPANY AND PROVIDING FOR PAYMENT BY THE COMPANY OF CERTAIN FEES-IN-LIEU OF AD VALOREM TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH SUCH AGREEMENT; AUTHORIZING AND APPROVING (1) DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH HAMPTON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN JASPER COUNTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH HAMPTON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE-IN-LIEU OF AD VALOREM TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK: AND (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN JASPER COUNTY; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Jasper County, South Carolina ("County"), acting by and through its County Council ("County Council") is authorized pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended ("FILOT Act"), to encourage manufacturing and commercial enterprises to locate in the State of South Carolina ("South Carolina" or "State") or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the FILOT Act, that provides for the payment of a fee-in-lieu of ad valorem tax ("FILOT Payments"), with respect to economic development property, as defined in the FILOT Act;

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, "MCIP Act"), the County is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County's discretion, include property within the boundaries of such multicounty parks. Under the authority provided in the MCIP Act, the County and Hampton County, South Carolina ("Hampton County") (collectively, the Member Counties") proposes to establish jointly a multi-county industrial/business park within the geographical boundaries of one or more of the Member Counties; and

WHEREAS, pursuant to the FILOT and MCIP Acts, the County is authorized to provide credits ("Infrastructure Credits") against FILOT Payments derived from economic development property to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility ("Infrastructure");

WHEREAS, the Company proposes to develop the property described in Exhibit B attached hereto (the "Property") to establish logistic, distribution and/or manufacturing facilities; and

WHEREAS, it is anticipated the Project will result in an investment of at least one hundred seventy million dollars (\$170,000,000) in the County; and

WHEREAS, at the request of the Company and as an inducement to locate the Project in the County, the County desires to enter into a Fee-in-Lieu of Ad Valorem Taxes and Incentive Agreement with the Company, the final form of which is attached as Exhibit A ("Fee Agreement"), pursuant to which the County will provide certain incentives to the Company with respect to the Project, including (i) providing for FILOT Payments, to be calculated as set forth in the Fee Agreement, with respect to the portion of the Project which constitutes economic development property; and (ii) providing Infrastructure Credits, as described in the Fee Agreement, to assist in paying the costs of certain Infrastructure; and

WHEREAS, in order to promote the economic development of Jasper County and Hampton County, the Counties have initially agreed to include in the Park the Property as more particularly described in Exhibit A to that certain Agreement for the Establishment of Multi-County Industrial/Business Park to be entered into by the Member Counties as of such date as may be agreed to by the Member Counties (the "MCIP Agreement"); and

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

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

WHEREAS, a portion of the Property is subject to a deed restriction that requires that portion of the Property to be conveyed to the County if not sold or leased or otherwise utilized by the fifth (5th) anniversary of the date of said deed to or by an economic development project that will utilize port facilities; and

WHEREAS, the Southern Carolina Regional Development Alliance has requested that the deed restriction be released by the County.

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

- Section 1. Statutory Findings. Based on information supplied to the County by the Sponsor and Additional Sponsor, County Council evaluated the Project based on relevant criteria including, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment, employment to be created, and the anticipated costs and benefits to the County, and hereby finds:
- (a) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;
- (b) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power;
- (c) The purposes to be accomplished by the Project are proper governmental and public purposes and the benefits of the Project are greater than the costs.
- Section 2. Approval of Incentives; Authorization to Execute and Deliver Fee Agreement. The incentives as described in this Ordinance ("Ordinance"), and as more particularly set forth in the Fee Agreement, with respect to the Project are hereby approved. The form, terms and provisions of the Fee Agreement that is before this meeting are approved and all of the Fee Agreement's terms and conditions are incorporated in this Ordinance by reference. The Chair of County Council ("Chair") is authorized and directed to execute the Fee Agreement in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and

counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Fee Agreement and to deliver the Fee Agreement to the Company.

Section 3. Further Assurances. The County Council confirms the authority of the Chair, the County Administrator, the Director of Economic Development, the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, the Director of Economic Development or Clerk to County Council, as appropriate, to take whatever further action and to negotiate, execute and deliver whatever further documents as may be appropriate to effect the intent of this Ordinance and the incentives offered to the Sponsor under this Ordinance and the Fee Agreement.

### Section 4. Establishment of Multi-County Park; Approval of MCIP Agreement; Location of Park; Change of Park Boundaries; Release of Deed Restrictions.

- (a) There is hereby authorized to be established, initially in conjunction with Hampton County, a multi-county industrial/business park to include therein the Initial Property. The form, provisions, terms, and conditions of the MCIP Agreement in substantially the form before Jasper County Council (the "County Council") at the meeting at which this Ordinance receives third reading, and filed with the Clerk to County Council, be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the MCIP Agreement were set out in this Ordinance in its entirety.
- (b) The MCIP Agreement is to be in substantially the form before the meeting at which this Ordinance receives third reading, and is hereby approved, with such changes therein as shall not materially adversely affect the rights of Jasper County thereunder and as shall be approved by the officials of Jasper County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the MCIP Agreement before the meeting at which this Ordinance receives third reading. The Chairman of County Council, for and on behalf of Jasper County, is hereby authorized, empowered, and directed to do any and all things necessary or proper to effect the establishment of the Park and the execution and delivery of the MCIP Agreement and the performance of all obligations of Jasper County under and pursuant to the MCIP Agreement and to carry out the transactions contemplated thereby and by this Ordinance.
- (c) As of the date of enactment of this Ordinance, the Park shall consist of the Property located in Jasper County. It is recognized that the Park may from time to time consist of non-contiguous properties within each Member County. The boundaries of the Park may be enlarged or diminished from time to time as authorized by (a) an ordinance of the Member County in which the property to be added or removed from the Park is actually located, and (b) a resolution (or comparable action) of the governing bodies of all other Member Counties.
- (d) A portion of the Property is subject to a deed restriction in favor of Jasper County. The deed restriction provides that in the event the property has not been sold, leased or otherwise utilized by the fifth (5<sup>th</sup>) anniversary of the date of the said deed to or by an economic development project that will utilize port facilities, the property shall be conveyed to Jasper County (the "Deed Restriction"). Several projects have investigated the Property but have indicated they are unwilling to locate a project on that portion of the

Property unless the Deed Restriction is removed. There is hereby authorized a Termination and Release of Deed Restriction ("Termination of Release") in substantially the form before County Council at the meeting of which this Ordinance receives third reading, and filed with the Clerk to Council, such terms and provisions being hereby approved and the Chairman of County Council, for an on behalf of Jasper County, is hereby authorized and directed to execute the Termination and Release and to cause the Termination and Release to be recorded in the Jasper County office of the Register of Deeds.

#### Section 5. Payment of Fee-in-lieu of Taxes.

- (a) In accordance with Article VIII, Section 13(D) of the South Carolina Constitution, the area comprising the Park and all property having a situs therein is exempt from all ad valorem taxation. All owners and lessees of property situated in the Park will pay a fee in lieu of ad valorem taxes as provided for in the MCIP Agreement. The fee paid in lieu of ad valorem taxes shall be paid to the county treasurer of the county in which such property is located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the MCIP Agreement to the other Member Counties shall be paid to the respective county treasurer (or other designated official) of the other Member Counties in accordance with the terms of the MCIP Agreement. Payments of fees in lieu of ad valorem taxes for each year will be due on the due date for property taxes for such year. Penalties for late payment will be at the same rate as late tax payments. Any late payment beyond the due date will accrue interest at the same rate as late tax payments. The Member Counties, acting by and through the appropriate official, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.
- (b) Nothing herein shall be construed to prohibit any Member County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4. Chapter 29 or Chapter 12, or Title 12. Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision of South Carolina law.
- Section 6. Sharing of Expenses and Revenues. Sharing of expenses and revenues of the Park by the Member Counties shall be as set forth in the MCIP Agreement.
- Section 7. Distribution of Revenues to Taxing Entities. Revenues from the Park shall be distributed to and within the Member Counties as set forth in the MCIP Agreement.
- Section 8. Governing Laws and Regulations. In order to avoid any conflict of laws or ordinances among the Member Counties, the ordinances or other local laws of each Member County will be the reference for such regulations or laws in connection with Park premises located within such Member County. Nothing herein shall be taken to supersede any applicable municipal, state, or federal law or regulation. The Member County in which a parcel of Park premises is located is specifically authorized to adopt restrictive covenants and land use requirements in accordance with law for each such parcel at that Member County's sole discretion. The ordinances of a Member County shall in no way apply to Park property not located in such Member County.
- Section 9. Admission of Additional Parties. The MCIP Agreement may be amended from time to time to add additional counties or other political subdivisions located within South

Carolina or outside South Carolina, subject to any limitation contained in Article VIII, Section 13 of the Constitution of South Carolina or Title 4, Chapter 1 of the Code, by ordinances or comparable action of the governing body of each Member County. Upon approval of all Member Counties, the MCIP Agreement shall be amended to admit such political subdivision as a party thereto, with such rights and obligations as shall be provided in the MCIP Agreement as so amended and applicable law.

Section 10. Savings Clause. The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

Section 11. General Repealer. Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

JASPER COUNTY, SOUTH CAROLINA

Section 12. Effectiveness. This Ordinance is effective after its third reading and public hearing.

(SEAL) ATTEST:	Chair, Jasper County Council	
Clerk of Council, Jasper County Council		

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Second Reading: Public Hearing: Third Reading:

### AGENDA ITEM: XI-B

Ordinance item B

#### STATE OF SOUTH CAROLINA COUNTY OF JASPER

ORDINANCE: 2021-\_\_\_\_

### AN ORDINANCE OF JASPER COUNTY COUNCIL

To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 029-40-04-022 from the Residential Zone to the Industrial Development Zone on the Jasper County Official Zoning Map.

WHEREAS, the owner of the parcel consisting of approximately 9.93 acres bearing Jasper County Tax Map Number 029-40-04-022 located at 535 Stiney Road, has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Residential Zone to the Industrial Development Zone and the property owner submitted that request to the Jasper County Planning Commission and County Council; and

WHEREAS, the Jasper County Planning Commission has concurred with the recommendations of the staff report as reflected in this Ordinance and recommends approval by Council; and

WHEREAS, this matter is now before the Jasper County Council for determination;

**NOW THEREFORE BE IT ORDAINED**, by the Jasper County Council in council duly convened and by the authority of the same:

1. Jasper County Council finds that in accordance with the staff report, the proposed zoning is consistent with the continued pattern of growth in the vicinity and is in harmony with the Jasper County Comprehensive Plan. Good cause having been shown, approximately 9.93 acres bearing Jasper County Tax Map Number 029-40-04-022, located at 535 Stiney Road,

depicted on the Jasper County Official Zoning Map in the Residential Zone shall be transferred to the Industrial Development Zone.

2.	This ordinance shall take effect	et upon approval by Council.
		Ms. Barbara B. Clark Chairwoman
		ATTEST:
		Wanda Simmons Clerk to Council
ORDI	INANCE: # 2021	
Secor Publi	Reading: November 1, 2021 nd Reading: c Hearing: ted:	
		anty Planning Commission at it's meeting on and made no recommendation.
Reviewe	ed for form and draftsmanship by the	e Jasper County Attorney.
David '	Tedder	Date