

ORDINANCE NO: 15-16-699

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR EDGEFIELD COUNTY

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT JOINTLY BY AIKEN COUNTY AND EDGEFIELD COUNTY OF A MULTI-COUNTY INDUSTRIAL AND BUSINESS PARK DESIGNATED AS "AIKEN COUNTY/EDGEFIELD COUNTY PARK -North Augusta One " LOCATED IN AIKEN COUNTY IN THE CITY OF NORTH AUGUSTA; SETTING THE BOUNDARIES OF THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF A MULTI-COUNTY PARK AGREEMENT BETWEEN AIKEN AND EDGEFIELD COUNTIES CONCERNING, AMONG OTHER THINGS, THE OPERATION OF THE PARK AND THE ALLOCATION OF EXPENSES AND REVENUES FROM THE PARK; AND DIRECTING OR AUTHORIZING SUCH OTHER ACTIONS AS MAY BE NECESSARY OR APPROPRIATE.

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WHEREAS:

1. Aiken County ("County") and Edgefield County (collectively, "Counties"), are authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended ("Act"), to jointly develop a multi-county industrial or business park ("MCIP") in the geographical boundaries of one or more of the Counties;
2. As provided under the Act, to promote the economic welfare of their citizens, the Counties have agreed to create a new MCIP designated as Aiken County/Edgefield County Park -North Augusta One ("Park"), which will encourage additional economic development and job creation in the Counties;
3. The County Councils of the Counties desire to include in the boundaries of the Park the property located in the City of North Augusta in Aiken County described in an exhibit attached to this Ordinance;
4. The County Councils of the Counties desire to authorize the execution a MCIP agreement (the "MCIP Agreement") between them to provide for the creation and administration of the Park and the allocation of expenses and revenues therefrom, and form of that MCIP Agreement is attached to this Ordinance as an exhibit;
5. The County Council of Aiken County will authorize the execution of an intergovernmental agreement (the "Intergovernmental Agreement") with the City of North Augusta concerning the Park, through which the City of North Augusta (the "City") will, *inter alia*, give its consent for the creation of the Park within the corporate limits of the City, as required by the Act;
6. The County Council of Aiken County is in the process of giving readings to a separate ordinance that would authorize the County to enter into an agreement with a company that desires to be located in the Park providing it certain economic incentives authorized by the laws of the State of South Carolina.

NOW THEREFORE BE IT ENACTED BY THE EDGEFIELD COUNTY COUNCIL THAT:

1. County Council hereby authorizes the establishment jointly with Aiken County, and with the consent of the City of North Augusta, of a multi-county industrial and business park designated as Aiken County/Edgefield County Park-North Augusta One within the boundaries of the City of North Augusta in Aiken County, as more fully described in the attached Exhibit A, with any minor revisions thereto deemed necessary or appropriate by the County Administrator upon the advice of the County Attorney. The description of the boundaries of the Park set forth in the final version of Exhibit A, including any minor revisions thereto, are hereby incorporated into this Ordinance as if it were set forth in this Ordinance in its entirety.
2. County Council hereby authorizes the Chairman of County Council to execute and enter into on behalf of the County the MCIP Agreement with Aiken County for Aiken County/Edgefield County Park-North

Augusta One in the form attached hereto as Exhibit B, with such minor or clarifying revisions as are deemed necessary or appropriate by the County Administrator upon the advice of the County Attorney. Upon execution of the MCIP Agreement in its final form by Aiken County and Edgefield County, following the consent of the City of North Augusta, the execution thereof shall constitute conclusive evidence of the approval of all of the terms of the MCIP Agreement, including any revisions thereto, and the executed MCIP Agreement in its final form shall be deemed incorporated into this Ordinance as if it were set forth herein in its entirety.

3. The Chairman of County Council and the County Administrator, with the advice of the County Attorney, are hereby authorized to execute such other documents and take such other actions as may be necessary to effect the intent of this Ordinance.
4. All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of the Ordinance which shall be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.
7. This Ordinance shall become effective on \_\_\_\_\_, 2015; provided, however, that the establishment of the Aiken County/Edgefield County Park-North Augusta One set forth in Section 1 of this Ordinance and the MCIP Agreement authorized by Section 2 this Ordinance shall not become effective until (a) the Aiken County Council approves the establishment of the Park and executes the MCIP Agreement and (b) the City of North Augusta gives its consent to the establishment of the Park.

Adopted at the regular meeting of the Edgefield County Council on \_\_\_\_\_, 2015.

ATTEST:

SIGNED:

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

\_\_\_\_\_  
Chairman

REVIEWED BY:

\_\_\_\_\_  
County Attorney

First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Third Reading \_\_\_\_\_