

AN ORDINANCE

TO ALLOCATE ADDITIONAL SPECIFIED REVENUES COLLECTED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES DERIVED FROM DESIGNATED MULTI-COUNTY INDUSTRIAL BUSINESS PARKS LOCATED IN GREENVILLE COUNTY TO THE COUNTY INFRASTRUCTURE FUND IN ORDER TO FUND ROAD AND RELATED INFRASTRUCTURE PROJECTS.

NOW, THEREFORE, BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

Section 1. Findings.

The County Council of Greenville County (“County Council”) hereby finds and determines:

- A. The County of Greenville (“County”) is a political subdivision of the state and as such has all powers granted to counties by the Constitution and general laws of the State of South Carolina.
- B. In the exercise of the powers vested in it by the Constitution and statutes of the state, and proceeding in conformity with the provisions thereof, the County has heretofore in collaboration with adjacent counties established multi-county industrial business parks.
- C. Pursuant to the authority vested in County governments and as recognized by the South Carolina Supreme Court in *Horry County School District v. Horry County*, 346 S.C. 621, 552 S.E.2d 737 (2001) and as provided for in the Park Agreements (as such term is defined in this Ordinance), the County has the authority to determine the allocation of funding derived from properties located inside multi-county industrial business parks.
- D. Through Greenville County Ordinance No. 2899, as amended, the County for twenty-nine years has directed certain revenues resulting solely from the County’s millage and derived from industrial and business properties locating in multi-county parks for infrastructure and road related County projects such as the Prescription for Progress program and the annual funding of the County’s Infrastructure Bank. Over such period of time, the County has funded substantial road and infrastructure improvements solely with the multi-county park revenues which have been derived only from the County’s millage.
- E. With the rapid population growth experienced across the County and the tremendous increased construction costs of roads and related infrastructure serving the incorporated and unincorporated areas of Greenville County, there is a need for increased road and related infrastructure spending for the benefit of all County residents, businesses and governmental entities. By the enactment of this Ordinance, County Council will allocate and utilize additional multi-county industrial and business park revenues beyond the revenues resulting from the County’s millage to increase funding for road and related infrastructure in Greenville County.

Section 2. Definitions.

“Infrastructure Fund” shall refer to the Special Revenue Fund Account in the annual Greenville County Budget also referred to as the “Infrastructure Bank.”

“Park” or “Parks” shall mean any or all multi-county industrial parks located in the County which Parks the County has included in this Ordinance as a source of Park Revenues.

“Park Agreements” shall mean, as such may be amended or supplemented, those agreements listed in Section 5 of this Ordinance and such additional Park Agreements which may be designated by County ordinance to be included as a source of Park Revenues.

“Park Revenues” shall mean any fees, penalty payments or other revenues received by the County from (1) additions to the Park Agreements approved by County Council on or after January 1, 2023, and (2) new fee-in-lieu of tax agreements approved by County Council on or after January 1, 2023 with companies located in a Park, except (i) those revenues allocated to the County, designated as “Project Revenues,” and controlled by County Ordinance No. 2899, as amended and supplemented; and (ii) such fees, penalty payments or other revenues previously pledged by the County for the repayment of special source revenue bond debt of the County prior to the designation of such park agreement for inclusion herein.

Section 3. County Rate of Park Revenues.

Unless the allocation of Park Revenues is governed by the terms of a separate agreement, each year beginning in Fiscal Year 2025-2026, the County may retain for the Infrastructure Fund up to 80% of the Park Revenues that would have been allocated by the County to other taxing entities based on their respective millage rates for such fiscal year. County Council shall include in its budget for each fiscal year the amount, if any, of the Park Revenues to be retained by the County for the Infrastructure Fund during such fiscal year. County Council hereby ratifies the retention, if any, of the portion of the Park Revenues set forth in the County’s budget ordinance for Fiscal Year 2025-2026.

Section 4. Revenues Directed to the Infrastructure Fund.

Park Revenues collected and retained by the County pursuant to Section 3 of this Ordinance shall be directed to the Infrastructure Fund account of the County.

Section 5. Park Agreements.

The following Park Agreements with the following counties, as have been and may in the future be amended or supplemented, are sources of Park Revenues for purposes of this Ordinance:

<u>Partner County</u>	<u>Date of Agreement</u>
Anderson	October 6, 1998
Anderson	July 18, 2006

Anderson	December 1, 2010
Anderson	December 31, 2015
Anderson	June 30, 2017
Anderson	February 21, 2022
Greenwood	December 12, 1994
Laurens	August 27, 1993
Laurens	March 22, 1994
Laurens	September 29, 1998
Laurens	January 18, 2011
Laurens	September 6, 2016
Pickens	November 4, 1996

Section 6. Severability.

Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 7. Effective Date. This Ordinance becomes effective upon adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2025.

ATTEST:

Benton Blount, Chairman
Greenville County Council

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator

First Reading:
Second Reading:
Public Hearing:
Third Reading: