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I, Thomas Sullivan
 Clerk to Council, certify that
 this was advertised for Public
 hearing on 9/30/04 and 11/1/04

ORDINANCE NO 04-07-12

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

(to Levy and Reimpose a One Percent Sales and Use Tax, Subject to a Referendum, Within Aiken County Pursuant to the Capital Project Sales Tax Act, S C Code Ann Section 4-10-300, et seq., to Define the Specific Purpose or Purposes and Designate the Projects for Which the Proceeds of Such Tax May be Used, to Provide the Maximum Cost of the Projects or Facilities Funded from the Proceeds of Such Tax and the Maximum Amount of Net Proceeds to be Raised by Such Tax, to Provide for a County-Wide Referendum and to Prescribe the Contents of the Ballot Question in Such Referendum, to Provide Conditions Precedent to the Imposition of Such Tax and Condition or Restrictions on the Use of Such Tax Revenue, to Establish a Formula by Which Multiple Projects are Funded Simultaneously, to Provide for the Conduct of Such Referendum by the Registration and Election Commission of Aiken County, to Provide for the Administration of Such Tax, if Approved, to Provide for the Payment of Such Tax, and to Provide for Other Matters Relating Thereto)

WHEREAS

- 1 The South Carolina General Assembly has enacted the Capital Project Sales Tax Act, S C. Code Ann Section 4-10-300 et seq , pursuant to which the governing body may reimpose a one percent sales and use tax by ordinance, subject to a referendum, within the County area for a specific purpose or purposes and for a limited time to collect a limited amount of money, and
- 2 The Aiken County Council, as the governing body of Aiken County, South Carolina, is authorized to create a commission subject to the provisions of S C Code Ann Section 4-10-300 of the Capital Projects Sales Tax Act for the purpose of considering proposals for funding capital projects within the County area and the formulation of a referendum question which is to appear on the ballot The Aiken County Council adopted Resolution 04-01-02 pursuant to the Capital Projects Sales Tax Act on January 6, 2004, creating a commission for the purpose of considering proposals for funding capital projects within Aiken County and the formulation of a referendum question which is to appear on the ballot Members of the Capital Projects Sales and Use Tax Commission were appointed by Aiken County and the municipalities of Aiken County in accordance with the provisions of Section 4-10-320 of the Capital Projects Sales Tax Act, and
- 3 The Aiken County Capital Projects Sales and Use Tax Act Commission has considered proposals for funding capital projects within Aiken County and the Commission, by vote of the Commission in public meetings duly advertised, has adopted the projects described in this Ordinance, estimated the costs of such projects, identified the purpose for which the proceeds of the proposed capital projects sales and use tax shall be used, established the maximum time for which the sales and use tax may be imposed at seven (7) years, established the maximum cost of the projects or facilities to be funded from the proceeds of the tax and the maximum amount of net proceeds to be raised by the tax, established conditions precedent to the reimposition of the sales and use tax revenue collected pursuant to the Capital Project Sales Tax Act, established a formula by which the net proceeds of the sales and use tax are to be expended to the local governments for the purpose stated, and formulated the ballot question that is to appear on the ballot pursuant to Section 4-20-330(d) of the Capital Project Sales Tax Act, and

- 4 The Aiken County Council finds that a one percent sales and use tax should be levied and reimposed within Aiken County, for the purpose of designing, engineering, construction or improving highways, roads, sidewalks, streets and/or bridges, designing, engineering, constructing or improving public facilities for recreation, public safety and/or government services, designing, engineering, constructing or improving drainage systems, purchase of equipment and vehicles to support the performance of government services, and the purchase and development of property to support government services and functions in Aiken County, South Carolina, more specifically identified in Section 5 of this Ordinance (herein referred to as the "projects" or the "capital projects") for a period not to exceed seven (7) years from the date of reimposition of this tax, to fund capital projects as herem defined and described at a maximum cost not to exceed \$114,412,985 to be funded from the net proceeds of sales and use tax reimposed in Aiken County pursuant to provisions of the Capital Sales Tax Act, SC Code Ann Section 4-10-300 et seq subject to approval of the qualified electors of Aiken County voting in a referendum on the reimposition of a capital projects sales and use tax in Aiken County to be held on November 2, 2004 The reimposition of such sales and use tax and the use of sales and use tax revenue, if approved in such referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue as established by the Capital Project Sales Tax Act and the provisions of this Ordinance Sales and use tax revenues shall be used for the purchase, design, engineering and construction or improvement of the projects established in this Ordinance including payment of such sums as may be required in connection with the issuance of revenue bonds, the proceeds of which are applied to such capital projects, and
- 5 County Council finds that the reimposition of a capital projects sales and use tax in Aiken County for the projects and purposes defined in this Ordinance for a limited time not to exceed seven (7) years to collect a limited amount of money will-serve a public purpose, provide funding for the design, engineering, construction and improvement of highways, roads, streets, drainage systems and/or bridges, improve the flow of traffic into and through Aiken County, facilitate economic development, promote public safety, provide necessary infrastructure, lessen congestion on the streets, roads and highways, facilitate the provision of adequate transportation, promote desirable living conditions, provide improved recreational facilities and opportunities, promote public health and safety in the event of fire, emergency, panic and other dangers and meet present and future needs of Aiken County and its citizens

NOW I HEREOFRE BE IT ENACTED BY THE AIKEN COUNTY COUNCIL THAT

- 1 A capital project sales and use tax, as authorized by the Capital Project Sales Tax Act, S C Code Ann Section 4-20-300 et seq , is hereby reimposed in Aiken County, South Carolina, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the reimposition of such tax to be held in Aiken County, South Carolina on November 2, 2004
- 2 The capital project sales and use tax authorized herein shall be reimposed for a period not to exceed seven (7) years from the date of reimposition.
- 3 The maximum cost of the projects or facilities to be funded from the proceeds of the sales and use tax reimposed herein shall not exceed, in the aggregate, the sum of \$114,412,985, and the maximum amount of net proceeds to be raised by the tax shall not exceed \$114,412,985
- 4 The sales and use tax reimposed herein shall be reimposed only if approved by a majority of qualified electors voting in favor of reimposing such tax for the stated purposes in a referendum to be held in Aiken County, South Carolina on November 2, 2004
- 5 The capital projects sales and use tax authorized by this Ordinance shall be expended for the purposes stated as follows

I. The first \$4,237,130 collected under the Capital Project Sales and Use Tax shall be distributed to the following municipalities in the priority such municipality is listed below.

- A \$1,039,000 for the following projects within the Town of Burnetown, which projects shall be completed in the order determined by Burnetown Town Council
- \$500,000 for the construction of a community recreation center,
 - \$150,000 for the construction of a Town storage building to support the waterworks department,
 - \$50,000 for the construction of a concession stand, press box and restrooms at softball recreation facility,
 - \$72,000 to purchase a new dump truck and a new pick-up truck to support the Town and the waterworks department,
 - \$70,000 for the purchase of two new police cars and related capital equipment,
 - \$50,000 for the purchase of new police capital equipment including radar units, cameras, radios, GPS units and alcohol sensor lights,
 - \$40,000 for the purchase of new office and capital equipment for Town Hall,
 - \$30,000 to purchase capital equipment for maintaining recreation facilities,
 - \$27,000 for capital improvements to recreation facilities,
 - \$20,000 for beautification projects within the Town including streetscaping, landscaping and new signage,
 - \$30,000 for the construction of sidewalks.
- B \$707,435 for the following projects within the Town of Jackson, which projects shall be completed in the order determined by Jackson Town Council
- \$90,435 for the demolition and renovation of the municipal complex,
 - \$60,000 for park capital improvements,
 - \$100,000 for capital improvements to the Jackson Agricultural Building,
 - \$70,000 for capital improvements to the Town's little league baseball field,
 - \$105,000 for capital improvements to the Jackson Fire Department,
 - \$57,000 for Town's football field capital improvements,
 - \$160,000 downtown development (along Highway 125/Main Street) including specifically sidewalk improvements, streetscaping, landscaping and drainage improvements,
 - \$20,000 for the construction of a Public Works storage facility,
 - \$45,000 for the purchase of an activity bus for the Town
- C \$99,000 for the following projects within the Town of Monetta, which projects shall be completed in the order determined by Monetta Town Council
- \$12,000 for asphalt parking areas in front of Town Hall and an apron in front of the Monetta Fire Department,
 - \$2,000 for office capital equipment for Town use;
 - \$4,000 for playground capital equipment for Town use,
 - \$30,000 for capital renovations to a building for a municipally owned health services facility,
 - \$16,000 for repairs and capital renovations to the Head Start building,
 - \$35,000 for additional payment on USDA loan for water system
- D \$1,258,750 for the following projects in the City of New Ellenton, which projects shall be completed in the order determined by New Ellenton City Council:
- \$450,000 for additional Municipal Complex expansion, equipment and capital improvements,
 - \$247,000 for park development and capital improvements at Evans Park and the Greendale area,
 - \$200,000 Library relocation, expansion and capital materials,
 - \$361,750 for infrastructure improvements and equipment to support several city departments including Police, Fire, Sanitation, Recreation, Streets and Roads, and Sewer
- E \$84,645 for the following projects in the Town of Perry, which projects shall be completed in the order determined by the Perry Town Council

- \$45,500 for the purchase of a backhoe and a commercial lawnmower to support the Town and the water district;
 - \$25,000 for the construction of a storage building to support the Town and the water district,
 - \$11,145 for Town signage and other capital improvements to Town Hall,
 - \$3,000 for a new computer system
- F \$161,000 for the following projects in the Town of Salley, which projects shall be completed in the order determined by the Salley Town Council
- \$66,000 for water system improvements,
 - \$95,000 to make additional debt payments on fire pumper truck
- G \$833,000 for the following projects within the Town of Wagener, which projects shall be completed in the order determined by Wagener Town Council
- \$20,000 fire department station capital improvements,
 - \$85,000 for a water tender and capital accessories for fire department,
 - \$30,000 to purchase a light rescue truck and capital accessories for the fire department,
 - \$125,000 to purchase and install new water meters, a new radio meter reading system and necessary hardware for the Town's Waterworks Department,
 - \$20,000 for new billing software for the Town's Waterworks Department,
 - \$49,000 to replace worn valves on main lines for the Town's Waterworks Department,
 - \$22,500 to purchase a utility truck for the Town's Waterworks Department,
 - \$30,000 to purchase a new patrol car and capital accessories for the police department,
 - \$30,500 for street sign replacement,
 - \$203,000 for capital renovations to the Town-owned Yaspén Building to accommodate a community center,
 - \$218,000 for capital improvements to town parks as follows
 - \$3,000 for Gunter Park
 - \$50,000 for Crescent Cities Park
 - \$125,000 for downtown park development along Town-owned railroad right-of-way
 - \$15,000 for Seivern Road Park
 - \$25,000 for Veterans Park
- H \$54,300 for the following projects within the Town of Windsor
- Capital renovations and repairs to the recreation facility and Town Hall

II. The next \$97,850,000 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following three jurisdictions in the percentages shown: The City of North Augusta (19.8%), the City of Aiken (28.6%), and Aiken County (51.6%) for the following projects:

- A \$19,350,000 for the following projects within the City of North Augusta, which projects shall be completed in the order determined by North Augusta City Council
- \$925,000 for the purchase of a fire truck for the Department of Public Safety,
 - \$550,000 for a communications system upgrade for the Department of Public Safety,
 - \$1,120,000 for the resurfacing of city streets,
 - \$2,570,000 for additions to Riverview Park to include a spraypool, playground with canopy, a new scoring tower, restrooms, meeting rooms, dressing rooms and a main concession stand,
 - \$1,550,000 for renovations to Riverview Park including upgrades to the baseball and softball fields and the replacement of towers I and III,
 - \$690,000 for Riverview Park improvements to enhance traffic circulation, improved maintenance facilities and entranceways,
 - \$3,140,000 for construction of parks and acquisition of land for greenways and open space,
 - \$750,000 for the construction of the Department of Public Safety Substation III,
 - \$5,000,000 for a new municipal complex,

- \$1,500,000 for road intersection improvements to Five Notch @ Pisgah, Celeste, Heil and Georgia,
 - \$500,000 for a cultural arts and historical display facility,
 - \$500,000 for capital renovations to the North Augusta Community Center,
 - \$75,000 for road intersection improvements to Walnut Lane @ US 25,
 - \$480,000 for an estimated four miles of sidewalk construction
- B \$28,000,000 for the following projects within the City of Aiken, which projects shall be completed in the order determined by Aiken City Council
- \$350,000 for a connector road from Dougherty Road to the Aiken Mall;
 - \$700,000 for a connector road from Dougherty Road to the Wal Mart,
 - \$745,000 for parking lot and landscaping for the new convocation center at USC- Aiken,
 - \$250,000 for new pumper truck for new Southside Public Safety substation,
 - \$700,000 for new ladder truck for new Southside Public Safety substation,
 - \$1,750,000 to continue street resurfacing program,
 - \$1,750,000 for infrastructure and housing capital improvements associated with a housing facility for low to moderate income families in the Northside Neighborhood Renewal Project,
 - \$170,000 for Historic Pinelawn Cemetery for streetscaping, landscaping, fencing and roadway improvements,
 - \$4,200,000 for storm water/sanitary sewer/water infrastructure improvements,
 - \$3,500,000 for erosion control and drainage projects in Hitchcock Woods,
 - \$150,000 for Citizens Park parking lot and landscaping,
 - \$100,000 for restrooms at Citizens Park,
 - \$700,000 Whiskey Road improvements including drainage, curbing, sidewalks, and landscaping,
 - \$875,000 to continue the lighting, curbing, sidewalks and landscaping program,
 - \$1,000,000 for construction of parks and acquisition of land for greenways and open space,
 - \$1,500,000 for the construction of a maintenance center at Citizens Park,
 - \$200,000 for parking and to provide lighting, curbing, sidewalks and landscaping to Bee Lane from the Alley to Richland Avenue,
 - \$700,000 to expand the Public Works complex,
 - \$600,000 to expand the Public Safety Building,
 - \$1,400,000 to place electric lines underground in the downtown area;
 - \$1,000,000 to purchase land and begin development of a senior/youth center in the Eustis Park Neighborhood,
 - \$1,000,000 to begin work on a Whiskey Road/Powderhouse Road connector,
 - \$2,750,000 for the construction of a Northside recreational park on the City's former landfill,
 - \$100,000 for the construction of an environmental meeting center in connection with the Carolina Bay,
 - \$200,000 for the provision of band shell over the stage at Hopelands Gardens,
 - \$325,000 to conduct a study and purchase right-of-way for a parallel connector road along Whiskey Road from Centennial Parkway to a new east/west connector road,
 - \$150,000 for a Dougherty Road Corridor study,
 - \$250,000 for a Northside roadway study,
 - \$100,000 for a Citizens Park walking trail,
 - \$50,000 for mobile bleachers for use at the Newberry Street Festival Center, Citizens Park or Virginia Acres;
 - \$210,000 for the construction of public bike paths to be located on public property,
 - \$175,000 for a mobile stage to be used at the Newberry Street Festival Center, Citizens Park or Virginia Acres,
 - \$100,000 for capital improvements at the Public Safety Training grounds,
 - \$250,000 for the construction of a splash park

- C \$50,500,000 for the following projects in Aiken County, which projects shall be completed in the order determined by Aiken County Council
- \$2,000,000 for the construction of two new Emergency Medical Services stations, complete with new ambulances and related capital equipment (Aiken Southside, and Highway 1/Monetta area) and to replace three mobile homes with permanent EMS stations (Silver Bluff High School, J D Lever School and Oakwood-Windsor Elementary),
 - \$4,000,000 to replace Sheriff's Department vehicles, ambulances and other vehicles and capital equipment in the County fleet,
 - \$2,100,000 for resurfacing of County streets and roads;
 - \$15,900,000 for paving of the following unpaved roadways

Road

<u>No.</u>	<u>Road Name:</u>	<u>Portion:</u>
635	Indian Waters Trail	From: S-1903 To: Stack Rd. C-634
634	Stack Road	From: SC-39 To: C-635
365	Midway Circle	From: Whiskey Road To: Whiskey Road
120	Hubert Street	From: Baker St To: End of C-120
S-45	Five Notch/Pisgah Rd	Intersection Improvements
86	Sudlow Lane	From: Sudlow Lake Rd. To: End of C-86
12	Ballard Drive	From: Bettis Academy To: Mt Zion Rd
270	Brooks Avenue	From: Spalding Dr To: Wilds Ave
267	Wilds Ave	From: Brooks Ave. To: Dougherty Rd
281	Rogers Road	From: Hwy 1 North To: End
282	Shawcrest Dr	From: Rogers Rd To: Hwy 1 North
661	Wagontong Road	From: Settlement Rd To: S-21
387	Valley Drive	From: S-1386 To: Hankinson St (C-388)
203	Tennis Ranch Road	From: Old Jackson Hwy To: End of C-203
5	Curry Drive	From: Celesta Ave To: End of Curry
552	Leanne Dr	From: Palmetto Farms Rd (S-1891) To: End of (C-552)
895	River Road	From: S-14 To: S-183
475	Pine View Drive	From: Dogwood Drive To: Sizemore (S-739)
248	Saddle Horse Road	From: Piney Heights Rd To: End of C-248
134	Rebel Road	From: Good Springs Road To: I-20
716	Earl Church Road	From: S-264 To: Church
315	Bluff Landing Road	From: SC-5 (Old Jackson Hwy) To: End
97	Pride Avenue	From: Sudlow Lake Rd To: End of C-97
31	Springfield Church Rd	From: Hwy 19 N To: Edgefield Co Line
894	Joe Scott Road	From: S-183 To: C-897
464	Aspen Court	From: SC Hwy 278 (Williston Road) To: End
1160	Toole Circle	From: End of Pavement To: End of Dirt
36	Wooduck Way	From: SC Hwy 19 N To: End
825	Williams-Evans Road	From: S-212 To: S-150
1092	Hunting Hills Drive	From: S-302 To: for 61 miles
1036	Keys Dairy Road	From: Pine Log Road To: End of C-1036
35	Mallard Court	From: Hwy-19 N To: End of (C-35)
656	Rawls Mill Pond Road	From: Hwy 21 To: S-246
359	Sunshine Circle	From: S-1973 To: End
360	Oakbrook Drive	From: S-1973 To: End
34	Mixon Road	From: Old Friar To: End of (C-34)
561	Kedron Church Road	From: End of State Maintenance To: Wire Rd
1098	Broadway St	From: Dry Branch Rd (S-504) To: End
489	Archie Ware Road	From: Mt Calvary To: One mile mark
609	Bagwell Road	From: Blue Poppy Road To: Nazarene Rd
327	Greenbush Road	From: Hwy 302 To: For 40 miles
800	Oak Ridge Club Road	From: C-795 To: C-576
506	Wimpy Road	From: US-78 To: S-113

621	Holder Road	From: SC-39 To: Dam
924	Hoover Road	From: Rocky Grove (S-271) To: Warner Rd (S-111)
880	Otis Baughman Sr Rd.	From: S-14 To: S-1776
652	Shadow Lane Road	From: SC-302 To: SC-39
750	Bodie Road	From: Camp Rawls Rd. (S-75) To: Flowing Wells (S-264)

* In the event certain of the above County road projects may not be accomplished for any reason, those paving projects listed at Section IV (E) hereof may be undertaken in the order to be determined by County Council

- \$2,000,000 for permissible capital projects in connection with brownfield restoration in Horse Creek Valley area (such as Clearwater Finishing Plant, Seminole Mill, etc.),
- \$750,000 for connector roads to Dougherty Road and for engineering and planning on the Whiskey Road/Silver Bluff connector road,
- \$2,000,000 for public infrastructure improvements in connection with the Palmetto Parkway Phase II,
- \$2,000,000 for capital renovations, repairs and construction of the following
 - 1 \$600,000 Aiken County Historical Museum
 - 2 \$1,145,000 Aiken County Main Library, Nancy Carson Branch Library, New Ellenton Branch Library, Wagener Branch Library and Midland Valley Branch Library
 - 3 \$255,000 Aiken County Judicial Center
- \$5,500,000 for Recreation and Open Space Preservation as follows.
 - 1 \$1,500,000 for capital renovations of existing recreational parks
 - 2 \$1,500,000 for additional capital development of Langley Pond Park
 - 3 \$1,000,000 for greenway and open space land purchase and development
 - 4 \$1,500,000 for construction of a regional recreational park
- \$1,750,000 Drainage Projects as follows
 - 1 \$643,500 Athol Project
 - 2 \$70,200 Vanderbilt/College Acres
 - 3 \$374,400 Audubon Project
 - 4 \$175,500 Woodwardia Project
 - 5 \$58,500 Hunters Glen Project
 - 6 \$177,900 Hitchcock Woods Project
 - 7 \$250,000 Kalma Hills Project
- \$12,000,000 for the construction of a new County Office Complex,
- \$500,000 for the construction of a publicly-owned Child Advocacy Center

III. The next \$2,000,000 collected under the Capital Project Sales and Use Tax shall be distributed, as received, to the City of Aiken for further construction and capital improvements of a Northside recreational park.

IV. The next \$10,325,855 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following eight jurisdictions in the percentages shown: The Town of Burnetown (0.968%), the Town of Jackson (0.242%), the Town of Monetta (0.242%), the City of New Ellenton (2.905%), the Town of Perry (0.149%), the Town of Salley (0.271%), the Town of Wagener (2.436%), and Aiken County (92.787%) for the following projects:

- A \$100,000 for the Town of Burnetown to purchase and renovate a building for a new museum specific to the history of the Midland Valley area
- B \$300,000 for sewer line expansion for the City of New Ellenton
- C \$15,355 for a lighting project in the Town of Perry
- D \$25,000 to pave the parking lot at the Town of Jackson Municipal Complex

- E \$9,581,000 for additional County Roads to be paved as follows in the order to be determined by County Council

Road

<u>No.</u>	<u>Road Name:</u>	<u>Portion:</u>
491	Fire Tower	From: SC-78 To: S-113
434	Cassel Street Ext	From: Jackson Rd (C-434) To: S-1332
243	Roundtree Road	From: Hwy 125 To: Hwy 125
93	Ella Quiller Road	From: Breezy Hill Rd To: Old Cherokee Road
555	Old Kimball Trail	From: US-1 To: Jordon Road (C-2510)
267	Wilds Ave	From: Spalding Dr To: Brooks Ave
265	Griggs Street	From: Brooks Ave To: Wilds Ave.
266	Elon Street	From: Brooks Ave To: Wilds Ave
271	Meares Street	From: Wilds Ave To: Murrah Ave
279	Williams Lane	From: Hwy 19 To: End of C-279
671	Cline Taylor Road	From: Browns Pond Road (C-683) To: SC 113
1091	Brayboy Road	From: SC 278 To: End
982	Farrell Street	From: Charles Road To: End
55	Fir Street	From: Cherokee Dr To: End
539	Reedy Fork Road	From: Piper Road To: Morris Road
275	Elbert Street	From: Spaulding Drive To: Dougherty Road
828	Richburg Villa	From: C-829 To: S-270
487	North Street	From: Washington Dr To: End
249	Colt Road	From: Piney Heights Rd To: End
1002	Friendly Lane	From: Blanchard Rd. To: End
545	Shiloh Estates Road	From: Shiloh Church Rd To: End
269	Short Street	From: Murrah Ave To: Wilds Ave
867	Crim Hydrick Road	From: Hwy 302 To: Collum Pond Road
237	Saddle Soap Lane	From: Horse Creek Road To: End of C-237
1164	Old Martintown Road	From: Barton Road To: Fleetwood Drive
694	Hutto Pond Road	From: S-49 To: C-699
521	Dusk Trail Road	From: US-1 To: Mt Pleasant Road (S-25)
698	Holley Road	From: Ready Rd To: Indian Trail Road
861	Springflower	From: Holiness Rd. (S-51) To: Shadow Lane (C-652)
652	Shadow Lane	From: Hwy 302 To: Springflower Road (C-861)
837	Bussey Road	From: Mt Beulah Rd To: US 78

- F \$251,500 for the following projects within the Town of Wagener, which projects shall be completed in the order determined by the Wagener Town Council.

- \$137,500 to replace or repair Town sidewalks as needed,
- \$57,000 to replace Town water line from Hwy 39 to South Busbee Street and Hwy 302,
- \$14,500 to purchase a camera system to inspect Town sewer lines,
- \$12,500 to purchase a new radio system for the Town police department,
- \$15 000 to pave the driveway for the fire department,
- \$15,000 to purchase new reporting software for the Town police department

- G \$25,000 for the Town of Monetta for repairs and upgrades to the Town's water system

- H \$28,000 for the Town of Salley to purchase a new police car and equipment and to purchase a new copier for Town Hall

TOTAL COST OF ALL CAPITAL PROJECTS \$114,412,985

- 6 If the reimposition of the existing sales and use tax is approved by a majority of the qualified electors voting in a referendum to be held in Aiken County on November 2, 2004, the new tax is to be reimposed

immediately following the termination of the earlier imposed tax, provided the Registration and Elections Commission of Aiken County shall certify the results and the Aiken County governing body shall, by Resolution, declare the results of the referendum and certify such results to the South Carolina Department of Revenue in a timely manner

- 7 The capital projects sales and use tax reimposed by this Ordinance, if approved in the referendum conducted on November 2, 2004, shall terminate on the earlier of:
 - (1) the final day of the seventh year following reimposition of the tax; or
 - (2) the end of the calendar year during which the Department of Revenue determined that the tax has raised revenues sufficient to provide the net proceeds equal to or greater than the amount specified in the referendum questions
- 8 Amounts of sales and use tax collected in excess of the required net proceeds must first be applied, if necessary, to complete a project for which the tax was reimposed including payment of such sums as may be required in connection with the issuance of bonds and other debt obligations, the proceeds of which are applied to such capital projects, otherwise, the excess funds must be credited to the general fund of the governmental entity or entities receiving the proceeds of the tax, in the proportion in which they received the net proceeds of the tax while it was reimposed
- 9 The capital projects sales and use tax levied pursuant to this Ordinance must be administered and collected by the South Carolina Department of Revenue in the same manner that other sale and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the tax
- 10 The tax authorized by this Ordinance is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax reimposed by Chapter 36 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax reimposed by this Ordinance. The tax reimposed by this Ordinance also applies to tangible personal property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina
- 11 Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina must identify the county, municipality or both in which the personal property purchased at retail is stored, used or consumed in this State
- 12 Utilities are required to report sales in the county, municipalities or both, in which the consumption of the tangible personal property occurs
- 13 A taxpayer subject to the tax reimposed by Section 12-36-920, South Carolina Code Ann., who owns or manages rental units in more than one county, municipality or combination thereof, must report separate in his sales tax return the total gross proceeds from business done in each county or municipality
- 14 The gross proceeds of sales of tangible personal property delivered after the reimposition date of the tax levied under this article in a county, either under the terms of a construction contract executed before the reimposition date, culminating in a construction contract entered into before or after the reimposition date, are exempt from the sales and use tax provided in this article if a verified copy of the contract is filed with the Department of Revenue within six months after the reimposition date of the sales and use tax provided for in this Ordinance
- 15 Notwithstanding the reimposition date of the sales and use tax authorized pursuant to this section, with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this article is reimposed beginning on the first day of the billing period beginning on or after the reimposition date

- 16 The revenues of the tax collected under this Ordinance must be remitted to the South Carolina Department of Revenue and placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the County Treasurer in the County area in which the tax is reimposed and the revenue must be used only for the purposes stated in the reimposition Ordinance. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation.
- 17 The Department of Revenue shall furnish data to the State Treasurer and the Aiken County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to counties and municipalities upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability to taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of South Carolina Code Ann. Section 12-54-240. Any person violating the provisions of this section shall be subject to the penalties provided for in South Carolina Code Ann., Section 12-54-240.
- 18 The Registration and Election Commission of Aiken County shall conduct a referendum on the question of reimposing a capital projects sales and use tax in the area of Aiken County on Tuesday, November 2, 2004, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina, *mutatis mutandis*. The Aiken County Registration and Election Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of capital projects and the cost of projects, and shall publish such election and other notices as are required by law.
- 19 The referendum question to be on the ballot of the referendum to be held in Aiken County on November 2, 2004, must read substantially as follows:

Must a special one percent sales and use tax be reimposed in Aiken County for not more than seven (7) years to raise the amounts specified for the following purposes:

I. The first \$4,237,130 collected under the Capital Project Sales and Use Tax shall be distributed to the following municipalities in the priority such municipality is listed below.

- A. \$1,039,000 for the following projects within the Town of Burnetown, which projects shall be completed in the order determined by Burnetown Town Council:
- \$500,000 for the construction of a community recreation center,
 - \$150,000 for the construction of a Town storage building to support the waterworks department,
 - \$50,000 for the construction of a concession stand, press box and restrooms at softball recreation facility,
 - \$72,000 to purchase a new dump truck and a new pick-up truck to support the Town and the waterworks department,
 - \$70,000 for the purchase of two new police cars and related capital equipment,
 - \$50,000 for the purchase of new police capital equipment including radar units, cameras, radios, GPS units and alcohol sensor lights,
 - \$40,000 for the purchase of new office and capital equipment for Town Hall;
 - \$30,000 to purchase capital equipment for maintaining recreation facilities,
 - \$27,000 for capital improvements to recreation facilities,
 - \$20,000 for beautification projects within the Town including streetscaping, landscaping and new signage,
 - \$30,000 for the construction of sidewalks.
- B. \$707,435 for the following projects within the Town of Jackson, which projects shall be completed in the order determined by Jackson Town Council:

- \$90,435 for the demolition and renovation of the municipal complex,
 - \$60,000 for park capital improvements,
 - \$100,000 for capital improvements to the Jackson Agricultural Building,
 - \$70,000 for capital improvements to the Town's little league baseball field,
 - \$105,000 for capital improvements to the Jackson Fire Department,
 - \$57,000 for Town's football field capital improvements,
 - \$160,000 downtown development (along Highway 125/Main Street) including specifically sidewalk improvements, streetscaping, landscaping and drainage improvements,
 - \$20,000 for the construction of a Public Works storage facility,
 - \$45,000 for the purchase of an activity bus for the Town
- C \$99,000 for the following projects within the Town of Monetta, which projects shall be completed in the order determined by Monetta Town Council
- \$12,000 for asphalt parking areas in front of Town Hall and an apron in front of the Monetta Fire Department,
 - \$2,000 for office capital equipment for Town use,
 - \$4,000 for playground capital equipment for Town use,
 - \$30,000 for capital renovations to a building for a municipally owned health services facility,
 - \$16,000 for repairs and capital renovations to the Head Start building,
 - \$35,000 for additional payment on USDA loan for water system
- D \$1,258,750 for the following projects in the City of New Ellenton, which projects shall be completed in the order determined by New Ellenton City Council:
- \$450,000 for additional Municipal Complex expansion, equipment and capital improvements,
 - \$247,000 for park development and capital improvements at Evans Park and the Greendale area,
 - \$200,000 Library relocation, expansion and capital materials,
 - \$361,750 for infrastructure improvements and equipment to support several city departments including Police, Fire, Sanitation, Recreation, Streets and Roads, and Sewer
- E \$84,645 for the following projects in the Town of Perry, which projects shall be completed in the order determined by the Perry Town Council
- \$45,500 for the purchase of a backhoe and a commercial lawnmower to support the Town and the water district,
 - \$25,000 for the construction of a storage building to support the Town and the water district,
 - \$11,145 for Town signage and other capital improvements to Town Hall,
 - \$3,000 for a new computer system
- F \$161,000 for the following projects in the Town of Salley, which projects shall be completed in the order determined by the Salley Town Council.
- \$66,000 for water system improvements,
 - \$95,000 to make additional debt payments on fire pumper truck
- G \$833,000 for the following projects within the Town of Wagener, which projects shall be completed in the order determined by Wagener Town Council
- \$20,000 fire department station capital improvements,
 - \$85,000 for a water tender and capital accessories for fire department,
 - \$30,000 to purchase a light rescue truck and capital accessories for the fire department,
 - \$125,000 to purchase and install new water meters, a new radio meter reading system and necessary hardware for the Town's Waterworks Department,
 - \$20,000 for new billing software for the Town's Waterworks Department,
 - \$49,000 to replace worn valves on main lines for the Town's Waterworks Department,
 - \$22,500 to purchase a utility truck for the Town's Waterworks Department,

- \$30,000 to purchase a new patrol car and capital accessories for the police department,
- \$30,500 for street sign replacement,
- \$203,000 for capital renovations to the Town-owned Yaspén Building to accommodate a community center;
- \$218,000 for capital improvements to town parks as follows
 - \$3,000 for Gunter Park
 - \$50,000 for Crescent Cities Park
 - \$125,000 for downtown park development along Town-owned railroad right-of-way
 - \$15,000 for Severn Road Park
 - \$25,000 for Veterans Park

H \$54,300 for the following projects within the Town of Windsor

- Capital renovations and repairs to the recreation facility and Town Hall

II. The next \$97,850,000 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following three jurisdictions in the percentages shown: The City of North Augusta (19.8%), the City of Aiken (28.6%), and Aiken County (51.6%) for the following projects:

A \$19,350,000 for the following projects within the City of North Augusta, which projects shall be completed in the order determined by North Augusta City Council:

- \$925,000 for the purchase of a fire truck for the Department of Public Safety,
- \$550,000 for a communications system upgrade for the Department of Public Safety,
- \$1,120,000 for the resurfacing of city streets,
- \$2,570,000 for additions to Riverview Park to include a spraypool, playground with canopy, a new scoring tower, restrooms, meeting rooms, dressing rooms and a main concession stand,
- \$1,550,000 for renovations to Riverview Park including upgrades to the baseball and softball fields and the replacement of towers I and III,
- \$690,000 for Riverview Park improvements to enhance traffic circulation, improved maintenance facilities and entranceways,
- \$3,140,000 for construction of parks and acquisition of land for greenways and open space,
- \$750,000 for the construction of the Department of Public Safety Substation III,
- \$5,000,000 for a new municipal complex,
- \$1,500,000 for road intersection improvements to Five Notch @ Pisgah, Celeste, Heil and Georgia,
- \$500,000 for a cultural arts and historical display facility;
- \$500,000 for capital renovations to the North Augusta Community Center,
- \$75,000 for road intersection improvements to Walnut Lane @ US 25,
- \$480,000 for an estimated four miles of sidewalk construction.

B \$28,000,000 for the following projects within the City of Aiken, which projects shall be completed in the order determined by Aiken City Council

- \$350,000 for a connector road from Dougherty Road to the Aiken Mall,
- \$700,000 for a connector road from Dougherty Road to the Wal Mart;
- \$745,000 for parking lot and landscaping for the new convocation center at USC- Aiken,
- \$250,000 for new pumper truck for new Southside Public Safety substation,
- \$700,000 for new ladder truck for new Southside Public Safety substation,
- \$1,750,000 to continue street resurfacing program,
- \$1,750,000 for infrastructure and housing capital improvements associated with a housing facility for low to moderate income families in the Northside Neighborhood Renewal Project,
- \$170,000 for Historic Pinelawn Cemetery for streetscaping, landscaping, fencing and roadway improvements,
- \$4,200,000 for storm water/sanitary sewer/water infrastructure improvements,

- \$3,500,000 for erosion control and drainage projects in Hitchcock Woods,
- \$150,000 for Citizens Park parking lot and landscaping,
- \$100,000 for restrooms at Citizens Park,
- \$700,000 Whiskey Road improvements including drainage, curbing, sidewalks, and landscaping,
- \$875,000 to continue the lighting, curbing, sidewalks and landscaping program,
- \$1,000,000 for construction of parks and acquisition of land for greenways and open space,
- \$1,500,000 for the construction of a maintenance center at Citizens Park,
- \$200,000 for parking and to provide lighting, curbing, sidewalks and landscaping to Bee Lane from the Alley to Richland Avenue;
- \$700,000 to expand the Public Works complex,
- \$600,000 to expand the Public Safety Building,
- \$1,400,000 to place electric lines underground in the downtown area,
- \$1,000,000 to purchase land and begin development of a senior/youth center in the Eustis Park Neighborhood,
- \$1,000,000 to begin work on a Whiskey Road/Powderhouse Road connector,
- \$2,750,000 for the construction of a Northside recreational park on the City's former landfill,
- \$100,000 for the construction of an environmental meeting center in connection with the Carolina Bay,
- \$200,000 for the provision of band shell over the stage at Hopelands Gardens,
- \$325,000 to conduct a study and purchase right-of-way for a parallel connector road along Whiskey Road from Centennial Parkway to a new east/west connector road,
- \$150,000 for a Dougherty Road Corridor study,
- \$250,000 for a Northside roadway study,
- \$100,000 for a Citizens Park walking trail,
- \$50,000 for mobile bleachers for use at the Newberry Street Festival Center, Citizens Park or Virginia Acres,
- \$210,000 for the construction of public bike paths to be located on public property,
- \$175,000 for a mobile stage to be used at the Newberry Street Festival Center, Citizens Park or Virginia Acres,
- \$100,000 for capital improvements at the Public Safety Training grounds,
- \$250,000 for the construction of a splash park

C \$50,500,000 for the following projects in Aiken County, which projects shall be completed in the order determined by Aiken County Council

- \$2,000,000 for the construction of two new Emergency Medical Services stations, complete with new ambulances and related capital equipment (Aiken Southside, and Highway 1/Monetta area) and to replace three mobile homes with permanent EMS stations (Silver Bluff High School, J.D. Lever School and Oakwood-Windsor Elementary),
- \$4,000,000 to replace Sheriff's Department vehicles, ambulances and other vehicles and capital equipment in the County fleet,
- \$2,100,000 for resurfacing of County streets and roads,
- \$15,900,000 for paving of the following unpaved roadways

Road

<u>No.</u>	<u>Road Name:</u>	<u>Portion:</u>
635	Indian Waters Trail	From: S-1903 To: Stack Rd C-634
634	Stack Road	From: SC-39 To: C-635
365	Midway Circle	From: Whiskey Road To: Whiskey Road
120	Hubert Street	From: Baker St To: End of C-120
S-45	Five Notch/Pisgah Rd	Intersection Improvements
86	Sudlow Lane	From: Sudlow Lake Rd To: End of C-86
12	Ballard Drive	From: Bettis Academy To: Mt Zion Rd
270	Brooks Avenue	From: Spalding Dr To: Wilds Ave

267	Wilds Ave	From: Brooks Ave To: Dougherty Rd
281	Rogers Road	From: Hwy 1 North To: End
282	Shawscrest Dr	From: Rogers Rd To: Hwy 1 North
661	Wagontong Road	From: Settlement Rd To: S-21
387	Valley Drive	From: S-1386 To: Hankinson St (C-388)
203	Tennis Ranch Road	From: Old Jackson Hwy To: End of C-203
5	Curry Drive	From: Celesta Ave. To: End of Curry
552	Leanne Dr	From: Palmetto Farms Rd (S-1891) To: End of (C-552)
895	River Road	From: S-14 To: S-183
475	Pine View Drive	From: Dogwood Drive To: Sizemore (S-739)
248	Saddle Horse Road	From: Piney Heights Rd To: End of C-248
134	Rebel Road	From: Good Springs Road To: I-20
716	Earl Church Road	From: S-264 To: Church
315	Bluff Landing Road	From: SC-5 (Old Jackson Hwy) To: End
97	Pride Avenue	From: Sudlow Lake Rd To: End of C-97
31	Springfield Church Rd	From: Hwy 19 N To: Edgefield Co Line
894	Joe Scott Road	From: S-183 To: C-897
464	Aspen Court	From: SC Hwy 278 (Williston Road) To: End
1160	Toole Circle	From: End of Pavement To: End of Dirt
36	Wooduck Way	From: SC Hwy 19 N To: End
825	Williams-Evans Road	From: S-212 To: S-150
1092	Hunting Hills Drive	From: S-302 To: for 61 miles
1036	Keys Dairy Road	From: Pine Log Road To: End of C-1036
35	Mallard Court	From: Hwy-19 N To: End of (C-35)
656	Rawls Mill Pond Road	From: Hwy 21 To: S-246
359	Sunshine Circle	From: S-1973 To: End
360	Oakbrook Drive	From: S-1973 To: End
34	Mixon Road	From: Old Friar To: End of (C-34)
561	Kedron Church Road	From: End of State Maintenance To: Wire Rd
1098	Broadway St	From: Dry Branch Rd (S-504) To: End
489	Archie Ware Road	From: Mt Calvary To: One mile mark
609	Bagwell Road	From: Blue Poppy Road To: Nazarene Rd
327	Greenbush Road	From: Hwy 302 To: For 40 miles
800	Oak Ridge Club Road	From: C-795 To: C-576
506	Wimpy Road	From: US-78 To: S-113
621	Holder Road	From: SC-39 To: Dam
924	Hoover Road	From: Rocky Grove (S-271) To: Warner Rd (S-111)
880	Otis Baughman Sr Rd	From: S-14 To: S-1776
652	Shadow Lane Road	From: SC-302 To: SC-39
750	Bodie Road	From: Camp Rawls Rd (S-75) To: Flowing Wells (S-264)

* In the event certain of the above County road projects may not be accomplished for any reason, those paving projects listed at Section IV (E) hereof may be undertaken in the order to be determined by County Council

- \$2,000,000 for permissible capital projects in connection with brownfield restoration in Horse Creek Valley area (such as Clearwater Finishing Plant, Seminole Mill, etc),
- \$750,000 for connector roads to Dougherty Road and for engineering and planning on the Whiskey Road/Silver Bluff connector road,
- \$2,000,000 for public infrastructure improvements in connection with the Palmetto Parkway Phase II,
- \$2,000,000 for capital renovations, repairs and construction of the following
 - 1 \$600,000 Aiken County Historical Museum
 - 2 \$1,145,000 Aiken County Main Library, Nancy Carson Branch Library, New Ellenton Branch Library, Wagener Branch Library and Midland Valley Branch Library
 - 3 \$255,000 Aiken County Judicial Center

- \$5,500,000 for Recreation and Open Space Preservation as follows
 - 1 \$1,500,000 for capital renovations of existing recreational parks
 - 2 \$1,500,000 for additional capital development of Langley Pond Park
 - 3 \$1,000,000 for greenway and open space land purchase and development
 - 4 \$1,500,000 for construction of a regional recreational park
- \$1,750,000 Drainage Projects as follows
 1. \$643,500 Athol Project
 - 2 \$70,200 Vanderbilt/College Acres
 - 3 \$374,400 Audubon Project
 - 4 \$175,500 Woodwardia Project
 - 5 \$58,500 Hunters Glen Project
 - 6 \$177,900 Hitchcock Woods Project
 - 7 \$250,000 Kalmia Hills Project
- \$12,000,000 for the construction of a new County Office Complex,
- \$500,000 for the construction of a publicly-owned Child Advocacy Center

III. The next \$2,000,000 collected under the Capital Project Sales and Use Tax shall be distributed, as received, to the City of Aiken for further construction and capital improvements of a Northside recreational park.

IV. The next \$10,325,855 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following eight jurisdictions in the percentages shown: The Town of Burnetown (0.968%), the Town of Jackson (0.242%), the Town of Monetta (0.242%), the City of New Ellenton (2.905%), the Town of Perry (0.149%), the Town of Salley (0.271%), the Town of Wagener (2.436%), and Aiken County (92.787%) for the following projects:

- A \$100,000 for the Town of Burnetown to purchase and renovate a building for a new museum specific to the history of the Midland Valley area
- B \$300,000 for sewer line expansion for the City of New Ellenton
- C \$15,355 for a lighting project in the Town of Perry
- D \$25,000 to pave the parking lot at the Town of Jackson Municipal Complex
- E \$9,581,000 for additional County Roads to be paved as follows in the order to be determined by County Council

Road No.	Road Name:	Portion:
491	Fire Tower	From: SC-78 To: S-113
434	Cassel Street Ext.	From: Jackson Rd (C-434) To: S-1332
243	Roundtree Road	From: Hwy 125 To: Hwy 125
93	Ella Quiller Road	From: Breezy Hill Rd. To: Old Cherokee Road
555	Old Kimball Trail	From: US-1 To: Jordon Road (C-2510)
267	Wilds Ave	From: Spalding Dr To: Brooks Ave
265	Griggs Street	From: Brooks Ave To: Wilds Ave
266	Elon Street	From: Brooks Ave. To: Wilds Ave
271	Meares Street	From: Wilds Ave To: Murrah Ave
279	Williams Lane	From: Hwy 19 To: End of C-279
671	Cline Taylor Road	From: Browns Pond Road (C-683) To: SC 113
1091	Brayboy Road	From: SC 278 To: End
982	Farrell Street	From: Charles Road To: End
55	Fir Street	From: Cherokee Dr To: End
539	Reedy Fork Road	From: Piper Road To: Morris Road

275	Elbert Street	From: Spaulding Drive To: Dougherty Road
828	Richburg Villa	From: C-829 To: S-270
487	North Street	From: Washington Dr To: End
249	Colt Road	From: Piney Heights Rd To: End
1002	Friendly Lane	From: Blanchard Rd To: End
545	Shiloh Estates Road	From: Shiloh Church Rd To: End
269	Short Street	From: Murrah Ave To: Wilds Ave
867	Crim Hydrick Road	From: Hwy 302 To: Collum Pond Road
237	Saddle Soap Lane	From: Horse Creek Road To: End of C-237
1164	Old Martintown Road	From: Barton Road To: Fleetwood Drive
694	Hutto Pond Road	From: S-49 To: C-699
521	Dusk Trail Road	From: US-1 To: Mt Pleasant Road (S-25)
698	Holley Road	From: Ready Rd To: Indian Trail Road
861	Springflower	From: Holmes Rd (S-51) To: Shadow Lane (C-652)
652	Shadow Lane	From: Hwy 302 To: Springflower Road (C-861)
837	Bussey Road	From: Mt Beulah Rd To: US 78

F \$251,500 for the following projects within the Town of Wagener, which projects shall be completed in the order determined by the Wagener Town Council

- \$137,500 to replace or repair Town sidewalks as needed,
- \$57,000 to replace Town water line from Hwy 39 to South Busbee Street and Hwy 302,
- \$14,500 to purchase a camera system to inspect Town sewer lines,
- \$12,500 to purchase a new radio system for the Town police department,
- \$15,000 to pave the driveway for the fire department,
- \$15,000 to purchase new reporting software for the Town police department

G \$25,000 for the Town of Monetta for repairs and upgrades to the Town's water system

H \$28,000 for the Town of Salley to purchase a new police car and equipment and to purchase a new copier for Town Hall

TOTAL COST OF ALL CAPITAL PROJECTS \$114,412,985


- 20 In the referendum on the reimposition of a special projects sales and use tax in Aiken County, all qualified electors desiring to vote in favor of reimposing the tax for the stated purpose shall vote "yes" and all qualified electors opposed to levying the tax shall vote "no". If a majority of the electors voting in the referendum shall vote in favor of reimposing the tax, then the tax is reimposed as provided in Capital Project Sales Tax Act, Section 440-300 et seq., and this Ordinance. Expenses of the referendum must be paid by the governmental entity or entities that would receive the proceeds of the tax in the same proportion that those entities would receive the net proceeds of the tax.
- 21 Upon receipt of the returns of the referendum, the Aiken County Council shall, by Resolution, declare the results thereof. The results of the referendum, as declared by the Resolution of the Aiken County Council, are not open to question, except by suit or proceeding instituted within thirty (30) days from the date that Aiken County Council shall adopt a Resolution declaring the results of such referendum.
- 22 The reimposition of a capital project sales and use tax in Aiken County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of reimposing a capital project sales and use tax in the area of Aiken County in a referendum to be conducted by the Registration and Election Commission of Aiken County on November 2, 2004, and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the reimposition of a capital project sales and use tax pursuant to the provisions of this Ordinance.
- 23 This Ordinance shall take effect immediately upon adoption.

- 24 All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed
- 25 If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable

This Ordinance shall become effective on July 20, 2004

Adopted at the regular meeting of Aiken County Council on July 20, 2004

ATTEST


Tamara Sullivan, Council Clerk

SIGNED


Ronnie Young, Chairman

COUNCIL VOTE Majority
OPPOSED Hightower
ABSENT Smith