

Lancaster County Council Regular Meeting Agenda

Monday, June 8, 2015

County Administration Building
County Council Chambers
101 N. Main Street
Lancaster, SC 29720

1. **Call to Order – Chairman Bob Bundy** 6:30 p.m.
2. **Welcome and Recognition – Chairman Bob Bundy**
3. **Pledge of Allegiance and Invocation – Council Member Steve Harper**
4. **Approval of the agenda** *[deletions and additions of non-substantive matter]*
5. **Citizen Comments** *[Speakers are allowed approximately 3 minutes. If there are still people on the list who have not spoken at the end of thirty (30) minutes, Council may extend the citizen comments section or delay it until a later time in the agenda]*
6. **Chairman Comments – Bob Bundy**
7. **Consent Agenda**
 - a. **Minutes of the following Council Meetings:**
 1. May 11, 2015 regular meeting – pgs. 5-9
 2. May 18, 2015 regular meeting – pgs. 10-17
 - b. **3rd Reading of Ordinance 2015-1353 regarding rezoning the property of Ruby D. Catledge**

An Ordinance to amend the official zoning map of Lancaster County so as to rezone property owned by Ruby D. Catledge, represented by Jerry Catledge, located at 1109 Tenth Street from R-15, Moderate Density Residential/Agricultural District to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District; and to provide for other matters related thereto. *(Favorable – Planning Commission) Council passed 7-0 at the May 18, 2015 Council Meeting – Penelope Karagounis – pgs. 18-19*

- c. **2nd Reading of Ordinance 2015-1354 regarding a rezoning of property of Red Ventures**
An Ordinance to amend the official zoning map of Lancaster County so as to rezone property of Lancaster Real Estate, LLC/Red Ventures, LLC, located south of Potts Lane and East of SC Highway 521 from R-15P, Moderate Density Residential/Agricultural Panhandle District to B-3, General Commercial District; and to provide for other matters related thereto. *(Favorable – Planning Commission) Council passed 7-0 at the May 18, 2015 Council Meeting. Penelope Karagounis – pgs. 20-21*
- d. **Resolution 0878-R2015.** A Resolution expressing appreciation to Sheriff's Investigator Douglas Deese and authorizing a gift to him by Lancaster County of his service sidearm on the occasion of his retirement . *Steve Willis – pgs. 22-23*
- e. **Resolution 0879-R2015.** A Resolution to approve a bond executed by the Lancaster County Sheriff in the sum of Ten Thousand (\$10,000.00) Dollars. *John Weaver – pgs. 24-29*

8. **Non-Consent Agenda**

Ordinance Readings

- a. **Public Hearing and 3rd Reading of Ordinance 2015-1346 regarding the Collins Road PDD26 (amendment needed)**
Ordinance Title: An ordinance to establish the 411 acre Collins Road site planned development district (PDD-26); to approve the master plan for the development; and to approve the regulations for the development of the property and other matters related thereto. *Planning Commission recommended approval 7-0. Council approved 7-0 at 2nd Reading on April 27th. Council removed from agenda on May 11, 2015. John Weaver – pgs. 30-52*
- b. **Public Hearing and 2nd Reading of Ordinance 2015-1355 regarding the FY 2014-2015 Budget Amendments**
Ordinance Title: An Ordinance to amend Ordinance No. 2014-1276, relating to the appropriation of funds and the approval of a detailed budget for Lancaster County for the fiscal year beginning July 1, 2014 and ending June 30, 2015 (FY 2014-2015), to further provide for revenues and expenditures during the fiscal year; and to provide for matters related thereto. *Council passed 7-0 at the May 18, 2015 Council Meeting. Veronica Thompson – pgs. 53-56*

c. Public Hearing and 2nd Reading of Ordinance 2015-1356 regarding the FY2015-2016 Budget

Ordinance Title: An Ordinance to appropriate funds and approve a detailed budget for Lancaster County for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (FY2015-16); to set millage rates for the levy of a ad valorem taxes; to approve a schedule of taxes, fees and charges for FY 2015-16; to make provision for the issuance of tax anticipation notes; and to provide for matters related thereto. ***Council passed 7-0 at the May 18, 2015 Council Meeting. Veronica Thompson – pgs. 57-73***

d. 2nd Reading of Ordinance 2015-1357 regarding the Collins Road Development Agreement and Ordinance 960

Ordinance Title: An Ordinance to approve the Second Amendment to the Development Agreement by and among UHF Development Group, LLC, Wachovia Bank, N.A. Successor Trustee for Certain Trusts and Lancaster County, relating to the Collins Road Site Development, so as to change the time when the payment of monies by the Developer is due to the county; to authorize certain county officials to execute and deliver the Second Amendment; and to provide for other matters related thereto. ***Council passed 5-2 at the May 18, 2015 meeting. Larry McCullough and Jack Estridge opposed. John Weaver – pgs. 74-86***

e. 1st Reading of Ordinance 2015-1351 regarding a moratorium

An Ordinance to impose a nine (9) month moratorium on the acceptance and processing of applications for district boundary amendments to the unified development ordinance of Lancaster County in the area of the County north of Highway 5; and to provide for other matters related thereto. ***The I& R Committee recommended that this ordinance be considered by the Planning Commission first. On May 18, 2015, Council deferred the 1st reading following the Planning Commission meeting. Planning Commission recommended by at vote of 6-1. John Weaver and Penelope Karagounis – pgs. 87-92***

Discussion and Action Items

- a. *Board and Commission appointments – Debbie Hardin – pgs. 93*
- b. *Change order for Airport Taxiway grant – Steve Willis – pgs. 94-96*
- c. *Forensic Audit information – John Weaver – pgs. 97-106*
- d. *Discussion of proposed 2015 Lancaster County Economic Development Corporation's Bylaws – John Weaver*
 1. *Agenda Item Summary - pgs. 107*
 2. *Attorney's opinion – pgs. 108-110*
 3. *Attorney's comparison of 2014 & LCEDC Bylaws – pgs. 111-115*
 - a. *Exhibit 1 – Ordinance No. 2014-1279 and 2014 Bylaws - pgs. 116-130*
 - b. *Exhibit 2 – proposed 2015 Bylaws – pgs. 131-146*
 - c. *Exhibit 3 – 2015 LCEDC Board Member Nominations pgs. 147*

9. Status of items tabled, recommitted, deferred or held

- a. Bridge on Gilroy Drive in Regent Park Subdivision into the County Road System

10. Miscellaneous Reports and Correspondence – pgs. 148-160

- a. LCEDC Budget Data
- b. Time Warner Cable
- c. Appointment to the Lancaster County Water and Sewer District
- d. Neighborhood Initiative Program Grant
- e. Sheriff's Office Grants
- f. Heath Springs Baptist Church Founder's Day Celebration

11. Calendar of Events – pg. 161

12. Citizens Comments *[if Council delays until end of meeting]*

13. Executive Session

- a. Personnel Matter 30-4-70(a)(1) *discussion of a person regulated by a public body* – Bob Bundy

14. Adjournment

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting.

Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website:
www.mylancastersc.org



Members of Lancaster County Council
Bob Bundy, District 3, Chairman
Brian Carnes, District 7, Vice Chairman
Steve Harper, District 5, Secretary
Jack Estridge, District 6
Larry Honeycutt, District 4
Larry McCullough, District 1
Charlene McGriff, District 2

Minutes of the Lancaster County Council Regular Meeting

101 N. Main Street, Lancaster, SC 29720

Monday, May 11, 2015

6:30 p.m.

Council Members present were Jack Estridge, Brian Carnes, Steve Harper, Larry Honeycutt, Larry McCullough and Charlene McGriff. Also present was Steve Willis, John Weaver, Debbie Hardin, Virginia Burgess, Veronica Thompson, Penelope Karagounis, the press and spectators. A quorum of Lancaster County Council was present for the meeting.

The following press was notified of the meeting by e-mail or by fax in accordance with the Freedom of Information Act: Lancaster News, Kershaw News Era, The Rock Hill Herald, Fort Mill Times, Cable News 2, Channel 9 and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the county website.

Welcome and recognition/pledge of allegiance and invocation

Vice-Chairman Brian Carnes welcomed everyone to the meeting, and announced the press notification was met. Council Member Charlene McGriff led the Pledge of Allegiance to the American Flag and provided the invocation.

Approval of the agenda

John Weaver, Attorney, asked that item 10a, Public Hearing and 3rd Reading of Ordinance 2015-1346 regarding the Collins Road PDD26, be removed until some corrections can be made and brought back for Council consideration.

- a. Larry McCullough made a MOTION to remove 10c, 1st Reading of Ordinance 2015-1351 regarding a land use and moratorium, from the agenda stating that it had not gone through the Infrastructure and Regulation Committee yet. Seconded by Jack Estridge. Passed 6-0.

Larry McCullough made a MOTION to remove item 10a, 3rd Reading of Ordinance 2015-1346, from the agenda. SECONDED by Charlene McGriff. Passed 6-0.

Mr. Weaver then stated that the scheduled Executive Session was for information on item 10c, 1st Reading of Ordinance 2015-1351, and since it was removed from the agenda, there was no need for the Executive Session.

Larry Honeycutt made a MOTION to approve the agenda as amended. SECONDED by Charlene McGriff. Passed 6-0.

Citizen Comments

Jerry Baker, 1077 Greenbriar Drive, Lancaster, SC, spoke about issues with the Sheriff's Department.

Larry M. Small, 2272 Watts Drive, Lancaster, SC, currently serving on the Board of Directors of Dixie Baseball, spoke about the need for a safe ballfield for the children of Lancaster County.

Gary Holland, 8728 Collins Road, Indian Land, SC, spoke regarding Ordinance 2015-1346.

J.R. Wilt, 903 Rock Hill Highway, Lancaster, SC, spoke regarding the LCEDC and the moratorium issue.

Jerry Catledge, 2048 Nations Ford Road, Rock Hill, SC, spoke regarding Ordinance 2015-1353.

Vice-Chairman Comments

Vice-Chairman Brian Carnes had no comments.

Consent Agenda

b. Minutes of the following Council Meetings

- 1. March 24, 2015 Joint Workshop Meeting**
- 2. April 27, 2015 Regular Meeting**

c. 3rd Reading of Ordinance 2015-1345 to rezone property of Jimaki Witherspoon from R-15 to R-15S

Ordinance Title: An ordinance to amend the official zoning map of Lancaster county so as to rezone property of Jimaki Witherspoon, located ± 850 feet east of the intersection of SC Highway 200 and Highpoint Circle in Lancaster County from R-

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15, moderate density residential/agricultural district to R-15S, moderate density residential/manufactured housing/agricultural district; and to provide for other matters related thereto.

d. 3rd Reading of Ordinance 2015-1349 extension of time regarding Fancy Pokket

Ordinance Title: An ordinance to again amend Article II, Section (a) of the conveyance agreement as adopted by Ordinance 1188 on December 12, 2012 so as to grant to Fancy Pokket USA Holdings, Inc., additional time to obtain a certificate of occupancy.

e. 2nd Reading of Ordinance 2015-1350 regarding road swap with the SCDOT.

Ordinance Title: An ordinance to approve the donation of certain county roads to the South Carolina Department of Transportation and to accept certain roads from the State of South Carolina into the County Road System; and to authorize county officials to take such actions as necessary to effectuate the proposes of this ordinance.

Larry Honeycutt made a MOTION to approve Consent Agenda items 8a, 8b, 8c and 8d. SECONDED by Charlene McGriff. Passed 6-0.

Resolution

0875-R2015 – A Resolution expressing appreciation to the Sheriff's Lieutenant Vincent Webb and authorizing a gift to him by Lancaster County of his service sidearm on the occasion of his retirement.

Larry McCullough made a MOTION to approve Resolution 0875-R2015. SECONDED by Steve Harper. Passed 6-0.

0876-R2015 – A Resolution expressing appreciation to the Sheriff's Sergeant Chuck Kirkley and authorizing a gift to him by Lancaster County of his service sidearm on the occasion of his retirement.

Larry Honeycutt made a MOTION to approve Resolution 0876-R2015. SECONDED by Jack Estridge. Passed 6-0.

Non-Consent Agenda

Ordinance Readings

2nd Reading of Ordinance 2015-1347 regarding the lease of 1033 W. Meeting Street to Economic Development Corporation

Ordinance Title: An ordinance to approve the lease of certain real property located at 1033 W. Meeting Street to the Lancaster County Economic Development Corporation; and to authorize county officials to take such actions as necessary to effectuate the purposes of this ordinance.

Larry McCullough made a MOTION to amend to add the schematic on page 55 of the agenda package to the Lease. SECONDED by Larry Honeycutt. Passed 6-0.

Larry McCullough made a MOTION to approve 3rd Reading of Ordinance 2015-1346 as amended. SECONDED by Larry Honeycutt. Passed 6-0.

1st Reading of Ordinance 2015-1353 regarding rezoning of property of Ruby D. Catledge

An Ordinance to amend the official zoning map of Lancaster County so as to rezone property owned by Ruby D. Catledge, represented by Jerry Catledge, located at 1109 Tenth Street from R-15, Moderate Density Residential/Agricultural District to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District; and to provide for other matters related thereto.

Larry Honeycutt made a MOTION to approve 1st Reading of Ordinance 2015-1353. SECONDED by Charlene McGriff. Passed 6-0.

Discussion and Action Items

Board and Commission appointments – Debbie Hardin

- **Historic Commission**
- **Fire Commission**

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Charlene McGriff made a MOTION to approve Saddle Belk to serve for another term on the Historic Commission. Seconded by Larry McCullough. Passed 6-0.

Larry Honeycutt made a MOTION to approve all five (5) of the Fire Commission appointments for the new 4 year terms. SECONDED by Larry McCullough. Passed 6-0.

FY 2015-2016 Budget Discussion- Steve Willis, Kimberly Hill, Veronica Thompson

Steve Willis, County Administrator, explained that the proposed budget was balanced at 2.4 mils. He said that there is still room to increase the budget another 1.4 mils and wanted feedback on what items were of highest priority to put into the budget since there would not be enough money to cover everything needed. He referred to the spreadsheet with items mentioned, costs and millage impact that was included in the agenda package.

After much discussion between the Council Members and staff, the consensus was to add back in the Zoning Department employee and an Expungement Clerk. Also, the need to look at adding an engineer for Public Works and possible bonuses to employee salaries was a priority. This information will be brought back to council in form of a 1st reading Ordinance at the next meeting.

Adjournment

MOTION was made by Larry Honeycutt to adjourn. SECONDED by Charlene McGriff. Passed 6-0.

Respectfully Submitted:

Approved by Council, June 8, 2015

Virginia C. Burgess
Deputy Clerk to Council

Steve Harper, Secretary

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Members of Lancaster County Council

Bob Bundy, District 3, Chairman
Brian Carnes, District 7, Vice Chairman
Steve Harper, District 5, Secretary
Jack Estridge, District 6
Larry Honeycutt, District 4
Larry McCullough, District 1
Charlene McGriff, District 2

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Minutes of the Lancaster County Council Regular Meeting

101 N. Main Street, Lancaster, SC 29720

Monday, May 18, 2015

6:30 p.m.

Council Members present were Bob Bundy, Jack Estridge, Brian Carnes, Steve Harper, Larry Honeycutt, Larry McCullough and Charlene McGriff. Also present was Steve Willis, John Weaver, Debbie Hardin, Virginia Burgess, Veronica Thompson, Penelope Karagounis, the press and spectators. A quorum of Lancaster County Council was present for the meeting.

The following press was notified of the meeting by e-mail or by fax in accordance with the Freedom of Information Act: Lancaster News, Kershaw News Era, The Rock Hill Herald, Fort Mill Times, Cable News 2, Channel 9 and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the county website.

Welcome and recognition/pledge of allegiance and invocation

Chairman Brian Bob Bundy welcomed everyone to the meeting, and announced the press notification was met. Council Member Larry McCullough led the Pledge of Allegiance to the American Flag and provided the invocation.

Approval of the agenda

Larry McCullough made a MOTION to remove Items 9d, public hearing and 1st reading of Ordinance 2015-1351 regarding a land use and moratorium, from the agenda since it has not been approved by the Planning Committee as recommended by the Infrastructure and Regulation Committee. SECONDED by Jack Estridge. Failed 3-4. Steve Harper, Larry Honeycutt, Charlene McGriff and Bob Bundy opposed.

Steve Willis asked the Council if they would entertain the idea of allowing the public hearing and presentation regarding item 9d, Ordinance 2015-1351 first and then Council could decide to defer it to a future meeting if so desired.

Larry McCullough made a MOTION to approve the agenda. SECONDED by Charlene McGriff.
Passed 7-0

Presentations

Mr. William Parker, Sr. Vice Commander of VFW Post 1236, Indian Land, presented David Demby, with EMS, the 2015 VFW EMS Service Award. Names of first responders are requested from Fire, Law Enforcement and EMS agencies who the agency feels meets the criteria for consideration. Local VFW post submit the names to their respective state VFW department Public Safety Committees for consideration. Each selected candidate to receive state honors has his/her name sent to the VFW national Public Safety Committee for national recognition. Paramedic David Demby has earned top honors for the State of South Carolina and national level.

Lancaster County EMS presented a CPR demonstration.

Thumbs Up Awards for receiving 10 certificates:

Lisa Robinson
Clay Catoe
Elaine Boone
Mary Ann Hudson

David Demby was also awarded a Thumbs Up Award for his accomplishment of receiving the EMS Service Award.

Citizen Comments

Brian Trimnal, 2789 Avalon Lane, Lancaster, SC, spoke representing Red Ventures.

Dr. Zorn Denson, 2900 McIlwain Road, Lancaster, SC, visiting, former resident.

Richard Dole, 3056 Drummond Avenue, Indian Land, spoke regarding McClancy rezoning and Sheriff's Special Purpose Tax District.

Nick Kerzman, 13108 Wilburn Park Land, Indian Land, spoke regarding proposed moratorium and Sheriff's Resolution.

Jerry Catledge, 2048 Nations Ford Road, Rock Hill, spoke about the rezoning of property to R15S.

Gary Holland, 8728 Collins Road, Indian Land, spoke regarding Ordinance 2015-1357..

Wanda Rosa, 88614 Arrington Road, Indian Land, spoke regarding the Sheriff's Resolution and McClancy rezoning.

Hubie Tolson, Front Street, New Bern, NC, spoke regarding PDD-26/ Ordinance 960.

Kelly High – chose not to speak

Tony Berry – chose not to speak

Chairman Comments

Chairman Bob Bundy had no comments.

Resolutions

0874-R2015 – A Resolution in support of the Lancaster County Sheriff's efforts to determine the community's interest throughout the Indian Land section the county in considering the implementation of a Special Purpose Tax District for an enhanced public safety presence.

John Weaver, County Attorney, explained that this is an effort to make sure that Council is in agreement with the Sheriff's efforts of implementing a Special Purpose Tax District in the Indian Land area of the County.

Larry McCullough stated that there needed to be a clarification that District 1 that was being referred to was actually the Sheriff's District 1 and not the County Council District 1.

Sheriff Barry Faile explained that the services that this Special Tax District would cover are enhanced services that are not currently offered within the County.

Charlene McGriff made a MOTION to approve Resolution 0874-R2015. SECONDED by Jack Estridge. Passed 6-1. Bob Bundy opposed.

0877-R2015 A Resolution establishing the local option sales tax credit factor for the 2015-2016 tax year.

Brian Carnes made a MOTION to approve Resolution 0877-R2015. SECONDED by Charlene McGriff. Passed 7-0.

Non-Consent Agenda

Ordinance Readings

Public Hearing and 3rd Reading of Ordinance 2015-1350 regarding road swap with the SCDOT. {83 people in attendance}

Ordinance Title: An ordinance to approve the donation of certain county roads to the South Carolina Department of Transportation and to accept certain roads from the State of South Carolina into the County Road System; and to authorize county officials to take such actions as necessary to effectuate the proposes of this ordinance.

Steve Willis noted that this is the first phase of a multi-component process.

A Public Hearing was held and no one chose to speak.

Steve Harper made a MOTION to approve 3rd Reading of Ordinance 2015-1350. SECONDED by Brian Carnes. Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2015-1347 regarding the lease of 1033 W. Meeting Street to Economic Development Corporation {83 people in attendance}

Ordinance Title: An ordinance to approve the lease of certain real property located at 1033 W. Meeting Street to the Lancaster County Economic Development Corporation; and to authorize county officials to take such actions as necessary to effectuate the purposes of this ordinance.

Public Hearing was held and no one chose to speak.

Brian Carnes made a MOTION to approve 3rd Reading of Ordinance 2015-1347. SECONDED by Larry McCullough. Passed 7-0.

2nd Reading of Ordinance 2015-1353 regarding rezoning the property of Ruby D. Catledge

An Ordinance to amend the official zoning map of Lancaster County so as to rezone property owned by Ruby D. Catledge, represented by Jerry Catledge, located at 1109 Tenth Street from R-15, Moderate Density Residential/Agricultural District to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District; and to provide for other matters related thereto.

Larry Honeycutt made a MOTION to approve 2nd Reading of Ordinance 2015-1353. SECONDED by Charlene McGriff. Passed 7-0.

Public Hearing and 1st Reading of Ordinance 2015-1351 regarding a land use and moratorium {83 people in attendance}

An Ordinance to impose a nine (9) month moratorium on the acceptance and processing of applications for district boundary amendments to the unified development ordinance of Lancaster County in the area of the County north of Highway 5; and to provide for other matters related thereto.

A Public Hearing was held and no one chose to speak.

Brian Carnes made a MOTION to defer the Ordinance Reading following the Planning Commission meeting (will be brought back to Council On June 8th). SECONDED by Larry McCullough. Passed 4-3. Charlene McGriff, Bob Bundy and Larry Honeycutt opposed.

The following changes were requested when the Ordinance comes back to Council:

- The second “whereas” paragraph – change the 18,000 number
- Add Comprehensive Plan information to the 3rd “whereas” paragraph.

1st Reading of Ordinance 2015-1354 regarding a rezoning of property of Red Ventures

An Ordinance to amend the official zoning map of Lancaster County so as to rezone property of Lancaster Real Estate, LLC/Red Ventures, LLC, located south of Potts Lane and East of YS Highway 521 from R-15P, Moderate Density Residential/Agricultural Panhandle District to B-3, General Commercial District; and to provide for other matters related thereto.

Brian Carnes made a MOTION to approve 1st Reading of Ordinance 2015-1354. SECONDED by Larry McCullough. Passed 7-0.

1st Reading of Ordinance 2015-1355 regarding the FY 2014-2015 Budget Amendments

Ordinance Title: An Ordinance to amend Ordinance No. 2014-1276, relating to the appropriation of funds and the approval of a detailed budget for Lancaster County for the fiscal year beginning July 1, 2014 and ending June 30, 2015 (FY 2014-2015), to further provide for revenues and expenditures during the fiscal year; and to provide for matters related thereto.

Charlene McGriff made a MOTION to approve 1st Reading of Ordinance 2015-1355. SECONDED by Brian Carnes. Passed 7-0.

1st Reading of Ordinance 2015-1356 regarding the FY2015-2016 Budget

Ordinance Title: An Ordinance to appropriate funds and approve a detailed budget for Lancaster County for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (FY2015-16); to set millage rates for the levy of a ad valorem taxes; to approve a schedule of taxes, fees and charges for FY 2015-16; to make provision for the issuance of tax anticipation notes; and to provide for matters related thereto.

Brian Carnes made a MOTION to approve 1st Reading of Ordinance 2015-1356. SECONDED by Charlene McGriff. Discussion followed.

Brian Carnes made a MOTION to amend the 1st Reading to add \$25,000 for the Clemson Extension Service. SECONDED by Larry McCullough. Passed 7-0.

Larry Honeycutt made a MOTION to amend 1st Reading to add \$25,000 for the Fire Service turn out gear. SECONDED by Brian Carnes. Passed 6-1. Bob Bundy opposed.

Steve Harper made a MOTION to amend 1st Reading to remove \$240,000 allotted for the engineer and leave the remaining \$60,000 for contractual engineer services. SECONDED by Larry McCullough. Passed 7-0.

Brian Carnes made a MOTION to approve 1st Reading of Ordinance 2015-1356 as amended. SECONDED by Larry Honeycutt. Passed. 7-0.

Charlene McGriff asked the following questions regarding LCEDC budget to Keith Tunnell:

1. The \$75,000 allocation from the legislature – is it restricted funds? If so, how is it restricted and why?
2. If it is restricted for projects and marketing, why is it included in the LCEDC General Fund?
3. There is a miscalculation of \$6,785 with the County proposed budget. In the proposed budget the red marked indicated what the County was paying as \$368,264 and \$375,049 was what was allocated by Mr. Tunnell. Why is there a difference?
4. What is the furniture allocation of \$18,000? In the past year or so Council allocated \$75,000 for furniture for the new office that was to be moved when the new office was completed.
5. Fixed assets are the same in 2013 as they were in 2014, is this correct?
6. List grants with details and information that was not listed in the audit.
7. Under grant activity \$27,389 remained for 2013 from the Department of Commerce appropriation. Why was the money not spent in the year which it was awarded?
8. Unused money – the money not spent as of June 30th? Where does it go? Does it roll over? Do you put it back in the budget? Does it go into a bank account?

The Clerk was instructed to pull together the questions regarding the LCEDC budget so that Mr. Tunnell would have a chance to respond.

Charlene McGriff also requested that the topic of having a forensic audit of the LCEDC books be added to the next agenda.

Larry McCullough requested that the forensic audit be defined as to scope and costs.

1st Reading of Ordinance 2015-1357 regarding the Collins Road Development Agreement and Ordinance 960

Ordinance Title: An Ordinance to approve the Second Amendment to the Development Agreement by and among UHF Development Group, LLC, Wachovia Bank, N.A. Successor Trustee for Certain Trusts and Lancaster County, relating to the Collins Road Site Development, so as to change the time when the payment of monies by the Developer is due to the county; to authorize certain county officials to execute and deliver the Second Amendment; and to provide for other matters related thereto.

Larry Honeycutt made a MOTION to approve 1st Reading of Ordinance 2015-1357. SECONDED by Charlene McGriff. Passed 5-2. Jack Estridge and Larry McCullough opposed.

Discussion and Action Items

Board and Commission appointments – Debbie Hardin

Larry McCullough made a MOTION to appoint Mr. Gerald Vetter to the Joint Parks and Recreation Commission for the unexpired term and a new four year term representing District 1. SECONDED by Brian Carnes. Passed 7-0.

Larry Honeycutt made a MOTION to appoint Mr. Russell Patrick and Mr. Jimmy Neal to the COG board. SECONDED by Brian Carnes. Passed 7-0.

Minutes of the April 30, 2015 Committee of the Whole meeting

Steve Harper made a MOTION to approve the minutes for the April 30, 2015 Committee of the Whole meeting. SECONDED by Jack Estridge. Passed 7-0.

Committee Reports

- ***Administration Committee*** – Have not met since last Council Meeting.
- ***Infrastructure and Regulation Committee*** – Larry Honeycutt said that they discussed the Road Swap, Moratorium and Mr. Tolson's property at their last meeting.
- ***Public Safety*** – Have not met since last Council Meeting.

Executive Session

Larry McCullough made a MOTION to go into Executive Session to hear a personnel matter 30-4-70(a)(1) discussion of a person regulated by a public body. SECONDED by Charlene McGriff. Passed 7-0.

Brian Carnes made a MOTION to come out of Executive Session. SECONDED by Charlene McGriff. Passed 7-0.

No motions were forthcoming from Executive Session.

Adjournment

MOTION was made by Larry Honeycutt to adjourn. SECONDED by Charlene McGriff. Passed 6-0.

Respectfully Submitted:

Approved by Council, June 8, 2015

Virginia C. Burgess
Deputy Clerk to Council

Steve Harper, Secretary

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2015-1353

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OWNED BY RUBY D. CATLEDGE, REPRESENTED BY JERRY CATLEDGE, LOCATED AT 1109 TENTH STREET FROM R-15, MODERATE DENSITY RESIDENTIAL/AGRICULTURAL DISTRICT TO R-15S, MODERATE DENSITY RESIDENTIAL/MANUFACTURED HOUSING/AGRICULTURAL DISTRICT; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Jerry Catledge applied to rezone property located at 1109 Tenth Street from R-15, Moderate Density Residential/Agricultural District to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District.

(b) On April 21, 2015, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from R-15, Moderate Density Residential/Agricultural District to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0081I-0A-003.00

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon third reading.

And it is so ordained, this ____ day of _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading: 5-11-15	Passed 6-0
Second Reading: 5-18-15	Passed 7-0
Third Reading: 6-8-15	Tentative

Approved as to form:

County Attorney

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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2015-1354

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OF LANCASTER REAL ESTATE, LLC/RED VENTURES, LLC, LOCATED SOUTH OF POTTS LANE AND EAST OF US HWY 521 FROM R-15P, MODERATE DENSITY RESIDENTIAL/AGRICULTURAL PANHANDLE DISTRICT TO B-3, GENERAL COMMERCIAL DISTRICT; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Lancaster Real Estate, LLC/Red Ventures, LLC applied to rezone property located south of Potts Lane and east of US HWY 521 from R-15P, Moderate Density Residential/Agricultural Panhandle District to B-3, General Commercial District.

(b) On April 21, 2015, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from R-15P, Moderate Density Residential/Agricultural Panhandle District to B-3, General Commercial District for the following property(ies) as identified by tax map number or other appropriate identifier:

Tax Map No. 0005-00-105.00, 0005-00-107.00, 0005-00-108.00, 0008-00-014.00, 0008-00-030.00.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon third reading.

And it is so ordained, this ____ day of _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading: 5-18-15	Passed 7-0
Second Reading: 6-8-15	Tentative
Third Reading: 6-22-15	Tentative

Approved as to form:

County Attorney

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STATE OF SOUTH CAROLINA

)

COUNTY OF LANCASTER

)

RESOLUTION NO. 0878-R2015

A RESOLUTION

EXPRESSING APPRECIATION TO SHERIFF'S INVESTIGATOR DOUGLAS DEESE AND AUTHORIZING A GIFT TO HIM BY LANCASTER COUNTY OF HIS SERVICE SIDEARM ON THE OCCASION OF HIS RETIREMENT

Be it resolved by the Council of Lancaster County, South Carolina:

WHEREAS, Lancaster County acknowledges the accomplishments and achievements of Sheriff's Investigator Douglas Deese, who has served and protected the citizens of Lancaster for seventeen years; and

WHEREAS, Lancaster County formally acknowledges Sheriff's Investigator Douglas Deese retirement from the Lancaster County Sheriff's Office; and

WHEREAS, Lancaster County Council wishes the very best to Sheriff's Investigator Douglas Deese in his retirement and expressing profound appreciation for his years of dedicated service, desires to commemorate his service by making to Sheriff's Investigator Douglas Deese a gift of his service sidearm;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Lancaster, South Carolina, that Barry Faile, the Sheriff of Lancaster County, is authorized to present to Sheriff's Investigator Douglas Deese his service sidearm as a gift on the occasion of his retirement.

AND IT IS SO RESOLVED this 8th day of June, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

(SEAL)

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

Approved as to form:

John Weaver, County Attorney

Agenda Item Summary

Ordinance # / Resolution#: 0879 – R2015

Contact Person / Sponsor: Barry S. Faile

Department: Sheriff

Date Requested to be on Agenda: June 8, 2015

Committee: N/A

Issue for Consideration: Whether or not it is appropriate to approve the Resolution as proposed to insure state compliance by Sheriff Faile.

Points to Consider: Approval by the governing body of the county is a requirement of state law. (See attached SC Code Section 23-11-30)

Funding and Liability Factors: N/A

Council Options: N/A

Recommendation: Approval

SECTION 23-11-30. Bond.

The sheriffs of the several counties, before receiving their commissions, shall enter into bonds to be executed by them and any number of sureties, not exceeding twelve nor (except as provided in Section 8-3-90) less than two, to be approved by a majority of the governing body of the county in the sum of ten thousand dollars, and every sheriff shall procure other satisfactory security when duly required. Such bond shall be filed in the office of the State Treasurer, duly executed and approved, within thirty days from the time the sheriff-elect receives notice that the election is declared.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 0879-R2015

A RESOLUTION

TO APPROVE A BOND EXECUTED BY THE LANCASTER COUNTY SHERIFF IN THE SUM OF TEN THOUSAND (\$10,000.00) DOLLARS.

WHEREAS, South Carolina Code section 23-11-30 mandates that the sheriffs of the several counties present to the governing body of the county from which elected a bond in the sum of Ten Thousand (10,000.00) Dollars with satisfactory security; and

WHEREAS, attached hereto and incorporated herein by reference is an official bond, Bond No. 62388109 pledged by Barry S. Faile, Lancaster County Sheriff and as surety, the Western Surety Company, both being held and firmly bound unto the State of South Carolina in the penal sum of Ten Thousand (\$10,000.00) Dollars

THEREFORE, BE IT RESOLVED that following review of the bond and the requirements of South Carolina statutory law, the Lancaster County Council does hereby approve the bond presented.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2015

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

(SEAL)

ATTEST:

Debbie Hardin, Clerk to Council

OFFICIAL BOND

State of South Carolina

Bond No. 62388109

KNOW ALL MEN BY THESE PRESENTS, That we

Barry S Faile and WESTERN SURETY COMPANY
(Principal) (Surety)

are held and firmly bound unto the State of South Carolina, in the penal sum of \$10,000.00

Ten Thousand and 00/100 Dollars,

to the payment of which, well and truly to be made, we bind ourselves, and each and every one of us, our heirs, executors and administrators, successors and assigns, firmly by these Presents.

SEALED with our seal, and dated this 7th day of May, Anno Domini Two Thousand and Fifteen, and in the 239th year of the Independence of the United States of America.

WHEREAS, The above bound Barry S Faile hath been
(Principal)
Elected to the office of Sheriff County of Lancaster
(elected or appointed) (Exact title of Office)
for a term of office beginning May 7th, 2015 and ending January 1st, 2017.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Barry S Faile shall well and truly perform
(Principal)
the duties of said office, as now or hereafter required by law, during the whole period he may continue in said office, then the above obligation to be void and of none effect, or else to remain in full force and virtue.

SEALED AND DELIVERED IN THE PRESENCE OF:

X [Signature]
(Signature of 1st Witness as to Principal)

X [Signature]
(Signature of 2nd Witness as to Principal)

X [Signature]
(Signature of 1st Witness as to Surety)

X [Signature]
(Signature of 2nd Witness as to Surety)

X [Signature] (Seal)
(Signature of Principal)

WESTERN SURETY COMPANY (Seal)
(Surety)

By: [Signature] (Seal)
Paul T. Bruffat, Vice President

STATE OF SOUTH CAROLINA

_____ County.

The undersigned, appointed to approve the Surety (Sureties) to be given by the officer signing this Bond, as Principal, do hereby certify that the Surety (Sureties) to the within Bond are good and sufficient.

GIVEN under our hands, this _____ day of _____,

X _____

X _____

X _____

X _____

X _____

X _____

X _____

X _____

I APPROVE FORM AND EXECUTION OF THE WITHIN BOND.

() Attorney General

() Solicitor for _____ Judicial Circuit
Power of Attorney must be attached.

BOND

OF

For the Office of

Recorded in County Officers' Bond Book pages

this _____ day of _____

X _____
Register of Mesne Conveyances or Clerk of Court

Filed in the Secretary of State's Office

_____ day of _____

Commissioned on the

_____ day of _____

Transferred to State Treasurer and Recorded

by him on the _____

day of _____

X _____
State Treasurer

STATE OF SOUTH CAROLINA,

PROBATE AS TO PRINCIPAL

LANCASTER COUNTY.

BEFORE ME, the subscribing Notary Public, personally appeared _____

GEORGE WALDROP JR and made oath that he saw the within-named
(Type Name of 1st Witness)

_____, as Principal,

sign, seal and deliver the within Bond, and that he with LYNDA WATSON
(Type Name of 2nd Witness)

witnessed the execution thereof.

SWORN and subscribed before me, this 7th

day of May, 2015
[Signature] (L.S.)
Notary Public for South Carolina

My commission expires May 8, 2023

X [Signature]
(Signature of 1st Witness)

STATE OF South Dakota

PROBATE AS TO SURETY

Minnehaha COUNTY.

BEFORE ME, the subscribing Notary Public, personally appeared _____

L. Nelson and made oath that he saw the within-named
(Type Name of 1st Witness)

WESTERN SURETY COMPANY, Surety by _____

Paul T. Bruflat, as Vice President, sign, seal and

deliver the within Bond, and that he with A. Vietor
(Type Name of 2nd Witness)

witnessed the execution thereof.

SWORN and subscribed before me, this 7th

day of May, 2015
M. Bent (L.S.)
Notary Public for South Dakota

My commission expires March 2, 2020

X [Signature]
(Signature of 1st Witness)
M. BENT
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Sheriff County of Lancaster

bond with bond number 62338109

for Barry S. Faile

as Principal in the penalty amount not to exceed: \$ 10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Vice President with the corporate seal affixed this 7th day of May,
2015.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 7th day of May, 2015, before me, a Notary Public, personally appeared
Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.




My Commission Expires August 11, 2016

S. Petrik

Notary Public



Agenda Item Summary

Ordinance # / Resolution#: 2015-1346
Contact Person / Sponsor: John Weaver 
/Department: County Attorney
Date Requested to be on Agenda: June 8, 2015
Committee: Planning Commission (7-0 favorable)

Issue for Consideration: Whether or not to approve this ordinance (Third Reading and Public Hearing).

Points to Consider: This is the ordinance that is better known as Ordinance 959 - PDD26 that has been lingering in some form or fashion since 2008. Over the past seven years, the original 411 acres has been divided out into eleven (11) smaller parcels for purposes of development. Of those eleven, three (3) have been conveyed out and are now owned by third parties, namely, Lancaster County, Lancaster County Water & Sewer Authority and The Inspiration Network. There remains eight parcels within the PDD that encompass approximately 311.50 acres

Prior to passage, an amendment to the ordinance will be necessary to more particularly identify the eight parcels. That amendment and the language associated therewith is contained in Section 4 of the ordinance.

Funding and Liability Factors: N/A

Council Options: Approve or reject the ordinance.

Recommendation: Approval

Section 4. Jurisdiction. This ordinance applies to various sub parcels previously known as the 411 Acre Collins Road Site development originally identified as Tax Map Number 0010-00-00-061. Subsequently, from that parcel numerous sub parcels have been created, with three sub parcels having been sold to third parties, particularly, Tax Map Numbers 0013-00-061.01, 0010-00-061.01 and 0010-00-061.02. There remains from the larger original parcel eight (8) sub parcels that are subject to the jurisdiction of this ordinance, particularly, Tax Map Numbers 0013-00-061.02, 0013-00-061.03, 0013-00-061.04, 0013-00-061.05, 0010-00-061.00, 0010-00-061.03, 0010-00-061.04 and 0010-00-061.06. These eight parcels together combine for approximately 311.50 acres.

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

LANCASTER COUNTY COUNCIL NOTICE OF PUBLIC HEARING

A public hearing is scheduled for Monday, June 8, 2015 at 6:30 p.m. in the Lancaster County Council Chambers, second floor of the County Administration Building, 101 North Main Street, Lancaster, South Carolina, or at such other location in or around the complex posted at the main entrance. The purpose of the public hearing is to receive public comment on Ordinance No. 2015-1346 "AN ORDINANCE TO ESTABLISH THE 411 ACRE COLLINS ROAD SITE PLANNED DEVELOPMENT DISTRICT (PDD-26); TO APPROVE THE MASTER PLAN FOR THE DEVELOPMENT; AND TO APPROVE THE REGULATIONS FOR THE DEVELOPMENT OF THE PROPERTY AND OTHER MATTERS RELATED THERETO." At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of 05/17/15


Notary Public of South Carolina

My Commission Expires February 10, 2020

STATE OF SOUTH CAROLINA)
) Ordinance No. 2015-1346
COUNTY OF LANCASTER)

AN ORDINANCE

TO ESTABLISH THE 411 ACRE COLLINS ROAD SITE PLANNED DEVELOPMENT DISTRICT (PDD-26); TO APPROVE THE MASTER PLAN FOR THE DEVELOPMENT; AND TO APPROVE THE REGULATIONS FOR THE DEVELOPMENT OF THE PROPERTY AND OTHER MATTERS RELATED THERETO.

WHEREAS, LANCASTER COUNTY ORDINANCE 959, WHICH ORIGINALLY ESTABLISHED PDD-26, RECEIVED THIRD READING FROM THE LANCASTER COUNTY COUNCIL ON DECEMBER 1, 2008, AND WAS PASSED ON THAT DATE, HOWEVER, NOT RECORDED; AND

WHEREAS, A DIFFERENT VERSION OF LANCASTER COUNTY ORDINANCE 959 WAS SUBSEQUENTLY ORDAINED BY THE LANCASTER COUNTY COUNCIL BY SCRIVENER'S ERROR ON AUGUST 27, 2012, AND RECORDED; AND

WHEREAS, THE LANCASTER COUNTY COUNCIL SEEKS TO CLARIFY PDD-26 BY ADOPTION AND RECORDING OF THIS ORDINANCE, WHICH SHALL SUPPLANT AND REPLACE THE AFOREMENTIONED PRIOR VERSIONS OF ORDINANCE 959 AND PDD-26 NOT CONSISTENT HERewith, HOWEVER, THIS CLARIFICATION DOES NOT CONSTITUTE AN AMENDMENT OR REZONING OF THE SUBJECT PROPERTY; AND

WHEREAS, THIS CLARIFICATION DOES NOT AFFECT THE ORIGINAL ENACTMENT DATE OF DECEMBER 1, 2008 FOR THE PLANNED DEVELOPMENT DISTRICT AND DEVELOPMENT AGREEMENT REFERENCED HEREIN; AND

WHEREAS, THE CLARIFICATION OF PPD-26 AND ADOPTION AND RECORDING OF THIS ORDINANCE SHALL NOT OTHERWISE AFFECT THE DECISION OF THE LANCASTER COUNTY PLANNING COMMISSION DECISION ON JANUARY 21, 2014.

BE IT ORDAINED BY THE COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA:

Section 1. Citation. This ordinance may be cited as the 411 Acre Collins Road Site Planned Development District (PDD-26) Ordinance or as the PDD-26 Ordinance.

Section 2. Purpose; PDD-26.

(a) The purpose of this ordinance is to establish the 411 Acre Collins Road Site Planned Development District (PDD-26), to approve the Master Plan for the development and to provide for the regulations that apply to the development of the property.

(b) The 411 Acre Collins Road Site development is a mixed use master planned community, comprised of a combination of residential, employment, flex office/retail, institutional,

and open space uses organized around an integrated development concept that utilizes a series of villages or components that support the various land uses (the "Development" or "PDD-26").

Section 3. Authority. This ordinance is enacted pursuant to the authority of Chapter 29, Title 6 of the Code of Laws of South Carolina 1976, as amended, and the Unified Development Ordinance of Lancaster County, as amended (the "UDO").

Section 4. Jurisdiction. This ordinance applies to various sub parcels previously known as the 411 Acre Collins Road Site development originally identified as Tax Map Number 0010-00-00-061. Subsequently, from that parcel numerous sub parcels have been created, with three sub parcels having been sold to third parties, particularly, Tax Map Numbers 0013-00-061.01, 0010-00-061.01 and 0010-00-061.02. There remains from the larger original parcel eight (8) sub parcels that are subject to the jurisdiction of this ordinance, particularly, Tax Map Numbers 0013-00-061.02, 0013-00-061.03, 0013-00-061.04, 0013-00-061.05, 0010-00-061.00, 0010-00-061.03, 0010-00-061.04 and 0010-00-061.06. These eight parcels together combine for approximately 311.50 acres.

Section 5. Official Zoning Map. The Official Zoning Map is amended to show the Property as a Planned Development District (PDD-26).

Section 6. Master Plan. The Preliminary Master Plan, prepared by ESP Associates and dated July 11, 2008, and amended on September 2, 2008 are both attached hereto as Exhibit A and incorporated into this ordinance by reference, are approved (the "Master Plan"). Also attached hereto as Exhibit B is the Preliminary Plan of Queensbridge (3 maps), prepared by ESP Associates and dated December 13, 2013 and is approved. Queensbridge is a 156.22 acre single-family residential subdivision located within PDD-26.

Section 7. Master Plan Amendments.

(a) Unless otherwise provided in this ordinance, all amendments to the Master Plan shall be made in accordance with the UDO.

(b) Development depicted on the Master Plan is intended to reflect a generalized arrangement of proposed land uses on the site, but the exact configuration, placement or size of the individual site elements may be altered or modified within the limits prescribed by this ordinance during the design and development and construction phases.

(c) Changes in land use from those depicted on the Master Plan may be made subject to the following conditions:

(1) Lot sizes and mixtures may be adjusted and moved throughout villages, provided, that, the minimum lot size is not less than 7,800 square feet and the lot width is not less than 60 feet for single family residential lots or 20 feet for multi-family lots. The total lot count shall not exceed 510 for Villages A, B, C, D, & E.

(2) Village F may be developed with a combination of either one or more of the following uses: multi-family housing, apartments, and/or flex/office/retail space. The mixtures of uses in Village F may be adjusted, provided, that Village "F" shall not contain more than 150 multi-family housing units, and/or 300 apartments and/or 250,000 square feet of flex/office space.

(3) Village G may be developed with flex/office/commercial/retail space, provided, that the total combined building floor area shall not exceed 500,000 square feet.

(4) Village H may be developed with a combination of either one or more of the following uses: hospital or medical institutional living and/or office space. The mixture of uses may be adjusted, provided, that, Village H shall not contain more than 150 dwelling units and/or 150,000 square feet.

(5) Areas designated for recreational or open space use for any Component may be increased or decreased in size up to twenty percent (20%) of any Component, provided, that a decrease in one Component shall be offset by an equivalent or greater increase in one or more other Components in recreational area or open space.

(6) Park/Recreation or Civic uses may be developed anywhere within the boundaries of Village D, provided, that the location of the Park/Recreation or Civic use shall not cause a decrease in the overall number of lots allowed within Village D.

(d) Alterations may be made to lot lines and dimensions, roadway alignments, and other configurations as necessary to implement the changes in land use authorized in subsection (b) of this section.

(e) Land use changes authorized by this section are effective upon the property owner filing with the Planning Department a document showing the change.

Section 8. Land Uses.

(a) The land uses authorized for the Development are as follows:

(1) Villages A, B, C, D, & E: Single-family residences and multifamily residences including duplexes.

(2) Village F: Multifamily residences including duplexes and apartments and flex office/commercial/retail.

(3) Village G: Flex office/commercial/retail.

(4) Village H: Hospital or medical institutional living or associated office space.

(b) Each Village may be developed with any land use allowed in the Table of Permissible Uses as contained in the UDO for the respective land use district designation (residential, commercial) unless otherwise provided in this ordinance.

(c) The following land uses are prohibited in PDD-26:

(1) Adult entertainment;

(2) Auto business, etc;

(3) Automobile wrecking and/or junk salvage yard;

(4) Commercial kennels;

- (5) Industrial mining;
- (6) Livestock auction house;
- (7) Lumber and/or building materials dealer;
- (8) Manufactured home type units;
- (9) Modular housing;
- (10) Motorized race and testing track;
- (11) Pistol, rifle, skeet range or turkey shoot;
- (12) Private or commercial horse stables; and
- (13) Rooming and boarding houses.

(d) In areas designated for flex office/commercial/retail use, residential uses are allowed on ground floors of the office, commercial or retail building and on floors above the office, commercial or retail use. Office, commercial or retail uses are allowed on any floor of an office, commercial or retail building.

Section 9. Definitions. In this Ordinance, each of the following terms shall have the meaning assigned to it:

Apartment Housing - Multiple for rent dwelling units which are attached vertically or horizontally with shared access, parking, and open space.

Attached Housing - A single dwelling unit attached to another dwelling unit on one or more sides.

Civic Use - Police stations, libraries, daycare facilities, fire stations, emergency medical service stations, meeting halls, recreational facilities, government buildings, museums, schools, performing arts centers, religious buildings, picnic areas, recreation centers, public park or any other cultural, civic or social use.

Commercial Use - Business and retail establishments providing consumer services and products.

Cul-de-sac - Cul-de-sac length shall be measured from the first point of intersection with an existing street, to the center radius of the cul-de-sac bulb.

Detached Housing - A single dwelling unit not attached to any other dwelling unit, with an open yard on all sides of the structure.

Flex Office / Commercial / Retail - Hybrid of mixed office, flex office, and commercial I retail uses included on the commercial sites on 411 Acre Collins Road Site that are allowed per PDD-26 ordinance.

Flex Office - A mixture of office space, showrooms, light assembly, distribution, and/or warehouse uses within a building.

Institutional Use - Schools, religious buildings, hospitals or other care facilities, and other private or public facilities that support the community.

Land Use Designations - the use to which a particular area of the Property may be put as shown on the Master Plan and described more particularly in Section 10.

Master Developer - UHF Development, Coleman & Associates, The Tuttle Company or a successor owner to whom UHF Development, Coleman & Associates, The Tuttle Company sells the entire Property, and not just a portion of such Property.

Master Plan - the conceptual master plan for the development of the Property.

Multi-Family Housing - Any group of attached housing contains two or more dwelling units on a single lot. Multi-family housing may include but not be limited to the following: duplexes, quadraplexes, townhouses, apartments, and condominiums.

Office Use - Business, professional, service, or governmental occupations, and institutions and commercial activities not involved with the sale of merchandise.

Open Space - any open space designated for use as Park Amenity Center Site/ Facilities Floodway, Floodplain and/or Open Space on the Master Plan.

Property - all of the land comprising the 411 Acre Collins Road Site (PDD-26) development.

Property Owner - The Master Developer of the Property or, as to a particular Component, any single sub-developer the Property Owner designates in an Assignment of Property Owner Rights.

Residential - any residential land use permitted in the Unified Development Ordinance.

Retail Use - Any use associated with the sale of consumer goods, products or merchandise.

Villages - any one of the Components depicted on the Master Plan.

Section 10. Development Regulations.

(a) Unless otherwise provided in this ordinance, the development of the Property must comply with the UDO. To the extent that this ordinance may contain zoning and development standards which conflict with zoning and development standards contained in the UDO, the standards contained in this ordinance control and supersede the UDO provision.

(b) The provisions of the Carolina Heelsplitter Overlay District (Section 2.1.2 of the UDO, as added by Ordinance No. 901, and as may be amended) apply to the Property.

(c) Notwithstanding the applicable provision of the UDO, the following development regulation applies to the development of the property:

(1) Block and Roadway Configuration - Block lengths, block widths, and cul-de-sacs may vary, provided, that it does not exceed 800 feet and adequate fire protection criteria is maintained.

(2) Sidewalks and Public Crosswalks - Connectivity shall be provided through the use of sidewalks to link various areas of the site. Sidewalks will be provided on one side of the secondary streets and along both sides of all major roads in the community and the entrance road.

(3) Driveways - No restriction applies to the location of driveways for non-residential uses, provided, that all access roads into the subdivision or commercial areas from U.S. 521, Collins Road, Shelley Mullis Road, and other surrounding roads are subject to approval by the South Carolina Department of Transportation ("SCDOT").

(4) Buffers - Buffers and setbacks, for the perimeter of the development, shall be in accordance with Section 13.12 of the UDO unless otherwise specifically provided in this ordinance. An internal Type 3 25' buffer, meeting the requirements of Section 12.9 of the UDO, shall be provided between the internal residential and commercial uses of the development.

(5) Parking - Parking shall be provided in accordance with Section 17 of this ordinance.

(6) Open Space requirements - For purposes of applying Section 17.1(2)(b)(l) of the UDO to the development, the narrow strip of common area must be at least twenty-five feet (25') in width.

(7) Open Space requirements - For purposes of applying Section 17.1(2)(a) of the UDO to the development, sidewalk and utility crossings and any associated improvements required to construct and maintain such crossings, encroachments or facilities may be included in the areas designated for incorporation into the development's Open Space calculations.

(8) Flood way Restrictions - In addition to the uses allowed by Section 16.1.3.2 of the UDO for land within a floodway, the following uses are allowed: (i) Open Space and non-buildable portions of single family residential lots; and (ii) roadway crossings, utility crossings and any associated improvements necessary to develop such crossings.

(9) Floodplain restrictions - In lieu of the provisions of Section 16.1.4 of the UDO, the following requirement shall apply: No building or fill material shall be located within a distance of the stream bank equal to five (5) times the width of the stream at the top of the bank area unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(10) Submission Requirements - Environmental Characteristics of the Site - When submitting flood frequency information as a part of the subdivision approval process, the person seeking subdivision approval is required to submit only one hundred (100) year frequency flood information, provided, however, buildings or fill material shall not be placed within a FEMA one hundred (100) year floodplain without a LOMR-F.

(11) Connectivity - The minimum connectivity index for PDD-26 is 1.0.

Section 11. Density/Intensity.

(a) Development intensity for a particular use shall not exceed the following use densities:

<u>Land Use</u>	<u>Density/Intensity</u>	<u>Total Number of Acres/Units/ Facilities</u>
Single Family Village Villages A, B, C and D	4 Dwelling Units/ acre, on average	Up to 350 Units
Multifamily Village E	8 Dwelling Units/ acre, on average	Up to 160 Units
Mixed Use Village F		
Multifamily	150 Units	Up to 47 Acres
Apartments	300 Units	Up to 47 Acres
Flex/Office	250,000 square feet	Up to 47 Acres
Flex/Office/Commercial/ Retail Village G	500,000 square feet	Up to 73 Acres
Hospital or Medical	150,000 square feet	Up to 15 acres
Institutional Living/ Office Village H	150 Units	Up to 15 acres

(b)(1) The Property Owner may vary the intensity of development within any Component or any use category of any Component on one or more occasions by up to thirty percent (30%) without further approval, provided, that the total number of overall units of residential housing and the number of total acres of retail commercial within the overall development does not increase from the maximums stipulated on the Master Plan.

(2) Density calculations for the Development apply only to Villages A, B, C, D, & E. Density for Village F is in addition to the density for Villages A, B, C, D and E, provided, that the density for Village F must not exceed 150 units if developed as multi-family, 300 units if developed as apartments, or 250,000 square feet if developed as Flex/Office space or a combination of the three uses.

(c)(1) The Property Owner may transfer development uses or intensity (the number of residential units or the number of acres devoted to any particular use) within the Property by transferring density or portions of the commercial square footage from any component or area within the Property to any other Component or area within the Property, so long as the total intensity of development within the Property as a whole (measured in total number of residential units or acreage, as applicable) does not increase. If any density (total number of dwelling units or building area of commercial property) allocated to a Component by an Assignment of Property Owner Rights

is not utilized, as determined with reference to approved site plans for all areas within the Component, the unused density shall revert to the Master Developer for allocation to any other Component.

(2) As used in this subsection, "Assignment of Property Owner Rights" means a written instrument in recordable form by which the property owner assigns its rights as property owner under this ordinance to another person or entity with respect to a particular Component designated in the Assignment of Property Owner Rights. The Assignment of Property Owner Rights may include such limitations on the assignee as the property owner desires including, without limitation, restrictions on the type of units that may be constructed within a Component, the location where those units may be constructed within the Component, the number of units of a particular type that may be constructed within the Component, the minimum lot requirements for the Component (including requirements for setback, lot area, building height, lot width, buffers, and number of units per lot). All restrictions contained within the Assignment of Property Owner Rights are binding on the assignee and each person who ultimately owns any real estate within the designated Component. Any such limitations shall be in addition to any private contractual restrictions placed upon all or any part of any Component by the property owner.

(3) The Property Owner shall issue a certificate stating the maximum development intensity allowable on any tract within the Property consistent with this ordinance prior to the sale of any such parcels or before building permits are issued for that specific area of the property. The certificate will state the number of dwelling units and/or the amount, in acres, of Commercial, Retail, or Office uses, as applicable, that may be developed on the applicable various tracts. The property owner must file a copy of the certificate with the Planning Department. The County shall be responsible for creating and maintaining a record of the number of dwelling units and/or acres allocated to each tract as well as the total number of dwelling units or floor area actually constructed on each tract.

Section 12. Setbacks and Yards. (a) All lots within PDD-26 shall meet or exceed the following setback and yard requirements from a public right of way:

Land Use	Min. Setback	Min. Side Yard	Min. Rear Yard
Single Family Village "A, B, C, & D"	20'	7'	25'
Multi-Family Village "E"	20'	7'	25'
Mixed Use Village "F"	25'	5'	15'
Flex/Office/Commercial/Retail Village "G"	25'	5'	15'
Hospital or Medical Institutional Living/	25'	5'	15'

Office Village "H"	25'	5'	15'
Park/Open Space	20'	10'	20'

(b) The setbacks on internal private roads and parking within a commercial, office, or institutional use development will have no setback requirements.

(c) Eaves, cornices, chimneys, gutters, vents and other minor architectural features may project up to 24" into the setback area.

(d) HVAC equipment may encroach 4' into side or rear yards. HVAC units shall be located on opposite sides of the lots for adjacent homes, in prevention of HVAC units being located next to each other.

(e) Alley product is allowed in Village "D" with the 60 min lot width. If alley loaded product is utilized in Village "D" the rear yard shall be 10' from the edge of the alley for those lots.

(f) Setbacks along a private road within a residential/ multi family use shall be measured from the back of curb.

Section 13. Building Height. (a) Maximum building heights must comply with the UDO unless otherwise authorized in this item:

Land Use	Maximum Building Height
Single Family Village "A, B, C, & D"	35'
Multi-Family Village "E"	35'
Mixed Use Village "F"	50'
Flex/Office/Commercial/Retail Village "G"	50'
Hospital or Medical Institutional Living/ Office Village "H"	50'
Park/Open Space	N/A

(b) A sprinkler system is required for non-residential structures greater than 35 feet in height. No structure may be over 50' in height unless approval is obtained from the county Fire Marshal and Building Official.

Section 14. Lot Size. (a) All lots shall have the minimum number of square feet (sf) indicated in the following table:

Land Use	Minimum Lot Size*
Single Family Village "A, B, C, & D"	7,800 S.F. (detached)

Multi-Family Village "E"	1,000 S.F. (attached)
Mixed Use Village "F"	
Office/Retail	7,000 S.F.
Multifamily	1,000 S.F. (attached)
Apartments	600 S.F. (attached)
Flex/Office/Commercial/Retail Village "G"	7,000 S.F.
Hospital or Medical Institutional Living/ Office Village "H"	7,000 S.F.
Park/Open Space	No Minimum

(b) Lot size excludes road right-of-way, common open space, easements, 100 year floodplain, and other areas within a subdivision that typically are not controlled or developed by the lot owner.

Section 15. Lot Width. All lots shall meet or exceed the minimum widths indicated in the following table:

Land Use	Minimum Lot Width
Single Family Village "A, B, C, & D"	60' (detached)
Multi-Family Village "E"	20' (attached)
Mixed Use Village "F"	
Office/Retail	20'
Multifamily	20'(attached)
Apartments	20'(attached)
Flex/Office/Commercial/Retail Village "G"	60'
Hospital or Medical Institutional Living/ Office Village "H"	60'
Park/Open Space	No Minimum

Section 16. Buffers.

(a) A perimeter buffer is not required where the uses are adjacent to an existing or proposed road. The border of the proposed PDD that is not adjacent to a road must be buffered by a minimum of a 40 foot buffer. Where steep topography is present, pedestrian/vehicular access, utility

easements, or sidewalks are needed, grading will be allowed in these buffers. The buffer yards are to remain as open space, except to the extent necessary to accommodate berms, walls, fences, signs and graphics, lighting fixtures, access points, drainage easements, utility lines and other facilities, and other uses identified in the UDO. Where there is an insufficient natural buffer, plantings may be installed by the developer at the developer's discretion. If the use is adjacent to a similar use, on an adjacent tract, this perimeter buffer may be removed with approval of the Planning Department.

(b) There shall be an internal buffer between residential and commercial uses consisting of a 25' Class 3 buffer in accordance to Section 12.9 of the UDO.

(c) If the Property Owner can demonstrate to the Planning Director that the topography or elevation of a development site, the size of the parcel to be developed, or the presence of a greenway, buffer or screening on adjacent property would make strict adherence to the buffer requirements of the UDO serve no meaningful purpose, then the Planning Director shall waive the buffer requirements for that site.

(d) Along the property line of the PDD that is adjacent to Lancaster County Tax Map Number 0010-00-060.04 and Lancaster County Tax Map Number 0010-00-060.02, there shall exist a fifty foot (50') undisturbed buffer.

Section 17. Parking.

(a) All uses within the PDD may utilize on street and/or alley parking to meet the requirements of Section 11.2 of the UDO. If parking is allowed on any road within this development regardless of which section it is allowed in, the road must be wide enough to allow the parking of vehicles on the street and the travel width of the road must be at least 24 feet excluding the parking areas. Multi level / commercial parking garages are an allowed use in Villages "H", "G", and "F" of the PDD.

(b) For commercial and retail uses and institutional uses, one parking space must be provided for each 300 square feet of gross acreage.

Section 18. Roadways and Traffic.

(a) The number, location and alignment of the internal roadways shown on the Master Plan may be modified, provided that they are constructed in conformance with the roadway design and construction standard set forth in this section.

(b) All internal roadways shall be built to the County's construction standards set forth in the UDO except as otherwise specified in (c) through (e) of this section.

(c) Any portion of the Property may have private roads.

(d) All internal roads will be constructed with curb and gutter.

(e) All internal roadways will be constructed in accordance with the following minimum standards:

	Street Standards	R/W Width
1. Local Limited Res Street	20' Asphalt 24' BC/BC	40' r/w
2. Local Residential	22' Asphalt 26' BC/BC	50' r/w
3. Residential Collector Street	32' Asphalt 36' BC/BC	60' r/w
4. Private Street/Drive Townhomes/Commercial/ Office/Institutional)	20' Asphalt 23' BC/BC (Standard 1' – 6" Curb)	30' Clear Zone

(t) All connections to SCDOT roadways must meet SCDOT regulations and be approved by SCDOT.

(g) Alleys per Lancaster County Standards are allowed in Village "D".

Section 19. Street Lighting.

(a) Community street lighting shall be provided within the Property, and shall be designed and constructed in accordance with the requirements of this section and the UDO.

(b) All community street lighting within each Component shall be of uniform design and all lighting throughout the Property shall be complementary.

(c) The community street lighting shall be part of an overall street lighting program for the Property. The street lighting shall be maintained and operated by the appropriate electric utility, a property owners association, or some other non-profit entity.

(d) Nothing in this section shall be construed to limit or otherwise impair the ability of any individual resident or lot owner to construct or install lighting anywhere on such resident's or owner's lot. Such lighting, however, shall be appropriately shielded so that it does not interfere with the reasonable enjoyment of neighboring properties.

Section 20. Model Homes and Other Buildings. Within the boundaries of tax parcels 0010-00-061.00, a portion of 0010-00-061.03, 0010-00-061.04 and 0010-00-061.06, prior to the installation of water and sewer for the development or any of its components, the developer at any given time may be issued not more than eleven (11) building permits of which ten (10) may be for model single family residences for sale ("Model Homes") and one (1) for a sales office. The Model Homes may be connected to temporary water and sewer services, including septic tanks, provided, that the Model Homes shall be connected to central water and sewer services as soon as the central services are available. Prior to issuing the building permits for the Model Homes, the developer shall provide the County with proof of applicable approvals by other government entities, including, but not limited to the South Carolina Department of Health and Environmental Control. Except for the water and sewer connections, the Developer must

comply with all ordinary requirements for the issuance of building permits including, but not limited to, any then applicable county-wide building, housing, electrical, plumbing, and gas codes. A certificate of occupancy for the Model Homes shall not be issued until the Model Homes are connected to central water and sewer service and must meet otherwise applicable requirements. The absence of a certificate of occupancy does not prevent developer from using the Model Home for Model Home purposes.

Section 21. **Mass Grading and Timber Harvesting.** The Property Owner may mass grade all or any portion of the Property, sell or relocate excess soils resulting from such mass grading, and harvest and process timber within the Property, provided, that, the Property Owner complies with section 12.11 of the UDO.

Section 22. **Open Space.** Storm water detention facilities may be included as Open Space.

Section 23. **Severability.** If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 24. **Controlling Ordinance.** To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 25. **Effective Date.** This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED THIS ____ DAY OF _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

1 st reading:	April 13, 2015	Passed 7-0
2nd reading:	April 27, 2015	Passed 7-0
Public Hearing:	June 8, 2015	Tentative
3rd reading:	June 8, 2015	Tentative

EXHIBIT A

411 Acre Collins Road Site

Planned Development District (PDD-26)

Master Plan (2 maps)

See attached.

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ESP Associates, P.A.
P.O. Box 9090 34151 Alameda Blvd.
Carmichael, CA 95628 Fax: 916 485-0000
MC - 78503-0049 SC - 60034-2510
Internet: esp@espnet.com

• JH-IR •

ENTREPRENEURSHIP, ETC.

COLLIARD & ASSOCIATES

**COMMERCIAL & INVESTMENT
REAL ESTATE SERVICES**
Dr. Cleopatra A. Jones
President, Inc. (2003)
2500 W. 12th Street
Tulsa, OK 74104



401.446.12.507.5
 401.446.12.507.5
 401.446.12.507.5

Preliminary Master Plan

PDD—

**4.71 Acre
Collins Road
Site**



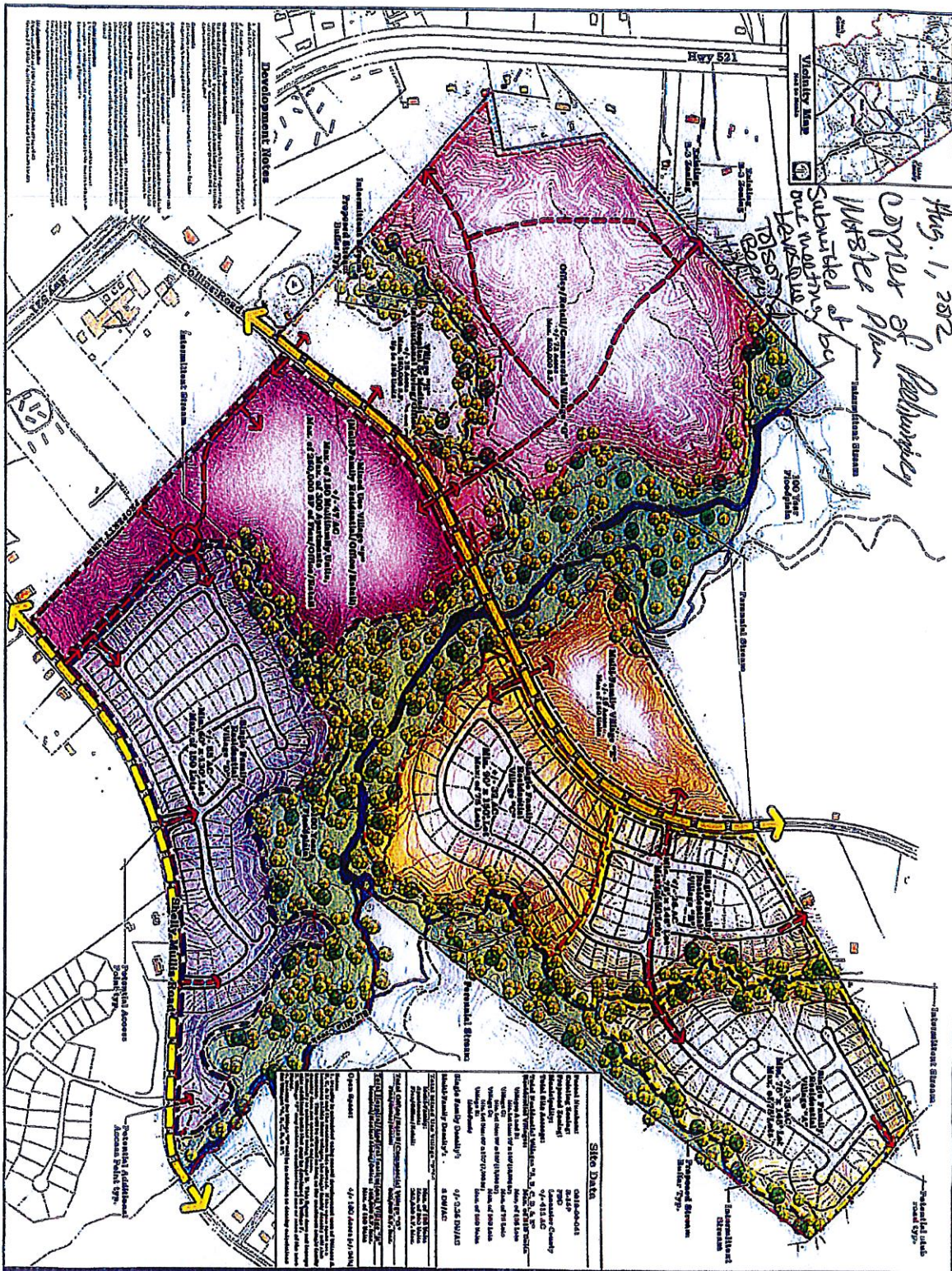
CALUMINIC SCALE

Intelli

• 2007

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May 1, 2012
 Copies of Redwings
 Nestle Plan
 Submitted to by
 our members
 Submitted
 Personal



Supervised as Presiding Clerk
ESP
8/19/2008

ESP Associates, P.A.
P.O. Box 7010 2475 Lakeshore

Chowhauk, AC 262011 Fort Allen, SC 295
NY - 764 541 4440 SC - 803 246 2222
t370044@us.af.mil

has done and/or the design team on the project. We'll discuss this in a moment.

the company's new product line, which includes a new line of "premium" products, is expected to be completed by the end of 1994.

TABLE 1

DLR
DINAGRAMA GROUP, INC.

COMMONWEALTH REPUBLIC

**COMMERCIAL & INDUSTRIAL
HEATING SERVICES**

204 Cleveland Avenue
Asbury Park, NJ 07705
201 426-4113, phone
201 426-1616, fax

THE
LITTLE
COMPANY

OUR LABORERS FOR LADY'S TROOP 110
Aunt Helen, 67 1/2
OUR LADY'S TROOP
OUR LADY'S TROOP
OUR LADY'S TROOP

References

Appendix Continuity Master Plan

PM 26 #

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www

4.1.1 Acre
Collins Road

Site

NAME OF STUDENT _____



CHANGING SCALE

五

NAME - NAME

Product Name	Product Description
Product A	Product A Description
Product B	Product B Description
Product C	Product C Description
Product D	Product D Description
Product E	Product E Description
Product F	Product F Description
Product G	Product G Description
Product H	Product H Description
Product I	Product I Description
Product J	Product J Description
Product K	Product K Description
Product L	Product L Description
Product M	Product M Description
Product N	Product N Description
Product O	Product O Description
Product P	Product P Description
Product Q	Product Q Description
Product R	Product R Description
Product S	Product S Description
Product T	Product T Description
Product U	Product U Description
Product V	Product V Description
Product W	Product W Description
Product X	Product X Description
Product Y	Product Y Description
Product Z	Product Z Description

OUT	IN	ALTIMETER

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2012

EXHIBIT B

**156.22 acre Queensbridge
Single-Family Residential Subdivision
Preliminary Plan (3 maps)
See attached**

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The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

The County of Lancaster will hold a public hearing on Monday, June 8, 2015 at 6:30 p.m. in County Council Chambers, County Office Building, 101 N. Main St., 2nd floor, Lancaster, SC, for the purpose of obtaining written and oral comments from the public concerning the adoption of an Ordinance amending the Fiscal Year 2014-2015 Budget.

ORDINANCE 2015-1365 TO AMEND ORDINANCE NO. 2014-1276,

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015 (FY 2014-2015); TO SPECIFY THE SOURCE OF FUNDS FOR THE SUPPLEMENTAL APPROPRIATIONS:

General Fund			
	Supplemental Revenue- Donations	54,115	
	Supplemental Revenue- Vehicle Taxes	200,000	
	Supplemental Revenue- Fund Balance	767,938	
	Library Professional Services		78,715
	Sheriff- LASO		113,423
	Sheriff- II Substation		79,115
	Public Works- Heavy Equipment		167,000
	Eco Dev/VA Bldg.- Transfer to Bond Fund		280,000
	Public Safety- Radio Repairs		50,800
	EMS- QRV & Ambulance		253,000
	Supplemental Revenue- Lease Purchase Proceeds	445,000	
	Emergency Management- Lease Purchase Extrication Equipment		445,000
Pleasant Valley FD	Supplemental Revenue- Fund Balance	30,000	
	Utility Vehicle (Partial Funding)		30,000
Recreation Fund	Supplemental Revenue- Sale of Asset	71,000	
	Capital- Ball Field Lights		71,000

At the time and place fixed for said public hearing, all taxpayers, residents or other interested persons who appear will be given an opportunity to express their views for or against this ordinance. Persons requiring special arrangements to attend this meeting due to a physical disability should contact Debbie Hardin, Clerk of Council at 283-1363 at least 24 hours in advance. DUE DATE: 6/8/2015

Publish Sunday, May 24, 2015

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of 05/24/15

My Commission Expires February 10, 2020

Dianna M. Smith
Notary Public of South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

)
)
)

ORDINANCE NO. 2015-1355

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO AMEND ORDINANCE NO. 2014-1276, RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015 (FY 2014-2015), TO FURTHER PROVIDE FOR REVENUES AND EXPENDITURES DURING THE FISCAL YEAR; AND TO PROVIDE FOR MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Appropriations; Detailed Budget.

(a) Section 2. of Ordinance No. 2014-1276 is amended to read:

/A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2014 and ending June 30, 2015 (FY 2014-2015):

APPROPRIATIONS	AMOUNT
Airport Fund	241,059
Capital Improvement Fund	1,318,000
Capital Project Sales Tax	8,000,000
County Debt	2,342,965
County Transportation Committee Fund	1,500,000
Court Mandated Security	1,152,675
E-911 Fund	406,150
General Fund	41,057,263 42,524,316
Indian Land Fire Protection District Fund	454,025
Local Accommodations Tax Fund	35,000
Pleasant Valley Fire Protection District Fund	388,498 418,498
Recreation Fund	2,231,168 2,302,168
Victims Services Fund	87,605

(b) The County Administrator is authorized to adjust the detailed operating budget for the County, as contained in the Annual Financial Plan, as previously approved by Council in Section 2A) of Ordinance No. 2014-1276, for the following items:

General Fund			
	Supplemental Revenue- Donations	54,115	
	Supplemental Revenue- Vehicle Taxes	200,000	
	Supplemental Revenue- Fund Balance	767,938	
	Library Professional Services		78,715
	Sheriff- LASO		113,423
	Sheriff- IL Substation		79,115
	Public Works- Heavy Equipment		167,000
	Eco Dev/VA- Transfer to Bond Fund		280,000
	Public Safety- Radio Repairs		50,800
	EMS- QRV & Ambulance		253,000
	Supplemental Revenue- Lease Purchase Proceeds	445,000	
	Emergency Management- Lease Purchase Extrication Equipment		445,000
Pleasant Valley FD			
	Fund Balance	30,000	
	Utility Vehicle (Partial Funding)		30,000
Recreation Fund			
	Supplemental Revenue- Sale of Asset	71,000	
	Capital- Ball field Lights		71,000

Section 4. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 5. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 6. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED, this 22rd day of June, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading:	May 18, 2015	Passed 7-0
Second Reading:	June 8, 2015	Tentative
Public Hearing:	June 8, 2015	Tentative
Third Reading:	June 22, 2015	Tentative

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The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

Fiscal Year 2015-2016 LANCASTER COUNTY BUDGET

The County of Lancaster will hold a public hearing on Monday, June 8, 2015 at 6:30pm in County Council Chambers, County Office Building, 101 N. Main St., 2nd floor, Lancaster, SC, for the purpose of obtaining written and oral comments from the public concerning the adoption of Ordinance 2015-1554 establishing the Fiscal Year 2015-2016 County Budget.

Section 6-1-320(A)(1) of the S. C. Code of Laws, as amended, Notwithstanding Section 12-37-251(E), limits the increase in the millage rate imposed for general operating purposes above the rate imposed for such purposes for the preceding tax year to the extent of the increase in the average of the twelve monthly consumer price indexes for the most recent twelve month period consisting of January through December of the preceding calendar year, plus the percentage increase in the population of the entity as determined by the Office of Research and Statistics of the State Budget and Control Board. The limitation for Fiscal Year 2016 is 4.90%. Also pursuant to Section 6-1-320(A)(2), There may be added to the operating millage increase allowed pursuant to item (1) of this subsection any such increase, allowed but not previously imposed, for the three property tax years preceding the year to which the current limit applies.

The current and proposed County Budget & millage information for operations is as follows (subject to change by final reading):

COUNTY OPERATING

	Revenue	Expenditures
2015-2016 projected revenues & expenditures	\$44,906,126	\$44,906,126
2014-2015 current revenues & expenditures	\$41,057,299	\$41,057,263

Estimated changes in budget amounts between current FY and proposed budget: 9%

Estimated Millage for FY 2015-2016 OPERATING BUDGET	60.80
Millage for FY 2014-2015 OPERATING BUDGET	78.00
Difference between FY15 and FY16	2.80
Capital Improvement millage FY 2015-2016	4.60
Capital Improvement millage FY 2014-2015	4.40
Difference between FY15 and FY16	.20
SPECIAL MILLAGE	
Courthouse- Security FY 2015-2016	3.60
Courthouse- Security FY 2014-2015	3.40
Difference between FY15 and FY16	.20
Estimated Debt Service millage FY 2015-2016	5.30
Debt Service millage FY 2014-2015	7.00
Difference between FY15 and FY16	(1.70)
USO-L millage FY 2015-2016	4.90
USO-L millage FY 2014-2015	4.10
Difference between FY15 and FY16	.80
County Mill Value FY 2015-2016	\$283,099
County Mill Value FY 2014-2015	\$267,853
Local Option Sales Tax Credit Factor FY 2015	.000639
Local Option Sales Tax Credit Factor FY 2016	.000704

At the time and place fixed for said public hearing, all interested persons who appear will be given an opportunity to express their views for or against this ordinance. Persons requiring special arrangements to attend this meeting due to a physical disability should contact the Administrator's office at 285-1565 at least 24 hours in advance.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of 05/24/15

My Commission Expires February 10, 2020

Diane M. Swarth
Notary Public of South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1356

AN ORDINANCE

TO APPROPRIATE FUNDS AND APPROVE A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016 (FY 2015-16); TO SET MILLAGE RATES FOR THE LEVY OF AD VALOREM TAXES; TO APPROVE A SCHEDULE OF TAXES, FEES AND CHARGES FOR FY 2015-16; TO MAKE PROVISION FOR THE ISSUANCE OF TAX ANTICIPATION NOTES; AND TO PROVIDE FOR MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

a. County governments are authorized by Section 4-9-30(5) of the Code of Laws of South Carolina 1976, as amended (the "Code"), to levy ad valorem property taxes and uniform service charges and to make appropriations for the functions and operations of the county.

b. Section 4-9-140 of the Code provides that county councils shall adopt annually and prior to the beginning of the fiscal year operating and capital budgets for the operation of county government and shall identify the sources of anticipated revenues necessary to meet the financial requirements of the adopted budget and to provide for the levy and collection of taxes necessary to meet all budget requirements except as provided for by other revenue sources.

c. Sections 6-1-80 and 6-1-320 of the Code contain substantive and procedural requirements for the approval of the annual budget.

d. The budget approved by this ordinance was adopted in accordance with the applicable substantive and procedural requirements of the Code.

Section 2. Appropriations and Detailed Budget.

A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2015 and ending June 30, 2016 ("FY 2015-16"):

APPROPRIATIONS	AMOUNT
Airport Fund	254,842
	255,345
Capital Improvement Fund	1,498,000
Capital Project Sales Tax	8,500,000
County Debt	1,859,931
County Transportation Committee Fund	1,450,000
Court Mandated Security	1,190,184
	1,198,184
E-911 Fund	671,459
General Fund	45,096,126
	44,906,126
Indian Land Fire Protection District Fund	520,000
	522,574
Local Accommodations Tax Fund	30,000
Pleasant Valley Fire Protection District Fund	392,344
Recreation Fund	2,435,530
	2,447,396
Victims Services Fund	86,414
	86,605

B. Except as may be otherwise provided in this ordinance, the appropriations contained in subsection A of this section are maximum and conditional, and are subject to reduction by action of County Council if the County's revenues fail to be sufficient to pay the appropriation, to the end that the expenditures of the County for FY 2015-16 shall not exceed its revenues and available carry forward funds.

C. Monies appropriated in this ordinance must be expended in compliance with policies adopted by Council or, at Council's direction, as formulated and implemented by the County, either existing or adopted subsequent to this ordinance.

D. The detailed operating budget for the County, as contained in the Annual Financial Plan, is incorporated into this ordinance by reference as if it were set out in this ordinance in its entirety and it is adopted and approved as the detailed budget for Lancaster County.

E. 1. Certain monies are to be received by the County in the form of federal, state and local grants from non-county sources for specified public purposes and these monies, including any match, are budgeted for the specified public purpose upon the acceptance of the monies by majority vote of Council.

2. Donations received by the County from non-county sources for specified public purposes are budgeted for the specified public purpose.

3. The County may enter into a "lease financing agreement" to purchase capital items and the monies from these other financing sources and uses are budgeted upon approval by Council.

4. Budget amounts for encumbrances from the prior year will be automatically rolled forward and made as additions to the adopted budget.

Section 3. Tax Levy.

A. The County Auditor shall levy, and the County Treasurer shall collect, ad valorem taxes based on the following millage rates, which reflect the sales tax rollback factor:

General Fund	78.0 80.7 80.8
Capital Improvement Fund	4.4 4.6
County Debt	7.0 5.3
USC-L	4.1 4.3

B. The County Auditor shall levy, and the County Treasurer shall collect, ad valorem taxes based on millage imposed pursuant to Section 6-1-320(B):

Courthouse Fire – New Security Requirements	3.4 3.6
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The millage imposed pursuant to this subsection is imposed to address funding needs arising from the recent courthouse fire and solicitor's office fire, both of which Council determines are catastrophic events within the scope of Section 6-1-320(B), and to comply with the Order of the South Carolina Supreme Court dated September 12, 2008 requiring the County to provide security for all County buildings housing court operations and records.

Section 4. Fee Schedule.

For FY 2015-16, the taxes, fees and charges for the County are set at the levels provided in the Schedule of Taxes, Fees and Charges, attached to this ordinance as Exhibit A which is incorporated into this ordinance by reference as if it were set out in this ordinance in its entirety and it is adopted and approved for use in FY 2015-16.

Section 5. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 6. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 7. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED, this 22nd day of June, 2015

Ordinance No.2015-1356

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

1 st reading:	May 18, 2015	Passed 7-0
2 nd reading:	June 8, 2015	Tentative
3 rd reading:	June 22, 2015	Tentative
Public Hearing:	June 8, 2015	Tentative

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COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**FISCAL YEAR: 2015-2016****ATTACHMENT TO ORDINANCE NO: 2015-1356****1.00 ANIMAL CONTROL FEES**

1.01 Medical Services Rendered	
Canine Heartworm Test	\$9.75
Bordetella Vaccine (Kennel Cough)	\$3.25
DHPP Vaccine	\$3.00
Panacur (includes 3 days)	\$1.50
Pyrantel (per dose)	\$0.50
Parvo Test	\$15.00
FIV/FelV/HW Feline Test	\$20.00
FVRCP Vaccine (4-way for Felines)	\$3.25
1.02 Redemption Fees	
1st Offense (must also pay applicable daily shelter fee)	\$25.00
2nd Offense (must also pay applicable daily shelter fee)	\$50.00
3rd Offense (must also pay applicable daily shelter fee)	\$100.00
4th/ Subsequent Offenses (must also pay applicable daily shelter fee)	\$200.00
1.03 Shelter Fees	
Daily shelter fee	\$5.00
Euthanization fee	\$10.00
Quarantine fee (must also pay applicable daily shelter fee)	\$25.00

2.00 ASSESSOR FEES

Line maps	\$5.00
Overlay maps	\$10.00

3.00 AUDITOR FEES

Temporary tag fee (does not include state charges)	Per tag	\$5.00
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4.00 BUILDING DEPARTMENT FEES

Fees established by Section will be doubled if work starts prior to obtaining required permits.

4.01 Building Permits	
Description	Fee Amount
Floor area less than 120 sq. ft.	No fee unless inspection required - then \$15.00 per inspection
	*Exception: Building Permits shall not be required for one-story detached accessory structures which are valued at \$5,000.00 and less. Zoning permits are required for all structures.
Floor area of 120 sq. ft. or greater	Three fourths of one percent (0.0075) of estimated value. Valuation shall be determined by the National Building Valuation Data and Modifiers dated April 15, 1994 and thereafter by the updated revisions.
No Inspection Exception	\$25.00 Agricultural structures which require no subsequent electrical, gas, mechanical, plumbing, or structural inspection. Zoning permits are required for all structures.
Plan Review	When a set of plans is required by Section 106 of the International Building Code or by the building official and a plan review thereof, a plan review fee shall be submitted at the time of submitting the plans and specification for checking said plan checking fee shall be equal to one-tenth-(1/10) of the building permit fee as set forth above.
1st Re-inspection	\$50.00
2nd Re-inspection	\$100.00
3rd/ Subsequent Re-inspections (reinspection fee increases \$250.00 per additional inspection after 3rd)	\$250.00

4.02 Electrical Permit Fees (Schedule of fees for individual permits for particular jobs)

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

FISCAL YEAR: 2015-2016

ATTACHMENT TO ORDINANCE NO: 2015-1356

Minimum Permit Fee		\$15.00
Valuation From/To	Fee Amount	
\$0	\$500	\$15.00
\$501	\$1,000	\$20.00
\$1,000	\$150,000	\$20.00 for the first one thousand, plus \$1.50 for each additional thousand or fraction thereof
\$151,000	Or More	\$243.00 for the first \$150,000.00, plus \$2.00 for each additional thousand or fraction thereof
1st Additional Inspection		\$50.00
2nd Additional Inspection		\$100.00
3rd/ Subsequent Additional Inspections (<i>reinspection fee increases \$250.00 per additional inspection after 3rd</i>)		\$250.00

4.03 Gas Permit Fees

Minimum Permit Fee		\$15.00
Inspection Fees	Gas piping at one location - \$5.00 for 1-4 plus \$1.00 each additional outlet	
	Burners/furnaces/incinerators - \$5.00 for 1 plus \$1.00 each additional unit	
	Boilers/heating/air conditioning - \$5.00 for 1 plus \$1.00 each additional unit	
	Vented wall furnaces/water heaters - \$5.00 for 1 plus \$1.00 each additional	
1st Re-inspection		\$50.00
2nd Re-inspection		\$100.00
3rd/ Subsequent Re-inspections (<i>reinspection fee increases \$250.00 per additional inspection after 3rd</i>)		\$250.00

4.04 Mechanical Permit Fees

Minimum Permit Fee		\$25.00
Valuation of \$2,500 or Greater	\$25 plus \$2 per thousand or fraction thereof	
Inspection Fees		
Inspection - Heating/ventilating/ductwork/AC and refrigeration systems		
- First \$1,000 or fraction thereof of valuation		\$10.00
- Each additional \$1,000 or fraction thereof of valuation		\$2.00
Inspection - Repair/alterations/additions to an existing system		
- First \$1,000 or fraction thereof of valuation		\$5.00
- Each additional \$1,000 or fraction thereof of valuation		\$2.00
Inspection - Boilers (based on BTU input / 1 KJ = 1.055 BTU / 1 BHp = 33,475 BTU)		
- 33,000 to 165,000 BTU		\$5.00
- 165,001 to 330,000 BTU		\$10.00
- 330,001 to 1,165,000 BTU		\$15.00
- 1,165,001 to 3,300,000 BTU		\$25.00
- 3,300,001 or more		\$35.00
1st Re-inspection		\$50.00
2nd Re-inspection		\$100.00
3rd/ Subsequent Re-inspections (<i>reinspection fee increases \$250.00 per additional inspection after 3rd</i>)		\$250.00

4.05 Mobile Home Permit Fees

Mobile Home - de-title	Per Instance	\$50.00
Mobile Home - placement and set-up	Per Instance	\$180.00
1st Re-inspection		\$50.00
2nd Re-inspection		\$100.00
3rd/ Subsequent Re-inspections (<i>reinspection fee increases \$250.00 per additional inspection after 3rd</i>)		\$250.00

4.06 Plumbing Permit Fees

Water Heater Changeout		\$10.00
Minimum Permit Fee		\$15.00
Valuation From/To	Fee Amount	
\$0	\$1,000	\$15.00
\$1,001	\$5,000	\$25.00
\$5,001	Or More	\$25.00 for the first \$5,000.00, plus \$3.00 for each additional thousand or fraction thereof

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

FISCAL YEAR: 2015-2016

ATTACHMENT TO ORDINANCE NO: 2015-1356

1st Re-inspection	\$50.00
2nd Re-inspection	\$100.00
3rd/ Subsequent Re-inspections (<i>reinspection fee increases \$250.00 per additional inspection after 3rd</i>)	\$250.00

4.07 Swimming Pool Permit Fees

Valuation From/To	Fee Amount
\$0 Or More	\$125.00

4.08 Building Department Miscellaneous Fees

	Unit	Amount
Appeal from action of building official	Per Instance	\$200.00
Moving fee - any building or structure	Per Instance	\$50.00
Sign Permit - Commercial	Per Company	\$100.00
Sign Permit - Political	Per Candidate	\$35.00
Sign Permit - Real Estate	Per Company	\$35.00
Sign Permit - Regular	Per Sign	\$35.00

5.00 CLERK OF COURT FEES

Bonds	\$10.00
Bondsmen	
In county	\$150.00
Out of county	\$100.00
Copies Certified Copies	\$2.50
Common pleas fees:	
Appeals	\$150.00
Arbitration	\$10.00
Confession	\$10.00
Filing summons and complaint	\$150.00
Foreign judgment	\$150.00
Judgment	\$10.00
Lis Pendens	\$10.00
Motion	\$25.00
Transcript	\$10.00
Enrolling notary public	\$5.00
Expungement	\$35.00

6.00 CORONER FEES

6.01 Cremation Fees

Cremation by Coroner's Office (Cremation Fee - \$600/ Administrative Fee - \$200/ Transport Fee - \$200) - 10 month payment plan available	\$1,000.00
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6.02 Permit Fees

Cremation Permits	\$10.00
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6.03 Report Fees * Note: Fees will not apply to reports marked "NOT FOR LEGAL USE" provided to surviving family members.

Autopsy Reports	\$100.00
Coroner's Reports	\$75.00
Photographs	\$2.00
Toxicology Reports	\$100.00

7.00 EMERGENCY MANAGEMENT/ FIRE SERVICE FEES

7.01 Fire Marshal/Fire Service Fees

1st Additional Inspection	\$50.00
2nd Additional Inspection	\$100.00
3rd Additional Inspection	\$250.00

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

FISCAL YEAR: 2015-2016

ATTACHMENT TO ORDINANCE NO: 2015-1356

Inspection fee increase per inspection following 3rd inspection		\$250.00
Response to false alarms in excess of 3 in any calendar year	per instance	\$100.00

7.02 Hazardous Materials Fees

Application for operational permit		\$1,000.00
Emergency response to hazardous materials incident	Initial Charge	\$500.00
Emergency response to hazardous materials incident	Career Personnel	Actual Costs
Emergency response to hazardous materials incident	Volunteer Personnel	20.58 per hr.
Emergency response to hazardous materials incident	Materials Cost	Actual Costs
Emergency response to hazardous materials incident	Apparatus & Equipment Costs	FEMA Schedule of Rates

7.03 Special Tax District Uniform Service Charge

Equivalent Residential Unit fee		\$75.00
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8.00 EMERGENCY MEDICAL SERVICE FEES

ALS Emerg Treat/No Transport		\$150.00
ALS Unit, Urgent, No ALS Tx		\$600.00
ALS Emerg Treat - Helicopter at ER		\$150.00
Medical Records		\$15.00
Mileage, ground		\$10.00
Standby Service (per employee)	Per hour	\$25.00
Response to false alarms in excess of 3 in any calendar year	per instance	\$100.00
ALS with Treatment and Emergency Transport	Base Fee	\$650.00
BLS A0429	Base Fee	\$600.00
ALS 2 A0433	Base Fee	\$750.00

9.00 FARMERS MARKET FEES

Rental Fee		
Vendor Fee	One Time	\$20.00
Booth rental	Per day	\$2.00

10.00 FINANCE DEPARTMENT FEES

Departmental Fees		
Dealer tag fee	Per tag	same as Road Maintenance Fee
Tax billing	Per bill	\$1.00

11.00 GIS MAPPING FEES **Note: Fees waived when item requested by LCEDC for business/ industrial recruitment purposes.*

11.01 Black and White Plotter Maps

Letter	\$2.50
Legal	\$5.00
18 by 24	\$10.00
24 by 36 (line map - no aerial)	\$5.00
24 by 36	\$12.00
36 by 44	\$15.00
Poster up to 60	\$20.00

11.02 Color Plotter Maps

Letter	\$5.00
Legal	\$10.00
18 by 24	\$20.00
24 by 36	\$25.00

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

FISCAL YEAR: 2015-2016

ATTACHMENT TO ORDINANCE NO: 2015-1356

36 by 44	\$30.00
Poster up to 60	\$40.00

11.03 Digital Data Fees

2011 aerial photo (entire county)	\$1,500.00
CAMA data in text format	\$500.00
Parcel layer with attributes (entire county)	\$1,000.00
Street centerline layer	\$250.00
Other digital data	Per hour \$30.00

12.00 LIBRARY FEES

12.01 Overdue and Lost Fees

Overdue book fee (maximum charge of \$2.00)	Per day	\$0.15
Copies- self serve	Per Copy	\$0.15
Lost book fee	Per book	Replacement cost

12.02 Miscellaneous Fees

Out of state library membership	Per year	\$25.00
Duplication machine reproduction fee - general	Per Page	\$0.10
Facsimile charge	First page	\$0.50
Facsimile charge	Subsequent pages	\$0.50

13.00 911 FEES

Enhanced 911 Emergency Service System

Uniform service charge	Per line	\$1.00
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14.00 PLANNING FEES

14.01 Ordinance Fees

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14.02 Development Fees

Development Agreements

Per acre of highland proposed	\$25.00 not to exceed \$20,000
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Planned Development Districts *in addition to Development Agreement Fee

Rezoning	\$2,000.00
Amendment- PDD	\$2,000.00

14.03 Development Review Application Fee

Review application	Per review	\$75.00
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14.04 Subdivision Fees

Preliminary plat - 1 to 10 lots	Per lot	\$25.00
Preliminary plat 11 or more lots	per lot	\$300 plus \$10 for each lot
Final plat	Per plat	\$100 plus \$10 for each lot or building permit
Construction Document Fee	Per lot	\$300 plus \$10 for each lot
Subdivision variance	Per instance	\$200.00

14.05 Zoning Fees

Appeal from action of zoning official	\$300.00
Use permitted on review	\$150.00

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**FISCAL YEAR: 2015-2016****ATTACHMENT TO ORDINANCE NO: 2015-1356**

Variance	\$200.00
Rezoning application- single parcel	\$250.00
Rezoning application- multi parcel	\$500.00
2nd rezoning fee (within 1 month)	\$250.00
Text amendment Fee	\$250.00
Cluster Subdivision Overlay	\$250.00
Cluster Subdivision Overlay w/multi parcel	\$500.00

14.06 Miscellaneous Fees

Item	Unit	Amount
Comprehensive plan - picked up	Each	\$25.00
Comprehensive plan - mailed	Each	\$30.00
Corridor Study plan - picked up	Each	\$100.00
Road name change	Per road	\$250.00
Telecommunication Towers Review	Each	\$200 plus 1% of cost of tower
Zoning map (2 parts; northern & southern) - picked up	Per part	\$25.00
Zoning map (2 parts; northern & southern) - mailed	Per part	\$30.00

15.00 PROBATE COURT FEES**15.01 Cost of Court: Estate Fees - Regular Estate**

Property valuation less than \$5,000	\$25.00
Property valuation of \$5,000 but less than \$20,000	\$45.00
Property valuation \$20,000 but less than \$60,000	\$67.50
Property valuation \$60,000 but less than \$100,000	\$95.00
Property valuation of \$100,000 but less than \$600,000	\$95.00 plus 0.0015 in excess of \$100,000
Property valuation \$600,000 or more	\$845.00 plus 0.0025 in excess of \$600,000

15.02 Cost of Court: Estate Fees - Small Estate or Affidavit of Collection for Personal Property

Property valuation less than \$100.00	\$12.50
Property valuation of \$100 but less than \$5,000	\$25.00
Property valuation of \$5,000 but less than \$10,000	\$45.00

15.03 Miscellaneous Fees

Legal advertisement - cost of advertisement is in addition to prescribed court costs and are due and payable prior	
CD copy of hearing	\$10.00
Search fee	\$7.00

15.04 Probate Court Fees

Appointment of Special Administrator or temporary fiduciary	\$22.50
Certified marriage certificates	\$5.00
Certifying appeal record	\$10.00
Filing - any summons, complaint, or petition	\$150.00
Filing conservatorship accounting	\$10.00
Filing demand for notice	\$5.00
Filing of will only	\$10.00
Issuing certified copies	\$5.00
Issuing exemplified/ authenticated copies	\$20.00
Recording authenticated or certified copies.	\$20.00
Reforming or correcting marriage record	\$6.75
Reopening closed estates	\$22.50

15.05 Weddings

Marriage license - at least one party in-state (includes \$20.00 state fee)	\$50.00
Marriage license - out of state (includes \$20.00 state fee)	\$75.00
Marriage license-Reprint copy	\$5.00

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

FISCAL YEAR: 2015-2016

ATTACHMENT TO ORDINANCE NO: 2015-1356

16.00 PUBLIC WORKS FEES

Driveway pipe - 2nd driveway	\$500.00 or actual cost, whichever is greater	
Road/bridge design review by outside engineer		Actual cost
Road testing fee		Actual cost plus 20%
Road proof roll - reinspection		\$150.00
Roadway sign - production/ installation	actual cost plus 10%	
Tire disposal - agricultural	Per tire	\$35.00
Tire disposal - undocumented	Per ton	\$150.00

17.00 REGISTER OF DEEDS FEES

Affidavit of partnership	\$10.00 for first 4 pages and \$1.00 per additional page	
Assignment of lease	\$10.00 for first 4 pages and \$1.00 per additional page	
Assignment of leases, rents, and profits	\$10.00 per reference and \$1.00 per additional page	
Assignment of mortgage	\$6.00 for first page and \$1.00 per additional page	
Assumption of agreement	\$10.00 for first 4 pages and \$1.00 per additional page	
Bond to release mechanic's lien	\$10.00 for first 4 pages and \$1.00 per additional page	
Cancellation of contract of sale	\$10.00 for first 4 pages and \$1.00 per additional page	
Cancellation of lease	\$10.00 for first 4 pages and \$1.00 per additional page	
Certified copy charge	\$5.00	
Charter	\$10.00 for first 4 pages and \$1.00 per additional page	
Contract for sale	\$10.00 for first 4 pages and \$1.00 per additional page	
Deed/ mortgages recording fee	\$10.00 for first 4 pages and \$1.00 per additional page	
Document stamp charge	\$3.70 per thousand	
Duplication machine reproduction certification fee		\$5.00
Easement	\$10.00 for first 4 pages and \$1.00 per additional page	
Federal tax liens	\$10.00	
Lease	\$10.00 for first 4 pages and \$1.00 per additional page	
Mechanic's lien	\$10.00 for first 4 pages and \$1.00 per additional page	
Mortgage modification	\$6.00 per reference and \$1.00 per additional page	
Notice of lien	\$10.00 for first 4 pages and \$1.00 per additional page	
Partial release of mortgage	\$6.00 per reference and \$1.00 per additional page	
Partnership agreement/ dissolution	\$10.00 for first 4 pages and \$1.00 per additional page	
Passport Fee		\$25.00
Plats	Large - \$20.00 / medium - \$10.00 / small - \$5.00	
Power of attorney	\$15.00 for first 4 pages and \$1.00 per additional page	
Project commencement notice	\$15.00	
Real property agreement	\$10.00 for first 4 pages and \$1.00 per additional page	
Revocation of power of attorney	\$10.00 for first 4 pages and \$1.00 per additional page	
Satisfaction of assignment of leases, rents, and profits	\$5.00	
Satisfaction of mortgage	\$5.00	
SC tax liens	\$10.00	
Subordination of mortgage	\$6.00 per reference and \$1.00 per additional page	
Trust Indenture	\$10.00 for first 4 pages and \$1.00 per additional page	

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**FISCAL YEAR: 2015-2016****ATTACHMENT TO ORDINANCE NO: 2015-1356**

UCC1 or UCC3	\$8.00 first 2 pages & \$1 per additional page; each additional debtor - more than 2 debtors \$2.00
Waiver	\$10.00 for first 4 pages and \$1.00 per additional page

18.00 ROAD FEES

County Road Improvement and Maintenance Fee		
Per County Code section 26-34	Per Vehicle	\$30.00

19.00 SHERIFFS FEES

19.01 Detention Center Fees		
Per Diem for municipal court prisoners	Solely Municipal Charges	\$38.93
Per Diem for municipal court prisoners	Solely Municipal Charges	\$33.43

19.02 Miscellaneous Fees		
Item	Unit	Amount
Fingerprinting (non-LCDC)	Per Set	\$5.00
Response to false alarms in excess of 3 in any calendar year	Per Instance	\$100.00

20.00 TAX COLLECTION FEES

Collection fee	\$120.00 or actual cost, whichever is greater
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21.00 TREASURER FEES

Convenience fee for SCDMV stickers	\$1.00
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22.00 ZONING FEES

22.01 Plan Review Fees - non-residential excluding multi-family	
Up to 12,000 square feet	\$100.00
12,001 square feet to 25,000 square feet	\$200.00
Exceeding 25,001 square feet	\$300.00

22.02 Mobile Home Fees		
Item	Unit	Amount
Mobile Home decal	each	\$5.00
Mobile Home - change of ownership	Per Instance	\$5.00
Mobile Home - movement	Per Instance	\$25.00

22.03 Miscellaneous Fees		
Item	Unit	Amount
Administrative fee - failure to abate property violations	Per Instance	\$50.00 or 15%,
Alarm system registration	Per alarm system	\$10.00
Demolition fee - any building or structure	Per Instance	\$50.00
Septic license- South Carolina	Per Instance	\$10.00
Septic license- North Carolina	Per Instance	\$100.00
Zoning fee	Per Instance	\$35.00

22.04 Permit	
Floodplain Development- commercial & subdivisions	\$100.00

COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**FISCAL YEAR: 2015-2016****ATTACHMENT TO ORDINANCE NO: 2015-1356****23.00 OTHER COUNTY FEES AND CHARGES****23.01 Historic Courthouse Rental**

Item	Unit	Amount
Facility usage	First hour	\$115.00
Facility usage	per add'l hour	\$75.00
Penalty for time overage	Every 10 minutes	\$25.00
Refundable security deposit	Per Instance	\$250.00
Cancellation Fee	Per Instance	\$100.00

23.02 Miscellaneous County Fees

Item	Unit	Amount
Airport hangar rental	Per Month	\$100.00
Bad Check fee	Per Instance	\$30.00
Cable television franchise fee	Per Year	5%
Duplication machine reproduction fee - general	Per Page	\$0.25
Duplication machine reproduction fee - general (color)	Per Page	\$1.75
Audio Recordings of Meetings	Per Copy	\$5.00
Private ambulance service - franchise application fee	Per Instance	\$100.00

COUNTY OF LANCASTER PROPERTY TAX EXAMPLES
2nd Reading - Ord. 2015-1356

Profile	An Owner Occupied Home with a market value of:	\$100,000
Data	Two (2) Vehicles with a combined market value of:	\$30,000

Item		Current	Proposed	Difference
Taxing Data	Assessment Ratio - Home	4.00%	4.00%	0.00%
	Assessment Ratio - Vehicles	6.00%	6.00%	0.00%
	Assessed Value - Home	\$4,000.00	\$4,000.00	\$0.00
	Assessed Value - Vehicles	\$1,800.00	\$1,800.00	\$0.00
	Tax Rate in Mills	96.9	98.6	1.7
	Sales Tax Credit Factor	.000704	.000639	-.000065

Tax on Home	Gross Tax (+)		\$387.60	\$394.40	\$6.80
	Minus Credit Amount = (-)		\$70.40	\$63.90	-\$6.50
	Net Tax (=)		\$317.20	\$330.50	\$13.30

Tax on Vehicles	Gross Tax (+)		\$174.42	\$177.48	\$3.06
	Minus Credit Amount = (-)		\$21.12	\$19.17	-\$1.95
	Net Tax (=)		\$153.30	\$158.31	\$5.01

Tax Combined	Gross Tax (+)		\$562.02	\$571.88	\$9.86
	Minus Credit Amount = (-)		\$91.52	\$83.07	-\$8.45
	Net Tax (=)		\$470.50	\$488.81	\$18.31

PROPERTY TAX & SALES TAX CREDIT IMPACT ESTIMATE

ITEM	RESIDENTIAL	RESIDENTIAL	TWO PRIVATE	COMMERCIAL	INDUSTRIAL
	Owner Occ	Rental	AUTOS		
Market value	100,000	100,000	30,000	500,000	1,000,000
Assessment ratio	4.0%	6.0%	6.0%	6.0%	10.5%
Assessed value	4,000	6,000	1,800	30,000	105,000

Current	Tax rate in mills	96.9	96.9	96.9	96.9	96.9
Fiscal Year	Sales tax credit factor	.000704	.000704	.000704	.000704	.000704
	Gross tax	387.60	581.40	174.42	2,907.00	10,174.50
	Credit amount	-70.40	-70.40	-21.12	-352.00	-704.00
	Billed tax	317.20	511.00	153.30	2,555.00	9,470.50

Next	Tax rate in mills	98.6	98.6	98.6	98.6	98.6
Fiscal Year	Sales tax credit factor	.000639	.000639	.000639	.000639	.000639
	Gross tax	394.40	591.60	177.48	2,958.00	10,353.00
	Credit amount	-63.90	-63.90	-19.17	-319.50	-639.00
	Billed tax	330.50	527.70	158.31	2,638.50	9,714.00

DIFFERENCE	13.30	16.70	5.01	83.50	243.50
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GF	Court	USCL	Debt	Capital	SUM
78.0	3.4	4.1	7.0	4.4	96.9
80.8	3.6	4.3	5.3	4.6	98.6

BUDGET SNAPSHOT

Tax Millage Increase 2.8 mills (maximum was 3.8 mills)
General Fund Amount \$45,096,126

New Positions (14 County and 2 State) (12 public safety and 4 other) ***E-911 – Public Safety Communications***

Two Telecommunicators
One IT Technician.

Sheriff's Office

Four Deputy Sheriffs for Uniform Patrol.
One Prison Rape Elimination Coordinator for the Detention Center.
One Chemist for the new Crime Lab.
One Expungement Clerk.

One Attorney for Public Defender's Office.
One Attorney for Solicitor's Office.

One Mapping Clerk for the Assessors Office.
One Technician in Fleet Operations.
One Equipment Operator in Solid Waste.
One Zoning Officer.

Absorbed Positions (formerly grant funded)

Eight Firefighters at \$400,853
Two Deputy Sheriffs – DUI Enforcement at \$123,728

Salary Adjustments

COLA Adjustment at \$82,254
Market Rate Adjustment for 10 year employees at \$182,495
EMS Paramedic Adjustments at \$212,160
One-time Employee Bonus at \$200,000

Fringe Benefit Increases

Retirement System Increases at approximately \$87,000

Capital Replacement continued this year with new equipment in many departments; total cost of \$1,498,000

Additions after the Administration Committee

Department		Item	Cost	Mils	Notes
110 SHERIFF	4 Deputies		\$237,780	0.8	
014 SOLICITOR	Attorney		\$75,000	0.3	
014 PUBLIC DEF	Attorney		\$75,000	0.3	
051 ELECTIONS	PT/Temporary Person		\$23,813	0.1	
029 ZONING	Zoning Officer		\$21,837	0.1	
110 SHERIFF	Expungement Clerk		\$39,406	0.1	
141 FIRE SERVICE	Turnout Gear		\$25,000	0.1	
014 DIRECT ASSISTANCE	Clemson Extension		\$25,000	0.1	
	Total		\$522,836	1.8	
Funded by Fund Balance					
202 ROADS	Consulting on SMS4		\$60,000		
110 SHERIFF	Capital Items for Deputies		\$178,308		
CTY WIDE	Bonus for Employees		\$285,000		
029 ZONING	Capital Items for Zoning Officer		\$39,000		
202 ROADS & 312 SOLID WASTE	Rolloff Truck & Tractor		\$298,000		Carried over from FY15
	Total		\$860,308		

Agenda Item Summary

Ordinance # / Resolution#: 2015-1357

Contact Person / Sponsor: John Weaver

Department: County Attorney

Date Requested to be on Agenda: June 8, 2015

Committee: Administration Committee

This issue was considered by the Planning Commission on May 19, 2015 and the recommendation was to deny the request by a 5-2 vote.

Issue for Consideration: Whether or not it is appropriate and in the best interest of Lancaster County to amend the December 1, 2008 Development Agreement dated December 1, 2008. In Section 4.01A of that 2008 Agreement, the property owner was required to pay to Lancaster County One Million (\$1,000,000) Dollars the earlier of either July 1, 2018 or the time when the application is filed for a building permit for the first residential dwelling unit to be built in the development. The new proposal that Council is considering is an amendment that would allow the developer to pay on a "per building permit" basis of \$1,235.00 for each of the 810 residential units authorized to be developed by the Agreement. Full payment would be due on or before December 31, 2020 regardless of the building permits issued by that time.

Points to Consider: The first page of my May 20th letter to Mr. Tolson indicates that subsequent to the 2008 Development Agreement that the original 411 acre parcel has been subdivided out into eleven (11) smaller parcels. Of those eleven, three parcels (a., b. and c.) have been transferred out, leaving eight parcels (d. – k.) remaining to be developed. Those eight parcels total approximately 311 acres. Other than the one parcel that remains titled in the name of Wells Fargo Bank, Trustee, I have confirmed that the seven other parcels are in the names of the various Limited Liability Corporations noted in the letter and that Mr. Tolson is designated as the Manager of each company.

Funding and Liability Factors: N/A

Council Options: Approve Ordinance 2015-1357 and allow the developer to pay the One Million Dollars on a "per building permit" basis or, alternatively, deny Ordinance 2015-1357 and require the developer to pay the One Million Dollars at the earlier of July 1, 2018 or the time when the application is filed for a building permit for the first residential dwelling unit to be built in the development as required by the original ordinance, No. 960.

Recommendation: From a financial perspective, there is greater certainty for the County's eventual receipt of the entire One Million Dollars and far less "bookkeeping" necessary with Ordinance 960 remaining the controlling legislation.

May 20, 2015

VIA EMAIL ONLY:

hubie@uhfdevelopmentgroup.com

Hubert G. Tolson III
227 East Front Street
New Bern, NC 28560

Re. PDD-26

Dear Hubie:

As you are aware, Ordinance 2015-1346 (old Ordinance 959) has had 2nd Reading and 3rd Reading is expected on June 8th. Ordinance 2015-1357 (old ordinance 960) has had 1st Reading and 2nd reading is expected on June 8.

So as to insure the accuracy of all aspects of the two ordinances, I have conducted some legal research into the public records of Lancaster County and find the following:

1. The original 411 acres has been subdivided into eleven (11) different parcels over the years. In the Second Amendment to the Development Agreement (prepared by Mike Ey based on ownership information from the earlier ordinance) that was considered by Council on May 18, I find that the real property ownership indicated in the Second Amendment is incorrect and amendment(s) will be necessary. Ownership of the various parcels in the original 411 acre parcel (TMS#0010-00-00-061) is now shown as:

<u>TMS #</u>	<u>OWNER</u>	<u>CONSIDERATION</u>
a. 0013-00-061.01	Lancaster County	\$0.00
<i>(in conjunction with this conveyance, UHF Development Group, LLC [managed by Mr. Tolson] received \$665,000.00 from Doby's Bridge Road Development Partners, LLC)</i>		
b. 0010-00-061.01	The Inspirational Network	\$3,750,200.00
c. 0010-00-061.02	Lancaster County Water & Sewer District	\$1.00
d. 0013-00-061.02	Wells Fargo Bank, Trustee	N/A
e. 0013-00-061.03	Collins Road Investments, LLC	\$918,967.07
f. 0013-00-061.04	Indian Land Multifamily Investments	\$10.00
g. 0013-00-061.05	Indian Land Multifamily Investments	\$10.00
h. 0010-00-061.00	Indian Land Investments, LLC	\$1,203,400.00
i. 0010-00-061.03	Six Mile Creek Investments, LLC	\$2,488,511.00
j. 0010-00-061.04	ILTCP, Inc.	\$1,778,241.00
k. 0010-00-061.06	Six Mile Creek Investments, LLC	\$1,203,400.00

STATE OF SOUTH CAROLINA

)

COUNTY OF LANCASTER

)

ORDINANCE NO. 2015-1357

AN ORDINANCE

TO APPROVE THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND AMONG UHF DEVELOPMENT GROUP, LLC, WACHOVIA BANK, N.A. SUCCESSOR TRUSTEE FOR CERTAIN TRUSTS AND LANCASTER COUNTY, RELATING TO THE COLLINS ROAD SITE DEVELOPMENT, SO AS TO CHANGE THE TIME WHEN THE PAYMENT OF MONIES BY THE DEVELOPER IS DUE TO THE COUNTY; TO AUTHORIZE CERTAIN COUNTY OFFICIALS TO EXECUTE AND DELIVER THE SECOND AMENDMENT; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Purpose.

(A) The Council finds that:

(1) By passage of Ordinance No. 960, Council approved a Development Agreement by and among UHF Development Group, LLC ("Developer"), Wachovia Bank, N.A. successor trustee for certain trusts ("Owner"), and Lancaster County ("County") for the Collins Road Site development (the "Development Agreement").

(2) By passage of Ordinance No. 1150, Council approved the First Amendment to the Development Agreement Collins Road Site and it provided for the performance of the Developer's obligations under the Development Agreement when easements, deeds and dedications of water and sewer infrastructure and other appurtenances are granted to the Lancaster County Water and Sewer District and it updated the name of the Owner (the "First Amendment").

(3) The Development Agreement is recorded in the office of the Register of Deeds in Deed Book 503, Pages 1-24 and the First Amendment is recorded in Deed Book 684, Pages 232-238.

(4) Section 4.01A of the Development Agreement provides for the payment to the County by the Developer of \$1,000,000 the earlier of either July 1, 2018 or the time when the application is filed for a building permit for the first residential dwelling unit to be built in the development.

(5) Developer has requested Council to change the due date for the payment of monies pursuant to Section 4.01A of the Development Agreement.

(6) Council may amend the Development Agreement by adhering to the statutory requirements for the approval of development agreements and by approving an amendment to the Development Agreement.

(B) The purpose of this ordinance is to approve a Second Amendment to the Development Agreement consistent with the findings in this section.

Section 2. Approval of Second Amendment.

The Chair and Secretary of the Council are authorized, empowered and directed, in the name of and on behalf of Lancaster County, to execute, acknowledge, and deliver the Second Amendment to the Development Agreement by and among UHF Development Group, LLC, Wachovia Bank, N.A. Successor Trustee and Lancaster County (the "Second Amendment"). The form of the Second Amendment is attached hereto as Exhibit A and all terms, provisions and conditions of the Second Amendment are incorporated herein by reference as if the Second Amendment were set out in this ordinance in its entirety. By adoption of this ordinance, Council approves the Second Amendment and all of its terms, provisions and conditions. The Second Amendment is to be in substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of Lancaster 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 Second Amendment attached to this ordinance.

Section 3. Authority to Act.

The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney and all other appropriate officials of the County are authorized and directed to do any and all things necessary to effect the execution and delivery of the Second Amendment and the performance of all obligations of the County under and pursuant to the Second Amendment.

Section 4. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 5. Controlling Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, orders and resolutions, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 6. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

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AND IT IS SO ORDAINED, THIS ____ DAY OF _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

Planning Commission Public Hearing

First Reading: May 18, 2015 Passed 5-2

Second Reading: June 8, 2015 Tentative

Council Public Hearing: July 13, 2015 Tentative

Third Reading: July 13, 2015 Tentative

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Exhibit A to Ordinance No. 2015-1357

**Second Amendment
to the
Development Agreement
Collins Road Site**

See attached.

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(Space above this line for recording use)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **SECOND AMENDMENT TO THE**
) **DEVELOPMENT AGREEMENT**
) **COLLINS ROAD SITE**

A Development Agreement, dated December 1, 2008, for the Collins Road Site development was entered into by and among **UHF DEVELOPMENT GROUP, LLC** ("Developer"), a North Carolina limited liability company, **WACHOVIA BANK, N.A. SUCCESSOR TRUSTEE AS TRUSTEE FOR THE JULIA SCOTT SMITH TRUST FBO JOHN SCOTT CRAMER ET AL, THE JULIA SCOTT SMITH TRUST FBO STUART W. CRAMER III ET AL, THE JULIA C. SMITH REVOCABLE TRUST, AND THE ALICE C. TOLSON REVOCABLE TRUST** ("Owner"), and the **COUNTY OF LANCASTER** (the "County"), a body politic and corporate, a political subdivision of the State of South Carolina (the "Development Agreement"). The Development Agreement is recorded in the records of the Lancaster County Register of Deeds in Deed Book 503, Pages 1-24. Section 5.02 of the Development Agreement provides that amendments to the Development Agreement must be in writing and, for the amendment to be effective, it must be signed by the party against whom the amendment is sought to be enforced. A **FIRST AMENDMENT** to the Development Agreement was made and entered into as of the 9th day of July, 2012, by and among Developer, Owner and County and recorded in the records of the Lancaster County Register of Deeds in Deed Book 684, Pages 232-238 (the "First Amendment").

This **SECOND AMENDMENT** to the Development Agreement is made and entered into as of the ____ day of ____, 2015, by and among the Developer, Owner and County (the "Second Amendment").

RECITALS

WHEREAS, Section 4.01A of the Development Agreement provides for the payment to the County by the Developer of \$1,000,000 the earlier of either July 1, 2018 or the time when the application is filed for a building permit for the first residential dwelling unit to be built in the development;

WHEREAS, Developer has requested Council to change the due date for the payment of monies pursuant to Section 4.01A of the Development Agreement; and

WHEREAS, the purpose of this Second Amendment is to change the due date for the payment of monies pursuant to Section 4.01A of the Development Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements contained herein, Developer, Owner and County agree as follows:

Section 1. Section 2.01 of the Development Agreement, relating to Representations and Warranties of County, as last amended by the First Amendment, is further amended by adding:

“(E) The County represents that it has approved the Second Amendment to this Agreement in accordance with the procedural requirements of the Act, Ordinance No. 663 and any other applicable state law. The County represents that prior to the final reading of the ordinance approving the Second Amendment to this Agreement that at least two public hearings were held after publication of the required notices and the publication of a notice of intent to consider a proposed amendment to the Agreement.”

Section 2. Section 2.02 of the Development Agreement, relating to Representations and Warranties of Developer, as last amended by the First Amendment, is further amended by adding:

“(E) Developer represents that, as of the date of the Second Amendment to this Agreement, it has contractual rights to develop the Property. Owner represents that, as of the date of the Second Amendment to this Agreement, it is the only legal and equitable owner of the Property, except to the extent that (i) Developer has a contractual right to develop the Property or (ii) Owner has agreed to convey any interest in the Property to the Lancaster County Water and Sewer District, subject to the acceptance and recording of the interest in the Property by the Lancaster County Water and Sewer District, neither of which has occurred as of the date of this Second Amendment.”

Section 3. Section 4.01A of the Development Agreement, relating to Payment to Lancaster County, is amended to read:

“(A) ~~Developer agrees to pay County one million dollars (\$1,000,000.00) the earlier of either July 1, 2018 or the time when the application is filed for a building permit for the first residential dwelling unit to be built in the development.~~ Developer agrees to pay to County One Thousand Two Hundred Thirty-Five and No/100 dollars (\$1,235.00) for each of the 810 residential units authorized to be developed by this Agreement (the “County Payment”). From the Agreement Date until November 30, 2020, the County Payment for a residential unit is due and payable at the same time that the County building permit fee for the residential unit is due and payable. Payment of the County Payment is a condition for the issuance of a building permit. For the period after November 30, 2020, Developer agrees to pay County by December 31, 2020 an amount equal to One Thousand Two Hundred Thirty-Five and No/100 dollars

(\$1,235.00) times the number of residential units for which a building permit has not been issued as of November 30, 2020. If the Developer sells a portion of the Collins Road development, whether subdivided or not, the Developer shall pay not later than closing on the sale an amount equal to One Thousand Two Hundred Thirty-Five and No/100 dollars (\$1,235.00) times the number of residential associated with the portion of the Collins Road development that is sold. The County Payment is separate and distinct from any fees or amounts payable to the County for a building permit. As used in this section, "Developer" means UHF Development Group, LLC, a North Carolina limited liability company, and does not include its successors or assigns.

~~(B) Payment of the amount provided in Section 4.01A.(A) entitles the Developer to receive not more than eight hundred and ten (810) building permits for constructing residential dwelling units on the Property and as set forth in Ordinance No. 959. At the time of payment of the amount provided in Section 4.01A.(A), the County shall provide to the Developer a document indicating the Developer: (i) has paid the amount; (ii) is entitled to a specified number of building permits for residential dwelling units for the Property; (iii) will receive building permits upon meeting all ordinary requirements for the issuance of building permits including, but not limited to, any then applicable county wide building, housing, electrical, plumbing, and gas codes adopted by County Council; (iv) will receive the building permits notwithstanding any applicable moratorium, limit on the issuance of building permits, or any other restriction on development rights in effect at the time of application or time of issuance for the building permit; and (v) that the County considers the issuance of the document entitling the Developer to building permits pursuant to this Section 4.01A.(B) to be a "building permit" as used in Section 13.6.2.6.5 of the UDO, as added to the UDO by Ordinance No. 673, and relating to vesting of construction projects.~~

~~— (C) Developer acknowledges and agrees that the expenditure and use of the monies received by the County from the payment provided in Section 4.01A.(A) is at the sole discretion of the County Council. Upon receipt of the County Payment, the monies must be accounted for separate and distinct from other monies of the County. The County Payment must be used for non-recurring purposes in the panhandle area of the County. The determination of the specific uses for the County Payment is at the discretion of the County Council."~~

Section 4. Exhibit E to the Development Agreement, as last amended by the First Amendment, is further amended to read:

**"Exhibit E
Laws and Land Development Regulations**

1. Ordinance No. 959 zoning the Property Planned Development District (PDD-26).
2. Ordinance No. 960, approving this Development Agreement.
3. The Development Agreement Ordinance for Lancaster County, South Carolina: Ordinance No. 663.
4. Unified Development Ordinance of Lancaster County: Ordinance No. 309, as amended as of the Submission Date. A copy of the Unified Development Ordinance is on file in the office of the County Planning Department.
5. Land Development Regulations of Lancaster County: Ordinance No. 328, as amended as of the Submission Date of this Agreement. The Land Development Regulations of

Lancaster County are included in the Unified Development Ordinance of Lancaster County, a copy of which is on file in the office of the County Planning Department.

6. Ordinance No. 1150 approving the First Amendment to this Development Agreement.
7. Ordinance No. 2015-_____ approving the Second Amendment to this Development Agreement.

Section 5. Developer, Owner and County agree that Developer shall record this Second Amendment with the County Register of Deeds within fourteen (14) days of the date this Second Amendment is made and entered into.

Section 6. Upon submission of appropriate documentation of the expenditure, Developer agrees to reimburse the County, not later than _____, 2015, for the County's unreimbursed costs related to this Second Amendment. County and Developer agree that the foregoing cost reimbursement is limited to County payments to third-party vendors and service providers that have not been otherwise reimbursed from the fee paid by Developer pursuant to Section 10 of Ordinance No. 663. Developer's foregoing reimbursement obligation is capped at _____ (\$_____.00).

Section 7. Upon execution of this Second Amendment by Developer, Owner and County, the Development Agreement consists of the Development Agreement as originally executed and recorded as amended by the First Amendment and the Second Amendment. The Development Agreement, as amended by the First Amendment and Second Amendment, remains in full force and effect. To the extent that any of the terms of the Development Agreement as amended by the First Amendment conflict with this Second Amendment, then the terms of this Second Amendment shall control.

IN WITNESS WHEREOF, Developer, Owner and County have caused their respective names to be subscribed hereto, all as of the date set forth above as the date this Second Amendment is made and entered into.

SIGNATURE PAGES FOLLOW.

WITNESSES:

OWNER:

Wells Fargo Bank, N.A., a national banking association, as successor-by-merger to Wachovia Bank, N.A., as Successor Trustee under (i) the Trust Agreement with Julia Scott Smith dated November 13, 1973 for the benefit of Stuart W. Cramer, III, (ii) the Revocable Trust Agreement with Alice C. Tolson dated September 21, 1990, (iii) Trust Agreement with Julia Scott Smith dated November 13, 1973 for the benefit of John Scott Cramer, and (iv) Revocable Trust Agreement with Julia C. Smith dated December 30, 1998

By: _____
Name: _____
Title: _____
Date: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named Wells Fargo Bank, N.A., a national banking association, as successor-by-merger to Wachovia Bank, N.A., as Successor Trustee under (i) the Trust Agreement with Julia Scott Smith dated November 13, 1973 for the benefit of Stuart W. Cramer, III, (ii) the Revocable Trust Agreement with Alice C. Tolson dated September 21, 1990, (iii) Trust Agreement with Julia Scott Smith dated November 13, 1973 for the benefit of John Scott Cramer, and (iv) Revocable Trust Agreement with Julia C. Smith dated December 30, 1998, by its duly authorized officer/s sign, seal and as its act and deed deliver the within written instrument and that (s)he with the other witness above subscribed, witnessed the execution thereof.

First Witness Signs Again Here

Seal
SWORN to before me this
____ day of _____, 2015.

Notary Public Signs AS NOTARY
Notary Public for the State of _____
My Commission Expires: _____

WITNESSES:

DEVELOPER:

UHF Development, LLC,
a North Carolina Limited Liability Company

By: _____

Name: _____

Title: _____

Date: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named UHF Development Group, LLC, by its duly authorized officer/s sign, seal and as its act and deed deliver the within written instrument and that (s)he with the other witness above subscribed, witnessed the execution thereof.

First Witness Signs Again Here

Seal

SWORN to before me this
____ day of _____, 2015.

Notary Public Signs AS NOTARY
Notary Public for the State of _____
My Commission Expires: _____

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WITNESSES:

COUNTY:

County of Lancaster, South Carolina

By: _____
Bob Bundy
Chair, County Council

Date: _____

By: _____
Steve Harper
Secretary, County Council

Date: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named County of Lancaster by its duly authorized officer/s sign, seal and as its act and deed deliver the within written instrument and that (s)he with the other witness above subscribed, witnessed the execution thereof.

First Witness Signs Again Here

Seal

SWORN to before me this
____ day of _____, 2015.

Notary Public Signs AS NOTARY
Notary Public for the State of South Carolina
My Commission Expires: _____

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Agenda Item Summary

Ordinance # / Resolution#: 2015-1351

Contact Person / Sponsor: John Weaver & Penelope Karagounis

Department: County Attorney & Planning Department

Date Requested to be on Agenda: June 8, 2015,

Committee: Infrastructure & Regulation Committee (May 12, 2015)

JW

Issue for Consideration: As you know, Lancaster County staff and the Catawba COG are in the process of rewriting Lancaster County's Unified Development Ordinance (UDO). As was reported recently, the County's population growth proportionately was the highest of any county in the state. The requirements and regulations that are in place now are not sufficient to insure smart growth in the Indian Land section of the county for residential, commercial and industrial development. The rewrite is intended, not only to promote a visionary, higher standard for growth, but also the rewrite is intended to set a standard for developers that is consistent with today's and tomorrow's development techniques.

Points to Consider:

- 1: The Lancaster County Planning Commission on 5/19/15 recommended by a 6-1 vote that the moratorium be approved.
2. If approved, should some unforeseen opportunity come forward that would benefit Lancaster County significantly, the ordinance could be either amended or reconsidered and rejected in 3 meetings of Council (approximately 6+ weeks).
3. Council previously has been given a timeline for the completion of this project. An additional copy is provided following this Summary. An update/rewrite of a local government's UDO is an undertaking that every rapidly developing county in, not only the greater Charlotte area, but also within many other South Carolina counties, is finding to be necessary.

As an example of what the UDO rewrite is facing and why the moratorium is vital, at the 5/19/15 Planning Commission meeting, there were three rezoning requests totaling in excess of 100 acres. Multifamily housing, apartments, single family residences, PDDs – these all compete with the rewrite of the UDO.

The Council recognizes that a quality end-product of an updated UDO cannot be accomplished with an ever-expanding development base. Estimates show that there are upwards of 7,500 parcels that have been rezoned and are ready for development today in the Indian Land area alone. No recommendation of the COG or the Planning Department will impact those previously approved projects and the associated building permits will be issued as requested. But logic dictates that there must be a starting point for the implementation of the new UDO guidelines. And to have a starting point of something new, there must be a stopping point of the old.

Funding and Liability Factors: N/A

Council Options:

- 1) Approve the moratorium on new zoning applications north of Highway 5.
- 2) Reject the moratorium.

Recommendation: Approval.



Unified Development Ordinance Update - Phases I & II

Timeframe and Work Program

WORK ITEM	2015												2016	
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB
Planning Staff Review Meetings														
UDO Review Committee Meetings														
Draft UDO Update for Phase One Chapters and Zoning Concept Map														
Draft an Administrative Manual on Application Submittal Process														
Planning Commission Update														
County Council Update														
Draft the Remaining Chapters for the UDO Update														
Draft Proposed Zoning Map														
Finalize Administrative Manual on Application Submittal Process														
Coordinate and Conduct Community Meetings and/or Focus Groups														
Planning Commission Public Hearings on Updated UDO														
Revisions to Final Updated UDO As Needed														
County Council Adoption of Updated UDO														
Complete Updated Zoning Map														
Planning Commission Public Hearings on Updated Zoning Map														
Revisions to Final Zoning Map As Needed														
County Council Adoption of Updated Zoning Map														

Phase I - UDO Update and Zoning Concept Map (January 2015 - June 2015) -----



Phase II - Final UDO Update and Zoning Map (July 2015 - Feb 2016) -----



April 14, 2015

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1351

AN ORDINANCE

TO IMPOSE A NINE (9) MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR DISTRICT BOUNDARY AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE OF LANCASTER COUNTY IN THE AREA OF THE COUNTY NORTH OF HIGHWAY 5; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

WHEREAS, Lancaster County Council has observed a substantial increase in development throughout the County, but particularly in the unincorporated Indian Land area of the County; and

WHEREAS, as evidence of that development and growth, the following statistics have been recognized: Lancaster County is the fastest growing county in the state between 2013 and 2014 with a 3.3% population increase during that year; there are at present approximately 7,400 parcels that have been rezoned and are ready for development today in the Indian Land area alone; and

WHEREAS, Council has been advised recently of staff's concern about the rapid growth of the County and protecting the existing rural areas north of Highway 5 in Van Wyck, not only now, but also in future years and the potential for conflicts between residential, commercial and industrial development; and

WHEREAS, the present Unified Development Ordinance (UDO) of Lancaster County was presented and passed by Council on September 28, 1998 and, over the past seventeen (17) years, the UDO has proven to be in need of rewrite and update as a result of the growth noted herein; and

WHEREAS, Council adopted a Comprehensive Plan 2014–2024 on December 8, 2014 which includes a Future Land Use Map with flexibility for appropriately mixing land uses and shaping the current development pattern of the County to protect each community's natural and cultural assets while balancing the demands for growth; and

WHEREAS, Lancaster County is currently developing a new Unified Development Ordinance and Zoning Map to implement the Comprehensive Plan Guiding Principles, Plan Implementation

and provide recommendations as to the appropriate land use, zoning district designations and development regulations for all properties; and

WHEREAS, the development of the new Unified Development Ordinance will require adequate time to prepare the new UDO and Zoning Map necessary to adequately manage growth in both the urban and rural areas in Lancaster County, and

WHEREAS, now for the first time Council is being asked to lend its further support and approval for this growth management effort by the enactment of “status quo” local legislation on any new zoning applications in the panhandle section of Lancaster County; and

WHEREAS, in order to accomplish the stated goal of an updated Unified Development Ordinance with the development of new zoning district designations and development regulations, Council deems it necessary and appropriate to impose a Moratorium, effective Monday, June 8, 2015, on the County’s acceptance and processing of applications for district boundary amendments to the UDO for **all real properties located in Lancaster County north of the following boundary: from a point at the western boundary with York County along Highway 5 until its intersection with Highway 521, then preceding in a northeastern direction along Old Church Road until its intersection with the Union County, NC state line, then further northward to the North Carolina state line** for a nine (9) month period so as to preserve the status quo until the Planning Commission and Planning Department staff have completed their work and come forward with the recommendations called for in this ordinance.

NOW THEREFORE, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted:

1a. New UDO and Zoning Map Initiated Provision for Recommendations.

The Lancaster County Planning Commission and Planning Department staff shall review and consider a new UDO and Zoning Map and make recommendations to County Council for new zoning district designations, development regulations and appropriate zoning necessary to adequately manage growth throughout the County.

1b. Nine (9) Month Moratorium Adopted. Effective May 18, 2015, no applications for district boundary map amendments to the UDO shall be accepted and processed by the Planning Department staff for **all real properties located in Lancaster County north of the following boundary: from a point at the western boundary with York County along Highway 5 until its intersection with Highway 521, then proceeding in a northeastern direction along Old Church Road until its intersection with the Union County, NC state line, then further northward to the North Carolina state line** for a period of nine (9) months (the “Moratorium”). The Moratorium is imposed in order to allow the Lancaster County Planning Commission and Planning Department staff time to conduct the work specified in Section 1a. above. The Moratorium shall not affect development in progress that has already received approval from County Council

and shall not affect rezoning applications and development agreements submitted to the Planning Department as of Second Reading of this Ordinance. In the event of a natural disaster, the County Administrator may suspend the Moratorium to the extent necessary to protect and preserve the public health, safety and general welfare.

1c. **Extension of Moratorium by Resolution.** No earlier than thirty (30) days prior to the expiration of the Moratorium, should the County Administrator determine that there is insufficient time for the Council to consider the repeal of the existing UDO and the adoption of a new UDO and Zoning Map and related recommendations, then, in that event, the County Administrator shall so notify Council of this time constraint and, thereafter, Council may by Resolution extend the Moratorium expiration by up to an additional ninety (90) day period.

2. **Severability:** If a Section, Sub-section, or part of the Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other preemptive legal principle, then that Section, Sub-section, or part of the Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

3. **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Lancaster County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

4. **Effective Date:** This Ordinance shall become effective on Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading: June 8, 2015 Tentative (Deferred from May 18 following Public Hearing)
Second Reading: June 22, 2015 Tentative
Third Reading: July 22, 2015 Tentative

Public Hearing: May 18, 2015

Agenda Item Summary

Ordinance # / Resolution#:

Contact Person / Sponsor: Debbie Hardin

Department: Council

Date Requested to be on Agenda: 6-8-15

Issue for Consideration:

Appointment of various boards and commission members for new 4 year terms to begin July 1, 2015.

Points to Consider:

District 4:

Airport Commission – George Flanders – 2nd Term
Assessment Appeals – Patrick Kania – 4th Term
Community Relations – Samuel Bracey – 1st Term
Construction Board of Appeals – Terry Shropshire – 3rd Term
Health and Wellness – Lori Roney – 1st Term
Historical Commission – J.B. “Bill” Knight – 3rd Term
Planning Commission – James Barnette – 1st Term
Joint Recreation – Eric Abbott – 3rd Term
Library Board – Phyllis Jarvis – 1st Term
Zoning Board of Appeals – Don Brower – 3rd Term

Advisory

Health and Wellness – Cheryl Plyler – 2nd Term
Health and Wellness – Donna Parsons 1st Term as advisor (served 1 term representing District 4)

District 3:

Health and Wellness – Lori Mosely – 2nd term to expire 6/30/2017

Funding and Liability Factors: n/a

Council Options:

A motion would be required to appoint the new terms as listed.

Recommendation: Appoint new terms.

Agenda Item Summary

Ordinance # / Resolution#:	Motion by Council
Contact Person / Sponsor:	Steve Willis
Department:	Admin
Date Requested to be on Agenda:	June 8, 2015

Issue for Consideration:

Change order for Airport Taxiway grant.

Points to Consider:

This would be a change order associated with the Airport Taxiway grant.

The return on investment makes this a good idea; the unknown is in being able to utilize the savings from the reduction in asphalt quantities.

This comes with an affirmative recommendation from the I&R Committee as well as the Airport Commission.

Funding and Liability Factors:

Best case scenario is shown at \$3,000, which is within the grant budget.

Worst case scenario is \$40,000 additional local dollars. This still yields a positive return on investment over the life cycle of the equipment; however, it is a larger upfront outlay.

LED installation would lower potential liability from light failure issues.

Council Options:

Approve or reject the change order; or approve a conditional proposal as shown below

Recommendation:

Wait and see if the FAA will allow us to recoup the cost with 90% grant funding using the cost savings from the lower asphalt quantities. If so, I will approve the change order administratively as we would also save our portion on the asphalt and stay within the overall budget. If the FAA says "no", come back to Council for consideration of moving forward with a 14 year ROI scenario.

Committee recommendation:

Proceed as recommended above.

Steve Willis

From: Ken Holt <kholt@holtconsultingco.com>
Sent: Tuesday, May 05, 2015 6:57 AM
To: Steve Willis
Cc: Paul Moses; Kevin Morris
Subject: Lancaster County Airport

Steve,

When I was at Lancaster County's 230th Birthday Party, I mentioned a possible change order relative to the taxiway lights but that I needed to assemble some relevant data before discussing such with you. I believe I now have all the data for a decision to be made.

Background:

The current plans call for quartz lights due to a few taxiway lights that were replaced during the runway rehabilitation project as a result of the FAA prohibiting the mixing of quartz and LED technologies within a system. Since this project will be replacing all of the taxiway lights except for the few that were replaced during the runway rehabilitation project, Paul Moses suggested we explore changing all taxiway lights to LED due to the potential reduced power usage and the reduced maintenance costs associated with replacing bulbs, these costs being encumbered totally by the County.

Additional Costs: The electrical contractor, Matt Bragg (Southeast Site Services), has provided a cost to make the change of \$40,000.

FAA's Position:

Anna Lynch (FAA Atlanta ADO) wrote on 4/17/15 - I understand there has been a request to upgrade the taxiway lights to LED at an estimated cost of \$40k, and I support this change but cannot commit to the extra funding right now. Ideally there will be an underrun somewhere else in the project where this can be funded within the existing grant amount, but if not, I will look for the additional funding at grant close out.

Potential Underrun:

Kevin Morris (Holt Consulting Co.) wrote on 4/20/15 - Brett, for the overlay areas I used the two digital surfaces and ran a surface-to-surface calculation to come up with actual volume of asphalt. I then converted to 150lb/CF (which is conservative) to get tonnage. For the other areas I used a surface based approach and calculated based on a target or average thickness. I again used the 150lb/CF to convert to tonnage. I came up with a total of 6,100 tons of asphalt, with rounding. The bid quantity is 7,200 total tons. That is 1,100 tons less, which would result in savings of around \$175,000, if my calculations are accurate. We would like you to check and see if you come up with similar quantities.

Brett Murray (Lane Construction Corp.) wrote on 4/20/15 - Yes, I'm comfortable with these calculations.

Return on Investment:

Based upon data (power bills) provided by the County, discussions with Randy Harris (Duke Energy), and input from Paul Moses, an analysis was conducted by Mark Morley (The Ohmega Group), an electrical engineer that specializes in airfield electrical design. This analysis estimated the costs savings associated with reduced power consumption and bulb replacement over time with an assumed annual power cost increase of 4%. The result is that the breakeven point should occur within 14th year. This analysis is based upon the assumption that the taxiway lights will be on an average of 3 hours a day, a conservatively reasonable estimate. Obviously, the longer the duration the sooner the breakeven point. Assuming an average LED bulb life of 20 years (according to industry data), the return on investment would be approximately \$25,000.

Bottom Line:

Change Order: \$40,000

Percent Eligible for FAA Funding: 90%

FAA Commitment Should Project not Underrun: Supportive but Tentative

Potential Underrun: \$175,000

County's Financial Commitment:

- Best Case - Reduced from original if Potential Underrun results plus an estimated average reduction per year in power bill and bulb replacement costs of \$3,000
- Worst Case - \$40,000 with Breakeven at 14th year and a return on investment of \$25,000

Steve, I believe I mentioned that this decision is on the critical path of the current taxiway rehabilitation project. Therefore, please let me know if you have any questions or need additional information. Also, Paul and I are available to meet with you and the Infrastructure and Regulation Committee if necessary. If so, please provide the date and time of this meeting.

Thanks,

Ken

Ken Holt | Principal | Holt Consulting Company, LLC.
1332 Main St., Suite 55 | Columbia, SC 29201 | 803.360.3123 (cell)
803.771.4658 (ofc) | 803.771.4656 (fax)
kholt@holtconsultingco.com | www.holtconsultingco.com



Agenda Item Summary

Ordinance # / Resolution#: N/A

Contact Person / Sponsor: County Council

Department:

Date Requested to be on Agenda: June 8, 2015

Committee: N/A

Issue for Consideration: Whether or not there is a majority of Council who believe it appropriate to request that an audit of the Lancaster County Economic Development Board financial books and records be conducted for a two year period from July 1, 2012 through June 30, 2014.

Points to Consider: As expressed by various Council members.

Funding and Liability Factors: The Administrator reports that there are sufficient funds in the FY15 budget to pay for the audit.

Council Options:

1. A verbal Motion and Second to request LCEDC's approval and cooperation for an independent CPA firm to conduct an audit of the corporation's financial books and records. A majority vote of 4 is necessary to approve the motion.
2. A verbal Motion and Second to authorize the Administrator to enter into a contract with Bauknight, Pietras & Stormer, PA pursuant to the terms set forth in the proposal.

Recommendation: This is a policy decision of Council.

May 18, 2015

Thomas D. Pietras, CPA
Bauknight, Pietras & Stormer, PA
P.O. Box 1330
Columbia, SC 29202

Dear Mr. Pietras:

At the request of the County Administrator and with the approval of several members of County Council, I have been asked to request that your firm submit a proposal to the County Administrator for a forensic audit of the financial books and records of the Lancaster County Economic Development Corporation. The proposal should be for a two (2) year period, commencing on July 1, 2012 and ending on June 30, 2014.

In providing your proposal, please address the following:

1. The differences between a forensic audit and a financial audit.
2. The scope of services that will be provided for the requested forensic audit.
3. An estimate of the costs associated with your proposal.
4. An estimate of the time it would take to complete the assignment.

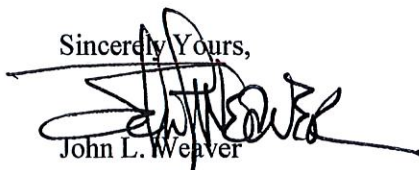
The LCEDC has a combined annual budget of approximately \$700,000. I am told that the Corporation maintains four (4) checking accounts. The organization has a 501(C)(4) status and receives funding from both public and private sources. An unknown portion of the public monies have a restricted use.

In preparing your proposal, the Administrator believes that you will receive cooperation from the corporate President and any board members that might be involved. Lancaster County Economic Development Corporation will make available any and all documentation that will be useful in undertaking your assignment.

Not knowing what benefit, if any, there might be in preparing your proposal, I am enclosing for your review a Lancaster County Economic Development audit dated November 14, 2013.

A final decision on whether to proceed most likely will be made on June 8th. Receipt of your proposal is expected no later than June 2nd, 2015. In the meantime, if there are questions or if further clarification is necessary, please feel free to call.

Sincerely Yours,


John L. Weaver
County Attorney

cc: Bob Bundy
Steve Willis



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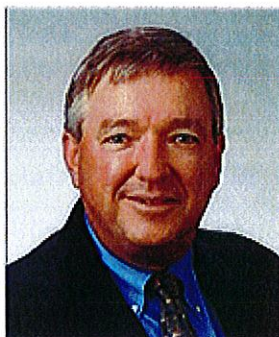
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Thomas D. Pietras, CPA



Title
Shareholder

Focus
Audit/Assurance

Education
BS, Accounting, University of South Carolina

Tom D. Pietras joined Bauknight Pietras & Stormer, PA in 1992 as a shareholder. He is the firm's Director of Accounting and Auditing and is responsible for ensuring that the firm is fully informed of current developments in accounting standards and in compliance with the latest auditing standards.

Since joining BPS, Tom has served as audit engagement partner and as technical review partner for clients in a broad range of industries, including telecommunications, manufacturing, dealerships and distribution, construction and healthcare. He also leads the firm's employee benefit plan practice (approximately 30 audits annually) and manages the firm's litigation support services. He frequently serves as an expert witness relating to accounting and auditing issues. Tom is fluent in German and currently serves a number of German-owned companies.

Tom was an adjunct professor at the University of South Carolina from 1996 through 2011, where he taught a graduate level accounting course for Masters of Accountancy students. He teaches accounting and auditing seminars to CPAs around the country. Speaking/teaching engagements have included:

Accounting for Income Taxes
Advanced Compilations and Reviews
Auditing Employee Benefit Plans
Consulting to Healthcare Practices
Current Accounting Developments
Employee Benefit Plan Reporting Requirements
Mergers and Acquisitions
Performing the Perfect Audit
Professional Ethics Update
Accounting and Auditing Update
Compilations and Reviews

While working with Ernst & Young for 13 years prior to joining BPS, Tom provided audit and consulting services to some of the firm's largest national and international clients based in South Carolina and served as a national seminar instructor, teaching Ernst & Young's audit methodology to other firm professionals. He served on quality review teams that performed audit quality reviews of other EY offices.

Areas of Expertise

- Auditing and financial reporting
- Auditing Employee Benefit Plans
- Compilations and Reviews
- Litigation support

- Serving international companies
- Mergers and Acquisitions

Industry Expertise

- Construction
- Distribution
- Litigation Support
- Healthcare
- Manufacturing
- Telecommunications
- Captive insurance

Professional Involvement

- American Institute of Certified Public Accountants
- South Carolina Association of Certified Public Accountants

Community Involvement

- Treasurer, Spring Valley Education Foundation
- Board Member, Navigating From Good To Great Foundation
- Finance Committee, Greater Columbia Chamber of Commerce
- Committee of 100 (board member, Treasurer)
- EngenuitySC (advisory board member)
- Columbia Advisory Board—German American Chamber of Commerce
- Former Board Member, American Red Cross Blood Services (*Chairman of Finance Committee*)
- Former President/Treasurer, Northeast Columbia Soccer Association
- Former Board Chair, Keep America Beautiful of the Midlands
- Former Treasurer, Columbia City Ballet
- Former Treasurer, South Carolina Youth Soccer Association

Published Articles

- *Starting and Operating a Business in South Carolina*, Oasis Press, copyright 1987 and 1988. (Co-author)
- "When is Cash in the Bank Not REALLY Cash in the Bank?" *Carolina Healthcare Business*, Volume 2, Issue 6, November/December 1999, 12.
- "Tom's 4 Rules for Better Budgeting," *Carolina Healthcare Business*, Volume 3, Issue 3, May-June 2000, 14-15.
- "Making Strategic Alliances Work," *Business & Economic Review*, Volume 47, Number 4, July-August-September 2001, 9-12. (With Christian Stormer)

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About

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Why BPS

Call it a better idea.

In 1991, several former "Big Four" CPAs decided to establish their own firm in Columbia, South Carolina, focused on providing business, financial, and tax solutions to owner-managed companies and wealthy individuals seeking an experienced, innovative, and independent firm immersed in national, state and local business issues.

Today that better idea, Bauknight Pietras & Stormer—BPS— is among the Southeast's premier accounting and consulting firms. Our shareholders—Ken Bauknight, Russell Bauknight, Tom Pietras,

Chris Stormer, Jay Swearingen, Mike McGovern, Denise Gunter Hudson, Beth Bauknight and Bryan Hudson—have a combined 200 years of public accounting and IRS experience. Our team includes nearly 50 professionals and staff, each of who is committed to our clients and engaged in our community.

BPS serves as the preferred strategic partner of privately held businesses and wealthy individuals, providing tax, accounting and assurance, and business consulting services. Leadership, depth of technical skills, and a full range of short- and long-term, industry-focused solutions give BPS a competitive advantage and longevity with our clients.

It's an approach that works. We attract professionals and staff who are bright and motivated. We attribute our success to meeting the unique needs of each client with professionalism, enthusiasm and high value.

BPS At A Glance

- Serve international, national, state, and local clients
- Tax, audit/assurance, consulting services
- Nine shareholders, team of nearly 50 professionals and staff.
- BPS serves the privately-owned and emerging business market throughout the United States from its headquarters in Columbia, South Carolina.
- BPS is actively engaged in South Carolina's entrepreneurial community, and has served as interim CFOs for start-up companies to help develop their business plans and raise capital.
- BPS is a national leader in the telecommunications and technology industry and has performed numerous engagements for telecom companies across the country ranging from financial statement audits to agreed upon procedures in order to provide the appropriate level of assurance desired by stakeholders.
- BPS is a leader in the property and casualty insurance industry with an emphasis on captive insurance, with a team of dedicated professionals serving the industry. BPS provides services to commercial carriers and alternative risk vehicles, including captives, risk retention groups, mutuals, and reciprocals located in domiciles throughout the United States.
- BPS's Estate, Gift & Trust Planning Group employs proactive strategies designed to preserve and enhance the value of estates for heirs and charitable beneficiaries.
- BPS serves clusters of clients in several other industries including construction, manufacturing, distribution, hospitality, real estate, professional services, and employee benefit plans.
- BPS professionals develop and deliver continuing professional education seminars to national audiences each year.
- BPS shareholders and staff have co-authored four books: *Guide to Business Financing*, *Guide to Start-ups*, *Guide to Electronic Data Extraction Software* and *Guide to Non-traditional Engagements*.

June 1, 2015

Mr. Steve Willis, County Administrator
101 N. Main Street
Lancaster, South Carolina 29721

Dear Mr. Willis:

We are in receipt of a letter, dated May 18, 2015, from Mr. John Weaver, County Attorney, requesting that we submit a proposal to you for a forensic audit of the financial books and records of the Lancaster County Economic Development Corporation for the two-year period from July 1, 2012 through June 30, 2014.

We are very excited about the opportunity to provide you with professional accounting services. Below, we provide information in response to your specific requests.

Differences between a forensic audit and a financial audit

"Forensic accounting, forensic accountancy or financial forensics is the specialty practice area of accounting that describes engagements that result from actual or anticipated disputes or litigation. "Forensic" means "suitable for use in a court of law", and it is to that standard and potential outcome that forensic accountants generally have to work."

In plain English, forensic auditing is audit work designed to answer specific questions, and done in a way that the results can stand up in court.

In contrast, a financial audit is an audit of the accounts of an entity, specifically designed to determine whether that entity's financial statements are "fairly presented". A financial statement audit is not specifically designed to detect fraud or other improprieties.

Based on your request for proposal, we assume that members of Lancaster County Council have specific questions that they would like us to find answers to. Our forensic auditing procedures will be designed to answer those questions.

The scope of services that will be provided for the requested forensic audit

Our audit work will be performed in three stages, as described below.



Mr. Steve Willis, County Administrator
June 1, 2015
Page 2

Stage 1

We will meet with Mr. Weaver, members of County Council, and you to discuss your questions and concerns relating to the Lancaster County Economic Development Corporation ("LCEDC"). Only when we have a clear understanding of our "mission", will we proceed to Stage 2. We can either visit your offices in Lancaster or we can conduct interviews by telephone. The possibility exists to also collect information from the interested parties by e-mail.

Stage 2

First, we will make arrangements to visit the offices of Mr. Charles Boggs, CPA in order to review his financial statement audit workpapers. This will help us identify accounting issues and assess the quality of the audit work done with respect to the LCEDC.

Next, we will design testing procedures, request relevant data from the LCEDC, and perform our testing, based on the scope defined during Stage 1 of this project.

Stage 3

State 3 is the reporting phase of the project. We envision first reporting orally to you and/or a group of County Council members, the results of our audit work.

After discussing our findings with you, we will jointly determine whether the time and cost of preparing a written report is warranted. If so, we will draft and deliver such a written report to you.

An estimate of the costs associated with our proposal

Since we do not yet know the exact nature of your questions/concerns we do not yet have an idea of the scope of this project. As a result, an estimate of our fees and out-of-pocket expenses is not possible.

As discussed with Mr. Weaver, we propose that we spend time accomplishing as much of the Stage 1 and Stage 2 work as we can, until we incur \$15,000 of total costs. At that point, we will provide a preliminary, verbal report to you and we can jointly decide whether additional work is necessary. If, after \$15,000 of work, we have no findings, you may decide not to spend any additional time and money. If, however, after \$15,000 of work, we have findings, you may want to proceed with additional work.



Mr. Steve Willis, County Administrator
June 1, 2015
Page 3

An estimate of the time it would take to complete the assignment

Our current estimate is that after three weeks, we should be able to tell whether we will have any findings. Once we have completed Stage 1 of our work, I will be able to provide you with a better estimate of our timing.

Summary

As a firm, we have worked on a number of forensic auditing engagements. We are confident that we have the skills and experience to complete this project.

The firm shareholder that will be responsible for this engagement is Thomas Pietras. You can find Tom's resume and more information about our firm at www.bpscpas.com.

We look forward to helping you with this project. If you have any questions, please do not hesitate to call Tom Pietras at (803) 771-8943.

Yours very truly,

Bantinght Pietras + Starn, P.A.

Agenda Item Summary

Ordinance # / Resolution#: N/A

Contact Person / Sponsor: Steve Willis/John Weaver

Department:

Date Requested to be on Agenda: June 8, 2015

Committee: N/A

Issue for Consideration: The Lancaster County Economic Development Corporation (LCEDC) Board has approved and is recommending to Lancaster County Council substantial revisions to its existing corporate bylaws. The present bylaws were approved by Council on October 13, 2014. The County Attorney has reviewed the proposed 2015 bylaws and has offered to Council a summary of both the terms of the new proposed bylaws and the procedure(s) through which Council should act as the new bylaws are considered, debated and voted upon.

Points to Consider: Pursuant to the terms set forth in the 2014 LCEDC bylaws (Article XI), the bylaws may be amended, repealed or altered in whole or in part by a two-thirds majority vote ($7 \times 66.66\% = 4.666 = 5$ votes) of the County Council at any regularly scheduled meeting of the County Council.

There is no provision in the 2014 LCEDC bylaws regarding the corporation's approval being necessary for Council's decisions regarding the proposed 2015 LCEDC bylaws. In other words, for example, Council could decide to have 5 Board members or 25 Board members and, thereafter, LCEDC would have no option other than to accept. It is highly doubtful that either Council or LCEDC wants that result. That is an example of one of the deficiencies in the 2014 LCEDC bylaws. It is for that reason that Options #2 and #3 both recommend that Council's decisions not be final but, rather, be remanded back to LCEDC for consideration rather than becoming final by the unilateral decision of Council.

Funding and Liability Factors: The consideration of the 2015 proposed bylaws of LCEDC is separate and distinct from the funding to be provided by Council to the LCEDC for its FY16 operations.

Council Options:

1. Approve the bylaws in their entirety as recommended by the LCEDC Board. (5 votes needed)
2. Reject the bylaws in their entirety as recommended by the LCEDC Board (5 votes needed) and remand the bylaws back to the LCEDC for reconsideration.
3. Consider individual portions of the bylaws as recommended by the LCEDC Board and vote on each Article and Section separately. (5 votes needed for approval) Those Articles and/or Sections not receiving a 5 vote majority are deemed to have been rejected. Any rejected Article/Section may be amended with an appropriate Motion/Second, but a 5 vote majority is necessary for the amendment to be approved.

Recommendation: There are portions of the proposed LCEDC bylaws that are standard "boilerplate" provisions that are contained in most all corporate bylaws. Those particular sections have been noted in the County Attorney's memorandum. The recommendation for those sections is APPROVAL by 5+ vote majority of Council.



TO: Lancaster County Council

FROM: John L. Weaver, County Attorney

A handwritten signature in blue ink, appearing to read "JLW", is written over the "FROM:" line.

DATE: June 8, 2015

SUBJECT: LCEDC Bylaw Review, Revisions and Board Appointments

I have been asked by the Administrator to prepare this Memorandum following my review of, not only the present Lancaster County Economic Development Corporation's (LCEDC) bylaws approved by Council on October 13, 2014 through the passage of Ordinance No. 2014-1279 (**Exhibit 1**), but also the proposed 2015 LCEDC bylaws as amended and adopted on April 21, 2015 by the LCEDC membership. (**Exhibit 2**) It is noted that although the proposed bylaws were adopted (recommended) by the LCEDC membership, Article XI of the 2014 bylaws requires only that a two-thirds majority of the LCEDC Board is needed to recommend the proposed 2015 LCEDC bylaws.

In addition, I have been presented with an April 12, 2015 memo from the Chairman of the LCEDC Nominating Committee that lists the recommended nominees and their respective years of service for the FY16 Board. (**Exhibit 3**) A discussion of the procedure for Council's approval or rejection of those nominees is contained further in this memorandum.

In reviewing the various documents before me, it is my opinion that the 2014 ordinance and bylaws noted above will dictate the procedures and actions of Council until new bylaws are approved by Council through the passage of a new ordinance. This opinion is based upon the following language contained in the documents noted below:

- a. Ordinance 2014-1279, Section 2, reads in part, "**No changes may be made to the Bylaws except upon passage of an ordinance by Council to that effect.**"

- b. The LCEDC bylaws accompanying the 2014 ordinance and incorporated therein by reference include the following in Article XI, **“These By-Laws may be amended, repealed, or altered in whole or in part by a two-thirds majority vote of the County Council at any regularly scheduled meeting of the County Council. The Board, by a two-thirds majority vote, may recommend to County Council changes to these By-Laws.”**

In summary, prior to addressing the particulars and the differences between the existing 2014 bylaws and the proposed 2015 bylaws, my opinion is that:

- a. Any changes from the existing 2014 bylaws and the adoption and approval of the new proposed 2015 bylaws must be accomplished by a five (5) vote majority of County Council.
- b. If, following debate by Council, there are recommended changes to the proposed bylaws, I suggest that those changes go back to the LCEDC Board for consideration. However, because of the lack of certain provisions in the 2014 bylaws, Council **could** on its own decide upon changes and adopt an ordinance that approves those changes independently. However, to avoid controversy and dissention, proposed changes (requiring a 5 vote approval) should be returned to the Board for consideration and approval. If Council cannot gather 5 votes to approve the proposed 2015 bylaws, then the existing 2014 bylaws would remain the controlling organizational document for LCEDC.

As for the appointment of the new LCEDC Board members, the Board is being reconstituted – meaning that the length of service for an initial term for the nominees to the Board is being changed and revamped.

The existing 2014 bylaws, Article VI, allows for appointment of Board members for four (4) year terms only. The new method for

Page 3

appointment/selection of Board members as proposed in the 2015 bylaws has staggered terms:

- a. Four (4) members recommended for only one year of service;
- b. Four (4) more members recommended for two years of service;
- c. Four (4) more members recommended for three years;
- d. Five (5) more members for four years of service.

Because the terms of appointment are being changed from a straight four year appointment to the new, staggered terms of appointments, that change is an amendment to the existing bylaws and, likewise, will require a five vote majority of Council to be approved. Thereafter, if the staggered term of appointment amendment is approved by Council, only four votes of Council will be needed to approve any one recommended nominee or the entire slate of recommended nominees.

**Comparison of the Provisions of the
Approved 2014 LCEDC Bylaws and
the Proposed 2015 LCEDC Bylaws**

2015 Bylaws

Articles I (Name), **Article II** (Offices), **Article III** (Organization, Fiscal Year, Terminology, Captions), **Article V** (Members and Membership), **Article IX** (Contracts, Checks and Deposits)*, **Article X** (Liability, Indemnification, Insurance), **Article XI** (Regulation), **Article XII** (Amendments and Conflicts), **Article XIII** (Seal) and **Article XIV** (Dissolution) all appear to be well drafted and in accordance with SC state law.

*Article IX (d): “All funds of the Corporation not otherwise employed...”??

Article IV (Purposes, Powers and Policies)

Section IV (b) (ix) states an objective of LCEDC is, “to engage in incentive negotiations to induce capital investment and job creation.”

Inquiry:

- a. Is it the role of LCEDC to advise perspective businesses of the possible incentives offered by the State and Lancaster County?
- b. Is it the role of LCEDC to undertake incentive negotiations independent of Council’s consent, making commitments upon which the business may rely?
- c. Is it the role of LCEDC to advise Council of the nature of the business and, thereafter, to relay to the business the incentives which Council authorizes?

Article VI (Board of Directors)

- a. Section VI (b) - Seventeen (17) members.

*******There is no reference in this section that requires Lancaster County residency.*

- b. Section VI(c) – The Lancaster County Council has full authority to elect Members of the Board.
- c. Section VI (d) – All Directors serve four (4) years

**** Exhibit 3** *Beginning in July, 2015, the first round of Directors will serve on a staggered basis from one to four years. The LCEDC Board has made a recommendation to Council on, not only the nominees, but also on the initial term that each nominee has been recommended to serve. Council is not bound to accept any of the nominees or may by acclamation accept them all in a single vote. It is*

my opinion that if Council approves the new staggered appointment process that it cannot decide which director will serve for a particular term of years. However, Council can decide to elect or reject a particular director based upon the term of years that the LCEDC Nominating Committee has recommended or, for that matter, Council can decide to reject a particular Board nominee without explanation. A four vote majority is necessary to approve the election of a nominee.

It is advisable whenever a Board is being reconstituted that the initial terms of directors be staggered so as to insure subsequent corporate unity. Had the 2014 bylaws contained such a provision (which generally would have been standard language in any corporation's initial bylaws), no further consideration on this staggered term concept would have been required by Council. But, unfortunately, that is not the case inasmuch as the 2014 bylaws contain no such language. Because the Board is being reconstituted, Council must approve this change from a straight 4-year appointment to an initial staggered appointment provision by a 5 vote majority.

As for the individual Board members themselves, the LCEDC website lists the following Board members as of this date:

1. Steve Gedney
2. Sandy Martin
3. Michael C. Bilodeau
4. Ann Taylor
5. Jack Estridge
6. Dean Faile
7. Margaret Gamble
8. John Howard
9. Philip Monroe
10. Larry McCullough
11. David Thomas
12. Steve Harper
13. Janice Dabney
14. Steven White
15. Wayne Rhodes
16. VACANT
17. VACANT

Of the 15 named Board members, ten of those named members have been recommended for reappointment to the FY16 Board.

Both the 2014 bylaws (Article VI, Section 2) and the proposed 2015 bylaws [Article VI(d)] contain the same language regarding service, **“An elected director may serve no more than two full consecutive terms without a minimum twelve month hiatus from the board.”**

However, the proposed 2015 bylaws also contain this language, **“No Director, except those serving ex officio, or those appointed to fill an unexpired term, shall serve more than two consecutive terms.”**

This language is not contained in the 2014 bylaws and would require a 5 vote majority to approve. If approved, all ex officio board members would be eligible for unlimited service and, accordingly, would eliminate any eligibility issues any of the eight recommended ex officio nominees, namely, Mr. Harper, Mr. Faile (if added as an 8th ex officio appointee), Mayor Rhodes, Lancaster’s unnamed appointee, Mrs. Taylor, Mrs. Gamble. But, the provision above must be OK’d by a 5 vote majority of Council to approve unlimited ex officio service.

I have requested from the LCEDC staff information regarding length of service and the number of terms that each board member sitting at present has served. I have not been provided with those answers. Whether or not that would have any bearing on the eligibility of any of the board nominees for continued service is unknown.

- d. Section VI (e) – This section references, by number, seven (7) ex officio directors. However, on page 4 of the proposed bylaws, eight (8) directors have been indicated. The Lancaster County Chamber of Commerce President is listed here. Some correction is necessary. Either the Chamber President is an ex officio director, making eight (8) total ex officio directors or, alternatively, the Chamber President is removed entirely. If the number is eight (as I expect to be the case), then there will be only nine private sector/business directors that are to be nominated by the corporation.
- e. Section VI (e) – The Town of Kershaw has no Town Manager. The Town has an Administrator and members of Town Council. A correct, specific title should be substituted.
- f. Section VI (e) – The Administrator has recommended that this provision requiring that a Planning Department representative be in attendance be deleted.

- g. Section VI (g) – Directors may be removed from office by vote of Council as determined under the rules of Council. (4 votes) This provision is not in the 2014 bylaws.
- h. Section VI (h) – This provision is not exactly clear, but should be interpreted and understood to mean that all vacancies either by appointment or nomination, will be filled upon a favorable majority vote of Council.
- i. Section VI (j) – The Administrator has recommended that this provision be amended so as to require the LCEDC’s annual audit be provided to the County’s Financial Director not later than October 31st of each year. The purpose is to allow the county’s external auditor the opportunity to review.

Article VII (Meetings of Directors)

- a. Section VII (d) – This provision requires that a majority of directors be present at a meeting for there to be a quorum. However, this same section permits the business of the corporation to continue even if, during the course of the meeting, less than a quorum remains in attendance, with five (5) at all times thereafter being the absolute minimum number.
- b. Section VII (e) – Informal Action by Directors. Any such action taken without an actual meeting being called, with public notice, would constitute a FOIA violation.
- c. Section VII (f) – This provision permits meetings via telephone conference calls and would constitute a FOIA violation. It is my recommendation that all meetings of every type, including committees, be held in public session after proper public notice.

Article VIII (Officers)

- a. Section VII(c) – This provision allows the removal of any corporate officer only with cause as determined by the Board. A corporate officer cannot be removed without cause. Additionally, if a corporate officer is removed with cause, any contractual obligation of the corporation involving that employee cannot be voided. For example, should an officer commit a crime and the Board remove/terminate the officer, any salary, benefits, etc. would continue uninterrupted for the term of the contract.
- b. Section VIII (d) – This section contains the following language, **“The County Administrator shall assist the Corporation in securing any resources of the County necessary in order to undertake its enumerated purposes.”** It is my recommendation that this provision be deleted, recognizing that the Administrator is answerable to County Council and not to the LCEDC CEO/President.

Article XII

Section XII(a) – The language in this section is similar to that in Article XI of the 2014 bylaws in that any subsequent amendment(s) or restatements must be approved by a two-thirds (2/3) vote of Council prior to adoption by the Board of Directors of the Corporation.

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LANCASTER, SC

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

ORDINANCE NO. 2014-1279

AN ORDINANCE

TO AUTHORIZE AND APPROVE THE BYLAWS OF THE LANCASTER COUNTY ECONOMIC DEVELOPMENT CORPORATION; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and determinations; Purpose.

(A) The Council finds and determines that:

(1) Section 4-9-30 of the Code of Laws of South Carolina 1976, as amended (the "Code"), provides that economic development is a function of county government and the County may make appropriations for economic development;

(2) in *Nichols v. South Carolina Research Authority*, 351 S.E.2d 155 (S.C. 1984) the South Carolina Supreme Court determined that economic development is a valid public purpose;

(3) the investment of capital and creation of jobs is of vital importance to the citizens of the County;

(4) economic development is one of the more important functions performed by the County;

(5) to successfully provide for the economic development function in the County's government requires an approach that is tailored to the needs of the various economic development constituencies in the County;

(6) Council, by passage of Resolution of Endorsement #92, dated July 29, 1985, found that the Bylaws of the Lancaster County Economic Development Corporation constituted a viable economic development framework and endorsed the establishment of the then proposed non-profit corporate structure;

(7) the Internal Revenue Service has determined, by letter dated September 8, 1988, that the Lancaster County Economic Development Corporation is exempt from federal income tax under Section 501(c)(4) of the Internal Revenue Code;

(8) the Lancaster County Economic Development Corporation is organized under South Carolina law as a non-profit entity; and

(9) the use by the County of the Lancaster County Economic Development Corporation as a means to fulfill the County's economic development objectives is in the best interests of the County and its citizens.

(B) It is the purpose of this ordinance to approve the revised bylaws of the Lancaster County Economic Development Corporation.

Section 2. Approval of bylaws.

The Bylaws for the LCEDC, attached to this ordinance as Exhibit A (the "Bylaws"), are authorized, ratified and approved, and all the provisions, terms, and conditions thereof are authorized, ratified and approved and the Bylaws are incorporated herein by reference as if the Bylaws were set out in this ordinance in its entirety. The form and content of the Bylaws, which must be exactly as attached to this ordinance, are hereby approved. No changes may be made to the Bylaws except upon passage of an ordinance by Council to that effect.

Section 3. Confirmation of appointments to board of directors.

Council ratifies and confirms the appointment or election of the members of the Board of Directors of the Lancaster County Economic Development Corporation serving on the effective date of this ordinance. The members of Board of Directors serving on the effective date of this ordinance shall serve for the balance of the term for which the member was appointed or elected and such service shall be deemed to be accordance with the Bylaws.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other Lancaster County orders, resolutions and ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Severability.

If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

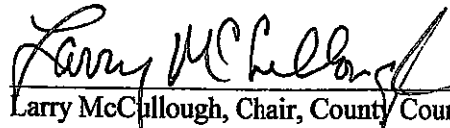
Section 6. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

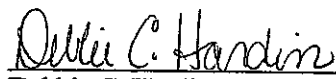
AND IT IS SO ORDAINED, this 13th day of October, 2014.

LANCASTER COUNTY, SOUTH CAROLINA


Larry McCullough, Chair, County Council


Jack Estridge, Secretary, County Council

ATTEST:


Debbie C. Hardin, Clerk to Council

First Reading: June 9, 2014
Second Reading: June 23, 2014
Public Hearing: July 14, 2014
Third Reading: July 14, 2014
Third Reading: August 11, 2014
Third Reading: October 13, 2014

Approved as to form:


County Attorney

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Exhibit A to Ordinance No. 2014-1279

**Lancaster County Economic Development Corporation
Revised Bylaws**

See attached.

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**BY-LAWS
OF THE
LANCASTER COUNTY ECONOMIC DEVELOPMENT CORPORATION**

ARTICLE I

Corporate Name and Purpose

Section 1. Name. The name of this corporation is the Lancaster County Economic Development Corporation, hereinafter referred to as the Corporation.

Section 2. Purpose. The purpose of this Corporation is, in general, to further economic development in Lancaster County, S.C. to promote and assist in the growth and development of business concerns and to engage in those activities which are in furtherance of, or related to, the purposes herein stated. The principal objective of the Corporation shall be to benefit the County economically by fostering increased employment opportunities and by expansion of business and industry; thereby, lessening the burdens of government and combating community deterioration. Said Corporation is organized as an exempt organization under section 501(c) (4) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

More specifically, the Corporation is empowered to engage in such activities as the following:

(a) To formulate, aid and assist projects designed to promote economic development through the attraction to Lancaster County of new industry, new business, and new commercial enterprises, and through the encouragement of existing industry, existing business, and existing commercial enterprises within the county.

(b) To acquire by purchase, exchange, lease, gift, devise or otherwise, and to hold, own, maintain, manage, improve and develop, and to sell, transfer, convey, lease, mortgage, exchange, or otherwise deal in or with real property situated in the county that is now or may hereafter be suitable or adaptable as a site or sites for the expansion of existing industry, existing business, and existing commercial enterprises;

(c) To borrow or to loan money for its corporate purposes, and to draw, make, accept, endorse and execute notes, debentures, bills of exchange and other negotiable instruments and obligations, and in order to secure the same, or any of its contracts or obligations, to convey, transfer, assign, mortgage or pledge all or any part of the property of this corporation under such terms and conditions as the Board of Directors may determine;

(d) To promote the general business condition of the community and the common good and general welfare of the people of Lancaster County by aiding and encouraging new and expanded industrial development within the County, thus reducing unemployment and affording to the people of the county increased employment opportunities, civic betterment's and social improvements.

(e) To cooperate with the Lancaster County Planning Commission the County of Lancaster, Lancaster County Chamber of Commerce, City of Lancaster, Town of Heath Springs, Town of Kershaw and all other entities or association in all programs for the economic development of Lancaster County and for the common good and general welfare of its people.

(f) To carry on any activity and to deal with and expend any such property or income from for any of the foregoing purposes without limitation, except such limitations, if any, as may be contained in the instrument under which such property is received, the Certificate of Incorporation, the By-Laws of the Corporation, or any other limitations as are prescribed by law, provided that no such activity shall be such as is not permitted by a corporation exempt from Federal Income Tax under Section 501(c)(4) of the Internal Revenue Code of 1954 or any corresponding future provision of the Revenue Code, and that the Corporation shall not attempt to influence legislation by propaganda or otherwise, nor shall it intervene in, or participate in, any political campaign on behalf of any candidate for public office and provided further that no part of the net earnings of this Corporation shall inure to the benefit of any member or private individual, and no member, director or officer of the Corporation shall receive any pecuniary benefit from the Corporation, except such reasonable compensation as may be allowed for services actually rendered to the Corporation.

ARTICLE II

Membership

Section 1. Qualifications. Any person, firm, or corporation may become a member of the Corporation.

Section 2. Membership Classes. Members meeting the qualifications in Section 1 above shall be regular members except for certain entities that shall be classified as ex officio members and that will have authority hereinafter established to appoint certain voting ex officio directors not subject to election by the regular membership. Said ex officio members are Lancaster County Council, Lancaster County School District and the City Councils of Lancaster, Kershaw and Heath Springs.

Section 3. Resignation. Any member may withdraw from the Corporation after fulfilling all obligations to it by giving written notice of such intention to the Secretary, which notice shall be presented to the Board of Directors of Executive Committee by the Secretary at the first meeting after its receipt.

Section 4. Suspension. A member may be suspended for a period or expelled for cause such as violation of any of the By-Laws or Rules of the Corporation, or for conduct prejudicial to the best interests of the Corporation. Suspension or expulsion shall be by a two-thirds vote of the membership of the Board of Directors, provided that a statement of the charges shall have been mailed by registered mail to the member under charges at his or her last recorded address at least fifteen days before final action is taken thereon; this statement shall be accompanied by a notice of the time when and place where the Board of Directors is to take action in the premises. The member shall be given an opportunity to present a defense at the time and place mentioned in such notice.

ARTICLE III**Fiscal Year and Audit**

Section 1. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of July and end on the last day of June in each year.

Section 2. Audit. The Board of Directors shall have a certified audit made by a Certified Public Accountant of all books, records, reports, correspondence, or any other matter pertaining to the fiscal affairs of the corporation and report findings to the Board of Directors following the close of each fiscal year. The audit shall be made not less than once each fiscal year with one copy provided to each Director.

ARTICLE IV**Dues**

Section 1. Annual Dues. The Board of Directors may determine from time to time the amount of initiation fee, if any, and annual dues payable to the Corporation by members.

Dues of ex officio members shall be initially established by the Board of Directors. Proposed ex officio dues shall be submitted to each ex officio member prior to fiscal year for which they are intended and shall become final upon majority approval of the affected ex officio member's governing body. It is intended that ex officio member dues offset a reasonable portion of normal operating expenses and that amounts considered necessary for special activities such as debt service, real property acquisition/development, and promotions/entertainment be excluded from their calculations.

Section 2. Payment of Dues. Dues shall be payable in advance on the first day in each fiscal year. Dues of a new member shall be prorated from the first day of the month in which such new member is elected to membership, for the remainder of the fiscal years of the Corporation.

Section 3. Default and Termination of Membership. When any member shall be in default in the payment of dues for a period of three months from the beginning of the fiscal year or period for which such dues became payable, his/her membership may thereupon be terminated by the Board of Directors in the manner provided in Article II, Section 4, of these By-Laws.

ARTICLE V**Meetings**

Section 1. Annual Meetings. There shall be an annual meeting no later than the thirtieth day of April in each year for election of members of the Board of Directors and for receiving the annual reports of officers, directors, and committees, and the transaction of other business. Notice of the meeting, shall be mailed, except as herein or by statute otherwise provided, to the last recorded address of each member at least five days and not more than 30 days before the time appointed for the meeting. All notices of meetings shall set forth the place, date, time and purpose of the meeting.

Section 1-A. Regular Board Meetings. There shall be regular meetings of the Board of Directors every other month to conduct the business of the corporation. Notice shall be given the public and all Board Members at least 48 hours in advance of the meeting. Meetings will be held beginning each fiscal year on the second Monday of July with regular meetings to be held the second Monday of September, November, January, March, and May of the fiscal year.

Section 2. Special Meetings of Members. Special meetings may be called by the Board of Directors or the Executive Committee at their discretion. Upon the written request of twenty members, the Board of Directors shall call a special meeting to consider a specific subject. Notice for any special meeting is to be given in the same manner as for the annual meeting. No business other than that specified in the notice of meeting shall be transacted at any special meeting of the members of the Corporation.

Section 3. Waiver. Notwithstanding the provisions of any of the foregoing sections, a meeting of the members of this Corporation may be held at any time and at any place within or without the State of South Carolina, and any action may be taken thereat, if notice is waived in writing by every member having the right to vote at the meeting.

Section 4. Quorum. The presence in person or by proxy of a majority of the members of the Corporation entitled to vote shall be necessary to constitute a quorum for the transaction of business.

Section 5. Inspectors of Election. Two inspectors of Election shall be chosen by vote of the members at the annual meeting and at each subsequent annual meeting. They shall act as inspectors of Election at the next annual meeting and at all special meetings until the next annual meeting.

Section 6. Voting. Any member of a firm or an officer of a corporation may represent it at any meeting. Any firm or corporation may be represented at any meeting by any member of its staff delegated by it for that purpose; but each firm or corporation shall be entitled to only one vote. If the manner of deciding any question has not otherwise been prescribed, it shall be decided by majority vote of the members present in person or by proxy.

Section 7. Proxies. Every member of the Corporation entitled to vote at any meeting thereof may vote in proxy. A proxy shall be in writing and revocable at the pleasure of the member executing it. Unless the duration of the proxy is specified, it shall be invalid after eleven months from the date of its execution.

Section 8. Order of Business. The order of business shall be as follows at all the general membership meetings of the Corporation:

- (a) Calling of the roll.
- (b) Proof of notice of meeting or waiver of notice.
- (c) Presentation of the minutes.
- (d) Receiving communications.

- (e) Reports of officers.
- (f) Reports of committees.
- (g) Unfinished business.
- (h) New business.

Any question as to priority of business shall be decided by the Chair without debate.

This order of business may be altered or suspended at any meeting by a majority vote of the members present.

ARTICLE VI

Directors

Section 1. Number. The property, affairs, activities, and concerns of the Corporation shall be vested in a Board of Directors, consisting of seventeen (17) directors, including nine (9) regular and eight (8) ex officio. The members of the Board shall, upon appointment or election, immediately enter upon the performance of their duties and shall continue in office until their successors shall be duly elected or appointed and qualified.

Section 2. Election of Directors and Term. The LCEDC Board of Directors shall provide a list of nominees annually each June to the Lancaster County Council for their election of individuals to serve on the LCEDC Board of Directors for the coming fiscal year. The Lancaster County Council has full authority to elect members of the Board.

The LCEDC Board of Directors at each annual meeting, shall nominate a number of directors equal to that of those whose terms have expired and each shall be elected for the term of four (4) years. An elected director may serve no more than two full consecutive terms without a minimum twelve month hiatus from the board.

Seven (7) of seventeen (17) directors shall be classified as ex officio directors with full voting rights and shall be initially and subsequently nominated by ex officio members as follows with election by the Lancaster County Council:

Ex-Officio Members	Number of Directors	Term of Office
Lancaster County Council Members	3	4 Years
Lancaster City Council	1	4 Years
Kershaw Town Council	1	4 Years
Heath Springs Town Council	1	4 Years
Lancaster County School District	1	4 Years

The Ex-Officio members shall be nominated by each governing entity with approval by the Lancaster County Council as follows:

The Chairman of the **Lancaster County Council ("County Council")** shall appoint three members of the Lancaster County Council who shall serve as ex-officio

members for four-year terms. In the event a sitting member of County Council who serves on the Board of Directors no longer retains his/her seat, the County Council Chairman shall appoint a replacement upon the expired County Council term of the appointee.

The **Lancaster County Chamber of Commerce** Board of Directors shall nominate its President to serve as the ex-officio member.

The **Town of Kershaw Council** shall nominate the Town Manager or such suitable representative as its ex-officio member to the Board of Directors.

The **City of Lancaster Council** shall nominate a member of the Lancaster City Council or such suitable representative as its ex-officio member to the Board of Directors.

The **Town of Heath Springs** shall, in the absence of a Town Manager, nominate the duly elected Mayor or such suitable representative as its ex-officio member of the Board of Directors.

The **Lancaster County School District** shall nominate its Superintendent or an elected member of the School District Board as its ex-officio member of the Board of Directors.

In addition, a representative of the Lancaster County Planning Office shall attend meetings in a non-voting advisory capacity.

Section 3. Duties of Directors. The Board of Directors may: (1) hold meetings at such times and places as it thinks proper; (2) admit members and suspend or expel them by ballot; (3) appoint committees on particular subjects from the members of the Board, or from other members of the Corporation; (4) audit bills and disburse the funds of the Corporation; (5) print and circulate documents and publish articles; (6) carry on correspondence; (7) employ agents; and (8) devise and carry into execution such other measures as it deems proper and expedient to promote the objects of the Corporation.

Section 4. Meetings of Board. A regular meeting of the Board of Directors shall be held immediately succeeding the annual election in April for the purpose of electing officers and any other business as necessary. Notice of the meeting shall be made to each member of the Board at least ten days before the time appointed for the meeting. The Chairman may, when he deems necessary, or the Secretary shall, at the request in writing of three members of the Board, issue a call for a special meeting of the Board, and only five days' notice shall be required for such special meetings.

Section 5. Quorum. A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business. In the absence of the Chairman and Vice Chairman, the quorum present may choose a Chairman for the meeting. If a quorum is not present, a lesser number may adjourn the meeting to a later day, not more than ten days later.

Section 6. Absence. Should any regular member of the Board of Directors absent himself unreasonably from three consecutive meetings of the Board without sending a communication to the Chairman or Secretary stating his reason for so doing, and if his excuse should not be accepted by the members of the Board, his seat on the Board may be declared vacant, and the Chairman may forthwith proceed to fill the vacancy.

Section 7. Vacancies. Whenever any elected member vacancy occurs of Directors by death, resignation, or otherwise, it shall be filled without undue delay by nomination by the Board and a majority vote of the County Council at its next regularly scheduled meeting. Members representing County Council shall be appointed by the Chairman. The person so chosen shall fulfill the unexpired term of the director and may be reelected to two additional consecutive terms.

Section 8. Removal of Elected Directors. Any one or more of the directors may be removed either with or without cause, at any time, by a vote of two-thirds of the members present at any special meeting called for that purpose.

ARTICLE VII

Officers

Section 1. Number. The officers of this Corporation shall be Chairman, Vice-Chairman, a Secretary, Treasurer, and a member of the Lancaster County Council as appointed by the County Council Chairman who will serve as a second Vice-Chairman.

Section 2. Method of Election. The Board of Directors shall elect all officers for a term of one year, the Chairman and Vice-Chairman being elected from the Board of Directors. A majority of a quorum present shall be necessary to constitute an election. The initial terms of the officers shall be deemed to begin July 1 for purposes of calculating the expiration of said terms. The term is from July 1 fiscal year to June 30 the following year. Chairman may serve no more than two full consecutive terms.

Section 3. Duties of Officers. The duties and powers of the officers of the Corporation shall be as follows:

Chairman

The Chairman shall preside at all meetings of the Corporation and of the Board of Directors and of the Executive Committee and shall be a member ex officio, with right to vote, of all committees except the Nominating Committee. He shall also, at the annual meeting of the Corporation and such other times as he deems proper, communicate to the Corporation or to the Board of Directors such matters and make such suggestions as may in his opinion tend to promote the prosperity and welfare and increase the usefulness of the Corporation and shall perform such other duties as are necessarily incident to the office of the Chairman.

Vice Chairman

In case of death or resignation of the Chairman, or the inability from any cause to act the Vice-Chairman shall succeed to the office of Chairman.

Secretary

It shall be the duty of the Secretary to give notice of and attend all meetings of the Corporation and its several divisions and all committees and

keep a record of their doings; to conduct all correspondence and to carry into execution all orders, votes, and resolutions not otherwise committed; to keep a list of the members of the Corporation, to collect the fees, annual dues, and subscriptions and pay them to the Treasurer; to notify the officers and members of the Corporation, of their election; to notify members of their appointment on committees; to furnish the Chairman of each committee with a copy of the vote under which the committee is appointed, and at his request give notice of the meetings of the committee; to prepare under the direction of the Board of Directors, an annual report of the transactions and conditions of the Corporation, and generally to devote his/her best efforts to forwarding the business and advancing the interests of the Corporation. In case of absence or disability of the Secretary, the Executive Committee may appoint a Secretary pro tem. The Secretary shall be the keeper of the Corporation's seal.

Second Vice-Chairman

The County Council Vice-Chairman Appointee will serve on the Executive Committee and provide assistance to the Committee and report back to the County Council on the actions and activities of the Executive Committee as needed.

Treasurer

The Treasurer shall keep an account of all moneys received and expended for the use of the Corporation, and shall make disbursements only upon vouchers approved in writing by any member of the Executive Committee. He shall oversee deposits to a bank, or banks, or trust company approved by the Executive Committee, and make a report at the annual meeting or when called upon by the Chairman.

The funds, books, and vouchers in his hands shall at all times be under the supervision of the Executive Committee and subject to its inspection and control. At the expiration of his/her term of office, he/she shall deliver over to his/her successor all books, moneys, and other property, or, in the absence of a treasurer-elect, to the Chairman.

Section 4. Bond of Treasurer. The treasurer shall, if required by the Board of Directors, give to the Corporation such security for the faithful discharge of his duties as the Board may direct.

Section 5. Vacancies. All vacancies in any office shall be filled by the Board of Directors without undue delay, at its regular meeting, or at a meeting specially called for that purpose. Completion of a partial term of office shall not be used to calculate term of office limitations.

Section 6. Compensation of Officers. The officers shall not receive any salary but may be reimbursed for expenses incurred in the line of service to the corporation.

ARTICLE VIII

Committees

Section 1. Executive Committee. There shall be elected annually by the Board of Directors one member thereof who, with the Chairman, the Vice Chairman, the Treasurer, the Secretary, and the Second Vice-Chairman, shall constitute an Executive Committee. Additionally, the immediate past Chairman of the development corporation is to serve for a period of one year, on the Executive Committee for purposes of continuity in policy development and operational and administrative procedures. ~~The Executive Committee shall appoint such employees as may be necessary to conduct the business of the Corporation;~~ they may act on behalf of the Corporation in any matter when the Board of Directors is not in session, reporting to the Board of Directors for its ratification of their action at each regular or special meeting called for that purpose. Three members shall constitute a quorum for the transaction of business. Meetings may be called by the Chairman or- by three members. The Executive Committee shall have the Treasurer's accounts audited at least once each year by an accountant and report thereon to the Board of Directors.

Section 2. Committee on Nominations. No later than October 31st of each year, the Board of Directors shall appoint a Nominating Committee of five members, whose duty it shall be to nominate candidates (LCEDC members in good standing) to replace retiring directors at the next annual election. They shall notify the Secretary in writing, at least twenty (20) days before the date of the annual meeting, of the names of such candidates, and the Secretary, except as herein otherwise provided, shall mail a copy thereof to the last recorded address of each member simultaneously with the notice of the annual meeting. In addition the nominating committee shall recommend a slate of officers to be elected at the board meeting immediately following the annual meeting. Additional nominations from the floor may be considered.

Section 3. Independent Nominations. Nominations for directors may also be made, endorsed with the names of not less than ten members (in good standing) of the Corporation, if forwarded to the Secretary at least five days prior to the annual meeting of the Corporation for immediate transmittal by him/her to the members.

Section 4. Other Committees. At the first meeting of the Board of Directors after their election, or as soon thereafter as practicable, the Chairman may, subject to its approval appoint such standing committees as Committee of Membership, Committee on Projects Committee on Business Relations and Recruitment, Committee on Information and Statistics and Committee on Publicity. The members of such committees shall hold office until the appointment of their successors.

Section 5. Special Committees. The Chairman may, at any time, appoint other committees on any subject for which there are no standing committees.

Section 6. Committee Quorum. A majority of the members present at any committee meeting of the Corporation shall constitute a quorum for the transaction of business, unless any committee shall be a majority vote of its entire membership decide otherwise.

Section 7. Committee Vacancies. The various committees shall have the power to fill vacancies in their membership.

ARTICLE IX**Annual Operating Budget**

Section 1. Preparation and Adoption. The Board of Directors shall, prior to the end of each fiscal year, adopt by majority an annual operating budget including a revenue fund composed of line items by source and an expenditure fund composed of line items by object account. In addition, the Board of Directors may, as deemed necessary, adopt a capital projects budget and/or a special projects budget, and/or a debt service budget.

Section 2. Budget Controls. Any budget(s) adopted by the Board of Directors shall balance as to expenditure and revenue funds. No expenditure line item allocation shall be exceeded. However, budget items may be amended by transfer or supplemental appropriation by majority action of the Board of Directors. The Executive Committee shall prepare any budget proposed for adoption and shall transmit copies thereof to the Board of Directors at least ten (10) days prior to be considered for adoption.

ARTICLE X**Distribution upon Dissolution**

In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in Sections 501(c) (4) and 170 (c) (2) of the Internal Revenue Code, or to the Federal, State, or Local Government for exclusive public services.

Notwithstanding any other provision of these articles, this corporation shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from Federal Income tax under Section 501 (c) (4) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law or (b) a corporation contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code of 1954 or any other corresponding provision of any future United State Internal Revenue Law.

ARTICLE XI**Amendments**

~~These By-Laws may be amended, repealed, or altered in whole or in part by a two-thirds majority vote of the corporate membership at any duly organized meeting of the Corporation. Votes may be cast by members present or by proxy. The proposed change shall be mailed to the last recorded address of each member at least ten days before the time of the meeting, which is to consider the change.~~

These By-Laws may be amended, repealed, or altered in whole or in part by a two-thirds majority vote of the County Council at any regularly scheduled meeting of the County Council. The Board, by a two-thirds majority vote, may recommend to County Council changes to these By-laws.

Adopted February 20, 1986
Amended May 5, 1987
April 28, 1992
April 22, 1996
January 9, 2006
April 16, 2007
April 19, 2010
April 29, 2011
April 18, 2012

Amendment: 1

The City of Lancaster Council shall appoint a member of the Lancaster City Council as its ex-officio member to the Board of Directors.

Exhibit 2

BYLAWS OF LANCASTER COUNTY ECONOMIC DEVELOPMENT CORPORATION

**As Presented To The LCEDC Membership
At The Annual Meeting of the LCEDC
April 21, 2015**

**As Approved By The LCEDC Membership As Amended
April 21, 2015**

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**BYLAWS
OF
LANCASTER COUNTY ECONOMIC DEVELOPMENT CORPORATION**

ARTICLE I

NAME

The name of this corporation is Lancaster County Economic Development Corporation (hereinafter referred to as the "Corporation").

ARTICLE II

OFFICES

The registered and principal offices of the Corporation shall be in the County of Lancaster, State of South Carolina. The Corporation may have such other offices, within or without the State of South Carolina, as the Board may designate and as the activities of the Corporation may require from time to time.

ARTICLE III

GENERAL

Section III(a). Organization. The Corporation is a non-profit organization (i) established and operating in accordance with the provisions of 26 U.S.C. ("Internal Revenue Code") §§ 501(c)(4) and 509 (a)(1), (2) or (3) and the regulations thereunder, and §§ 12-6-40 and 12-6-580, Code of Laws of South Carolina 1976 as amended ("South Carolina Code" or "S.C. Code"), and (ii) incorporated under the South Carolina Nonprofit Corporation Act of 1994 [Chapter 31, Title 33, S.C. Code (the "Nonprofit Act")]. The Corporation is an independent and autonomous organization.

Section III(b). Fiscal Year. The Corporation shall operate on a fiscal ("accounting" or "program") year basis, beginning July 1 and ending June 30. The Corporation's period of duration shall be perpetual unless terminated in accordance with Article XIV of these Bylaws.

Section III(c). Terminology. When used in these Bylaws, any male noun or pronoun refers to persons of either sex, and the term "person" means any individual, trust, estate, partnership, association, foundation, company, corporation or governmental body.

Section III(d). Captions. The headings, titles, and captions of the Articles and Sections of these Bylaws are inserted only to facilitate reference. They shall not define, limit, extend, or describe the scope or intent of these Bylaws or any provision hereof, and they shall not constitute a part hereof or affect the meaning or interpretation of these Bylaws or any part hereof.

ARTICLE IV

PURPOSES, POWERS AND POLICIES

Section IV(a). General Purpose. The Corporation is organized and shall operate exclusively for charitable, educational and/or scientific purposes within the meaning of § 501(c)(4) of the Internal Revenue Code of 1986, as amended (or the corresponding provisions of any future United States Internal Revenue Law); no part of the net earnings of the Corporation shall inure to the benefit of any private shareholder or individual; no substantial part of the activities of the Corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation; and the Corporation shall not participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of a candidate for public office. Notwithstanding any other provisions of these Bylaws, the Corporation shall not carry on any activities not permitted to be carried on (i) by an organization described in 26 U.S.C. §§ 501(c)(4) and 509(a)(1), (2) or (3), or (ii) by an organization contributions to which are deductible under the provisions of 26 U.S.C. § 170(c)(2), or any other corresponding provisions of any future United States Internal Revenue Law.

Section IV(b). Specific Purposes. The Corporation is organized and will operate as a supporting organization exclusively for the benefit of, to perform the functions of, or to carry out the purposes of Lancaster County, South Carolina (the "County") by assisting the County in its governmental function of promoting and enhancing the economic growth and development of the County for the benefit and welfare of the citizens of the County, and will generally lessen the burdens of County government by becoming an integral part of the larger program of County government responsible for economic development needs of the County and by maintaining a close interrelationship with and working cooperatively with the County in order to carry out the aforesaid programs of economic development.

To this end, the objectives of the Corporation will further the County's overall mission to create jobs and to implement sustainable community and economic development by providing resources (i) to attract new business and industry to the area, (ii) to assist the County in business and industry retention, (iii) to assist the County in the creation and retention of jobs throughout the area, (iv) to respond to business and industry prospects and undertake related follow-up, (v) to conduct marketing and advertising of the County's qualities related to economic development, (vi) to facilitate data collection and research, (vii) to undertake prospect meetings and field trips, (viii) to promote public/community relations and combat community deterioration, (ix) to engage in incentive negotiations to induce capital investment and job creation, (x) to promote infrastructure development, and (xi) to facilitate fund raising activities for the foregoing purposes.

In connection with the aforesaid purposes, the Corporation's activities will include the following: obtaining, acquiring, receiving, constructing, erecting or otherwise providing real and personal property and holding, retaining, leasing, licensing, renting, managing, investing, reinvesting, selling, or otherwise disposing of or assigning the income from and/or rights in or to real and personal property, and engaging in any and all lawful activities necessary or incident to the foregoing purposes, except as may be limited herein.

Section IV(c). Powers. The Corporation will have such powers as are now or may hereafter be granted corporations under the Nonprofit Act, as amended, except as may be limited by the Corporation's Articles of Incorporation or Bylaws.

Section IV(d). Operating Policies, Procedures and Guidelines. The Board may adopt, amend, or restate Operating Policies, Procedures and Guidelines from time to time in order to implement the purposes of the Corporation.

ARTICLE V

MEMBERS AND MEMBERSHIP

As provided in the Corporation's Articles of Incorporation pursuant to S.C. Code § 33-31-603, the Corporation does not have members within the meaning of S.C. Code § 33-31-140(23). Any use of "member" or "membership" in these Bylaws should be understood in its immediate context, and not to refer to "members" within such statutory definition.

ARTICLE VI

BOARD OF DIRECTORS

Section VI(a). General. The Board of Directors (the "Board" or the "Directors") of the Corporation will be the governing body of the Corporation and will be vested with the entire management of the business and affairs of the Corporation. The standard of care applicable to the Directors is that provided in S.C. Code §§ 33-31-830 through 834. All corporate powers shall be exercised and all affairs of the Corporation shall be managed under the authority and direction of the Board.

Section VI(b). Number, Terms and Qualifications. The number of Directors constituting the Board of Directors shall be not less than seventeen (17).

Section VI(c). Election of Directors and Term. The LCEDC Board of Directors by vote of its Nominating Committee shall provide a slate of nominees annually each June to the Lancaster County Council for their election of the slate of individuals to serve on the LCEDC Board of Directors for the coming fiscal year. The Lancaster County Council has full authority to elect members of the Board.

Section VI(d). The LCEDC Board of Directors at each annual meeting, shall nominate a number of directors equal to that of those whose terms have expired and each shall be elected for the term of four (4) years. An elected director may serve no more than two full consecutive terms without a minimum twelve month hiatus from the board.

Section VI(e). Seven (7) of seventeen (17) directors shall be classified as ex officio directors with full voting rights and shall be initially and subsequently nominated by ex officio members as follows with election by the Lancaster County Council:

Ex-Officio Members	Number of Directors	Term of Office
Lancaster County Council Members	3	4 Years
Lancaster City Council	1	4 Years
Kershaw Town Council	1	4 Years
Heath Springs Town Council	1	4 Years
Lancaster County School District	1	4 Years

The Ex-Officio members shall be nominated by each governing entity with approval by the Lancaster County Council as follows:

The Chairman of the Lancaster County Council shall appoint three members of the Lancaster County Council who shall serve as ex-officio members for four-year terms. In the event a sitting member of County council who serves on the Board of Directors no longer retains his/her seat, the County Council Chairman shall appoint a replacement upon the expired County Council term of the appointee.

The Lancaster County Chamber of Commerce Board of Directors shall nominate its President to serve as the ex-officio member.

The Town of Kershaw Council shall nominate the Town Manager or such suitable representative as its ex-officio member to the Board of Directors.

The City of Lancaster Council shall nominate a member of the Lancaster City Council or such suitable representative as its ex-officio member to the Board of Directors.

The Town of Heath Springs shall, in the absence of a Town Manager, nominate the duly elected Mayor or such suitable representative as its ex-officio member of the Board of Directors.

The Lancaster County School District shall nominate its Superintendent or an elected member of the School District Board as its ex-officio member of the Board of Directors.

In addition, a representative of the Lancaster County Planning Office shall attend meetings in a non-voting advisory capacity.

No Director, except those serving *ex officio*, or those appointed to fill an unexpired term, shall serve more than two consecutive terms.

Election of Directors. Any vacancy on the Board of Directors which is filled by persons elected by Council shall be filled by Council as soon as may be convenient for Council.

Section VI(f). Resignation. Any Director may resign at any time by delivering written notice to the Chairman of the Board or the Secretary. A resignation is effective at the earlier of when notice is received, five (5) days after deposit in the U.S. mail correctly addressed and with first class postage attached, or otherwise as provided in the Nonprofit Act § 33-31-141 (d).

Section VI(g). Removal. Directors may be removed from office by vote of Council as determined under the rules of Council. Members may also be removed by the Board of Directors for violations of the LCEDC Board Members Roles & Responsibilities Policy.

Section VI(h). Vacancies. A vacancy occurring in the Board of Directors shall be filled either by a majority vote of Council as determined under the rules of the County or appointment by the Chairman of Council, depending upon the method of election or appointment by which the then vacated position was filled.

Section VI(i). Committees and Offices.

General. The Executive Committee shall consist of the Chairman, Vice-Chairman, Treasurer, Secretary of the Corporation, and one member of the Lancaster County Council who serves on the LCEDC Board. The immediate past Chairman of the Board of Directors shall serve for one (1) year as an ex-officio, non-voting member of the Board and the Executive Committee. The Executive Committee shall have general supervision of the affairs of the Corporation between its business meetings and may exercise such power of the Board between such meetings, fix the hour and place of Board meetings, make recommendations to the Board and perform such other duties as are specified in these Bylaws or determined by majority vote of the Board. The Executive Committee shall be subject to the orders of the Board and none of its acts shall conflict with action taken by the Board. In addition, the Board, by majority vote, may from time to time create and appoint one or more additional Committees of the Board (the "Committees") in accordance with the provisions of S.C. Code § 33-31-825. Committees may be of any size and composition, *provided, however*, each Committee shall include at least two Directors and may include non Directors who shall serve in an advisory, non-voting capacity. The Board shall specify each Committee's authority and no action may be taken by a Committee without prior authorization by the Board. Committees may not be authorized to approve or recommend extraordinary corporate acts, appoint or remove Directors or members of Committees, adopt, amend or repeal the Corporation's articles or Bylaws, or otherwise act in contravention of either the Nonprofit Act § 33-31-825 or the Freedom of Information Act, S.C. Code §§ 30-4-10, *et seq.* Each Committee may establish its own governing procedures. Any Director may attend any meeting of Committees of the Board. The minutes of each meeting of any Committee shall be available to each Director promptly after such meeting.

Section VI(j). Accounting, Books and Records. The Corporation shall maintain appropriate corporate and accounting records and shall have its accounts audited at the end of each fiscal year. The Corporation's books and records shall be maintained as provided in this Section and in Section VI(j) of this Article.

(1) **Financial Reports.** The Corporation shall maintain at its principal office its financial reports as of the end of the most recent fiscal year, including at a minimum a balance sheet and a statement of operations of such year, accompanied by the report of the certifying accountant.

(2) **Corporate Records.** The Corporation shall maintain at its principal office the following written corporate records: articles of incorporation and all amendments from time to time in effect; Bylaws and all amendments from time to time in effect;

minutes of all Board meetings, Committee meetings and action taken without meeting for the past three years; and a current list of Directors and officers and their addresses of record; IRS Forms 990, 1023, and such additional tax information as may be required under §6104 of the Internal Revenue Code.

The Corporation shall maintain in writing or in a format convertible into writing the minutes of all other Board and Committee meetings and action without meeting.

(3) **Inspection Rights of Directors.** Each Director shall have the right to inspect and copy (at the Director's expense) during regular business hours the corporate records and financial reports described in subparagraphs (1) and (2) of this Section.

Section VI(k). Service Without Compensation. The Directors shall serve without compensation. Each Director may be paid per diem, mileage, and subsistence incidental to meetings of the Corporation, in accordance with the Operating Policies, Procedures and Guidelines of the Corporation, not to exceed standards provided by law for boards, committees, and Corporations. Nothing in this Section shall prohibit the payment of reasonable compensation to the CEO/President or other employee of the Corporation, in his capacity as CEO/President or employee, even though such individual may also be serving as a Director, provided such compensation is determined in the manner provided in Article VIII, Section VIII(j), of these Bylaws.

Section VI(l). Compliance with Freedom of Information Act and IRS Disclosure Requirements. Business meetings of the Board and Committees of the Board shall be conducted in accordance with the South Carolina Freedom of Information Act, S.C. Code §§ 30-4-10, *et seq.* (the "FOIA"). Records of the Corporation shall be maintained and provided in accordance with the FOIA and § 6104 of the Internal Revenue Code. The Operating Policies, Procedures and Guidelines of the Corporation shall contain such provisions, including language addressing conduct of meetings and disclosure of records, as to ensure the Corporation's compliance with the FOIA and IRS disclosure regulations.¹

Section VI(m). Conflicts of Interest. Conflict of interest transactions, as defined in the Nonprofit Act § 33-31-831 are voidable as therein described. In addition to all other remedies, effects or liability provided by law, any Director not disclosing any conflict of interest transaction (as above described) in advance to the Board shall be subject to removal from the Board by County Council. Members shall comply with any applicable rule of the County with respect to boards and Corporations and conflicts of interest.

Section VI(n). Bond. The Board of Directors may by resolution require any or all officers, agents and employees of the Corporation to give bond to the Corporation, with sufficient sureties, conditioned on the faithful performance of the duties of their respective offices or positions, and to comply with such other conditions as may from time to time be required by the Board of Directors.

¹ See generally, IRS Announcement 99-62, 1999-25 IRB 1.

ARTICLE VII

MEETINGS OF DIRECTORS

Section VII(a). Regular Meetings. Regular meetings of the Board of Directors shall be held periodically, every other month during the fiscal year, at such date and at such time and place as the Board may fix by resolution or otherwise. All meetings of the Directors shall be subject to the Freedom of Information Act of the South Carolina Code, as amended (the "Freedom of Information Act") and shall be duly noticed in accordance therewith. All meetings of the Board of Directors shall be conducted pursuant to *Robert's Rules of Order*.

Section VII(b). Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the Chairman of the Board or any three Directors. Such meetings may be held at the time and place fixed by the person or persons calling the meeting but shall be appropriately noticed pursuant to the Freedom of Information Act.

Section VII(c). Notice, Waiver of Notice of Meetings. Written notice of each meeting of the Board stating the date, time and place of the meeting, and, in the case of a special meeting, the purposes for which the meeting is called, will be delivered not less than one (1) nor more than ten (10) days before the date of the meeting either personally, by mail, by electronic communication or any other lawful means at the direction of the CEO/President or the Secretary, or the officer or the persons calling the meeting, to each Director of record entitled to vote at such meeting. If mailed, such notice will be deemed to be delivered when deposited in the United States mail addressed to the attention of the Director entitled to vote at such meeting at the address on file at the Corporation's office for such Director. If sent by electronic communication, such notice will be deemed to be delivered when sent via facsimile or email or similar means of electronic communication to the number or electronic address on file at the Corporation's offices for the Director entitled to vote at such meeting. Notice need not be given to any Director who waives notice by a signed writing, either before or after the meeting. Attendance of a Director at any meeting constitutes a waiver of notice of the meeting, except where a Director attends a meeting solely for the purpose of stating objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened.

Section VII(d). Quorum, Manner of Acting, Voting. At any meeting of the Board, a majority of the number of Directors prescribed by these Bylaws in office immediately before a meeting begins will constitute a quorum for the transaction of the business of the Corporation. The Directors present at a meeting may continue to meet notwithstanding the withdrawal of enough Directors so that there is less than a quorum but no fewer than five (5) members of the Board.

At any meeting of the Directors, a Director, including *ex officio* Directors, will be entitled to vote on any issue. Each member of the Board present will have one vote. Proxy voting is permitted for the transaction of any business of the Corporation. If a quorum is present when a vote is taken, the affirmative vote of a majority of the Directors present is the act of the Board unless a higher voting requirement is required by law. A Director who is present at a meeting of the Board or a committee of the Board when corporate action is taken is deemed to have assented to the action taken unless: (a) he objects, at the beginning of the meeting or promptly upon his

arrival, to holding the meeting or transacting specified affairs at the meeting; or (b) he votes against or abstains from the action taken.

Section VII(e). Informal Action by Directors. Action taken without a meeting will be deemed an action of the Board if all members of the Board execute a written consent thereto, and the consent is filed with the corporate records of the Corporation.

Section VII(f). Presence at/Participation in Meetings. Any or all Directors may participate in a meeting of the Board or meeting of any Committee through the use of conference telephone or any means of communication by which all Directors participating in the meeting may hear each other simultaneously during the meeting, and participation by such means will constitute presence in person at that meeting.

ARTICLE VIII

OFFICERS

Section VIII(a). Number. The officers of the Corporation may consist of a Chairman of the Board of Directors, a Vice-Chair, a CEO/President, a Secretary, a Treasurer, and one or more Vice Presidents that shall include at least one member of the Lancaster County Council serving on the Board of Directors, and such other officers as the Board may from time to time elect, to the extent provided or allowable by the laws of the State of South Carolina.

Section VIII(b). Election and Term. The officers of the Corporation shall be elected by the Board of Directors at the meeting immediately following the Annual Meeting. Each officer shall hold no more than one office at a time and shall hold such office for a period of one (1) year or until his death, resignation, retirement, removal, disqualification, or his successor is elected and qualifies. Officers may be reappointed to serve one or more additional terms.

Section VIII(c). Removal. Any officer or agent elected or appointed by the Board of Directors may be removed as an officer by the Board with reasonable cause as determined by the Board; but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

Section VIII(d). CEO/President. The CEO/President shall be the principal officer of the Corporation. The CEO/President shall be a full-time employee of the Corporation and shall be selected and employed directly by the Board. He or she may sign, with any other proper officer of the Corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments that the Board of Directors has authorized to be executed, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be delegated by the Board of Directors to some other officer or agent; and, in general, he or she shall perform all duties incident to the office of CEO/President and such other duties as may be prescribed by the Board of Directors from time to time. The CEO/President shall be responsible for the hiring and firing of all other employees of the Corporation. The County Administrator shall assist the Corporation in securing any resources of the County necessary in order to undertake its enumerated purposes. The CEO/President shall

provide the County Administrator with such information necessary to prepare a budget for Council to adopt with respect to the Corporation and make any appropriations to the Corporation.

Section VIII(e). Chairman of the Board. The Chairman of the Board shall be the chief voluntary officer of the Corporation and he or she shall preside at all meetings of the Board of Directors at which he or she shall be present, and shall represent the Corporation generally in the community. The Chairman shall undertake only such action on behalf of the Corporation as authorized by the Board or these Bylaws. The Chairman of the Board shall be elected by a majority vote of the Board of Directors.

Section VIII(f). Vice-Chairman. In the absence of the Chairman, the Vice-Chairman may perform the duties of the Chairman, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairman. Any Vice-Chairman shall perform such other duties as from time to time may be assigned to him or her by the Chairman or the Board.

Section VIII(g). Secretary. The Secretary shall cause to be kept a correct record of all the proceedings of the meetings of the Board of Directors. He or she shall attend to the giving of notices, oversee custody of the corporate seal and records, and affix the seal to all instruments required to be executed under seal as authorized by the Board of Directors. He or she shall perform such other duties as are incident to the office of Secretary, and shall have such other powers and duties as may be conferred upon him or her by the Board of Directors or these Bylaws.

Section VIII(h). Treasurer. The Treasurer shall have oversight of all the moneys and securities belonging to the Corporation. He or she shall cause to be deposited said property with such banks as the Board of Directors shall designate and in the name of the Corporation. He or she shall cause to be kept a record of all receipts and disbursements, and shall oversee all records of the Corporation relating to its finances. He or she shall perform such other duties as are incident to the office of Treasurer, and shall have such powers and duties as may be conferred upon him or her by the Board of Directors or these Bylaws.

Section VIII(i). Vice Presidents. There shall be such Vice Presidents of the Corporation as may, from time to time, be determined by the Board of Directors. Vice Presidents shall be authorized to exercise and/or undertake such functions and authorities of the CEO/President as may be from time to time assigned them by the Board of Directors.

Section VIII(j). Compensation. The CEO/President may be paid reasonable compensation for his duties as CEO/President, which compensation shall be determined by the Board or duly authorized Committee as follows: (i) The Board or Committee determining compensation shall be composed of persons who are unrelated to and not subject to the control of the CEO/President; (ii) The Board or Committee determining compensation shall contemporaneously obtain and rely upon appropriate data as to the comparability of the compensation package; and (iii) There shall be adequate contemporary documentation for the basis of the Board's or Committee's determination.

The Corporation may reimburse officers for such expenses incurred incidental to the conduct of the business and affairs of the Corporation as may be reasonable and authorized by

the Board.

ARTICLE IX

CONTRACTS, CHECKS AND DEPOSITS

Section IX(a). Contracts. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument on behalf of the Corporation and such authority may be general or confined to specific instances.

Section IX(b). Loans. No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

Section IX(c). Checks and Drafts. All checks, drafts or other orders for the payment of money issued in the name of the Corporation shall be signed by authorized representatives of the Corporation or by such officers of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

Section IX(d). Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such depositories as the Board of Directors may select. Funds may be transferred from one fiscal year to the next.

ARTICLE X

LIABILITY, INDEMNIFICATION, INSURANCE

Section X(a). Liability. To the extent not inconsistent with the South Carolina Code, no Director or officer of the Corporation will be liable to the Corporation or to any other person for loss or damage suffered by the Corporation on account of any action taken or omitted to be taken as a Director or an officer in good faith and in a manner he reasonably believed to be in the best interests of the Corporation if the Director or officer exercised the same degree of care and skill as an ordinarily prudent person in a like position would have exercised under similar circumstances.

No Director or officer of the Corporation will be personally liable for monetary damages for breach of any duty to the Corporation. However, this provision will not eliminate or limit the liability of a Director or officer: (1) for any breach of the Director's or officer's duty of loyalty to the Corporation; (2) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; (3) for any transaction from which a Director or officer derived an improper personal benefit; or (4) under S.C. Code §§ 33-31-831 (conflict of interest), 33-31-832 (loans or guarantees), and 33-31-833 (unlawful distributions).

All Directors and officers of the Corporation will be immune from suit arising from the conduct of the affairs of the Corporation; *provided, however*, such immunity will be removed when the conduct amounts to willful, wanton, or gross negligence.

Section X(b). Indemnification. To the extent not inconsistent with the South Carolina Code, every person (and the heirs and personal representatives of such person) who is or was a

Director or an officer of the Corporation will be indemnified by the Corporation, to the maximum extent permitted by law, against all liability and reasonable expense that may be incurred by him in connection with any claim, action, suit or proceeding (other than a proceeding in which such person shall have been adjudged to be liable to the Corporation) by reason of the fact that he is or was a Director or an officer of the Corporation. The Corporation will also reimburse any such Director or officer for the reasonable cost of the settlement of any action, suit, or proceeding if such is found, by a majority of the disinterested members of the Board of Directors, to be in the best interest of the Corporation that such settlement be made and that such Director or officer was not guilty of negligence, misconduct, or nonfeasance in the performance of his duties as a Director or officer.

Section X(c). Scope of Indemnification. The rights of indemnification provided in this Article will be in addition to any rights to which any such Director or officer may otherwise be entitled. Irrespective of the provision of this Article, the Board of Directors may at any time, and from time to time, approve indemnification of Directors, officers, employees or other persons to the full extent permitted by the State of South Carolina, whether on account of past or future transactions.

Section X(d). Insurance. The Corporation may purchase insurance covering the Corporation's liabilities and obligations under this Article and insurance protecting the Corporation's Directors, officers and employees.

ARTICLE XI

REGULATION

Section XI(a). General. The regulation of the business and conduct of the affairs of the Corporation shall conform to federal and state income tax laws and any other applicable federal and state law, including, but not limited to, the Nonprofit Act. In the interpretation of these Bylaws, wherever reference is made to the United States Code (U.S.C.), the United States Internal Revenue Code, Internal Revenue Laws or Treasury Regulations thereunder, the Nonprofit Act, the South Carolina Code or any other statute, or to any section thereof, such reference shall be construed to mean such Code, Act, Laws, Statutes, or section thereof, and the regulations thereunder, as the case may be, as heretofore or hereafter amended or supplemented or as superseded by laws or regulations covering equivalent subject matter.

Section XI(b). Governing Law. These Bylaws are executed and delivered in the State of South Carolina and they shall be governed by, construed and administered in accordance with the laws of the State of South Carolina.

Section XI(c). Parliamentary Procedure. The provisions of the latest edition of *Robert's Rules of Order* shall serve as the basic guide to fair and orderly procedure in meetings of the Corporation. In the event that any of the provisions of *Robert's Rules of Order* conflict with the Bylaws, the provisions of the Bylaws shall prevail.

ARTICLE XII

AMENDMENTS AND CONFLICTS

Section XII(a). Amendments. These Bylaws may be amended or restated from time to time in accordance with the provisions of S.C. Code § 33-31-1020; *provided, however*, in accordance with S.C. Code § 33-31-1030 any such amendments or restatements must be approved by a two-thirds (2/3) vote of Council prior to adoption by the Board of Directors of the Corporation.

Section XII(b). Conflicts. In the event that any of the provisions of these Bylaws, as amended or restated, conflict with any of the provisions of prior Bylaws, the provisions of the amended Bylaws control. In the event that any provisions of these Bylaws, as amended, conflict with applicable law, applicable law will control.

ARTICLE XIII

SEAL

The Board may adopt a seal for the Corporation.

ARTICLE XIV

DISSOLUTION

Section XIV(a). General. If Council so approves, the Corporation may be dissolved and its business and affairs terminated, and such dissolution shall be in accordance with the provisions of Chapter 31, Title 33, S.C. Code and § 1.501(c)(3)-1(b)(4) of the United States Treasury Regulations.

Section XIV(b). Distribution. All of the property of the Corporation is irrevocably committed to public purposes of the County; and upon dissolution of the Corporation and after all its liabilities, obligations and expenses have been discharged, all of its assets shall be conveyed or distributed in conformity with the Bylaws and the Articles of Incorporation of the Corporation. All remaining assets of the Corporation shall be conveyed or distributed to or for the benefit of Lancaster County, or to such of one or more organizations as may be designated and unanimously approved by the Board and Council as long as the designated/approved organization at the time of conveyance or distribution qualifies as an organization described in §§ 501(c)(4) and 170(c)(2) of the Internal Revenue Code or any corresponding provision of any future Federal tax code.

WHEREFORE, the undersigned acknowledge adoption of the foregoing as the Amended and Restated Bylaws of the Lancaster Area Development Corporation, at a properly called and constituted meeting of the Board of Directors, on this XX day of XXXX, 2015.

**Nominating Committee
LCEDC Board Member Nominations 2015-2016**

From: Mr. David Thomas, Chairman -- LCEDC Nominating Committee
To: LCEDC Membership
Re: Recommended Terms/Staggered Terms of LCEDC Board Members for FY 2015-2016
Date: April 12, 2015

Pursuant to Article IV, Section 2 of the Lancaster County Economic Development Corporation By-Laws the Nominating Committee has met and is recommending the following staggered terms for the corporation's board of directors for fiscal year 2015-2016. The membership of the LCEDC must vote on this recommendation at the LCEDC Annual Meeting on April 21, 2015 at the Bradley Building on the University of South Carolina-Lancaster at Noon.

Included in this list are staggered terms under the revised structure of the LCEDC. The staggered terms would be:

- 4 of the recommended Board members will have 1 year terms;
- 4 will have 2 year terms;
- 4 will have 3 year terms; and
- 5 will have 4 year terms.

These staggered terms are necessary in order for there to be equal number of members rotating off the Board on an annual basis to ensure participation by as many community partners and allies as possible. Nominations for Board Members can also be made from the floor at the LCEDC Annual Meeting. This list has been sent to the LCEDC Secretary per the by-laws and is hereby being mailed to each LCEDC member in accordance with the bylaws. If there are any questions about the individuals being nominated or length of terms, please contact me by email or phone.

Board Member	Affiliation	First Term Ends	Eligible For Second 4-Year Term
Mr. Sandy Martin	Duke Energy	June 30, 2016	Yes
City Council Appointee TBD	City of Lancaster	June 30, 2016	Yes
Mr. John Baker	Business & Industry	June 30, 2016	Yes
County Council Appointee TBD	Lancaster County Council	June 30, 2016	Yes
Ms. Janice Dabney	Springs Memorial Hospital	June 30, 2017	Yes
County Council Appointee TBD	Lancaster County Council	June 30, 2017	Yes
Mr. David Thomas	Haile Gold Mine	June 30, 2017	Yes
Mr. Rudy Carter	Do It Printing	June 30, 2017	Yes
Ms. Margaret Gamble	Lancaster County School Dist.	June 30, 2018	Yes
Ms. Monica Graham	Phillips Staffing	June 30, 2018	Yes
Mr. Dean Faile	Lancaster Chamber	June 30, 2018	Yes
County Council Appointee TBD	Lancaster County Council	June 30, 2018	Yes
Mr. Phillip Monroe	Lynches River Cooperative	June 30, 2019	Yes
Mayor Wayne Rhodes	Town of Kershaw	June 30, 2019	Yes
Mayor Ann Taylor	Town of Heath Springs	June 30, 2019	Yes
Mr. Mike Bilodeau	Merrifield Patrick Vermillion	June 30, 2019	Yes
Mr. Steven White	LCWSD	June 30, 2019	Yes

SUBJECT: LCEDC BUDGET DATA

Please advise if any additional information is needed.

LCEDC FY 14-15 Budget

Salaries Regular - \$209,669

Salaries – Overtime - \$250

FICA - \$16,185

SC Retirement - \$22,509

Health & Life Insurance - \$24,750

Worker's Comp Insurance - \$5,938

Travel, Training, Dues - \$80,300** \$40,000 was for the I-77 Alliance; that funding was frozen by Council

Supplies – General - \$8,000

Supplies – Postage - \$1,250

Utilities – Telephone - \$16,500** electrical, gas, and water for the US 521 building was paid from a common (all County buildings) account – the same will be true at the West Meeting Street building.

Contractual Services - \$36,500

Printing - \$2,500

Copiers - \$8,000

Total - \$432,351

The FY 15-16 budget is the same amount, minus the I-77 funding or \$392,351, but will not be set up in individual line items. It will be a lump sum quarterly payment (\$98,087.75).

SW



May 20, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Steve Willis
County Administrator, Lancaster
101 N. Main St., 2nd Floor
Lancaster SC 29721

Dear Mr. Willis:

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future: Azteca America, YouToo, Outdoor Channel (SD & HD), RFD HD, ReelzChannel (SD & HD), Gol TV (SD & HD), Pivot, Boomerang, Boomerang Espanol, Cartoon Network (SD & HD), Cartoon Network Espanol, CNN (SD & HD), CNN Espanol, HLN (SD & HD), TBS (SD & HD), TCM (SD & HD), TNT (SD & HD), truTV (SD & HD), HBO (SD & HD), HBO West (SD & HD), HBO2 (SD & HD), HBO2 West, HBO Signature (SD & HD), HBO Signature West, HBO Family (SD & HD), HBO Family West, HBO Comedy (SD & HD), HBO Comedy West, HBO Zone (SD & HD), HBO Zone West, HBO Latino (SD & HD), HBO Latino West, HBO On Demand, Cinemax (SD & HD), Cinemax West (SD & HD), MoreMAX (SD & HD), MoreMAX West, ActionMAX (SD & HD), ActionMAX West, ThrillerMAX (SD & HD), ThrillerMAX West, OuterMAX (SD & HD), MaxLatino (SD & HD), 5StarMAX (SD & HD), MovieMAX (SD & HD), Cinemax On Demand, NBC Sports Network (SD & HD).

From time to time, Time Warner Cable makes certain changes in the services that we offer in order to better serve our customers. The following changes are planned:

On or after May 20th, Smithsonian On Demand channel 1019 will no longer be available as a standalone channel and its programming will move to Nature & Knowledge On Demand channel 1008. TWC Sports Pass On Demand channel 1010 will no longer be available as a standalone channel and its programming will move to Sports & Fitness On Demand channel 1009. Pro Sports On Demand channel 1011 will no longer be available as a standalone channel and its programming will move to Sports & Fitness On Demand channel 1009.

Time Warner Cable may cease carriage of TWC Movie Pass On Demand on or around June 1, 2015. Please note that Disney Family Movies will still be available through Disney Family Movies On Demand on channel 267.

On or about June 9th, TWC SportsChannel will be made available on channel 77 in addition to channel 323.

On or after June 30th, Foro TV will be added to TV en Espanol and El Paquetazo packages on channel 847.



On or after June 30th, WCSC DT3 Grit TV channel 1256 will be made available as part of Digital Broadcast in Brown's Ferry/Sampit, Georgetown, Debordieu, Hemingway, Kingstree, Lane, Summerville, Pawleys Island and Murrells Inlet. In addition, WBTV DT3 Grit TV channel 1256 will be made available as part of Digital Broadcast in Cheraw, SC.

The new services listed below cannot be accessed on CableCARD-equipped Unidirectional Digital Cable Products purchased at retail without additional, two-way capable equipment: Foro TV.

For more information about your local channel line-up, visit www.twc.com/programmingnotices.

If you have any questions or concerns, please do not hesitate to call me at 803-251-5320.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Breazeale".

Ben Breazeale
Director of Government Relations
Time Warner Cable, South Carolina



State of South Carolina

Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA 29201

May 7, 2015

The Honorable Mark Hammond
Secretary of State
Columbia, South Carolina 29201

Dear Secretary Hammond,

I have appointed Mr. James M. Neal to the Lancaster County Water and Sewer District Commission upon the recommendation of the Lancaster County Legislative Delegation pursuant to Section Act 494 of 1973 of the South Carolina Code of Laws.

LOCAL APPOINTMENT:

Term Commencing: 7/15/2015

Term Expiring: 7/15/2021

Vice: Robert C. Faile

Seat: At-large

Home Information:

Mr. James M. Neal

5148 Sandy Lane

Kershaw, South Carolina 29067

803.320.0545

My very best,

A handwritten signature in black ink, appearing to read "Nikki R. Haley".

Nikki R. Haley

NRH/ahp

SUBJECT: NEIGHBORHOOD INITIATIVE PROGRAM GRANT

As there is no local cash match, I am informing Council of this grant rather than bringing it to Council for action. The Council of Governments is handling this grant on a regional basis and we will work with them through our Zoning Office. The grant will help demolish dilapidated buildings in Lancaster County; an area I know Council is interested in.

As you will note on the attached form, the only local responsibility is an in-kind match of maintaining the grassed vacant land (mowing as needed) for a period of three years. Zoning also handles this on an "as needed" basis so they can coordinate on that with existing lot clearance funding.

At the end of three years the COG will hopefully sell the land and restore it to the tax rolls. If that is unsuccessful, the land will be transferred to Lancaster County for one dollar.

Please advise if you have any questions.

SW



**MEMORANDUM OF UNDERSTANDING
BETWEEN
LANCASTER COUNTY
AND
CATAWBA REGIONAL COUNCIL OF GOVERNMENTS AND
CATAWBA REGIONAL DEVELOPMENT CORPORATION**

Catawba Regional Council of Governments, working together with Catawba Regional Development Corporation, will provide professional services and technical assistance related to the Neighborhood Initiative Program in Lancaster County. Specifically, Catawba Regional Council of Governments and Catawba Regional Development Corporation will:

1. Acquire program eligible properties from owners who volunteer to participate in the program
2. Demolish blighted and derelict structures on acquired properties, including the mitigation of asbestos and necessary removal of underground storage tanks
3. Re-green acquired properties through grading and re-seeding
4. Following the mandatory three year holding period, market the property for sale for a period of at least 6 months.

In exchange, Lancaster County agrees to:

1. Maintain the greened property within accordance of local ordinance and code for a period of three years
2. Following the mandatory three year holding period, should the property not conform to local ordinance and code for redevelopment, Lancaster County agrees to acquire the property from the Catawba Regional Development Corporation for the sum of \$1

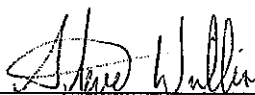
This agreement shall start May 15, 2015 and continue in force until July 30, 2021.

Notwithstanding the above, any terms of this memorandum of understanding may be modified by mutual written consent, and the terms also may be nullified should the granting agency, SC Housing Corp. or the administering agency, South Carolina State Housing Finance and Development Authority, nullify or modify the grant agreement with the Catawba Regional Council of Governments. Furthermore, should grant appropriations be modified or nullified by SC Housing Corp. or South Carolina State Housing Finance and Development Authority, this agreement shall be considered null and void.

Accepted by
Catawba Regional Council of Governments
Catawba Regional Development Corporation

Accepted by
Lancaster County

Randy Imler, Executive Director, CRCOG
Secretary/Treasurer, CRDC



Title: COUNTY ADMINISTRATOR

Date: _____

Date: May 15, 2015

Serving Lancaster, Lancaster, Union & York Counties

215 Hampton Street • P.O. Box 450 • Rock Hill, SC 29731
803.327.9041 • 803.327.1912 (fax) • crcog@catawbacog.org

SUBJECT: SHERIFF'S OFFICE GRANTS

As Council will recall, the Sheriff's Office submitted for a number of grants this past year. The two continuation grants were funded but no new grants were funded for FY 15-16. The continuation grants are already in the annual budget.

Copies of the award page for the two grants are attached as information. No action is needed as they are continuation grants which Council previously approved.

Narcotics Unit Enhancement – Grant # 1G14032
Violent Crime Investigators – Grant # 1G14031

SW



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

May 29, 2015

Mr. Steve Willis
County Administrator
Lancaster County
Post Office Box 1809
Lancaster, South Carolina 29721-1809

RE: Justice Assistance Grant Program No. 1G14032
Narcotics Unit Enhancement

Dear Mr. Willis:

I am pleased to provide you with a grant award approved by this office in the amount of \$65,098 for the above-referenced grant project. In order to complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the original grant award with an original signature within 30 days from the date of this award. The signed original should be sent to:

Ms. Penny Baskin
Senior Accountant
S.C. Department of Public Safety
Accounting-Grants
Post Office Box 1993, Building D, Floor 1
Blythewood, South Carolina 29016

Copies of the grant Request for Financial Payment/Quarterly Fiscal Report Forms can be found on our website at www.scdps.gov/ohsjp/oag.asp. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The Programmatic Progress Report Form can also be found on this page under Justice Assistance Grants. The due dates and periods covered for programmatic progress reports are indicated on the progress report forms. Please contact your assigned program coordinator, if you have any questions regarding this award.

Sincerely,

Phil Riley
Director

Enclosures

c: Sheriff Barry S. Faile
JAG Official File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
POST OFFICE BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

GRANT AWARD

<u>Subgrantee:</u>	Lancaster County		
<u>Grant Title:</u>	Narcotics Unit Enhancement		
<u>Grant Period:</u>	7/1/2015 - 6/30/2016	<u>Date of Award:</u>	July 1, 2015
<u>Amount of Award:</u>	\$65,098	<u>Grant No.:</u>	1G14032

In accordance with the provisions of the Edward Byrne Memorial Justice Assistance Grant Program (JAG), CFDA No. 16.738 (Federal Grant #2014-MU-BX-0831), and on the basis of the application submitted, the South Carolina Department of Public Safety hereby awards to the foregoing Subgrantee a grant in the federal amount shown above, for the projects specified in the application and within the purposes and categories authorized for Justice Assistance Grant program grants.

This grant is subject to the terms and conditions set forth in the application and to the special conditions attached to the grant award.

Payment of Funds: Grant funds will be disbursed to subgrantees (according to the project budget) upon receipt of evidence that funds have been invoiced and products received or that funds have been expended (e.g., invoices, contracts, itemized expenses, etc.). A copy of the Budget Detail Page of the grant application is available on our website for the subgrantee's use in completing the request for payment forms.

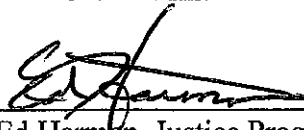
The grant shall become effective, as of the date of the award, upon return to Accounting-Grants of an originally signed copy of this form signed by the Official Authorized to Sign in the space provided below. This award must be accepted within thirty (30) days from the date of the award, and such quarterly and other reports required by the South Carolina Department of Public Safety must be submitted to Accounting-Grants in accordance with regulations.

ACCEPTANCE FOR THE SUBGRANTEE

ACCEPTANCE FOR THE SFA



Signature of Official Authorized to Sign



Ed Harmon, Justice Programs Administrator
Office of Highway Safety and Justice Programs



Phil Riley, Director
Office of Highway Safety and Justice Programs

GRANT AWARD DATA: THIS AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED.



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

May 29, 2015

Mr. Steve Willis
County Administrator
Lancaster County
Post Office Box 1809
Lancaster, South Carolina 29721-1809

RE: Justice Assistance Grant Program No. 1G14031
Violent Crime Investigators

Dear Mr. Willis:

I am pleased to provide you with a grant award approved by this office in the amount of \$130,306 for the above-referenced grant project. In order to complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the original grant award with an original signature within 30 days from the date of this award. The signed original should be sent to:

Ms. Penny Baskin
Senior Accountant
S.C. Department of Public Safety
Accounting-Grants
Post Office Box 1993, Building D, Floor 1
Blythewood, South Carolina 29016

Copies of the grant Request for Financial Payment/Quarterly Fiscal Report Forms can be found on our website at www.scdps.gov/ohsjp/oag.asp. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The Programmatic Progress Report Form can also be found on this page under Justice Assistance Grants. The due dates and periods covered for programmatic progress reports are indicated on the progress report forms. Please contact your assigned program coordinator, if you have any questions regarding this award.

Sincerely,

Phil Riley
Director

Enclosures

c: Sheriff Barry S. Faile
JAG Official File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
POST OFFICE BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

GRANT AWARD

Subgrantee: Lancaster County
Grant Title: Violent Crime Investigators
Grant Period: 7/1/2015 - 6/30/2016 **Date of Award:** July 1, 2015
Amount of Award: \$130,306 **Grant No.:** 1G14031

In accordance with the provisions of the Edward Byrne Memorial Justice Assistance Grant Program (JAG), CFDA No. 16.738 (Federal Grant #2014-MU-BX-0831), and on the basis of the application submitted, the South Carolina Department of Public Safety hereby awards to the foregoing Subgrantee a grant in the federal amount shown above, for the projects specified in the application and within the purposes and categories authorized for Justice Assistance Grant program grants.

This grant is subject to the terms and conditions set forth in the application and to the special conditions attached to the grant award.

Payment of Funds: Grant funds will be disbursed to subgrantees (according to the project budget) upon receipt of evidence that funds have been invoiced and products received or that funds have been expended (e.g., invoices, contracts, itemized expenses, etc.). A copy of the Budget Detail Page of the grant application is available on our website for the subgrantee's use in completing the request for payment forms.

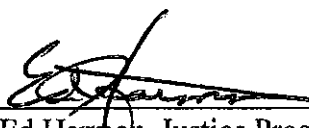
The grant shall become effective, as of the date of the award, upon return to Accounting-Grants of an originally signed copy of this form signed by the Official Authorized to Sign in the space provided below. This award must be accepted within thirty (30) days from the date of the award, and such quarterly and other reports required by the South Carolina Department of Public Safety must be submitted to Accounting-Grants in accordance with regulations.

ACCEPTANCE FOR THE SUBGRANTEE



Signature of Official Authorized to Sign

ACCEPTANCE FOR THE SFA



Ed Harmon, Justice Programs Administrator
Office of Highway Safety and Justice Programs



Phil Riley, Director
Office of Highway Safety and Justice Programs

GRANT AWARD DATA: THIS AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED.

Heath Springs Baptist Church

PO Box 400 Heath Springs, South Carolina 29058

"Loving our neighbor and the nations for the glory of Christ"

May 1, 2015

Dear Friends,

On June 7, 2015 Heath Springs Baptist Church will celebrate her 126th Founder's Day, culminating our 125th anniversary. In conjunction with Founder's Day, we will honor the Town of Heath Springs on it's 125th anniversary. From the beginning Heath Springs Baptist Church and the Town of Heath Springs have had an intimate and cooperative relationship. We anticipate the Heath Springs Town Council, the Heath Springs Fire Department, & other civic leaders to be present for this unprecedented anniversary.

The celebration service will begin at 10:30 am and conclude with lunch in the fellowship hall. During the service, Southern Gospel quartet King's Cause will do a mini-concert and Dr. Richard Harris, Interim Executive Director of the South Carolina Baptist Convention, will be preaching. We anticipate having the former pastors and deacons of the church present during the time of worship. We have invited Clyde Wright, Reilly Hammond, Robert Randolph, Warren Johnson, and Paul Smith to be a part of the celebration. The service will conclude in front of the church with the dedication of The Legacy Walkway.

For 126 years the congregation of Heath Springs Baptist Church has sought to glorify God by making disciples and broadcasting the good news about Jesus Christ around the world. Over the past 126 years there have been many mountain peaks and valleys. Through it all, God has been faithful to sustain His church. I want to earnestly invite you to join us for this Founder's Day celebration. Since 1889 a vast mosaic of souls has made up Heath Springs Baptist Church as members and friends. You are part of that mosaic. It is my sincere desire that you will set June 7th apart on your calendar as a day to reflect on what God has done in the past, renew old friendships, and anticipate what God will do in the future. God is doing mighty deeds through this fellowship of believers. In the past few years the church has developed partnerships in Cambodia, Nigeria, Bolivia, Uzbekistan, India, Maryland, and Detroit. The church's AWANA program is one of the largest in the county consisting of many kids from poor and low income families. Ann Taylor purchased and donated a house that conjoins the church's property that is currently being renovated to serve as The Taylor Mission House for furloughing missionaries and other servants of Christ who need lodging. The congregation recently voted to adopted the Darji people of India and to focus our prayers and mission efforts on reaching this Unreached and Unengaged people group. The Darji consist of 118,000 people who have no access to the gospel of Christ and there are no known believers among them.

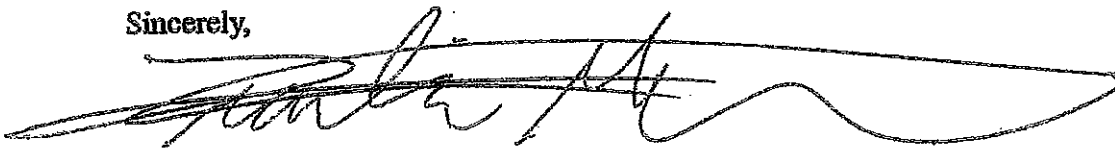
Cell 803-577-7314 Email fjmelton@yahoo.com Office: 803-273-3566

The service will include a presentation of the names of former members who have passed away. Don't miss this opportunity to honor your family and their contribution to the gospel ministry of Heath Springs Baptist.

I hope you will join us for this special service and may it be a foretaste of that time spoken of by John the Revelator when he said, "He will wipe every tear from their eyes. There will be no more death or mourning or crying or pain, for the old order of things has passed away."

I look forward to seeing you on June 7th!

Sincerely,

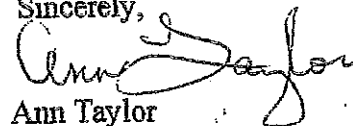


Frankie Melton
Pastor

I have been requested to add my personal invitation to the invitation from Dr. Frankie Melton.

I look forward to seeing each of you in my church (Heath Springs Baptist) on Sunday, June 7, 2015. Join us at 10:30 for the music if you can. If you need to come later, we will be happy to see you at that time. If you can stay for lunch, don't worry about food. Our members will be responsible for having enough food for guests (possibly catered) ← not

Sincerely,


Ann Taylor

Lunch will be catered

MEETINGS & FUNCTIONS – 2015

DAY/DATE	TIME	FUNCTION/LOCATION
Monday, June 8	6:30 p.m.	Regular Council Meeting
Tuesday, June 9 th	3:00 p.m.	I&R Committee Council Conference Room
Thursday, June 18 th	4:30 p.m.	Administration Committee Council Conference Room
Thursday, June 18 th	6:00 p.m.	Board Member of the Year Dinner Historic Courthouse
Monday, June 22 nd	6:30 p.m.	Regular Council Meeting
Tuesday, June 23 rd	8:00 a.m.	Public Safety
Friday, July 3 rd	Closed	Offices Closed for the 4 th of July
Monday, July 13 th	6:30 p.m.	Regular Council Meeting
Tuesday, July 14 th	8:00 a.m.	Public Safety Council Conference Room
Tuesday, July 14 th	3:00 p.m.	I&R Committee Council Conference Room
Thursday, July 16 th	4:30 p.m.	Administration Committee Council Conference Room
Monday, July 27 th	6:30 p.m.	Regular Council Meeting

LANCASTER COUNTY STANDING MEETINGS

3rd Thursday of each month 4:30 p.m. Administration Committee
 2nd Tuesday of each month 3:00 p.m. Infrastructure and Regulation Committee
 2nd Tuesday of each month 8:00 a.m. Public Safety Committee
 1st Thursday of each month 7:00 p.m. Fire Commission, Covenant Street EOC Building
 2nd and 4th Tuesday of each month 9:00 a.m. Development Review Committee, Council Chambers
 2nd Tuesday of each month 6:30 p.m. Zoning Appeals Board, County Council Chambers
 2nd Tuesday of each month 6:30 p.m. Recreation Commission, 260 S. Plantation
 (Every other month – Beginning with Feb.) 6:00 p.m. Library Board, Carolinian Room, Library
 2nd Wed (Jan/March/May/July/Sept/Nov) 11:45 a.m. Health & Wellness Comm., various locations
 2nd Tuesday 6:00 p.m. Historical Commission, Library Conference Room
 3rd Thursday of each month 6:30 p.m. Community Relations Commission, County Council Chambers
 1st Thursday of each month 5:00 p.m. Planning Commission work session, County Council Chambers
 3rd Tuesday of each month 6:30 p.m. Planning Commission, County Council Chambers
 Quarterly (2nd Monday -March , June, Sept, Dec.) 6:30 p.m. Airport Commission, Airport Conference Room