

Lancaster County Council Regular Meeting Agenda

Monday, February 22, 2016

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

1. **Call Regular Meeting to Order – Chairman Bob Bundy** **6:30 p.m.**
2. **Welcome and Recognition – Chairman Bob Bundy**
3. **Pledge of Allegiance and Invocation – Council Member Larry Honeycutt**
4. **Approval of the agenda** *[deletions and additions of non-substantive matter]*
5. **Special Presentations**
 - a. Employee of the Year – Sheriff's Deputy Jason Leaphart, presented by Chairman Bob Bundy
 - b. Proclamation commemorating End of Racism Day, presented by Chairman Bob Bundy and Community Relations Chairman Odell Parker
 - c. Vocational Rehabilitation, presentation by Tina Stuber
6. **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]*
7. **Consent Agenda**
 - a. **2nd Reading of Ordinance 2016-1391 rezoning of property of Billy Johnson**
Ordinance Title: An Ordinance to amend the official zoning map of Lancaster County so as to rezone property owned by Billy Johnson, represented by Steve Banks, located at 1391 Riverside Road from B-3 General Commercial District to R-30, Low Density Residential/Agricultural District; and to provide for other matters related thereto. ***Planning Commission recommended approval by a vote of 7-0. Passed 7-0 at the February 8, 2016 Council Meeting. Penelope Karagounis – pgs. 4-5***
 - b. Minutes of the February 8, 2016 regular meeting – pgs. 6-11
8. **Non-Consent Agenda**
 - a. **Resolutions 0909-R2016, 0910-R2016 , 0913-R2016 gift of service sidearm to retiring Sheriff Office Employees – Towanna Barnes, James Allen Russell and Jimmy Parker. – Steve Willis pgs.12-17**

- b. **Resolution 0911-R2016 regarding the use of funds from the sale of 3888 Chester Highway**
Resolution Title: A Resolution for the use for funds received from the sale of county property located at 3888 Chester Highway to 3i. *Steve Willis – pgs. 18-20*

- c. **Resolution 0912-R2016 regarding the extension of the moratorium**

Resolution Title: A Resolution to extend by ninety (90) days the nine (9) month moratorium as detailed in Ordinance No. 2015-1351. *Steve Willis and Penelope Karagounis - pgs. 21-29*

- d. **Public Hearing and 3rd Reading of Ordinance 2016-1387 regarding the issuance of a General Obligation Bond in the amount not to exceed \$6,750,000 for the purchase of fire trucks**

Ordinance Title: An Ordinance authorizing the issuance and sale of General Obligation Bonds, Series or such other appropriate series designation, of Lancaster County, South Carolina, in the principal amount of not exceeding \$6,750,000; fixing the form and details of the bonds; authorizing the County Administrator or his lawfully authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto. *(Favorable – Administration Committee) Passed 2nd Reading 6-1 at the February 8, 2016 meeting. Jack Estridge opposed. John Weaver – pgs.30-53*

- e. **Public Hearing and 3rd Reading of Ordinance 2016-1390 amending the budget to include the purchase of patrol rifles**

Ordinance Title: An Ordinance to amend Ordinance No. 2015-1356, relating to the appropriation of funds and the approval of a detailed budget for Lancaster County for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (FY 2015-2016), to further provide for revenues and expenditures during the fiscal year; and to provide for matters related thereto. *Passed 2nd Reading 7-0 at the February 8, 2016 Council meeting. Veronica Thompson – pgs. 54-57*

- f. **3rd Reading of Ordinance 2016-1389 Amendment to PDD-18 Sun City Carolina Lakes**

Ordinance Title: An Ordinance to amend a portion of the Sun City Carolina Lakes Planned Development District, PDD-18, as detailed in both Ordinance No. 631 and subsequent related ordinances. *1st Reading By Title Only - Passed 7-0 at the January 11, 2016 Council Meeting. 2nd Reading Passed 7-0 on January 25, 2016. Planning Commission heard on February 16, 2016 and made no recommendation. John Weaver – pgs.58-60*

9. **Discussion and Action Items**

a. Committee Reports

- *Public Safety – Committee Chairman Steve Harper*
- *Infrastructure and Regulation – Committee Chairman Larry Honeycutt*
- *Administration – Committee Chairman Brian Carnes*

- b. Contract with Bearing Resources, Inc. *John Weaver* – pgs. 61-63
- c. Monthly Finance Report. *Kimberly Hill* – pgs. 64-78
- d. Service requests of potential new municipalities. *Steve Willis* – pgs. 79-81
- e. Transfer old flooring to Communities in Schools. (Favorable – I&R Committee) *Steve Willis* – pgs. 82-83
- f. Sheriff's Office grant applications FY 16-17 budget. (Favorable – Public Safety) *Sheriff Faile* – pgs. 84-109

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

n/a

11. Miscellaneous Reports and Correspondence – pgs. 110-125

- a. Clerks to Council Association
- b. Agricultural Use Tax Status
- c. Time Warner Cable

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

13. Executive Session

- a. *Legal Matter: SC Code 30-4-70(2) receipt of legal advice relating to potential litigation*
- b. *Economic Development Matter: SC Code 30-4-70(5) relating to Projects 2016-2 & 2016-3*
- c. *Personnel Matter: SC Code 30-4-70(a)(1) discussion of a person regulated by a public body*

14. Calendar of Events – pg. 126

15. 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.mylancastercsc.org

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2016-1391

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 BILLY JOHNSON, REPRESENTED BY STEVE BANKS, LOCATED AT 1391 RIVERSIDE ROAD FROM B-3, GENERAL COMMERCIAL DISTRICT TO R-30, LOW DENSITY RESIDENTIAL/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) Steve Banks applied to rezone property located at 1391 Riverside Road from B-3, General Commercial District to R-30, Low Density Residential/Agricultural District.

(b) On January 19, 2016, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (7-0), recommended approval of the rezoning.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from B-3, General Commercial District to R-30, Low Density Residential/Agricultural District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0063-00-051.00

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 _____, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading: 2-8-16	Passed 7-0
Second Reading: 2-22-16	Tentative
Third Reading: 3-14-16	Tentative

Approved as to form:

County Attorney

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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

Minutes of the Lancaster County Council Regular Meeting

101 N. Main Street, Lancaster, SC 29720

Monday, February 8, 2016

Council Members present were Bob Bundy, Larry McCullough, Jack Estridge, Brian Carnes, Larry Honeycutt, Steve Harper and Charlene McGriff. Also present was Steve Willis, Debbie Hardin, Penelope Karagounis, Veronica Thompson, Kimberly Hill, John Weaver, 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: *The Lancaster News, Kershaw News Era, The Rock Hill Herald, The 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.

Call regular meeting to order

Chairman Bob Bundy called the regular meeting of Council to order at 6:30 p.m.

Welcome and Recognition/Pledge of Allegiance and Invocation

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

Approval of the agenda

Chairman Bundy requested that an acknowledgement of recognition for the Sheriff's Office be added to the agenda.

Brian Carnes moved to approve the agenda as amended. **SECONDED** by Charlene McGriff. Passed 7-0.

Acknowledgement of the Sheriff's Office

Bob Bundy recognized the Sheriff's Office for their work with the data that was presented in the *Journal of Primary Prevention*.

Citizens Comments

Gary Holland, 8728 Collins Road, spoke regarding the enforcement of ordinances and item 9a on the agenda regarding 3rd Reading of Ordinance 2016-1389 Amendment to PDD-18 Sun City Carolina Lakes.

Consent Agenda

Larry Honeycutt moved to approve the Consent Agenda items A and B. Seconded by Charlene McGriff. Passed 7-0.

a. 3rd Reading of Ordinance 2016-1388 rezoning of property of Lina Hovey

Ordinance Title: An Ordinance to amend the official zoning map of Lancaster County so as to rezone 29,040 square feet of property from R-30, Low Density Residential/Agricultural District to R-30D, Low Density Residential/Manufactured Housing/Agricultural District as indicated on the attached plat. This property is owned by Lina Hovey located at 1628 John Truesdale Road; and to provide other matters related thereto.

b. Minutes of the January 25, 2016 regular meeting

Non-Consent Agenda

2nd Reading of Ordinance 2016-1387 regarding the issuance of a General Obligation Bond in the amount not to exceed \$11,000,000 for the purchase of fire trucks

Ordinance Title: An Ordinance authorizing the issuance and sale of General Obligation Bonds, Series or such other appropriate series designation, of Lancaster County, South Carolina, in the principal amount of not exceeding \$6,750,000; fixing the form and details of the bonds; authorizing the County Administrator or his lawfully authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto.

Motion was made by Charlene McGriff to approve 2nd Reading of Ordinance 2016-1387. Seconded by Larry Honeycutt.

Attorney John Weaver noted the need for an amendment to this ordinance is because the 1st Reading version included a new fleet maintenance facility and the fire trucks. The proposed 2nd Reading version includes the fire truck obligation only. Mr. Weaver noted that Council discussed dividing the funds into separate bonds because of the ongoing discussions regarding the proposed fleet maintenance facility and the time constraints of the fire truck purchases.

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Motion was made by Larry McCullough to amend the Ordinance to include only the fire truck obligation of \$6,750,000 and remove the portion regrading the fleet maintenance building. Seconded by Steve Harper. Passed 7-0.

Council voted on the main motion to approve 2nd Reading of Ordinance 2016-1387 as amended. Passed 6-1. Jack Estridge opposed.

2nd Reading of Ordinance 2016-1390 amending the budget to include the purchase of patrol rifles

Ordinance Title: An Ordinance to amend Ordinance No. 2015-1356, relating to the appropriation of funds and the approval of a detailed budget for Lancaster County for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (FY 2015-2016), to further provide for revenues and expenditures during the fiscal year; and to provide for matters related thereto.

Motion was made by Larry Honeycutt to approve 2nd Reading of Ordinance 2016-1390. Seconded by Charlene McGriff.

Veronica Thompson, Finance Director explained the need for an amendment to this ordinance is because through prior ordinances considered and passed by Council, decisions have been made that impact the appropriations for the Capital Project Sales Tax Fund, the County's General Fund, the County's Development Agreement funds and the County's Bond fund. Those changes are reflected in the budget amendment Ordinance 2016-1390. This is for tracking purposes in the record keeping process.

Larry McCullough noted for the record that this should be the practice in the future for tracking purposes.

Motion was made by Brian Carnes to amend Ordinance 2016-1390 so as to conform with those amended numbers as found on page 41 and 42 of the agenda package (pages 41&42 are attached to the minutes for reference). Seconded by Charlene McGriff. Passed 7-0.

Council voted on the main motion to approve 2nd Reading of Ordinance 2016-1390 as amended 7-0.

1st Reading of Ordinance 2016-1391 rezoning of property of Billy Johnson

Ordinance Title: An Ordinance to amend the official zoning map of Lancaster County so as to rezone property owned by Billy Johnson, represented by Steve Banks, located at 1391 Riverside Road from B-3 General Commercial District to R-30, Low Density Residential/Agricultural District; and to provide for other matters related thereto.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2016-1391. Seconded by Steve Harper. Passed 7-0.

Discussion and Action Items

2016 Prioritized Community Needs List.

Brian Carnes moved to approve the list as presented. Seconded by Charlene McGriff. Passed 7-0.

For the record, Council requested that the Catawba Council of Governments (COG) provide timelines and other historical and pertinent information on each of the items listed on the Community Needs List. This information will be added and sent to Council for information and made part of the regular yearly submittal.

Catawba Mental Health Board Nomination of Deborah Boulware – 4-year term.

Charlene McGriff moved that Lancaster County Council nominate Ms. Deborah Boulware to the Catawba Mental Health Board. Seconded by Larry Honeycutt. Passed 7-0.

The nomination and board application will be forwarded to the Governor's office for approval.

Sheriff's Office awarded Traffic Unit Grant.

Sheriff Faile informed Council that the office was awarded a Traffic Unit grant funded through the South Carolina Department of Public Safety (Office of Highway Safety). This grant is for \$219,700. He further explained that this grant falls within the five-year plan for the Sheriff's Office. This unit would enforce the traffic laws of this state in areas where we have the most crime and traffic related issues. Sheriff Faile informed Council that we get complaints each day from citizens about traffic related crimes and our officers rely on the SC Highway Patrol to respond, but have a delayed response time due to the manpower issue they have in this region. Sheriff Faile further noted that the grant does not require a match but will require us to keep the officers in place when the grant expires in approximately three years. He also stated that all equipment such as uniforms and vehicles are part of the grant.

Economic Development Structural Committee Report and Regional Initiative.

Chairman Bundy informed Council that the Economic Development Structural Committee will be looking at a recruiter position and will meet on February 9 to discuss the request for proposals received. The Committee hopes to have identified a director by May/June timeframe. Salary will be commensurable based on experience.

Brian Carnes asked if Council had made a motion in the past that issued a timeframe on when the Director would be hired. The Clerk to Council will search the record to see if a motion was made regarding the timeframe.

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Bob Bundy also informed Council that he has made regional and local contacts with York, Chester, the City Lancaster, and the School Board.

Status of items tabled, recommitted, deferred or held

3rd Reading of Ordinance 2016-1389 Amendment to PDD-18 Sun City Carolina Lakes

This item will appear before the Planning Commission on February 16 and then back to County Council on February 22.

Executive Session

Jack Estridge moved that Council consider having the Clerk to Council present in Executive Sessions. Seconded by Brian Carnes. Motion Failed 3-4. Jack Estridge, Brian Carnes, Larry McCullough voted in favor of the motion. Charlene McGriff, Steve Harper, Bob Bundy and Larry Honeycutt opposed.

Charlene McGriff moved to go into Executive Session to hear a contractual matter and a legal matter. Seconded by Brian Carnes. Passed 7-0.

Larry Honeycutt moved to come out of Executive Session. Seconded by Brian Carnes. Passed 7-0.

Attorney John Weaver noted that Council discussed two matters in Executive Session, a contractual matter and a legal matter where no votes were taken and no motions were made.

Contractual Matter: SC Code 30-4-70(2) – Discussions of negotiations incident to proposed sale of property.

Larry McCullough moved to authorize the County Attorney to move forward with the instructions given to him by County Council in Executive Session. Larry Honeycutt seconded. Passed 7-0.

Legal Matter: SC Code 30-4-70(2)- Receipt of legal advice relating to potential litigation

Larry McCullough moved to authorize the County Attorney to move forward with the instructions given to him by County Council in Executive Session. Larry Honeycutt seconded. Passed 6-0. Jack Estridge recused.

Councilman Estridge recused himself from voting on the above-related matter. A recusal form is on file with the Clerk to Council.

DRAFT

Adjournment

Respectfully Submitted:

Approved by Council, February 22, 2016

Debbie C. Hardin
Clerk to Council

Steve Harper, Secretary

STATE OF SOUTH CAROLINA

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COUNTY OF LANCASTER

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RESOLUTION NO. 0909-R2016

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A RESOLUTION

EXPRESSING APPRECIATION TO SHERIFF'S LIEUTENANT TOWANNA E. BARNES AND AUTHORIZING A GIFT TO HER BY LANCASTER COUNTY OF HER SERVICE SIDEARM ON THE OCCASION OF HER RETIREMENT

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

WHEREAS, Lancaster County acknowledges the accomplishments and achievements of Sheriff's Lieutenant Towanna E. Barnes, who has served and protected the citizens of Lancaster for 36 years; and

WHEREAS, Lancaster County formally acknowledges Sheriff's Lieutenant Towanna E. Barnes retirement from the Lancaster County Sheriff's Office; and

WHEREAS, Lancaster County Council wishes the very best to Sheriff's Lieutenant Towanna E. Barnes in her retirement and expressing profound appreciation for her years of dedicated service, desires to commemorate her service by making to Sheriff's Lieutenant Towanna Barnes a gift of her 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 Lieutenant Towanna E. Barnes her service sidearm as a gift on the occasion of her retirement.

AND IT IS SO RESOLVED this _____ day of February, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

(SEAL)

Bob Bundy, Chairman, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

STATE OF SOUTH CAROLINA

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COUNTY OF LANCASTER

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RESOLUTION NO. 0910-R2016

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A RESOLUTION

**EXPRESSING APPRECIATION TO SHERIFF'S DEPUTY JAMES ALLEN
RUSSELL 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 Deputy James Allen Russell, who has served and protected the citizens of Lancaster for 15 years; and

WHEREAS, Lancaster County formally acknowledges Sheriff's Deputy James Allen Russell's retirement from the Lancaster County Sheriff's Office; and

WHEREAS, Lancaster County Council wishes the very best to Sheriff's Deputy James Allen Russell in his retirement and expressing profound appreciation for his years of dedicated service, desires to commemorate his service by making to Sheriff's Deputy James Allen Russell 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 Deputy James Allen Russell his service sidearm as a gift on the occasion of his retirement.

AND IT IS SO RESOLVED this _____ day of February, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

(SEAL)

Bob Bundy, Chairman, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

STATE OF SOUTH CAROLINA

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COUNTY OF LANCASTER

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RESOLUTION NO. 0913-R2016

A RESOLUTION

**EXPRESSING APPRECIATION TO SHERIFF'S DEPUTY JAMES PARKER
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 Deputy James Parker, who has served and protected the citizens of Lancaster for 25 years; and

WHEREAS, Lancaster County formally acknowledges Sheriff's Deputy James Parker's retirement from the Lancaster County Sheriff's Office; and

WHEREAS, Lancaster County Council wishes the very best to Sheriff's Deputy James Parker in his retirement and expressing profound appreciation for his years of dedicated service, desires to commemorate his service by making to Sheriff's Deputy James Parker 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 Deputy James Parker his service sidearm as a gift on the occasion of his retirement.

AND IT IS SO RESOLVED this _____ day of February, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

(SEAL)

Bob Bundy, Chairman, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie Hardin, Clerk to Council

Agenda Item Summary

Ordinance # / Resolution#: 0911-R2016
Contact Person / Sponsor: Steve Willis
Department: Administration
Date Requested to be on Agenda: February 22, 2016

Issue for Consideration:

Council discussed earmarking the funds from the sale of county owned property but never took official action to do so.

Points to Consider:

Veronica Thompson needs documentation to carry out the stated desire of County Council.

The attached Resolution would provide such documentation.

Funding and Liability Factors:

N/A

Council Options:

If Council desires to act as previously stated, the Resolution is needed to document that desire for accounting purposes.

Staff Recommendation:

Approve the Resolution to carry out the stated desire of Council.

Committee Recommendation:

N/A

STATE OF SOUTH CAROLINA

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RESOLUTION NO. 0911-R2016

COUNTY OF LANCASTER

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A RESOLUTION

**DESIGNATING THE USE FOR FUNDS RECEIVED FROM THE SALE OF
COUNTY PROPERTY LOCATED AT 3888 CHESTER HIGHWAY TO 3i**

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

WHEREAS, Lancaster County sold county owned property located at 3888 Chester Highway as part of an economic incentive package; and

WHEREAS, County Council desires to earmark the proceeds from that sale of real property for a specific future use.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Lancaster, South Carolina, that County Council designates that the proceeds from the sale be used for such action that Council may approve in relation to developing a suitable training facility for the Lancaster County Emergency Medical Service (EMS).

AND IT IS SO RESOLVED this 22nd day of February, 2016.

(remainder of page is blank, signature page follows)

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#: 0912-R2016
Contact Person / Sponsor: Penelope Karagounis
Department: Planning
Date Requested to be on Agenda: February 22, 2016

Issue for Consideration:

Extension of rezoning moratorium.

Points to Consider:

This action is taken pursuant to section 1c of Ordinance 2015-1351.

The new termination date would be June 8, 2016 or upon adoption of the new UDO, whichever occurs first.

Funding and Liability Factors:

N/A

Council Options:

Approve, modify, or reject the Resolution.

Staff Recommendation:

Approve as presented.

Committee Recommendation:

N/A

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 0912-R2016

A RESOLUTION

TO EXTEND BY NINETY (90) DAYS THE NINE (9) MONTH MORATORIUM AS DETAILED IN ORDINANCE NO. 2015-1351.

WHEREAS, On July 13, 2015 County Council did pass Ordinance No. 2015-1351 wherein a nine (9) month moratorium on rezoning for all real property located generally in the Indian Land section of Lancaster County was initiated, a copy of the referenced ordinance and geographic map being attached hereto and incorporated herein by reference; and

WHEREAS, Section 1b. of the ordinance permits County Council at its discretion to extend the moratorium from March 9, 2016 until June 8, 2016; and

WHEREAS, the Lancaster County Planning Director has set forth the reasoning for the request for a ninety (90) day extension that has been recommended by the Administrator and which the County Council finds to be necessary, reasonable and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Council of Lancaster County, South Carolina: that the termination date of Ordinance No. 2015-1351 hereby is extended by ninety (90) days and shall now end on June 8, 2016.

AND IT IS SO RESOLVED

Dated this ____ day of _____, 2016

LANCASTER COUNTY, SOUTH CAROLINA

LANCASTER COUNTY, SOUTH CAROLINA

[SEAL]

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

Attest:

Debbie C. Hardin, Clerk to Council



Memo

To: Steve Willis, Lancaster County Administrator
From: Penelope G. Karagounis, Lancaster County Planning Director
Date: February 10, 2016
Re: Extension of Moratorium in the Panhandle

Message:

On July 13, 2015, County Council adopted a nine 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 until its intersection with Highway 521, then proceeding in a northeastern direction along Old Church Road until its intersection with the Union County, North Carolina state line, then further northward to the North Carolina State line. The purpose of the moratorium was for the Lancaster County Planning Commission and Planning Department staff to review and consider a new Unified Development Ordinance and Zoning Map and make recommendation to County Council for new zoning district designations, development regulations and appropriate zoning necessary to adequately manage growth throughout the County. We have been working diligently with Kara Drane, Senior Planner from the Catawba Regional Council of Governments.

From September until December 2015 we have focused our time with public engagement with various groups of individuals. We held four community meetings throughout the County, with approximately 125 participants and met with over thirty individual stakeholders to discuss the proposed zoning districts for the County. In order to continue to receive public engagement we created an online application with Survey Monkey for citizens that could not attend the meeting to voice their concerns of the proposed districts. We collected about sixty comment sheets and have been reviewing these inquiries. We gave presentations to the Chamber of Commerce Policy Group and the Lancaster Rotary Club. We are also scheduled to give a presentation to the Indian

Land Action Council on the evening of February 15th. At the end of this month we are scheduled to have six focus groups to review our draft Unified Development Ordinance before the document goes through the public hearing process. After the focus groups have been conducted we will also schedule two open house days for anyone to review the proposed zoning map before we go to the public hearing process. It is evident from the extensive public engagement outreach, my staff and I have worked diligently to be transparent with the Unified Development rewrite process. This is why I am requesting for a need to extend the moratorium.

In Ordinance Number 2015-1351, it states that the moratorium ends on March 9, 2016. I would like to request a resolution to extend the moratorium up to 90 days (June 8, 2016) or earlier which ever comes first in regards to adopting the new Unified Development Ordinance with the official County Zoning Map. Our intent is to have the public hearing process begin with the Planning Commission in March so we can forward it to County Council in April for consideration before June. We would greatly appreciate the extension of the moratorium to help us complete the Unified Development Ordinance rewrite.

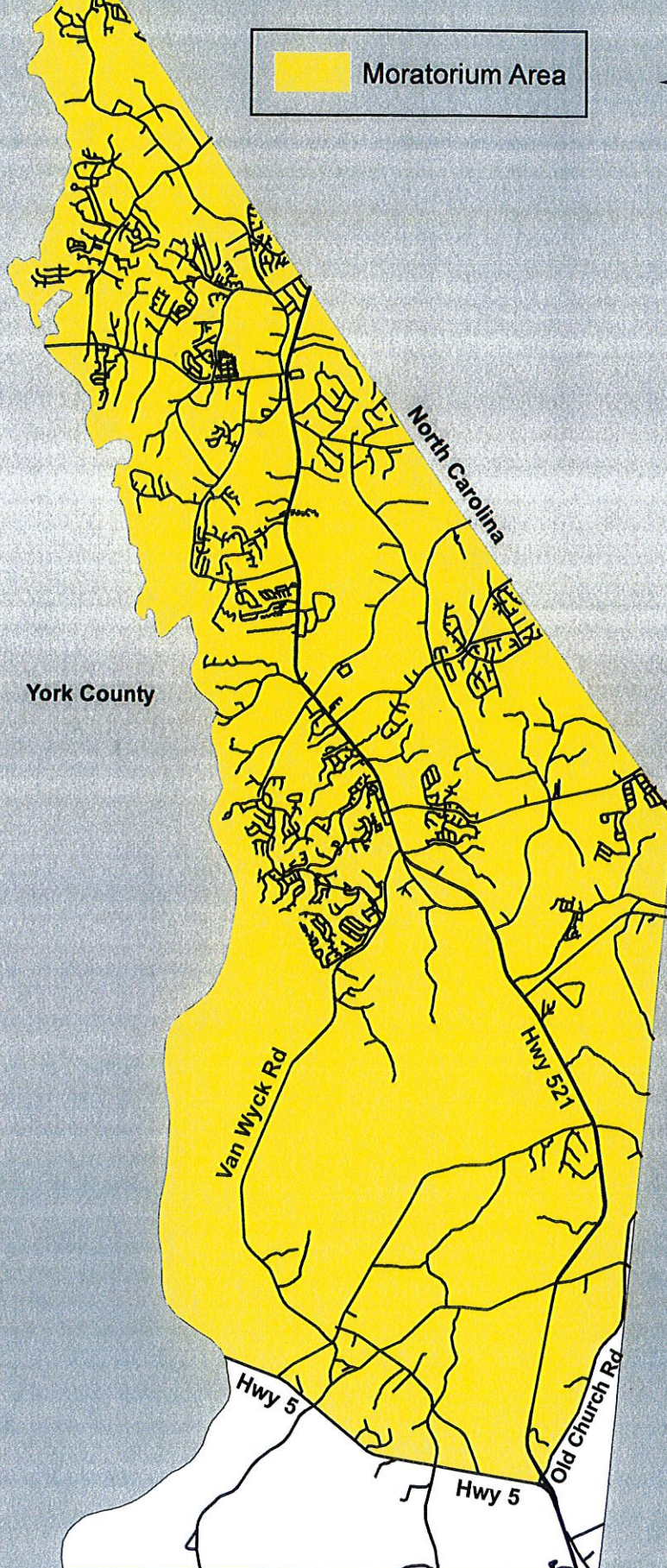
Thank you,

PGK

Attachment

Cc: Kara Drane, Senior Planner, Catawba Regional Council of Government

Proposed Area for Rezoning Moratorium



Lancaster
County
South Carolina

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OF COURT

2015 JUL 15 AM 10:19
CLERK OF COURT
LANCASTER, SC

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 June 8, 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") beginning June 8, 2015 as the effective date and March 9, 2016 as the end date. Council at its discretion can extend the end date until June 8, 2016. 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 extended expiration date of June 8, 2016 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 pre-emptive 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.


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

AND IT IS SO ORDAINED

Dated this 13th day of July, 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
Second Reading: June 22, 2015
Third Reading: July 13, 2015

Public Hearing: May 18, 2015

** On June 8, 2015, County Council invoked by a 7-0 vote the Pending Ordinance Doctrine.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Lancaster County, South Carolina (the "County"), in County Council Chambers located at 101 N. Main Street, Lancaster, South Carolina, at 6:30 p.m. or as soon thereafter as possible, on Monday, February 22, 2016, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Bonds, Series 2016A, or such other appropriate series designation, of Lancaster County, South Carolina, in the principal amount of not exceeding \$6,750,000 (the "Bonds"). The proceeds of the Bonds will be used for (i) funding the acquisition of fire trucks; (ii) paying the costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

The full faith, credit, and taxing power of the County will be pledged for the payment of the principal of and interest on the Bonds and a tax, without limit, will be levied on and collected annually, in the same manner other County taxes are levied and collected, on all taxable property of the County sufficient to pay to principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

COUNTY COUNCIL OF LANCASTER COUNTY,
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2016-1387

AN ORDINANCE

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF LANCASTER COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,750,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall have, for all purposes of this Ordinance, the meanings hereinafter specified, with the definitions equally applicable to both the singular and plural forms and vice versa. The term:

"Beneficial Owner" shall mean any purchaser who acquires beneficial ownership interest in an Initial Bond held by the Depository. In determining any Beneficial Owner, the County, the Registrar and the Paying Agent may rely exclusively upon written representations made and information given to the County, the Registrar and the Paying Agent, as the case may be, by the Depository or its Participants with respect to any Bonds held by the Depository or its Participants in which a beneficial ownership interest is claimed.

"Bonds" shall mean the not to exceed \$6,750,000 general obligation bonds authorized herein.

"Book-Entry Form" or **"Book-Entry System"** shall mean with respect to the Bonds, a form or system, as applicable, under which (a) the ownership of beneficial interests in the Bonds may be transferred only through a book-entry; and (b) physical Bonds certificates in fully registered form are registered only in the name of the Depository or its nominees as Holder, with the physical Bonds certificates "immobilized" in the custody of the Depository. The book-entry maintained by the Depository is the record that identifies the owners of participatory interests in the Bonds when subject to the Book-Entry System.

"Books of Registry" shall mean the registration books maintained by the Registrar in accordance with Section 5 hereof.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"County" shall mean Lancaster County, South Carolina.

"County Council" shall mean the County Council of Lancaster County, South Carolina.

"Depository" shall mean any securities depository that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial interests in the Bonds, and to effect transfers of the Bonds in Book-Entry Form, and includes and means initially The Depository Trust Company, New York, New York.

"Government Obligations" shall mean (1) cash; (2) United States Treasury Obligations – State and Local Government Series; (3) United States Treasury bills, notes, bonds or zero coupon treasury bonds all as traded on the open market; (4) direct obligations of the U.S. Treasury which have been stripped by the Treasury itself, including CATS, TIGRS and similar securities; (5) obligations of any agencies or instrumentalities which are backed by the full faith and credit of the United States of America; (6) bonds or debentures issued by any Federal Home Loan Bank or consolidated bonds or debentures issued by the Federal Home Loan Bank Board; (7) prefunded municipal bonds which are rated in the triple A category by Moody's Investors Service or Standard & Poor's Rating Service; (8) general obligations of the State or any of its political units; or (9) any legally permissible combination of any of the foregoing. Government Obligations must be redeemable only at the option of holder thereof.

"Holders" shall mean the registered owner or owners of any outstanding Bonds.

"Initial Bonds" shall mean the Bonds initially issued in Book-Entry Form as provided in Section 14 hereof.

"Letter of Representations" shall mean the Letter of Representations executed and delivered by the County to the Depository.

"Ordinance" shall mean this Ordinance No. 2016-1387.

"Participant" shall mean any bank, brokerage house or other financial institution for which, from time to time, the Depository effects book-entry transfers and pledges of securities deposited with the Depository.

"Paying Agent" shall mean the bank, trust company, depository or transfer agent or the County Treasurer designated as paying agent for the Bonds.

"Project" shall mean the acquisition of fire trucks.

"Record Date" shall mean the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on the Bonds or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the giving of notice of redemption of Bonds.

"Registrar" shall mean the bank, trust company, depository or transfer agent or the County Treasurer designated as registrar pursuant to this Ordinance.

"S.C. Code" shall mean the Code of Laws of South Carolina 1976, as amended.

"State" shall mean the State of South Carolina.

SECTION 2. Findings and Determinations. The County Council hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended, and the results of a referendum held in accordance therewith, the Council-Administrator form of government was adopted and the County Council constitutes the governing body of the County.

(b) Article X, Section 14 of the Constitution of the State of South Carolina 1895, as amended (the "Constitution") provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law within the limitations set forth therein and in Section 12 of Article X. Article X, Section 14 further provides that if general obligation debt is authorized by a majority vote of the qualified electors of a county voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in Article X.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding its applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The assessed value of all the taxable property in the County as of June 30, 2015, for the 2014 tax year is \$323,918,406 which excludes exempt manufacturing property. Eight percent of the assessed value is \$25,913,472. As of the date hereof the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$12,185,000. Thus, the County may incur not exceeding \$13,728,472 of additional general obligation debt within its applicable debt limitation.

(f) It is now in the best interest of the County for County Council to provide for the issuance and sale of not exceeding \$6,750,000 principal amount general obligation bonds of the County to provide funds for (i) funding the Project; (ii) paying costs of issuance of the Bonds (hereinafter defined); and (iii) such other lawful purposes as the County Council shall determine.

(g) Pursuant to Ordinance No. 2015-1335 duly enacted on February 23, 2015, the County adopted Written Procedures related to Tax-Exempt Debt and Continuing Disclosure.

SECTION 3. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$6,750,000 aggregate principal amount of general obligation bonds of the County to be designated "\$6,750,000 (or such lesser amount issued) General Obligation Bonds (appropriate series designation), of Lancaster County, South Carolina" (the "Bonds"), for the purposes set forth in Section 2(f) and other costs incidental thereto, including without limiting the generality of such other costs, engineering, financial and legal fees.

The Bonds shall be issued as fully registered bonds registerable as to principal and interest; shall be dated their date of delivery to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; shall be subject to redemption if such provision is in the best interest of the County; shall be numbered from R-1 upward; shall bear interest from their date payable at such times as hereinafter designated by the County Administrator and/or his lawfully-authorized designee at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially in successive annual installments as determined by the County Administrator and/or his lawfully-authorized designee.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. The Registrar/Paying Agent shall be a bank, trust company, depository or transfer agent located either within or without the State.

SECTION 4. Delegation of Authority to Determine Certain Matters Relating to the Bonds. Without further authorization, the County Council hereby delegates to the County Administrator or his lawfully-authorized designee the authority to determine: (a) the par amount of the Bonds; (b) the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) the interest payment dates of the Bonds; (d) redemption provisions, if any, for the Bonds; (e) the date and time of sale of the Bonds; (f) the authority to receive bids on behalf of the County Council; (g) the authority to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds; and (h) whether the Bonds should be sold together with general obligation refunding bonds to be issued by the County pursuant to separate ordinances.

After the sale of the Bonds, the County Administrator and/or his lawfully-authorized designee shall submit a written report to County Council setting forth the details of the Bonds as set forth in this paragraph.

SECTION 5. Registration, Transfer and Exchange of Bonds. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully registered Bond or Bonds, of the same aggregate principal amount, interest rate, and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Bonds is

exercised, the County shall execute and the Registrar/Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the County nor the Registrar/Paying Agent shall be obligated to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds.

SECTION 6. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the giving of notice of redemption of bonds.

SECTION 7. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

SECTION 8. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chair of the County Council attested by the manual or facsimile signature of the Clerk to the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may not be those of the officers who are in office on the date of enactment of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 9. Form of Bonds. The Bonds and the certificate of authentication shall be in substantially the form set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 10. Security for Bonds. The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Council shall give the County Auditor and County Treasurer written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, a tax, without limit, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds and this Ordinance, such notice in substantially the form attached hereto as Exhibit B, having been published in *The Lancaster News*, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 12. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the S.C. Code from all State, county, municipal, and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 13. Tax Covenants. The County hereby covenants and agrees with the Holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the Bondholders for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds," as defined in Section 148 of the Code, and to that end the County hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Bonds are outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the Code.

SECTION 14. Book-Entry System. The "Initial Bonds" will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York ("DTC"), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County of the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds of the same principal amount, interest rate, and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County of the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 8 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Bonds will be issued as one single fully-registered bond and not issued through the book-entry system.

SECTION 15. Sale of Bonds, Form of Notice of Sale. The Bonds shall be offered for public sale on the date and at the time designated by the County Administrator and/or his lawfully-authorized designee. A Notice of Sale in substantially the form set forth as Exhibit C attached hereto and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

SECTION 16. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the County Administrator and/or his lawfully-authorized designee to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as "final" for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"). The County Administrator and/or his lawfully-authorized designee are further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

SECTION 17. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of the annual financial report of the County within thirty (30) days from the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which adversely affects more than five (5%) percent of the revenues of the County or the County's tax base.

SECTION 18. Continuing Disclosure. In compliance with the Rule, the County covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Continuing Disclosure Certificate in substantially the form appearing as Exhibit D attached to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Continuing Disclosure Certificate, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by this Ordinance.

SECTION 19. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds shall be deposited with the County Treasurer in a special fund and shall be applied solely to the purposes for which the Bonds have been issued, including payment of costs of issuance of the Bonds, except that any premium shall be placed in the sinking fund established for the Bonds.

SECTION 20. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) payment of the principal of and interest on such Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bonds shall no longer be deemed to be outstanding hereunder, such Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

(c) Such Bond or Bonds shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 21. Declaration of Intent to Reimburse Certain Expenditures. The County Council hereby declares that this Ordinance shall constitute its declaration of official intent pursuant to Regulation § 1.150-2 to reimburse the County from the proceeds of tax-exempt debt in the form of general obligation bonds of the County to be issued pursuant to the Constitution, the County Bond Act and Title 11, Chapter 27, for expenditures with respect to the Bond-approved Project (the "Expenditures"). The County anticipates incurring Expenditures with respect to the Bond-approved Project prior to the issuance by the County of the Bonds. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures. The Expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one (1) year. The source of funds for the Expenditures with respect to the Project will be the County's general funds.

SECTION 22. Miscellaneous. The County Council hereby authorizes the County Administrator, Chair of the County Council, the Clerk to the County Council and County Attorney to execute such documents and instruments as necessary to effect the issuance of the Bonds. The County Council hereby retains McNair Law Firm, P.A., as bond counsel and Compass Municipal Advisors, LLC, as financial advisor, in connection with the issuance of the Bonds. The County Administrator is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

All rules, regulations, resolutions, and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

Enacted this ____ day of _____, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

Approved as to form:

County Attorney

Date of First Reading:	January 11, 2016	Passed 5-2
Date of Second Reading:	February 8, 2016	Passed 6-1
Date of Public Hearing:	February 22, 2016	Tentative
Date of Third Reading:	February 22, 2016	Tentative

Exhibit A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
LANCASTER COUNTY
GENERAL OBLIGATION BOND, SERIES 2016A

No. R-1

INTEREST
RATE

MATURITY
DATE

ORIGINAL
ISSUE DATE

CUSIP

REGISTERED HOLDER:

PRINCIPAL AMOUNT: _____ (\$ _____) Dollars

KNOW ALL MEN BY THESE PRESENTS, that Lancaster County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of _____, in the City of _____, State of _____ (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable _____ 1, 20 __, and semiannually on _____ 1 and _____ 1 of each year thereafter, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently _____, in _____, _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the County are irrevocably pledged and there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating _____ Dollars (\$ _____), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted by the County Council on _____, 2016.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate redemption provisions, if any, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina (the "State"), this Bond and the interest hereon are exempt from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, LANCASTER COUNTY, SOUTH CAROLINA, has caused this Bond to be signed with the manual or facsimile signature of the Chair of the County Council, attested by the manual or facsimile signature of the Clerk to the County Council and the seal of the County impressed, imprinted, or reproduced hereon.

LANCASTER COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)
ATTEST:

Clerk, County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This bond is one of the Bonds described in the within mentioned Ordinance of Lancaster County, South Carolina.

as Registrar

By: _____
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the
entireties

Custodian
(Cust.) (Minor)

JT TEN - As joint tenants
with right of
survivorship and
not as tenants in
common

under Uniform Gifts to Minors

(State)

Additional abbreviations may also be used though not in list above.

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

Signature Guaranteed:

(Authorizing Officer)

Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

NOTICE: The signature to this agreement this agreement must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

A copy of the final approving opinion to be rendered shall be attached to each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a manual or facsimile signature of the Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinion (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of Bonds of which the within Bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the Bonds and a copy of which is on file with the County Council of Lancaster County, South Carolina.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
Clerk, County Council

FORM OF NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Lancaster County, South Carolina (the "County"), in County Council Chambers located at 101 N. Main Street, Lancaster, South Carolina, at 6:30 p.m. or as soon thereafter as possible, on Monday, February 22, 2016, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Bonds, Series 2016A, or such other appropriate series designation, of Lancaster County, South Carolina, in the principal amount of not exceeding \$6,750,000 (the "Bonds"). The proceeds of the Bonds will be used for (i) funding the acquisition of fire trucks; (ii) paying the costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

The full faith, credit, and taxing power of the County will be pledged for the payment of the principal of and interest on the Bonds and a tax, without limit, will be levied on and collected annually, in the same manner other County taxes are levied and collected, on all taxable property of the County sufficient to pay to principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

COUNTY COUNCIL OF LANCASTER COUNTY,
SOUTH CAROLINA

FORM OF OFFICIAL NOTICE OF SALE

OFFICIAL NOTICE OF SALE

\$ _____ GENERAL OBLIGATION BONDS, SERIES 2016A,
OF LANCASTER COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Lancaster County, South Carolina (the "County"), in the offices of the County Administrator, Lancaster County Administration Building, 101 N. Main Street, Lancaster County, South Carolina, until 11:00 a.m. South Carolina time, on _____, _____, 2016, at which time said proposals will be publicly opened for the purchase of \$ _____ General Obligation Bonds, Series 2016A, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2016A, Lancaster County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 849-5021.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

The Bonds will be issued in fully-registered form registered as to principal and interest; will be dated _____, 2016; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing in each year; and will mature serially in successive annual installments on _____ in each of the years and in the principal amounts as follows:

Year

Principal Amount*

Year

Principal Amount*

*Preliminary, subject to adjustment.

Adjustment of Maturity Schedule. The County reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Bonds maturing in any year (all calculations to be rounded to the near \$5,000), provided that any such decrease or increase shall not exceed 15% of the Bonds. Such adjustment(s), if any, shall be made within twenty-four (24) hours of the award of the Bonds. In order to calculate the yield on the Bonds for federal tax law purposes and as a condition precedent to the award of the Bonds, bidders must disclose to the County in connection with their respective bids the price (or yield to maturity) at which each maturity of the Bonds will be reoffered to the public.

In the event of any adjustment of the maturity schedule for the Bonds as described herein, no rebidding or recalculation of the proposals submitted will be required or permitted. Nevertheless, the award of the Bonds will be made to the bidder whose proposal produces the lowest true interest cost solely on the basis of the Bonds offered, without taking into account any adjustment in the amount of the Bonds pursuant to this paragraph.

The Bonds will bear interest from the date thereof payable semiannually on _____ and _____ of each year, commencing _____, until they mature.

[Redemption Provisions]

Registrar/Paying Agent: Within twenty-four (24) hours of the sale of the Bonds, the School District will designate a registrar and paying agent ("Registrar/Paying Agent") for the Bonds. The Registrar/Paying Agent is a bank, trust company, depository or transfer agent organized under the laws of the State of South Carolina or the laws of the United States of America.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% with no greater difference than three percent (3%) between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. **A BID FOR LESS THAN ALL THE BONDS OR A BID AT A PRICE LESS THAN PAR WILL NOT BE CONSIDERED.**

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Security: The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the

creation of such sinking fund as may be necessary therefor. There shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2016A of Lancaster County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Bonds, the County will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a continuing disclosure certificate, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County Council shall furnish upon delivery of the Bonds the final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, which opinion shall accompany each Bond, together with the usual closing documents, including a certificate of the County that no litigation is pending affecting the Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

CUSIP Numbers: It is anticipated that CUSIP identification numbers will be set forth on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. The CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the successful bidder.

Delivery: The Bonds will be delivered on or about _____, 2016, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

Additional Information: The Preliminary Official Statement of the County with respect to the Bonds is available via the internet at officialstatements.compassmuni.com and will be furnished to any person interested in bidding for the Bonds upon request to McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking additional information should communicate with the County's Bond Counsel, Francenia B. Heizer, McNair Law Firm, P.A., Post Office Box 11390, Columbia, South Carolina 29211 fheizer@mcnair.net or with the County's Financial Advisor, Brian Nurick, Managing Director, Compass Municipal Advisors, LLC, 1310 Pulaski Street, Columbia, South Carolina 29201; telephone (859) 368-9616, e-mail: brian.nurick@compassmuni.com.

LANCASTER COUNTY, SOUTH CAROLINA

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by Lancaster County, South Carolina (the "County") in connection with the issuance of \$_____ General Obligation Bonds, Series 2016A (the "Bonds"). The Bonds are being issued pursuant to an Ordinance adopted by the County Council of the County (the "Council"). The County covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the County for the benefit of the beneficial owners and in order to assist the Participating Underwriters (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Bonds" shall mean the \$_____ General Obligation Bonds, Series 2016A, Lancaster County, South Carolina, dated _____, 2016.

"Dissemination Agent" shall mean the County or any successor Dissemination Agent designated in writing by the County and which has filed with the County a written acceptance of such designation.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"Repository" shall mean for purposes of the Rule, the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

"Participating Underwriter" shall mean _____, and any other original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange County under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Provision of Annual Reports.

(a) The County shall, or shall cause the Dissemination Agent to provide, not later than February 1 of each year, commencing in 2017, to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to such date the County shall provide the Annual Report to the Dissemination Agent, if other than the County; provided, that if the audited financial statements required pursuant to Section 4 hereof to be included in the Annual Report are not available for inclusion in the Annual Report as of such date, unaudited financial statements of the County may be included in such Annual Report in lieu thereof, and the County shall replace such unaudited financial statements with audited financial statements within fifteen (15) days after such audited financial statements become available for distribution. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other

information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the County may be submitted separately from the balance of the Annual Report.

(b) If the County is unable to provide to the Repository an Annual Report by the date required in subsection (a), the County shall send a notice to the Municipal Securities Rulemaking Board and State Depository, if any, in substantially the form attached hereto as *Exhibit A*.

(c) The Dissemination Agent shall:

(1) determine each year prior to the date for providing the Annual Report the name and address of the Repository; and

(2) if the Dissemination Agent is other than the County, file a report with the County and (if the Dissemination Agent is not the Registrar) the Registrar certifying whether the Annual Report has been provided pursuant to this Disclosure Certificate, and, if provided, stating the date it was provided, and listing the Repository to which it was provided.

SECTION 4. Content of Annual Reports. The County's Annual Report shall contain or incorporate by reference the most recent audited financial statements, which shall be prepared in conformity with generally accepted accounting principles (or, if not in such conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information) applicable to governmental entities such as the County, and shall, in addition, contain or incorporate by reference the following information relating to the previous fiscal year:

- (a) County population;
- (b) Total state appropriations subject to withholding under Article X, Sec. 14, South Carolina Constitution;
- (c) Outstanding general obligation indebtedness of the County;
- (d) Tax levy for County;
- (e) Tax collections for County; and
- (f) Ten largest taxpayers (including fee-in-lieu-of-tax) for County.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues with respect to which the County is an "obligated person" (as defined by the Rule), which have been filed with the Repository. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The County shall clearly identify each such other document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the County shall give, or cause to be given, notice of the occurrence of any of the following events (the "Listed Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;

- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Tender offers;
- (10) Defeasances;
- (11) Release, substitution, or sale of property securing repayment of the securities;
- (12) Rating changes;
- (13) Bankruptcy, insolvency, receivership or similar event of the County;
- (14) The consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
- (15) Appointment of a successor or additional trustee or the change of name of a trustee.

(b) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(2), (7), (8), (11), (14), or (15) above, the County shall as soon as possible determine if such event would be material under applicable federal securities laws. If the County determines that knowledge of the occurrence of such event would be material under applicable federal securities laws, the County shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Repository.

(c) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(1), (3), (4), (5), (6), (9), (10), (12), or (13) above, the County shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Repository.

(d) Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8), (9), and (10) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to owners of affected Bonds. For the purposes of the event identified in (a)(13) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County.

SECTION 6. Termination of Reporting Obligation. The County's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of all of the Bonds.

SECTION 7. Dissemination Agent. The County may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the County.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the County may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to the County, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Certificate, the County shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the County, or the Dissemination Agent to comply with any provision of this Disclosure Certificate, any beneficial owner may take such actions as may be necessary and appropriate, including seeking injunctive relief or specific performance by court order, to cause the County, or the Dissemination Agent, as the case may be, to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the County, or the Dissemination Agent to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of the Dissemination Agent. The provisions of this Section 11 shall apply if the Issuer is not the Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the County agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the County under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the County, the Dissemination Agent, the Participating Underwriters, and Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 13. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
County Administrator

Dated: _____, 2016

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of County: Lancaster County, South Carolina

Name of Bond Issue: \$ _____ General Obligation Bonds, Series 2016A,
Lancaster County, South Carolina

Date of Issuance: _____, 2016

NOTICE IS HEREBY GIVEN that Lancaster County, South Carolina (the "County") has not provided an Annual Report with respect to the above-named Bonds as required by Sections 3 and 4 of the Continuing Disclosure Certificate executed and delivered by the County as Dissemination Agent. The County has notified us in writing that the Annual Report will be filed by _____.

Dated: _____

LANCASTER COUNTY, SOUTH CAROLINA

PUBLIC HEARING NOTICE

Fiscal Year 2015-2016 LANCASTER COUNTY BUDGET

The County of Lancaster will hold a public hearing on **Monday, February 22, 2016** 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 two Ordinances amending the Fiscal Year 2015-2016 County Budget.

ORDINANCE 2016-1390 TO AMEND ORDINANCE 2015-1356

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016 (FY2015-2016); TO SPECIFY THE SOURCE OF FUNDS FOR THE SUPPLEMENTAL APPROPRIATIONS:

General Fund

	Supplemental Revenue- Fund Balance	24,250	
	Patrol Rifles for Sheriff's Dept.		24,250
Court Security Fund	Supplemental Revenue- Fund Balance	17,400	
	Patrol Rifles for Court Security		17,400
Development Agreement Fund	Supplemental Revenue- Development Agreement payments	14,450	
	Patrol Rifles for District 1 (Indian Land)		14,450

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.

Publish Friday, February 5, 2016, Lancaster News

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

)
)
)
ORDINANCE NO. 2016-1390

~~Indicates Matter Stricken~~
Indicates New Matter

AN ORDINANCE

TO AMEND ORDINANCE NO. 2015-1356, RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016 (FY 2015-2016), 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. 2015-1356 is amended to read:

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 2015-2016):

APPROPRIATIONS	AMOUNT
Airport Fund	255,345
Capital Improvement Fund	1,498,000
Capital Project Sales Tax	8,500,000
(2015-1385)	11,966,149
County Debt	1,859,931
County Transportation Committee Fund	5,394,400
Court Mandated Security	1,198,184
	1,215,584
E-911 Fund	727,550
General Fund	45,356,126
(2015-1383)	45,380,376
(2015-1385)	52,807,037
Indian Land Fire Protection District Fund	522,574
Local Accommodations Tax Fund	30,000
Pleasant Valley Fire Protection District Fund	417,344
Recreation Fund	2,447,396
Victims Services Fund	86,605

The Development Agreement Fund (2015-1383)	0 14,450 418,349
Bond Fund (2015-1383)	0 6,773,461

- 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. 2015-1356, for the following items:

General Fund			
	Supplemental Revenue- Fund Balance	24,250	
	Patrol Rifles for Sheriff's Dept.		24,250
Court Security Fund	Supplemental Revenue- Fund Balance	17,400	
	Patrol Rifles for Court Security		17,400
Development Agreements Fund	Supplemental Revenue- Development Agreement payments	14,450	
	Patrol Rifles for District 1 (Indian Land)		14,450

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

Dated this _____ day of February, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading:	January 25, 2016	Passed 7-0
Second Reading:	February 8, 2016	Passed 7-0
Public Hearing:	February 22, 2016	Tentative
Third Reading:	February 22, 2016	Tentative



Memo

To: Lancaster County Council
From: Penelope G. Karagounis, Planning Director
Date: February 17, 2016
Re: PDD-18 Sun City/Carolina Lakes – Amendment/Ord.# 2016-1389

Message:

On Tuesday, February 16, 2016, the Lancaster County Planning Commission had a public hearing for PDD-18 Sun City/Carolina Lakes amendment. The original language in PDD-18 (Sun City Carolina Lakes) stated "A minimum of 400 townhouses for sale and 200 condominiums for sale shall be located throughout the community..." The amendment is to change the word "minimum" to the word "maximum". There was a motion from Vedia Hatfield to approve the amendment for PDD-18 and no second was made so the motion failed. No action was taken by the Lancaster County Planning Commission. Please forward this memo to County Council for their February 22nd County Council Meeting.

Thank you.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

**ORDINANCE NO. 2016-1389
(PDD-18)**

AN ORDINANCE

TO AMEND A PORTION OF THE SUN CITY CAROLINA LAKES PLANNED DEVELOPMENT DISTRICT, PDD-18, AS DETAILED IN BOTH ORDINANCE NO. 631 AND SUBSEQUENT RELATED ORDINANCES.

WHEREAS, on August 2, 2004, Lancaster County Council did pass Ordinance No. 631 and therein approve a Planned Development District, PDD-18; and

WHEREAS, contained within Section 2 of the Sun City Carolina Lakes Planned Development District, PDD-18, the following language, in part, appears, "...A minimum of 400 townhouses for sale and 200 condominiums for sale shall be located throughout the community..."; and

WHEREAS, Ordinance No. 631 was amended on December 6, 2004 through the passage of Ordinance No. 644 and again amended on January 9, 2006 through the passage of Ordinance No. 691, each of the two amended ordinances referencing the earlier noted Planned Development District, PDD-18 and the language relating to the **minimum** number of townhouses and condominiums that would be built and offered for sale throughout the community; and

WHEREAS, as the Sun City Carolina Lakes development nears its buildout and completion, in fact there are in place and sold 275 townhouses, not 400, and 78 condominiums, not 200, as originally contemplated both in the original and all subsequent ordinances relating to the PDD-18; and

WHEREAS, Council deems it appropriate to amend the Carolina Lakes Planned Development District so as to reflect Council's approval, retroactively, for authorization for the developer's construction of less than the minimum number of townhouses and condominiums as noted previously in Ordinance No. 631, Ordinance, No. 644 and Ordinance No. 691.

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, and with the knowledge and consent of the developer, Pulte Home Corporation, it is ordained and enacted that Ordinance Numbers 631, 644 and 691 are all amended in a limited fashion so as to reflect a deletion in the PDD-18 language set forth herein and to substitute therefore the following:

A maximum of 400 townhouses for sale and 200 condominiums for sale shall be located throughout the community.

AND IT IS SO ORDAINED

Dated this ____ day of _____, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

1st reading: January 11, 2016

2nd reading: January 25, 2016

Public Hearing at Planning Commission

3rd reading: February 22, 2016

By Title Only – Passed 7-0

Passed 7-0

February 16, 2016

Tentative

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement (the "Agreement") entered into this 6th day of October, by and between Lancaster County, South Carolina ("LC"), and Bearing Resources, Inc. (the "Contractor"). For and in consideration of the items set forth below, the parties agree as follows:

WITNESSETH:

1. Engagement. LC agrees to engage the Contractor and the Contractor agrees to be engaged by LC for the period specified in this Agreement. During the term of this Agreement, the Contractor shall perform the duties of Interim Director of the Economic Development department as set forth in paragraphs 3 and 4 below.

2. Term. The term of this Agreement shall commence on October 12, 2015 and continue until December 31, 2015. Subsequent to this period, the Agreement will automatically renew on a month-to-month basis, subject to the fourteen (14) day termination notice provided in Section 6 herein.

3. Duties. During the period of engagement, the Contractor shall perform the duties of Interim Director as directed by the County Administrator. In carrying out such duties, the Contractor is expected to staff the office of the Lancaster County Economic Development office for not less than 3 days per week and provide not less than 25 hours/week of duties.

The authority to direct and control the professional activities of the Contractor shall be retained by the Lancaster County Administrator. Subject to applicable ethical standards and applicable law, the Administrator shall have the ability and authority (i) to request a review of all work performed by the Contractor and (ii) to determine the standards of performance of such work. The Contractor agrees to abide by and perform its duties in accordance with business ethics and all applicable laws and regulations.

4. Deliverables.

- Manage all economic development activities and opportunities within Lancaster County
- Respond to all economic development Request For Proposals
- Develop a template to be utilized for responding to RFP's
- Compile all data required, for proposing to economic development RFP's, on the available buildings and sites within Lancaster County
- Be familiar with all the available buildings and sites within the county
- List all available buildings and sites on the South Carolina Department of Commerce website
- Assist with the establishment and initial operation of the economic development office/department within Lancaster County
- Other items as instructed by the county administrator and mutually agreed upon by both parties

5. Payment. During the term of this engagement, for the months of November, 2015 and December 2015, LC shall pay the Contractor the sum of \$10,000 per month, payable in one installment. For the month of October 2015, the sum shall be \$6,500. The Contractor shall not receive any fringe benefits typically offered by LC to its employees. The Contractor shall submit

invoices for payments to the Lancaster County Administrator not later than the 20th day of each month. The County will make payments to Contractor upon receipt of and approval of the invoice by the County Administrator within ten (10) days.

6. Termination. Either party may terminate this Agreement by giving fourteen (14) days written notice. LC may terminate this Agreement at any time for "cause" without prior notice. A termination for "cause" shall include termination because of the Contractor's dishonesty, incompetence, willful misconduct, breach of fiduciary duty, failure to perform stated duties or directives of LC, willful violation of any law, rules or regulation, or material breach of any provision of this Agreement. In the event of termination for cause, the Contractor shall have no right to receive compensation or other benefits for any period after such termination. Following the expiration of this Agreement on December 31, 2015, LC shall have the right to terminate this Agreement "without cause" and at its sole discretion by giving fourteen (14) days written notice to the Contractor.

7. Travel/Vehicle Insurance and Expenses. Contractor acknowledges that the services rendered will require some travel and understands that it will be reimbursed by LC for use of a private vehicle at the current Internal Revenue Service per mile rate as well as reasonable and customary business expenses. Expenses shall not exceed \$75/month. This amount may only be exceeded with prior approval of the County Administrator. Travel reimbursement shall not be made for travel between the business address of Contractor and the LC economic development offices. Contractor represents that it has or will secure, at a minimum and at its own expense, automobile insurance for a private vehicle with limits of no less than \$500,000 for bodily injury for each incident, including at least \$250,000 per person, and \$100,000 for property damage.

8. Confidentiality. Contractor agrees to hold all LC economic development client encounters and information in the strictest confidence, and Contractor shall not use such client information or disclose such client information to anyone not affiliated with LC, notwithstanding any other economic development duties unrelated to Lancaster County in which Contractor might be engaged. Contractor may, during the course of providing services hereunder or in relation to this Agreement, have access to and acquire knowledge regarding personnel, materials, data, systems, legal, economic development and/or other information which may not be accessible or known to the general public. Any such knowledge acquired by the Contractor shall not be used, published or divulged by the Contractor to any person, firm or other entity without prior written approval of LC unless such use, publication or divulgence is in the direct furtherance of the provisions of services set out in this Agreement. Contractor specifically agrees that the foregoing confidentiality obligation applies to the terms of this Agreement and any information disclosed to the Contractor in any document provided to the Contractor by LC.

9. Record and/or Retention and Security. Contractor agrees to maintain all records and/or documents of, or related to, the engagement and duties set out in this Agreement on the property of the Lancaster County Economic development office specifically, the Lancaster County Economic Development offices in Lancaster South Carolina. In the event the removal of such records and/or documents from the property of LC is necessary for the furtherance of the engagement and provision of services set out in this Agreement, the Contractor agrees to maintain such records and/or documents in a safe and secure location. Contractor agrees that upon the conclusion of its engagement with LC, Contractor will leave all records and/or documents and things accumulated in the furtherance of the provision of services set out in this Agreement in a safe and secure location on the property of LC.


10. Severability. Should any word, sentence, paragraph or clause of this Agreement be determined to be unlawful, it shall have no bearing or impact on the remaining terms of the Agreement which shall remain fully enforceable as if the unlawful word, sentence, paragraph, or clause had been absent from the initial drafting of the Agreement.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the state of South Carolina.


12. Entire Agreement. This Agreement contains the entire understanding between the parties

NOW, THEREFORE, Bearing Resources, Inc. and Lancaster County have executed this Agreement as of the date first written above.

LANCASTER COUNTY

By: 
Title: County Administrator

BEARING RESOURCES, INC.

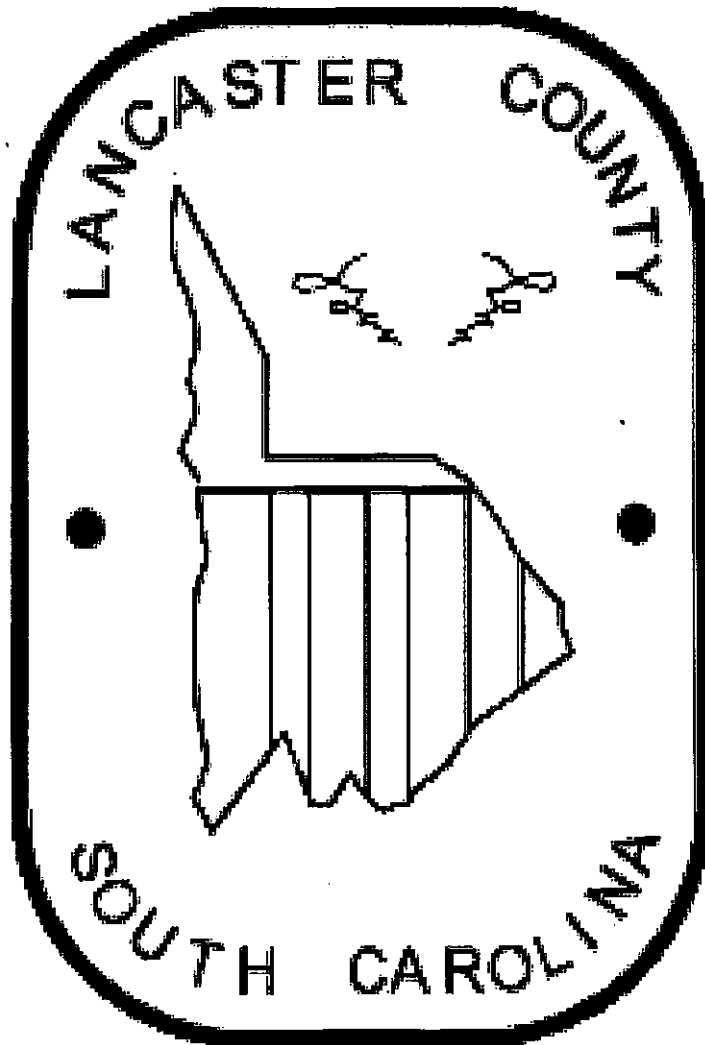

By: _____

Title: President

Federal Tax ID#: 26-1726799__

Budget Monitoring Report

Month of January



Council Meeting February 22, 2015

Prepared by Kimberly Hill, Budget Analyst

This is an unaudited report to management and is intended for informational purposes only.

Contents:

General Fund Revenue Overview	2-3
General Fund Expenditures Overview	4
General Fund Fund Balance	5
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General Fund Department Summary	13-14

General Fund Revenue Overview

Major Revenue Source - Property Taxes

These revenues are comprised of ad-valorem real property taxes, personal property taxes, vehicle taxes, 1% local option sales taxes for property tax reduction, and property tax reimbursements from the State of SC such as homestead, manufacturer's, and motor carrier.

January Collections	YTD Collections	Total Budgeted Collections
7,296,656	22,415,975	28,677,353

Major Revenue Source - Other Taxes

These FY2016 revenues come from road improvement fees.

January Collections	YTD Collections	Total Budgeted Collections
163,033	1,247,308	2,100,000

Major Revenue Source - Intergovernmental Revenue

This revenue source consists of the following payment types: State Aid to Subdivisions, State Salary Participation, State DSS 4D Funds, State Election Commission, State Veterans Affairs, some State & Federal grants, and intergovernmental payments from other governments.

January Collections	YTD Collections	Total Budgeted Collections
92,659	1,517,888	4,344,921

Major Revenue Source - Charges for Services

The majority (\$2,450,000 FY2016) of these revenues come from ambulance fees. Other sources are solid waste fees, convenience fee for SCDMV stickers, and delinquent tax costs.

January Collections	YTD Collections	Total Budgeted Collections
73,194	1,554,407	2,902,750

Major Revenue Source - Licenses and Permits

These revenues are associated with land ownership transfers and new home and commercial construction. The majority (\$2,850,000) of FY2016 budgeted revenues in this category come from anticipated building permit revenue.

January Collections	YTD Collections	Total Budgeted Collections
436,066	2,894,929	4,346,300

Non-Major Revenue Sources- Fines and Fees, Contributions & Donations, Miscellaneous

These revenues are considered non-major sources. Fines & Fees include Magistrate fines, Family Court fees, civil paper fees, costs of court, and library fines. Contributions & Donations include

any donations or contributions made to the varying departments in the County. Miscellaneous includes interest income, rental income, and inmate commissary commission income.

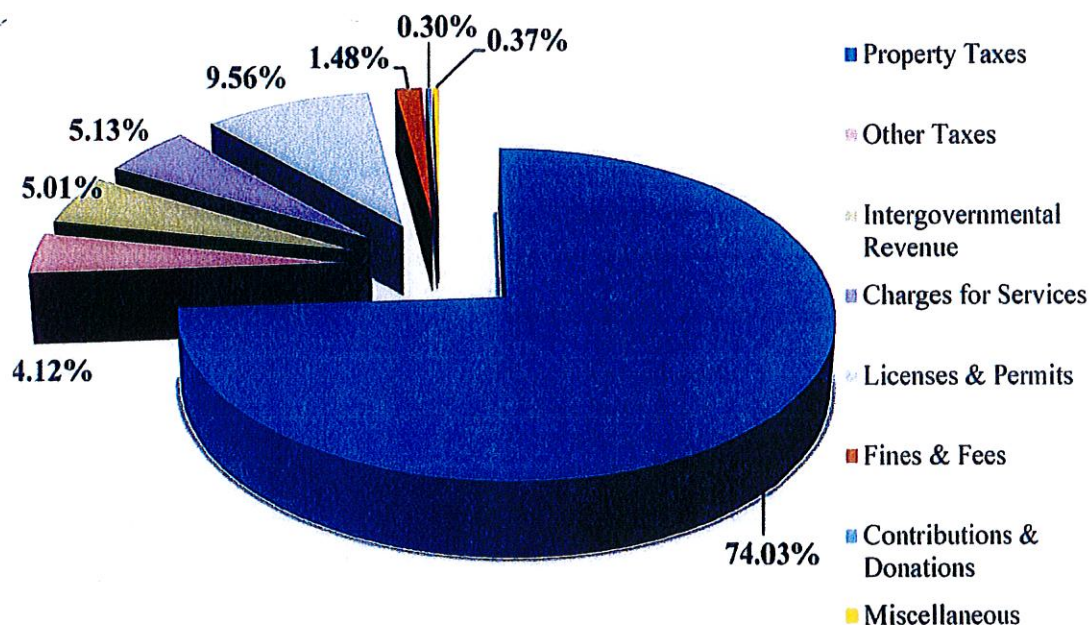
Source	January Collections	YTD Collections	Total Budgeted Collections
Fines & Fees	69,173	447,058	933,750
Contributions & Donations	31,026	90,451	46,000
Miscellaneous	12,740	111,723	145,212

Total Revenue January: \$8,174,546

Major Revenue Sources:

Ad Valorem Taxes	\$5,844,235
Fee in Lieu of Tax	\$665,672
Local Option Rollback	\$335,341
Vehicle Taxes	\$206,453
Building Permits	\$186,184
Road Improvement Fees	\$163,033

General Fund YTD Revenue by Source
(Excludes Other Financing Sources)



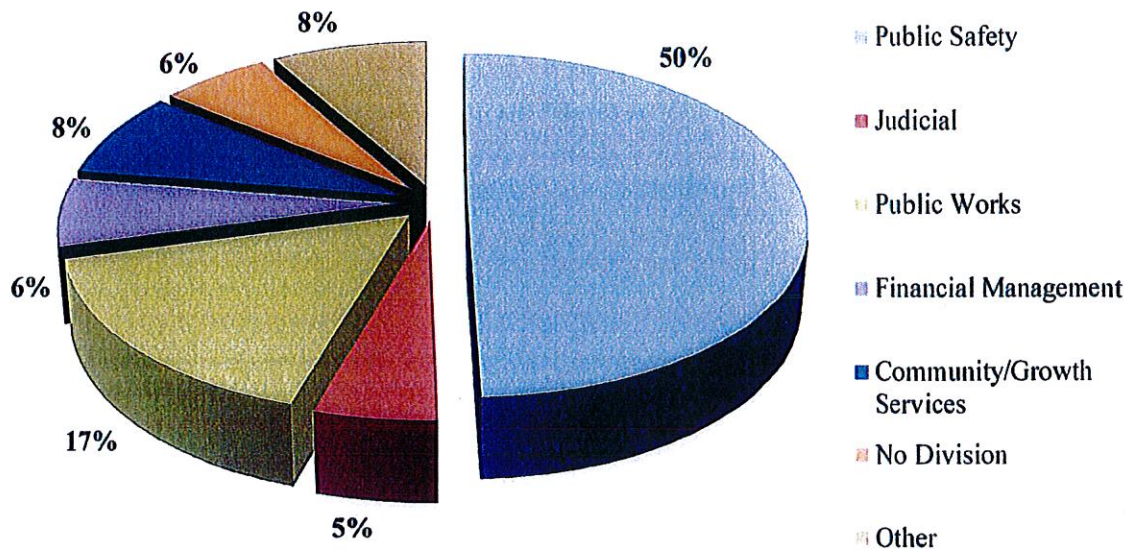
General Fund Expenditure Overview

Total Expenditures January: \$3,307,812

Major Expenditures:

Wages & Salaries	\$ 1,500,366
Fringe Benefits	\$ 571,795
Direct Assistance	\$185,382
Fleet Maintenance & Gasoline	\$ 135,546
Contractual Services	\$103,935
Maintenance-Service Agreement	\$102,956

General Fund YTD Expenditures by Division



GENERAL FUND

CATEGORY	BUDGET	YTD	%
Revenues	43,614,407	30,279,739	69.43%
Expenditures	-44,158,406	-23,929,994	54.19%
Other Financing Source	9,168,380	508,078	5.54%
Other Financing Use	-8,624,381	-95,744	1.11%
Revenues Over (Under) Expenditures	0	6,762,079	

Fund Balance Estimates

Estimated Unassigned Fund Balance (GF): \$16,047,288.21 which is about 30.4% of the total GF budget.

Overall the GF expenditure budget reflects a remaining percentage of 46%. Revenue collections are within 69% of estimates.

The County's total fund balance increased during the month of January 2015 by due to revenues exceeding expenditures. However, unassigned fund balance decreased due to assigning money through budget amendment ordinances for the firetruck acquisition. This money will be replenished by bond funding.

	Current Year	Prior Year
Nonspendable	\$1,232,416	\$638,433
Restricted	\$3,350,775	\$3,601,423
Committed	-	-
Assigned	\$9,188,889	\$1,175,977
Unassigned	\$16,047,288	\$20,400,925
Fund Balance End of January	\$29,819,368	\$25,816,758

Fund balance terminology (GASB 54)

There are five components of fund balance:

1. Nonspendable-examples would include inventory and prepaid items
2. Restricted-externally enforceable by law, etc.
3. Committed-self-imposed limitations (requires ordinance-highest level)
4. Assigned-intended use limitations
5. Unassigned

Requests for Information

This financial report is designed to provide a general overview of Lancaster County's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to:

Kimberly Hill
Budget Analyst
khill@lanastercountysc.net

Other Fund Overview-January 31, 2015

CAPITAL IMPROVEMENT FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,498,000	1,369,739	91.44%
Expenditures	-1,498,000	-995,711	66.47%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	374,029	

COURT MANDATED SECURITY

CATEGORY	BUDGET	YTD	%
Revenues	1,193,500	1,041,335	87.25%
Expenditures	-1,198,184	-483,416	40.35%
Other Financing Source	4,684	0	
Revenues Over (Under) Expenditures	0	557,919	

VICTIMS SERVICES FUND

CATEGORY	BUDGET	YTD	%
Revenues	86,605	33,674	38.88%
Expenditures	-86,605	-44,708	51.62%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	-11,034	

E-911

CATEGORY	BUDGET	YTD	%
Revenues	727,550	147,396	20.26%
Expenditures	-671,459	-244,482	36.41%
Other Financing Use	-56,091	0	
Revenues Over (Under) Expenditures	0	-97,086	

COUNTY TRANSPORTATION COMMISSION FUND

CATEGORY	BUDGET	YTD	%
Revenues	5,220,600	4,678,806	89.62%

Expenditures	-5,394,400	-1,260,702	23.37%
Other Financing Source	173,800	0	
Revenues Over (Under) Expenditures	0	3,418,103	

INDIAN LAND FIRE PROTECTION DISTRICT FUND

CATEGORY	BUDGET	YTD	%
Revenues	495,000	513,309	103.70%
Expenditures	-522,574	-282,079	53.98%
Other Financing Source	27,574	0	
Other Financing Use	0	-2,344	
Revenues Over (Under) Expenditures	0	228,886	

LOCAL ACCOMODATIONS TAX FUND

CATEGORY	BUDGET	YTD	%
Revenues	30,000	32,582	108.61%
Expenditures	-30,000	-15,567	51.89%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	17,015	

DEBT SERVICE FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,859,931	1,601,711	86.12%
Expenditures	-1,859,931	-304,574	16.38%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	1,297,137	

CAPITAL PROJECT SALES TAX FUND

CATEGORY	BUDGET	YTD	%
Revenues	8,500,000	2,391,168	28.13%
Expenditures	-3,481,149	-28,890	0.83%
Other Financing Source	3,466,149	0	0.00%

Other Financing Use	-8,485,000	-11,016,814	129.84%
Revenues Over (Under) Expenditures	0	-8,654,535	

RECREATION FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,387,503	798,559	57.55%
Expenditures	-2,447,396	-1,278,121	52.22%
Other Financing Source	1,059,893	0	
Revenues Over (Under) Expenditures	0	-479,562	

AIRPORT FUND

CATEGORY	BUDGET*	YTD*	%
Revenues	191,059	83,517	43.71%
Expenditures	-255,345	-133,119	52.13%
Other Financing Source	64,286	0	
Revenues Over (Under) Expenditures	0	-49,602	

PLEASANT VALLEY FIRE PROTECTION DISTRICT FUND

CATEGORY	BUDGET	YTD	%
Revenues	417,344	449,160	107.62%
Expenditures	-392,344	-115,683	29.49%
Other Financing Source	0	0	
Other Financing Use	-25,000	-8,078	32.31%
Revenues Over (Under) Expenditures	0	325,400	

DEVELOPMENT AGREEMENT FUND

CATEGORY	BUDGET	YTD
Revenues	403,899	1,592,000
Expenditures	0	0
Other Financing Source	0	0
Other Financing Use	-403,899	0

Revenues Over (Under) Expenditures	0	1,592,000
Total Funds Due by Date FY2016: \$1,262,000*		

*In the month of December, there was a sale and an additional payment that would not have otherwise been due until next fiscal year was collected. Therefore the amount of revenue is more than what was expected this fiscal year.

COUNTY OF LANCASTER
REVENUE & EXPENDITURE STATEMENT

FY 2015-2016

01/01/2016 TO 01/31/2016

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
10 GENERAL FUND					
REVENUE:					
400 CURRENT PROPERTY TAXES	20,443,906.00	6,795,490.34	19,340,929.36	1,102,976.64	95
410 DELINQUENT PROPERTY TAXES	916,500.00	-1,063.00	471,121.01	445,378.99	51
417 PROPERTY TAXES-STATE REIM	1,601,947.00	21,956.24	120,805.61	1,481,141.39	8
418 PROPERTY TAXES-LOST REV	5,700,000.00	480,272.28	2,482,921.49	3,217,078.51	44
419 MULTI COUNTY PILOT	15,000.00	0.00	197.84	14,802.16	1
422 OTHER TAXES	2,100,000.00	163,033.32	1,247,307.99	852,692.01	59
434 INTERGOVERNMENTAL- STATE	3,458,875.00	4,742.36	941,684.48	2,517,190.52	27
435 STATE AID TO LIBRARY	95,815.00	0.00	73,888.82	21,926.18	77
436 INTERGOVERNMENTAL- LOCAL	790,231.00	87,916.80	495,251.03	294,979.97	63
439 OTHER GOVERNMENTAL REVENUE	0.00	0.00	7,063.81	-7,063.81	0
440 LICENSE- MISCELLANEOUS	0.00	4,177.00	4,177.00	-4,177.00	0
441 LICENSE- FRANCHISE	452,000.00	134,612.09	304,291.08	147,708.92	67
442 LIC & PERMITS- BLDG	2,968,200.00	202,781.00	1,869,108.00	1,099,092.00	63
444 LIC & PERMITS- PLANNING	24,100.00	9,470.00	26,715.00	-2,615.00	111
446 LIC & PERMITS- ROD	900,000.00	84,805.65	689,567.50	210,432.50	77
448 LIC & PERMITS- CORONER	2,000.00	220.00	1,070.00	930.00	54
450 CHGS. FOR SVCS.- PUBLIC W	111,400.00	10,130.69	46,861.44	64,538.56	42
455 CHGS. FOR SVCS.- FEES	272,500.00	4,488.00	197,181.94	75,318.06	72
456 CHGS. FOR SVCS.- COPIES	14,650.00	1,666.50	14,815.55	-165.55	101
457 CHGS. FOR SVCS.- OTHER	28,200.00	1,336.00	12,672.25	15,527.75	45
458 CHGS. FOR SVCS.- EMS	2,450,000.00	52,438.89	1,268,364.88	1,181,635.12	52
459 CHGS. FOR SVCS.- MISC	26,000.00	3,133.50	14,510.68	11,489.32	56
460 FINES & FEES-TEMP VEH TAG	3,000.00	95.00	1,080.00	1,920.00	36
461 FINES & FEES- COURTS	817,500.00	55,390.13	375,809.88	441,690.12	46
464 FINES & FEES- OTHER	10,000.00	1,400.00	5,900.00	4,100.00	59
465 FINES & FEES- OTHER	0.00	0.00	56.83	-56.83	0
466 FINES & FEES- OTHER	15,000.00	525.00	6,119.00	8,881.00	41
467 FINES & FEES- OTHER	20,000.00	6,675.00	18,575.00	1,425.00	93
468 FEES- BANK	68,250.00	5,087.62	39,517.64	28,732.36	58
470 CONTRIBUTION & DONATIONS	18,000.00	27,925.00	82,468.42	-64,468.42	458
471 LIBRARY DONATIONS	28,000.00	3,101.10	7,982.13	20,017.87	29
480 INTEREST INCOME	25,500.00	0.00	23,124.52	2,375.48	91
490 OTHER INCOME	92,212.00	9,904.55	69,982.29	22,229.71	76
491 OTHER INCOME	26,000.00	2,835.00	18,454.24	7,545.76	71
495 OTHER INCOME	1,500.00	0.00	162.00	1,338.00	11
TOTAL REVENUE	43,496,286.00	8,174,546.06	30,279,738.71	13,216,547.29	70

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
EXPENDITURE:					
500 WAGES	19,721,530.00	1,500,366.17	10,798,255.72	8,923,274.28	55
510 FRINGE	7,813,536.25	571,794.52	4,302,549.38	3,510,986.87	55
520 OTHER PERSONNEL EXPENDITURE	327,500.00	15,313.24	114,191.99	213,308.01	35
530 TRAVEL, TRAINING, & DUES	434,536.00	17,906.38	174,638.71	259,897.29	40
540 SUPPLIES	417,518.00	35,540.06	220,563.48	196,954.52	53
541 POSTAGE	460,898.00	31,173.39	237,970.75	222,927.25	52
542 CLOTHING	201,536.00	12,254.32	71,046.72	130,489.28	35
543 SUPPLIES- LAUNDRY	220,000.00	17,921.10	112,605.59	107,394.41	51
544 SUPPLIES- PUBLIC WORKS	522,000.00	96,602.46	316,418.49	205,581.51	61
545 SUPPLIES- CUSTODIAL	20,000.00	1,167.18	10,719.24	9,280.76	54
547 SUPPLIES- ANIMAL FOOD	3,000.00	179.73	824.88	2,175.12	27
548 SUPPLIES- HAND TOOLS	20,000.00	2,927.84	18,859.28	1,140.72	94
549 SUPPLIES- WELCOME CENTER	4,000.00	187.52	1,228.76	2,771.24	31
550 EQUIPMENT- NON CAPITAL	105,000.00	3,012.51	12,060.20	92,939.80	11
551 EQUIPMENT- GENERAL	538,527.00	25,849.64	294,923.22	243,603.78	55
560 CAPITAL EQUIPMENT	930,775.00	0.00	339,318.25	591,456.75	36
570 UTILITIES	1,027,640.00	76,596.42	576,258.94	451,381.06	56
571 UTILITIES- TELEPHONE	528,290.00	65,094.80	285,272.58	243,017.42	54
580 RENT	7,500.00	1,200.00	4,770.00	2,730.00	64
581 RENT- BUILDING	78,766.00	10,075.00	50,450.00	28,316.00	64
582 RENT- EQUIPMENT	5,000.00	0.00	0.00	5,000.00	0
590 MAINTENANCE	1,748,100.00	135,545.93	745,399.40	1,002,700.60	43
591 MAINTENANCE- GENERAL	66,500.00	3,656.92	39,292.35	27,207.65	59
593 MAINTENANCE-SVC AGREEMENT	626,500.00	102,955.85	394,778.86	231,721.14	63
594 MAINTENANCE- BLDG	172,000.00	14,340.69	109,962.33	62,037.67	64
600 CONTRACTUAL SERVICES	2,007,419.00	103,934.53	887,208.03	1,120,210.97	44
604 PS-MEDICAL & PROFESSIONAL	662,151.00	58,449.52	361,997.47	300,153.53	55
605 CS- PRINTING	367,180.00	23,798.48	228,712.94	138,467.06	62
608 SC DEPT OF CORRECTIONS	25,000.00	1,980.00	8,625.00	16,375.00	35
612 CS-DISPOSAL CONTRACT	1,300,000.00	92,569.36	657,124.09	642,875.91	51
613 DEMOLITION EXPENSE	50,000.00	385.00	26,830.00	23,170.00	54
620 DIRECT ASSISTANCE	13,041.00	13,040.77	13,040.77	0.23	100
625 DIRECT ASSISTANCE	977,033.00	185,382.04	697,864.33	279,168.67	71
650 INSURANCE	974,059.00	0.00	949,493.24	24,565.76	97
670 ADVERTISING	92,700.00	3,391.54	51,754.36	40,945.64	56
680 FEE REIMBURSEMENT	600.00	0.00	0.00	600.00	0
690 SPECIAL PROJECTS	487,381.00	30,140.91	207,759.45	279,621.55	43
691 SP- PROMOTIONS	56,000.00	0.00	35,614.89	20,385.11	64
750 EQUIPMENT LEASE	146,000.00	7,901.17	63,969.59	82,030.41	44
760 GRANTS MATCH	338,000.00	250.85	36,181.41	301,818.59	11

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
771 DS- LEASE PURCHASE	437,732.00	41,152.25	396,578.94	41,153.06	91
780 MISCELLANEOUS	50,000.00	2,115.00	18,185.00	31,815.00	36
781 MISCELLANEOUS	169,888.00	838.44	36,294.17	133,593.83	21
782 OVER/SHORT	570.00	-88.67	-539.32	1,109.32	-95
783 DRUG FORFEITURE	0.00	408.29	1,834.85	-1,834.85	0
786 DONATIONS	3,000.00	500.57	19,105.38	-16,105.38	637
TOTAL EXPENDITURE	44,158,406.25	3,307,811.72	23,929,993.71	20,228,412.54	54
EXCESS OF REVENUE BEFORE	-662,120.25	4,866,734.34	6,349,745.00		-959
OTHER FINANCING SOURCE:					
801 TRANSFER IN	25,000.00	8,078.00	8,078.00	16,922.00	32
810 OFS FUND BALANCE	1,859,387.00	0.00	0.00	1,859,387.00	0
820 SALE OF CAPITAL ASSETS	0.00	0.00	500,000.00	-500,000.00	0
TOTAL OTHER FINANCING SOURCE	1,884,387.00	8,078.00	508,078.00	1,376,309.00	27
OTHER FINANCING USE:					
801 TRANSFER IN	0.00	-2,344.00	-2,344.00	2,344.00	0
950 TRANSFERS	1,222,266.75	0.00	98,087.75	1,124,179.00	8
TOTAL OTHER FINANCING USE	1,222,266.75	-2,344.00	95,743.75	1,126,523.00	8
EXCESS OF REVENUE AFTER	0.00	4,877,156.34	6,762,079.25		0

FY 2015-2016

COUNTY OF LANCASTER
BUDGET REPORT BY DEPARTMENT
CURRENT PERIOD: 01/01/2016 TO 01/31/2016

IDEAL REMAINING PERCENT: 41 %

<u>ACCOUNT</u>	<u>BUDGETED</u>	<u>CURRENT</u>	<u>YEAR TO DATE</u>	<u>ENCUMBRANCE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
005 Department: 005 NON-DEPARTMENTAL	1,484,909.00	15,813.14	1,184,313.45	0.00	300,595.55	20.00
007 Department: 007 CNTY ECONOMIC DEV. DEPT.	318,810.25	10,256.64	55,078.91	24,176.00	239,555.34	75.00
011 Department: 011 COUNTY COUNCIL	1,199,349.00	15,770.04	393,306.78	0.00	806,042.22	67.00
012 Department: 012 COUNCIL TRANSFERS	1,124,179.00	0.00	0.00	0.00	1,124,179.00	100.00
014 Department: 014 DIRECT ASSISTANCE	844,124.00	198,422.81	601,441.10	0.00	242,682.90	29.00
021 Department: 021 ADMINISTRATOR	517,082.00	32,961.05	250,848.19	261.78	265,972.03	51.00
022 Department: 022 LEGAL TEAM	290,518.00	10,925.53	136,884.33	0.00	153,633.67	53.00
023 Department: 023 FINANCE	645,007.88	47,164.92	349,039.73	0.00	295,968.15	46.00
024 Department: 024 HUMAN RESOURCES	207,030.10	11,302.28	109,086.54	0.00	97,943.56	47.00
025 Department: 025 RISK MANAGEMENT	98,921.00	7,579.36	46,549.01	0.00	52,371.99	53.00
026 Department: 026 MIS	909,511.00	93,583.79	483,328.27	30,791.77	395,390.96	43.00
027 Department: 027 GIS	141,354.00	7,942.44	66,197.59	0.00	75,156.41	53.00
029 Department: 029 ZONING	382,866.00	22,738.74	183,412.89	24,875.00	174,578.11	46.00
031 Department: 031 BUILDING	948,920.00	62,310.33	418,933.44	0.00	529,986.56	56.00
032 Department: 032 PLANNING	550,636.20	31,312.23	269,131.32	33,978.54	247,526.34	45.00
035 Department: 035 ECONOMIC DEVELOPMENT	98,087.75	0.00	98,087.75	0.00	0.00	0.00
041 Department: 041 ASSESSOR	876,607.00	53,236.10	413,034.92	0.00	463,572.08	53.00
043 Department: 043 AUDITOR	379,711.68	30,466.19	215,892.57	962.00	162,857.11	43.00
044 Department: 044 TREASURER	378,158.00	29,324.67	220,769.19	0.00	157,388.81	42.00
045 Department: 045 DELINQUENT TAX	316,500.00	15,020.43	171,375.26	0.00	145,124.74	46.00
051 Department: 051 REGISTRATION & ELECT	312,716.00	18,317.46	122,910.98	0.00	189,805.02	61.00
060 Department: 060 REGISTER OF DEEDS	328,793.50	20,346.40	173,696.33	0.00	155,097.17	47.00
061 Department: 061 CIRCUIT COURT	82,607.00	6,448.72	26,816.93	0.00	55,790.07	68.00
063 Department: 063 CLERK OF COURT	469,479.99	41,024.93	264,679.54	0.00	204,800.45	44.00
064 Department: 064 FAMILY COURT	359,188.53	25,030.79	200,693.70	0.00	158,494.83	44.00
068 Department: 068 CORONER	417,684.72	35,591.96	243,903.89	0.00	173,780.83	42.00
069 Department: 069 PROBATE COURT	444,715.64	30,052.71	219,562.13	0.00	225,153.51	51.00
070 Department: 070 MAG-COUNTYWIDE	852,346.00	67,586.17	488,977.45	0.00	363,368.55	43.00
110 Department: 110 SHERIFF	7,779,872.32	638,646.71	4,102,398.53	7,347.11	3,670,126.68	47.00
111 Department: 111 SHER:DRUG ASSET FORF	0.00	408.29	1,834.85	0.00	-1,834.85	0.00
117 Department: 117 SHERIFF DPT- TOWN OF KERS	493,760.65	44,240.04	274,899.32	1,193.65	217,667.68	44.00
120 Department: 120 DETENTION CENTER	2,030,899.00	159,820.94	1,085,592.68	5,544.40	939,761.92	46.00
121 Department: 121 SCHOOL RESOURCE OFFICERS	113,152.00	9,749.42	76,087.64	0.00	37,064.36	33.00

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Page 1 of 2

FY 2015-2016

**COUNTY OF LANCASTER
BUDGET REPORT BY DEPARTMENT
CURRENT PERIOD: 01/01/2016 TO 01/31/2016**

IDEAL REMAINING PERCENT: 41 %

<u>ACCOUNT</u>	<u>BUDGETED</u>	<u>CURRENT</u>	<u>YEAR TO DATE</u>	<u>ENCUMBRANCE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
130 Department: 130 COMMUNICATIONS	1,591,379.00	115,684.79	859,807.03	43,778.92	687,793.03	43.00
140 Department: 140 EMERGENCY MANAGEMENT	363,258.00	16,758.09	158,193.86	4,597.00	200,467.14	55.00
141 Department: 141 FIRE SERVICE	1,272,325.00	80,679.54	617,539.92	198,292.98	456,492.10	36.00
142 Department: 142 Town of KERSHAW- FIRE	140,996.00	10,161.11	74,099.35	4,450.99	62,445.66	44.00
144 Department: 144 LANC. COUNTY FIREFIGHTERS	987,692.00	65,418.52	490,363.86	6,320.06	491,008.08	50.00
153 Department: 153 LANCASTER EMS	6,345,931.00	466,399.51	3,419,991.16	153,311.43	2,772,628.41	44.00
202 Department: 202 ROADS & BRIDGES	2,483,581.00	282,223.57	1,265,392.33	192,066.91	1,026,121.76	41.00
210 Department: 210 FLEET OPERATIONS	542,564.00	34,160.30	269,749.67	12,414.67	260,399.66	48.00
251 Department: 251 BUILDING MAINTENANCE	1,473,895.00	94,924.11	775,012.50	15,072.98	683,809.52	46.00
310 Department: 310 LANDFILL-SOLID WASTE	56,852.46	2,367.87	20,337.58	2,500.00	34,014.88	60.00
312 Department: 312 SOLID WASTE COLLECT	2,879,759.00	175,440.60	1,201,955.64	224,755.34	1,453,048.02	50.00
318 Department: 318 ANIMAL SHELTER	156,218.92	14,003.37	89,460.42	0.00	66,758.50	43.00
330 Department: 330 HEALTH SERVICES	82,600.00	6,373.47	48,215.45	0.00	34,384.55	42.00
601 Department: 601 DEPT. OF SOCIAL SERVICES	64,210.00	4,855.07	33,060.00	0.00	31,150.00	49.00
602 Department: 602 D.S.S. FAMILY INDEP	58,330.00	8,349.04	37,233.12	0.00	21,096.88	36.00
610 Department: 610 VETERANS AFFAIRS	161,561.41	13,165.57	96,143.08	0.00	65,418.33	40.00
840 Department: 840 LIBRARY	1,159,867.00	79,955.71	624,907.73	0.00	534,959.27	46.00
999 Department: 999 LEASE	162,156.00	41,152.25	121,003.75	0.00	41,152.25	25.00
Report Totals Net	45,380,673.00	3,305,467.72	23,151,231.68	986,691.53	21,242,749.79	47.00

Agenda Item Summary

Ordinance # / Resolution#:	Discussion Item
Contact Person / Sponsor:	Steve Willis
Department:	Administration
Date Requested to be on Agenda:	February Administration Committee
	Potential referral to full Council

Issue for Consideration:

Service requests from potential new municipalities.

Points to Consider:

We have two potential new municipalities under consideration; Indian Land and Van Wyck.

Both have mentioned utilizing county services via contract.

We must determine what services we would desire to offer.

Funding and Liability Factors:

Varies depending upon the service.

Council Options:

Determine what services we would provide. Please see attached sheet for service discussions.

Staff Recommendation:

Be consistent with what services we currently offer to the existing municipalities. If Council elects to offer additional services, be prepared to do the same for Heath Springs, Kershaw, and Lancaster.

Committee Recommendation:

Remain consistent with services we offer any municipality. Only County Council may consider variances.

From the Municipal Association Handbook for Incorporation:

The area to be incorporated has filed a proposal for providing either directly or by contract a minimum level of law enforcement services as required in regulations promulgated by the State Law Enforcement Division.

If law enforcement services are by contract, the proposal must indicate which governmental entity provides the service and the estimated compensation for the service.

The key point here is that any agreement would be with the Sheriff and not with County Council. I have made both groups aware of the following Attorney Generals Opinion:

ATTORNEY GENERAL'S OPINIONS

A sheriff, as chief law enforcement officer of a county, is statutorily obligated to patrol his county, which presumably includes municipalities within that county. However, a sheriff, as a county official, is not responsible for providing a specific level of services within municipalities or for enforcing municipal ordinances. A municipality may contract with the sheriff of the county to provide specific services within municipalities, but that is best accomplished through intergovernmental agreement. Op. Atty. Gen., dated April 20, 2011.

While a county and county officials are not obligated to perform services within the corporate limits of a city, the General Assembly has provided by statute for municipal residents to contract for county services. A sheriff is not obligated to provide specific services within a municipality; however, a sheriff may contract with a municipality to provide law enforcement services. Op. Atty. Gen., dated August 25, 2006.

The area to be incorporated has filed a proposal demonstrating that at least three of the following services will be provided to the incorporated area no later than the first day of the third fiscal year following the effective date of incorporation. The services may be either provided by the municipality or by contract.

a. fire protection at a minimum service level required in regulations promulgated by the South Carolina Fire Marshall;

This would need to be negotiated with the applicable fire department(s) and the Fire Commission. We do not employ the volunteers and cannot direct that they provide any level of service. Depending upon the model used, we would work with them in a volunteer capacity as we do with Heath Springs and Kershaw or in a career capacity as we do with Lancaster.

b. solid waste collection and disposal;

We would allow any county resident, including residents of a municipality, to utilize our recycling centers as we currently do. We would pay for any municipal collection tipping fees as we currently do.

c. water supply, water distribution, or both;

This would need to be negotiated with the Lancaster County Water and Sewer District.

d. wastewater collection and treatment;

This would need to be negotiated with the Lancaster County Water and Sewer District.

e. storm water collection and disposal;

Not applicable at this time.

f. enforcement of building, housing, plumbing, and electrical codes;

We would offer to provide service via agreement as we currently do for Heath Springs and Kershaw. The municipality may elect to handle this on their own as the City of Lancaster does.

g. planning and zoning;

We would offer to provide service via agreement as we currently do for Heath Springs and Kershaw. The municipality may elect to handle this on their own as the City of Lancaster does.

h. recreational facilities and programs; or

We would offer to have them join the Joint Recreation Commission as we currently do for Heath Springs, Kershaw, and Lancaster.

i. street lighting.

Not applicable for us. This would need to be negotiated with the appropriate electrical utility.

Agenda Item Summary

Ordinance # / Resolution#:	Discussion Item – Motion Requested
Contact Person / Sponsor:	Steve Willis/ Hal Hiott
Department:	Administration/ Parks and Recreation
Date Requested to be on Agenda:	February 22, 2016

Issue for Consideration:

Transfer of old flooring to Communities In Schools.

Points to Consider:

This is the old flooring that was removed at Springdale.

The flooring as going to be discarded by the contractor but Communities In Schools asked for a donation.

The flooring has no value to Lancaster County.

Communities In Schools often helps the Parks and Recreation Department with repairs at various parks.

The Parks and Recreation Commission recommends the flooring be donated.

Funding and Liability Factors:

N/A

Council Options:

Donate the flooring or staff will discard it.

Staff Recommendation:

Donate the requested flooring to Communities In Schools. If Council is amenable we would respectfully request the following motion be approved:

MOTION – That the surplus flooring from the renovation at the Springdale Recreation Complex be donated to Communities in Schools in accordance with the recommendation of the Parks and Recreation Commission and the I&R Committee.

Committee Recommendation:

The I&R Committee recommends the donation of the flooring.



Communities In Schools

Lancaster County

January 5, 2016

Steve Willis
Lancaster County Administrator

Dear Mr. Willis:

Our agency, Communities in Schools of Lancaster County-YouthBuild is a local nonprofit serving youth 16 – 24 years of age by providing vocational training, job placement/job search, as well as an ongoing partnership with Lancaster County School District and the Adult Education Department.

We strive to provide a setting where students in our YouthBuild program receive academic assistance and preparation to earn their GED or high school diploma through Lancaster County Adult Education. These students also earn a Segal Education Award through volunteer service hours with AmeriCorps. Once a participant completes the required # of service hours for AmeriCorps, they receive a one-time education award of \$1,511 toward postsecondary education.

YouthBuild students have been involved in varied areas of service such as assisting with the "Amphitheater" at The Discovery School in Lancaster, constructing handicapped ramps for area residents, rehab existing homes for the elderly or financially disadvantaged as well as providing countless service hours during the renovation of the new KARE facility in Kershaw, SC. We currently are assisting in rehabbing additional space for Grace Place Afterschool Center on Brooklyn Avenue to help them better serve the community.

Over the winter holidays, YouthBuild staff and volunteers worked together to remodel the interior of the YouthBuild Mobile classroom located behind the Barr Street Campus on E Meeting Street. This included flooring repairs in our bathroom as well as fresh painting updates to all interior walls.

It came to my attention that Lancaster County Parks and Recreation Department has in storage the old floor tiles which were removed from the Springdale Recreation Center. These tiles would be the ideal floor to install in the YouthBuild Mobile classroom to complete our New Year makeover.

We are requesting that Lancaster County consider donating these floor tiles for use/installation at YouthBuild. Our old carpeted flooring is in need of replacement and these tiles would be a durable floor for the classroom. I can be reached by telephone at 803-285-2311, or email at reggie.lowery@lcsdmail.net if you have any questions or need more information on the services we offer.

Regards,

Reginald Lowery
Executive Director
Communities in Schools Lancaster
YouthBuild Lancaster

P.O. Box 3241, Lancaster, SC 29721 • (803) 285-2311 • FAX (803) 285-2315

Agenda Item Summary

Ordinance # / Resolution#: Information Item
Contact Person / Sponsor: Barry Faile
Department: Sheriff
Date Requested to be on Agenda: February 22, 2016

Issue for Consideration:

The Sheriff's Office has applied for the following grants.

Points to Consider:

It is unlikely that all four grants will be awarded; however, we will budget as if all will be awarded.

These are multi-year grants and all fall within the Sheriff's five year plan.

Grant data is shown below. Projects include both personnel and equipment.

Funding and Liability Factors:

Grant	Grant Funds	Local Match	Project Total
Domestic Violence Investigator	\$129,525	\$14,392	\$143,917
Drug Lab Chemist	\$176,511	\$19,619	\$196,196
Crime Scene Investigator	\$203,879	\$22,652	\$226,531
Narcotics Investigator	\$107,665	\$11,963	\$119,628
Total	\$617,580	\$68,626	\$686,272

Council Options:

Approve or reject the funding for the grant match. The decision on whether to apply for the grants rests with the Sheriff. The funds will be appropriated in the FY 16-17 budget.

Staff Recommendation:

Approval of the funding.

Committee Recommendation:

This comes to Council with an affirmative recommendation on the funding from the Public Safety Committee.

GRANT TYPE		Grantor (SCDPS)		Agency Match (LCSO)		TOTAL
Justice Assistance Grant (JAG) 2016	Domestic Violence Investigator	\$	129,525.00	\$	14,392.00	\$ 143,917.00
Justice Assistance Grant (JAG) 2016	Chemist for Drug Lab	\$	176,577.00	\$	19,619.00	\$ 196,196.00
Justice Assistance Grant (JAG) 2016	Crime Scene Investigator	\$	203,879.00	\$	22,652.00	\$ 226,531.00
Justice Assistance Grant (JAG) 2016	Narcotics Investigator (3rd year)	\$	107,665.00	\$	11,963.00	\$ 119,628.00
Totals of ALL		\$	617,646.00	\$	68,626.00	\$ 686,272.00

STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Justice Assistance Grant Program

Grant # _____

App # T16186

To Be Completed by Project Director

Section 1

County Name: 29 - LANCASTER ▼

Other county/counties this project will
serve: _____

Section 2

Grant Period: _____

Begin: 7/1/2016

End: 6/30/2017

Section 3

Project Title: Drug Lab Chemist

Section 4

Project Summary (max. 300 characters): To fund a chemist for our new drug lab that will be used throughout the 6th Judicial Circuit.

Section 5

Type of Application

a. Initial ▼

b. Year of Funds : 1 ▼

Other:(Specify) _____

c. Reimbursable ▼

Section 6

a. Organization Type : County ▼

Other:(Specify) _____

b. U. S. Congressional District 05

Section 7

Agency DUNS number*: 086866944
(fedgov.dnb.com/webform)

Has your agency registered with Central
Contractor Registration (CCR)?* **Yes**
(www.sam.gov)

For **Central Contractor Registration (CCR) handbook** [click here](#).

* This data is not required to submit this application but will become necessary for federal reporting requirements if this project is awarded.

FEIN: 57-6000370

Agency Name Lancaster County Sheriff's Office

Address 1520 Pageland Highway

City Lancaster

State South Carolina

(Please use the Name/Address
above instead of this field)
Name and Address of Implementing
Agency

10 Digit Zip 29721-1809

(Area) Phone #: 803-283-3388

(Area) Fax #: 803-286-9823

COMPLETE PAGES 2&3 BEFORE COMPLETING THIS SECTION

Section 8

BUDGET

Use whole dollars only (For example: \$1,500 not \$1,500.00)

a. BUDGET CATEGORIES	GRANTOR	AGENCY MATCH	TOTAL
Personnel	\$96,657	\$10,739	\$107,396
Contractual Services	\$0	\$0	\$0
Travel	\$15,030	\$1,670	\$16,700
Equipment	\$58,050	\$6,450	\$64,500
Other	\$6,840	\$760	\$7,600
TOTAL:	\$176,577	\$19,619	\$196,196
b. PERCENTAGE:	90 %	10 %	100 %

Section 9

APPROPRIATION OF NON-GRANTOR
MATCHING FUNDS County ▼

Other (Explain):

MATCHING FUNDS CATEGORIES

GRANTOR

CASH

TOTAL

PERSONNEL

SALARIES	% of Time	Quantity			
Position Title	On Project				
Chemist	100	1	\$72,000	\$8,000	\$80,000
TOTAL SALARIES:			\$72,000	\$8,000	\$80,000

EMPLOYER CONTRIBUTIONS (Fringe Benefits)

	% or Rate	X Base			
Social Security & Medicare (FICA)	.0765%	80000	\$5,508	\$612	\$6,120
Retirement	8.74%	80000	\$6,293	\$699	\$6,992
Worker's Compensation Insurance	3.46%	80000	\$2,491	\$277	\$2,768
Unemployment Insurance (on first \$7,000 only)			\$0	\$0	\$0
Health Insurance	11,375		\$10,238	\$1,137	\$11,375
Dental Insurance	141		\$127	\$14	\$141
Pre-Retirement Death Benefit			\$0	\$0	\$0
Accident Death Benefit (Police Officers)			\$0	\$0	\$0
Other Employer Contributions (Itemize)			\$0	\$0	\$0
TOTAL EMPLOYER CONTRIBUTIONS:			\$24,657	\$2,739	\$27,396
TOTAL PERSONNEL:			\$96,657	\$10,739	\$107,396

CONTRACTUAL SERVICES:

(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)

	\$0	\$0	\$0
TOTAL CONTRACTUAL SERVICES	\$0	\$0	\$0

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Mileage @ 30,000 miles @ .54 per mile	\$14,580	\$1,620	\$16,200
Lodging 5 nights @ \$70 per night	\$315	\$35	\$350
per diem 5 days @ \$30 per day	\$135	\$15	\$150
	\$0	\$0	\$0
TOTAL TRAVEL:	\$15,030	\$1,670	\$16,700

Show Section 2-A Disabled

MATCHING FUNDS**CATEGORIES**

GRANTOR CASH TOTAL

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME.- Also, DO NOT include leased, rented items or software)

ITEM	QUANTITY			
Vehicle and accesories	1	\$31,500	\$3,500	\$35,000
Light bar package, siren and speakers	1	\$1,890	\$210	\$2,100
Dual band radio	1	\$5,760	\$640	\$6,400
In car radio	1	\$1,710	\$190	\$1,900
Installation	1	\$900	\$100	\$1,000
Computer and accessories	1	\$3,600	\$400	\$4,000
Accreditation and Assessment for Lab	1	\$12,690	\$1,410	\$14,100
TOTAL EQUIPMENT:		\$58,050	\$6,450	\$64,500

Other:

Clothing/Uniforms		\$1,350	\$150	\$1,500
Protective Clothing		\$1,080	\$120	\$1,200
Office Supplies		\$900	\$100	\$1,000
Registration Fees for training		\$2,250	\$250	\$2,500
Cell Phone and service		\$1,260	\$140	\$1,400
TOTAL OTHER:		\$6,840	\$760	\$7,600

BUDGET NARRATIVE

List items under each Budget Category heading. Explain exactly how each item in your budget (both grantor and match) will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided

PERSONNEL

Chemist: for the salary and benefits for a chemist that will be dedicated to the drug analysis of all Lancaster County drug cases.

TRAVEL

Mileage: to be used by the chemist to travel to any approved training, crime scenes if needed and to court to provide expert testimony

Lodging: hotel accommodations for the chemist while attending approved training

Per Diem: food for the chemist while attending approved training

EQUIPMENT

Vehicle and Accessories: Vehicle with accessories to be used by Chemist

Lights & Siren Package: To be placed on vehicle to be used by Chemist if called to a scene.

Dual Band Radio: to be used by the Chemist to keep contact with Communications and other officers in the departments when away from his/her vehicle

In Car Radio: to be placed in the vehicle to allow Chemist to keep contact with Communications and other officers in the departments

Installation: to be used so the radio, lights and sirens and etc can be installed on the vehicle

Computer and Accessories: to include monitor, speakers, cables, etc. and will be used by the chemist to complete reports on drug analyses completed, complete documentation necessary for court and to keep statistics for the grant

Accreditation and Assessment for Lab: To be used to assess our Lab and receive Accreditation so that any lab functions performed by the Chemist can be used in court hearing. Without an accreditation lab, the Solicitors Office will be unable to use evidence processed by our Chemist.

OTHER

Clothing/Uniforms : to be used by Chemist for the purchase of uniforms/court attire for courtroom testimony.

Protective Clothing: to be used to purchase appropriate clothing for lab working conditions

Office Supplies: used for purchase of everyday supplies (stapler, scissors, pens, folders, and etc) for the Chemist

Registration Fees for Training: to send Chemist to training provided by the vendor on specific drug analysis equipment

Cell Phone and service: to be used by the Chemist for on call status and for communications with other units or the office while in the field.

**STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Justice Assistance Grant Program**

Grant #

App # T16184

To Be Completed by Project Director

Section 1

County Name: **29 - LANCASTER** ▼

Other county/counties this project will
serve:

Section 2

Grant Period:

Begin: 7/1/2016

End: 6/30/2017

Section 3

Project Title: Narcotics Investigations Enhancement

Section 4

Project Summary (max. 300 characters):

Continue grant funding for a Narcotic Investigator to adequately meet our
narcotic division needs.

Section 5

Type of Application

a. **Continuation** ▼

b. Year of Funds : **3** ▼

Other:(Specify)

c. **Reimbursable** ▼

Section 6

a. Organization Type : **County** ▼

Other:(Specify)

b. U. S. Congressional District 05

Section 7

Agency DUNS number*: 086866944
(fedgov.dnb.com/webform)

Has your agency registered with Central
Contractor Registration (CCR)?* **Yes**
(www.sam.gov)

For **Central Contractor Registration (CCR) handbook** [click here](#).

* This data is not required to submit this application but will become necessary for federal reporting requirements if this
project is awarded.

FEIN: 57-6000370

Agency Name Lancaster County Sheriff's Office

Address 1520 Pageland Highway

City Lancaster

State South Carolina

(Please use the Name/Address
above instead of this field)
Name and Address of Implementing
Agency

10 Digit Zip 29720-0908

(Area) Phone #: 803-283-3388

(Area) Fax #: 803-296-9823

COMPLETE PAGES 2&3 BEFORE COMPLETING THIS SECTION

Section 8

BUDGET

Use whole dollars only (For example: \$1,500 not \$1,500.00)

a. BUDGET CATEGORIES	GRANTOR	AGENCY MATCH	TOTAL
Personnel	\$58,651	\$6,517	\$65,168
Contractual Services	\$0	\$0	\$0
Travel	\$12,114	\$1,346	\$13,460
Equipment	\$34,380	\$3,820	\$38,200
Other	\$2,520	\$280	\$2,800
TOTAL:	\$107,665	\$11,963	\$119,628
b. PERCENTAGE:	90 %	10 %	100 %

Section 9

**APPROPRIATION OF NON-GRANTOR
MATCHING FUNDS**

County ▼

Other (Explain):

MATCHING FUNDS CATEGORIES

GRANTOR CASH TOTAL

PERSONNEL

SALARIES	% of Time	Quantity			
Position Title	On Project				
Narcotic Investigator (3% increase)	100	1	\$35,950	\$3,994	\$39,944
Overtime	100	1	\$2,700	\$300	\$3,000
TOTAL SALARIES:			\$38,650	\$4,294	\$42,944

EMPLOYER CONTRIBUTIONS (Fringe Benefits)

% or Rate	X Base				
Social Security & Medicare (FICA)	.0765	42944	\$2,956	\$329	\$3,285
Retirement	13.74%	42944	\$5,311	\$590	\$5,901
Worker's Compensation Insurance	3.46%	42944	\$1,337	\$149	\$1,486
Unemployment Insurance (on first \$7,000 only)			\$0	\$0	\$0
Health Insurance	11,375		\$10,238	\$1,137	\$11,375
Dental Insurance	177		\$159	\$18	\$177
Pre-Retirement Death Benefit			\$0	\$0	\$0
Accident Death Benefit (Police Officers)			\$0	\$0	\$0
Other Employer Contributions (Itemize)			\$0	\$0	\$0
TOTAL EMPLOYER CONTRIBUTIONS:			\$20,001	\$2,223	\$22,224
TOTAL PERSONNEL:			\$58,651	\$6,517	\$65,168

CONTRACTUAL SERVICES:

(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)

	\$0	\$0	\$0
TOTAL CONTRACTUAL SERVICES	\$0	\$0	\$0

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Mileage 24000 @.54 x 1	\$11,664	\$1,296	\$12,960
Lodging 5 nights x \$70 x 1	\$315	\$35	\$350
Per Diem 5 days/nights @ \$30 x 1	\$135	\$15	\$150
TOTAL TRAVEL:	\$12,114	\$1,346	\$13,460

Show Section 2-A Disabled

MATCHING FUNDS**CATEGORIES**

GRANTOR CASH TOTAL

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME.- Also, DO NOT include leased, rented items or software)

ITEM	QUANTITY			
Cell Phone Extractor	1	\$14,400	\$1,600	\$16,000
Ballistic Entry Shield	1	\$1,980	\$220	\$2,200
Handheld Drug Analyzer	1	\$18,000	\$2,000	\$20,000
		\$0	\$0	\$0
TOTAL EQUIPMENT:		\$34,380	\$3,820	\$38,200

Other:

Narcotic Test Kits (marijuana, cocaine,herion, etc)		\$450	\$50	\$500
Cell phone service		\$648	\$72	\$720
modem service		\$450	\$50	\$500
Training (Registration)		\$450	\$50	\$500
External Hard Drive & Case		\$135	\$15	\$150
External Disc Drive		\$72	\$8	\$80
Rifle Grips (for rifle purchased year 1)		\$90	\$10	\$100
Tactical Rifle rails attachment (for rifle purchased year 1)		\$225	\$25	\$250
TOTAL OTHER:		\$2,520	\$280	\$2,800

BUDGET NARRATIVE

List items under each Budget Category heading. Explain exactly how each item in your budget (both grantor and match) will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided

Personnel- one narcotic investigator. The investigator will be sworn officer who will investigate narcotic activities in Lancaster County.

Travel-

Mileage: Estimated 24,000 miles per investigator to carry out the duties of the job and to go to any approved training courses offered to enhance job performance at .54 per mile

Lodging: Hotel accommodations for the Narcotic Investigators to attend approved conferences and training

Per Diem: Food for the Narcotic Investigators while attending approved conferences and training

Equipment

Cell Phone Extractor:After obtaining a search warrant for the phone or consent of the phone's owner, it will be used to extract data for cases or building other cases from the data received from phones. Many cell phones are as powerful and have as much storage capacity as desktop computers of a few years ago. They contain photographs, video, calendars, contact lists, and in the case of the iPhone, an index of everywhere the phone has been for up to a year. If that information belongs to a law-breaker, it's the sort of thing that the Investigator will find very useful.

Ballistic Entry Shield:Meets NIJ Standards:Used by Investigator when making entries into high risk locations.

Handheld Drug Analyzer:Device to be used by the Investigator to scan for mutple narcotics in a single test to obtain clear, definitive results. To be used on the street while making cases.

Other

Narcotic Test Kits (marijuana, cocaine,herion, etc): Test kits that can be used in the field to test various narcotics. Approx 20 kits per drug

Cell phone service: phone service for investigator to be used while at work and also when on "on-call" status.

Modem:This will be used to pay the monthly fee for internet service so that the investigator will have secured access to our records management system, DMV, NCIC and other Law Enforcemet sites while in the field.

Training (Registration): Training that will enhance the investigators knowledge of drugs/trends or any other narcotic training approved by SCDPS.

External Hard drive and Case:Secure, portable backup and storage for the Investigator's cases.

External Disc Drive:Connects to your PC to get immediate rad/write access to your CD data.

Rifle Grips:to be placed on the rifle which is used to stabilize the firearm in operation

Tactical Rails for rifle:attach everything from laser sights, flashlights to scopes by using the rifle rail

STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Justice Assistance Grant Program

Grant # _____

App # T16185

To Be Completed by Project Director

Section 1

County Name: 29 - LANCASTER ▼

Other county/counties this project will
serve: _____

Section 2

Grant Period: _____

Begin: 7/1/2016

End: 6/30/2017

Section 3

Project Title: Crime Scene Investigator

Section 4

Project Summary (max. 300 characters): To hire an Investigator to help process crime scenes and assist with all of the crime scene units duties.

Section 5

Type of Application

a. Initial ▼

b. Year of Funds : 1 ▼

Other:(Specify) _____

c. Reimbursable ▼

Section 6

a. Organization Type : County ▼

Other:(Specify) _____

b. U. S. Congressional District 05

Section 7

Agency DUNS number*: _____
(fedgov.dnb.com/webform) 086866944

Has your agency registered with Central
Contractor Registration (CCR)?* **Yes**
(www.sam.gov)

For **Central Contractor Registration (CCR) handbook** [click here](#).

* This data is not required to submit this application but will become necessary for federal reporting requirements if this project is awarded.

FEIN: 57-6000370

Agency Name Lancaster County Sheriff's Office

Address 1520 Pageland Highway

City Lancaster

State South Carolina

(Please use the Name/Address
above instead of this field)
Name and Address of Implementing
Agency

10 Digit Zip 29721-0908

(Area) Phone #: 803-283-3388

(Area) Fax #: 803-286-9823

COMPLETE PAGES 2&3 BEFORE COMPLETING THIS SECTION

Section 8

BUDGET

Use whole dollars only (For example: \$1,500 not \$1,500.00)

a. BUDGET CATEGORIES	GRANTOR	AGENCY MATCH	TOTAL
Personnel	\$66,548	\$7,393	\$73,941
Contractual Services	\$0	\$0	\$0
Travel	\$12,114	\$1,346	\$13,460
Equipment	\$90,090	\$10,010	\$100,100
Other	\$35,127	\$3,903	\$39,030
TOTAL:	\$203,879	\$22,652	\$226,531
b. PERCENTAGE:	90 %	10 %	100 %

Section 9

**APPROPRIATION OF NON-GRANTOR
MATCHING FUNDS**

County ▼

Other (Explain):

MATCHING FUNDS CATEGORIES

GRANTOR CASH TOTAL

PERSONNEL

SALARIES	% of Time	Quantity			
Position Title	On Project				
Crime Scene Investigator	100	1	\$42,300	\$4,700	\$47,000
Overtime			\$2,700	\$300	\$3,000
TOTAL SALARIES:			\$45,000	\$5,000	\$50,000

EMPLOYER CONTRIBUTIONS (Fringe Benefits)

% or Rate	X Base				
Social Security & Medicare (FICA)	.0765	50000	\$3,443	\$382	\$3,825
Retirement	13.74%	50000	\$6,183	\$687	\$6,870
Worker's Compensation Insurance	3.46%	50000	\$1,557	\$173	\$1,730
Unemployment Insurance (on first \$7,000 only)			\$0	\$0	\$0
Health Insurance	11,375		\$10,238	\$1,137	\$11,375
Dental Insurance	141		\$127	\$14	\$141
Pre-Retirement Death Benefit			\$0	\$0	\$0
Accident Death Benefit (Police Officers)			\$0	\$0	\$0
Other Employer Contributions (Itemize)			\$0	\$0	\$0
TOTAL EMPLOYER CONTRIBUTIONS:			\$21,548	\$2,393	\$23,941
TOTAL PERSONNEL:			\$66,548	\$7,393	\$73,941

CONTRACTUAL SERVICES:

(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)

	\$0	\$0	\$0
TOTAL CONTRACTUAL SERVICES	\$0	\$0	\$0

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Mileage 24000 @.54 x 1	\$11,664	\$1,296	\$12,960
Lodging 5 nights x \$70 x 1	\$315	\$35	\$350
Per Diem 5 days/nights @ \$30 x 1	\$135	\$15	\$150
TOTAL TRAVEL:	\$12,114	\$1,346	\$13,460

Show Section 2-A Disabled

MATCHING FUNDS**CATEGORIES**

GRANTOR CASH TOTAL

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME - Also, DO NOT include leased, rented items or software)

ITEM	QUANTITY			
Customized Crime Scene Vehicle with basic evidence collection	1	\$63,000	\$7,000	\$70,000
Forensic Alternative Light Source	1	\$6,300	\$700	\$7,000
Dual Band Walkie Talkie	1	\$5,400	\$600	\$6,000
Desktop computer with accessories and video cards	1	\$1,800	\$200	\$2,000
Laptop computer and accessories	1	\$1,260	\$140	\$1,400
Digital SLR cameras with additional lens and accessories	1	\$5,400	\$600	\$6,000
Modile Modem & service	1	\$1,440	\$160	\$1,600
In car radio	1	\$1,710	\$190	\$1,900
Light bar package, siren and speakers	1	\$1,980	\$220	\$2,200
Installation	1	\$900	\$100	\$1,000
Decaling/ Striping	1	\$900	\$100	\$1,000
TOTAL EQUIPMENT:		\$90,090	\$10,010	\$100,100

Other:

Registration Fees for training	\$900	\$100	\$1,000
Pistol, holster and other misc. law enforcement equipment	\$1,800	\$200	\$2,000
Cell phone and service	\$990	\$10	\$1,100
Duty Uniforms for crime scene processing	\$1,350	\$150	\$1,500
Clothing allowance	\$360	\$40	\$400
Protective Gear	\$225	\$25	\$250
Digital voice recorder	\$72	\$8	\$80
Digital video recorder	\$450	\$50	\$500
GPS Unit	\$135	\$15	\$150
Office supplies	\$270	\$30	\$300
Bullet proof vest with cover	\$585	\$65	\$650
Crime scene equipment (see budget for details)	\$13,500	\$1,500	\$15,000
Digital Cameras @ \$ 600each x 12	\$6,480	\$720	\$7,200
Evidence Bags (small, medium & large sizes)	\$2,610	\$290	\$2,900
Fingerprint Kits	\$828	\$92	\$920

Fingerprint Kit refills (powder, backing cards, brushes,tape,pads	\$3,222	\$358	\$3,580
Barrier tape	\$450	\$50	\$500
Exam gloves (small med & large sizes)	\$900	\$100	\$1,000
	\$0	\$0	\$0
	\$0	\$0	\$0
TOTAL OTHER:	\$35,127	\$3,903	\$39,030

BUDGET NARRATIVE

List items under each Budget Category heading. Explain exactly how each item in your budget (both grantor and match) will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided

Personnel- Crime scene investigator that will process crime scenes and assist in the evidence functions of the Sheriff's Office.

Travel- Mileage for the crime scene unit when responding to crime scenes to be processed. Also for travel to approved training.

Lodging- Lodging for any approved training.

Per Diem- For CSI while attending approved training.

Equipment-

Customized Full-Size Vehicle to be used by the Lancaster County Sheriff's Office to respond to crime scenes; the vehicle will be customized with storage cabinets for equipment and a workstation with power inverter and basic crime scene kits. It will also contain an evidence locker. This locker will be used as a secure locker that the CSI personnel can place evidence and or firearms into while on the scene of a crime.

Forensic Alternative Light Source- CSI will use in uncovering blood and other bodily fluids that cannot be detected through use of conventional light sources. This will be housed on the van.

Dual Band Walkie-Talkie: 800 Mhz and VHF capable to be used by CSI while in the field to communicate with the Sheriff's Office and other Deputies.

Computers:

Desktop computer with accessories and video cards. Accessories including but not limited to printers, scanners, cables, surge protectors, etc. This will be used in the office to enhance photos, analyze evidence, complete reports and storage of evidence.

Laptop computers and accessories: The laptop computer with accessories including but not limited to cables, surge protectors, docking stations, additional monitors, key boards, mice, mobile printers for field use, etc. These are to be used by the CSI in the field to complete reports, search warrants and other crime scene related duties and storage of evidence until back at the Lab to transfer to desktop. However, the laptop computers will not be able to be used to enhance a photo, which is why we will need the desktop computer as well.

High Quality Digital SLR Cameras with additional lens, flash trigger, shoe cord, speed light, spare batteries and memory cards, a case and other related accessories: This high definition camera and accessories listed will be used by the Crime Scene Unit. It will be used to document crime scenes, evidence and lab results to be produced during court. Having this high definition camera will produce very detailed photos and by using the different camera flashes and lens, it will provide more realistic photographs.

Mobile Modem and service: Modem will be used by CSI to access DMV records, NCIC records and our local records management system. These modems are similar to the traditional MDT's, and they will access databases including CAD.

In car Radio: Radio will be installed in CSI vehicle to be used for contact with dispatch and other officers.

Light bar package, siren and speakers: Lights sirens and speakers to be placed into the CSI vehicle.

Installation: Radio, siren, modem and lights installation will be covered by this line item.

Decaling/ Striping: The CSI vehicle will be striped like our current fleet.

Other-

Registration Fee: The CSI that will be hired for the CSI position will be an experienced law enforcement officer with basic evidence collection techniques taught by the SCCJA. .

Pistol and other Law enforcement accessories- Pistol, holster, mag pouch, other law enforcement accessories to be issued to CSI.

Cell Phone-phone and service for CSI to be used while at work and also when on "on-call" status.

Duty clothing- Uniform/Clothing to be worn while on duty for the officer's day to day crime scene processing duties.

Clothing allowance- to provide CSI with a clothing allowance to purchase clothing suitable for wear in court.

Protective Gear: personal protective gear to protect CSI from exposures to biohazards and chemical exposures. - disposable jump suits with hoods -disposable high top boots
-latex gloves

Digital Voice Recorders: a personal digital voice recorder to record notes and interviews with witnesses.

Digital Video Recorder: to be used to record and document the overall scene and location of evidence and to be used to enhance images captured with digital camera for court presentations

GPS unit: for vehicle. This will provide Lat. and Long of crime scenes and locations where evidence is found. Will also assist CSI in locating crime scenes.

Office supplies: general office supplies, pens, paper, stapler, etc., that will be used by the CSI during the performance of their duty.

Bulletproof Vests and cover for CSI for officer safety.

Crime Scene Equipment (to be placed in vehicle for scene processing): ITEMS NOT INCLUDED WITH THE PURCHASE PRICE OF THE VEHICLE

To include but not limited to the following:

Flashlights: to provide illumination for crime scene searches

Tools for Documentation and Scaling for Crime Scene Photography

-plastic numbers and letters and evidence flags: to mark pieces of evidence for photography and later collection - scale tape

Sketch Kit (complete with graphing paper and templates): to be used to document scene

Crime Scene Sketch Software: to be used for presentation in court and for documentary purposes.

Tape Measures: one 100 foot tape measure and one 25 foot tape measure to be used to measure the position of items at the scene

Evidence Collection Supplies: to be used to collect and preserve evidence

-heat sealer
-small evidence collection containers of various sizes
-evidence tags with ties
-tweezers
-scissors
-scalpels

Casting Tools and Accessories: to be used to make casts of impression evidence

-casting frames
-casting material
-Mikrosil (used to make casts of tool mark evidence)

Serology Kit: to be used to locate and collect serological evidence
-blood field test kit
-swabs and distilled water

Post Mortem Kit: To be used to collect fingerprints from the deceased for elimination purposes

Trajectory Kit (includes laser, protrusion rods, and materials for stringing bullet paths): To be used to document ballistic evidence and to gather information on bullet flight and source

Gunshot Residue Collection Kits: to be used to locate gunshot residue

Halogen Work Lights with Stand: to be used to illuminate crime scenes in low or no light situations for the when completing crime scene searches

Tools and Tool box: shovel, hammer, screw drivers etc. to be used to access evidence.

Ladder and Ladder rack: used to reach evidence.

Digital Cameras: These cameras will not be as advanced as the one above, but these cameras will be given to each shift Sergeant for them to use at their crime scenes or at their officers' crime scenes. The Crime Scene Unit does not/can not respond to every type of call or they are sometimes delayed, so having these upgraded digital cameras will provide more detailed photography than what patrol has at this time. Photographs are some of the best evidence that is produced at court hearings, that is the reason that we need one per Sergeant per shift.

THE FOLLOWING ITEMS WILL BE DISTRUBUTED TO ALL OF OUR PATROL OFFICERS AND INVESTIGATORS SO THAT THEY HAVE THE PROPER EQUIPMENT TO PROCESS A CRIME SCENE AND SECURE EVIDENCE LAWFULLY TO AVOID CASES BEING DISMISSED FROM COURT AND TO ENSURE THAT THE VICTIM'S CASE IS PROSECUTABLE.

Evidence Bags (small, medium & large sizes): Various types of bags that are used to store and transport evidence from a scene to the Crime Lab.

Fingerprint Kits: Kits that will be used while in the field processing crime scenes.

Fingerprint Kit refills (powder, backing cards, brushes, tape, pads): All items listed are contained in the kits and once used, they have to be replenished.

Barrier Tape: Tape to keep persons from contaminating a crime scene.

Exam gloves (small med & large sizes): Gloves that all officers/investigators use while on a crime scene, for officer safety reasons and for crime scene preservation.

STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
Justice Assistance Grant Program

Grant #

App # AG16080

To Be Completed by Project Director

Section 1

County Name: 29 - LANCASTER ▼

Other county/counties this project will serve:

Section 2

Grant Period:

Begin: 7/1/2016

End: 6/30/2017

Section 3

Project Title: Domestic Violence Investigator

Section 4

Project Summary (max. 300 characters):

Hire an Investigator to focus on domestic violence cases and to ensure that all victims of domestic violence are able to understand and participate in the criminal justice process.

Section 5

Type of Application

a. Initial ▼

b. Year of Funds : 1 ▼

Other:(Specify)

c. Reimbursable ▼

Section 6

a. Organization Type : County ▼

Other:(Specify)

b. U. S. Congressional District 05

Section 7

Agency DUNS number*: 086866944
(fedgov.dnb.com/webform)

Has your agency registered with Central Contractor Registration (CCR)?* Yes

(www.sam.gov)

For **Central Contractor Registration (CCR) handbook** [click here](#).

* This data is not required to submit this application but will become necessary for federal reporting requirements if this project is awarded.

FEIN: 57-6000370

Agency Name Lancaster County Sheriff's Office

Address 1520 Pageland Highway

City Lancaster

State South Carolina

(Please use the Name/Address
above instead of this field)
Name and Address of Implementing
Agency

10 Digit Zip 29721-0908

(Area) Phone #: 803 283 3388

(Area) Fax #: 803 286 9823

COMPLETE PAGES 2&3 BEFORE COMPLETING THIS SECTION

Section 8

BUDGET

Use whole dollars only (For example: \$1,500 not \$1,500.00)

a. BUDGET CATEGORIES	GRANTOR	AGENCY MATCH	TOTAL
Personnel	\$58,344	\$6,483	\$64,827
Contractual Services	\$0	\$0	\$0
Travel	\$12,114	\$1,346	\$13,460
Equipment	\$51,390	\$5,710	\$57,100
Other	\$7,677	\$853	\$8,530
TOTAL:	\$129,525	\$14,392	\$143,917
b. PERCENTAGE:	90 %	10 %	100 %

Section 9

**APPROPRIATION OF NON-GRANTOR
MATCHING FUNDS**

County ▼

Other (Explain):

MATCHING FUNDS CATEGORIES

GRANTOR CASH TOTAL

PERSONNEL

SALARIES	% of Time	Quantity			
Position Title	On Project				
Criminal Domestic Investigator	100	1	\$38,430	\$4,270	\$42,700
TOTAL SALARIES:			\$38,430	\$4,270	\$42,700

EMPLOYER CONTRIBUTIONS (Fringe Benefits)

% or Rate	X Base				
Social Security & Medicare (FICA)	.0765%	42700	\$2,940	\$327	\$3,267
Retirement	13.74%	42700	\$5,280	\$587	\$5,867
Worker's Compensation Insurance	3.46%	42700	\$1,329	\$148	\$1,477
Unemployment Insurance (on first \$7,000 only)			\$0	\$0	\$0
Health Insurance	11,375		\$10,238	\$1,137	\$11,375
Dental Insurance	141		\$127	\$14	\$141
Pre-Retirement Death Benefit			\$0	\$0	\$0
Accident Death Benefit (Police Officers)			\$0	\$0	\$0
Other Employer Contributions (Itemize)			\$0	\$0	\$0
TOTAL EMPLOYER CONTRIBUTIONS:			\$19,914	\$2,213	\$22,127
TOTAL PERSONNEL:			\$58,344	\$6,483	\$64,827

CONTRACTUAL SERVICES:

(Itemize - DO NOT include professional fees for doctors, psychologists, etc.)

	\$0	\$0	\$0
TOTAL CONTRACTUAL SERVICES	\$0	\$0	\$0

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Mileage 24,000 @ .54 x 1	\$11,664	\$1,296	\$12,960
Lodging 5 nights x \$70 x 1	\$315	\$35	\$350
Per Diem 5 days/nights @ \$30 x 1	\$135	\$15	\$150
TOTAL TRAVEL:	\$12,114	\$1,346	\$13,460

Show Section 2-A Disabled

MATCHING FUNDS**CATEGORIES**

GRANTOR CASH TOTAL

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME.- Also, DO NOT include leased, rented items or software)

ITEM	QUANTITY			
Vehicle and accesories		\$31,500	\$3,500	\$35,000
Light bar package, siren and speakers		\$1,980	\$220	\$2,200
Dual band radio		\$5,400	\$600	\$6,000
Taser Equipped with camera		\$1,440	\$160	\$1,600
Laptop computer, docking station, monitor& accessories		\$1,800	\$200	\$2,000
Long Gun (Rifle) w/ accessories		\$1,260	\$140	\$1,400
In car Radio		\$1,710	\$190	\$1,900
Installation		\$900	\$100	\$1,000
Digital Camera and accessories		\$5,400	\$600	\$6,000
TOTAL EQUIPMENT:		\$51,390	\$5,710	\$57,100

Other:

Registration fees for training		\$900	\$100	\$1,000
Clothing Allowance		\$900	\$100	\$1,000
Pistol and holster		\$900	\$100	\$1,000
Concealed Bullet Proof Vest and Entry Vest		\$1,710	\$190	\$1,900
Digital voice recorder		\$144	\$16	\$160
Cell phone and service		\$1,080	\$120	\$1,200
Modem		\$855	\$95	\$950
Modem Service 12mths \$60 per month		\$648	\$72	\$720
External Hard drive		\$90	\$10	\$100
Law enforcement accessories		\$270	\$30	\$300
office supplies		\$180	\$20	\$200
		\$0	\$0	\$0
TOTAL OTHER:		\$7,677	\$853	\$8,530

BUDGET NARRATIVE

List items under each Budget Category heading. Explain exactly how each item in your budget (both grantor and match) will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided

Personnel:

Officer: dedicated to investigation of domestic violence crime cases for the Lancaster County Sheriff's Office

Travel:

Mileage: Estimated 24000 to carry out the duties of the job and to go to any approved training courses offered to enhance job performance at .54 per mile

Lodging: Hotel accommodations for the officer to attend approved conferences and training

Per Diem: Food for the officer while attending approved conferences and training

EQUIPMENT

Vehicle and Accessories: Vehicle with accessories to be used by investigator

Light bar package, siren and speakers: to be placed in the vehicle.

Dual Band Walkie Talkies: 800 Mhz & UHF capable to be used by investigator while in the field to communicate with the Sheriff's Office and other Deputies.

Taser Equipped with Camera: to provide the officer with a less than lethal response to resistance and a way to document the incident for liability and/or court purposes.

Laptop, Docking Station with monitor & accessories: To include laptop, cables, laptop bag and etc. To be used by the officer to do reports, investigate reports; keep logs of case statistics, and other miscellaneous reports. Station (with monitor) to be placed at the investigators desk to allow the investigator to work on reports, schedules and etc while in the office.

Rifle (Long Guns) w/ accessories: Gun to be used in high risk searches to provide more protection for the Investigator. Including slings and rails for carrying the weapon.

In Car Radio: To be placed in the vehicle to allow officers to keep contact with Communications and other officers in the department.

Installation Fee: Installation of all radio, siren, computer mounts, modems and lights will be covered by this line item.

Digital Cameras and Accessories: High quality camera and lens, trigger flash, speed light, batteries, memory cards, other related accessories and storage/carrying case to be used by the officer to build cases where more realistic photos is required at high quality.

Other:

Training Registration Fees: To be used to pay for approved training courses offered to a domestic violence investigator

Clothing Allowance: This will be used by the Investigator so that they have the proper attire to wear to court for trials and to wear while investigating the domestic violence cases.

Pistol & Holster: Required standard issue firearm/holster for the Lancaster County Sheriff's Office

Concealed Bullet Proof Vest and Entry Vest: To be worn by the Investigator while on duty according to Lancaster County Sheriff's Office Policy

Digital voice recorder: to be used to record interviews, phone calls to build case files for prosecution.

Cell Phone and Cellular Phone Service: To allow the officers to make contact with victims, service providers and other personnel related to their duties.

Modem: These modems will be used by investigator to access our local records management system, DMV records, NCIC records and all other law enforcement databases while out in the field via the hard wired secure internet. This will allow our Investigator to do reports, follow ups, interviews while in the field versus having to wait to get back to the office to do them. This also gives the Investigator hands on tools to search databases for past crimes or persons of interest.

Modem Service: This will be used to pay the monthly fee for the modems so that our Investigator will have access to our local records management system, DMV, NCIC and other databases while in the field.

External Hard Drive: To be used by the Investigator to store information so that the laptop does not get slow with all the potential files these officers will have to keep stored for court cases.

Law enforcement accessories: To be used by the investigator to purchase miscellaneous items (hand cuffs, flashlights, and business cards) to be used in the scope of the job duty.

Office Supplies: To be used by the investigator to do their daily task (including but not limited to: print cartridges, pens, paper, stapler, staples, paperclips, white out, tape, post it notes)

SUBJECT: CLERKS TO COUNCIL ASSOCIATION

I am pleased to report that Clerk to Council Debbie Hardin has ben chosen by her fellow Clerks to serve on the Board of Directors for a two year term. Debbie will be the Member at large on the Board of Directors. This shows that her fellow Clerks hold Debbie in as high regard as we do.

On a related note, Veteran's Affairs Officer Robin Ghent will wrap up her term as President of the Veterans Affairs Officers Association this summer. She will continue her appointment by the Governor serving on the VA funding oversight committee.

SW

SUBJECT: AGRICULTURAL USE TAX STATUS

There have been questions raised recently regarding Agricultural Tax status for timber parcels. Attached is a briefing paper from Assessor Brad Carnes regarding this favored tax status. Also attached is an Attorney General's Opinion prohibiting requirement of a timber management plan to qualify for this status. Several counties chose to ignore this opinion and are currently in litigation with the SC Forestry Association.

As Administrator I certainly concur with those who say this extremely favorable tax status is widely abused with little, if any, relation to actual farming operations. However, that is what state law allows and that is what we must live with.

Please let us know if any additional information is needed.

SW



LANCASTER COUNTY

South Carolina

February 8th, 2016

Steve Willis
Lancaster County Administrator

Mr. Willis,

The Agricultural Use Special Assessment (SC Code Ann. § 12-43-220(d)) was originally enacted in 1975 to provide a discounted value and assessment for agricultural properties and farmers. Agricultural uses include, but are not limited to: timber production; raising, storing or harvesting crops and feeding, breeding or managing livestock. SC Code 12-43-230 also lists other qualifying uses.

The Lancaster County Assessor's Office follows all applicable South Carolina state laws and regulations that contend with the Agricultural Use Classification. These laws provide the qualifications and requirements that determine whether a parcel can receive the AgUse Classification. Our office is also diligent in assessing rollback taxes on parcels which have experienced use changes. The term "change in use" is not clearly defined in statute so the determination may be different throughout the counties in the state. In most counties rollbacks are triggered as soon as construction of any type is initiated to put the property to another. Therefore, once construction begins on a subdivision, or a construction of a building begins or a mobile home is located on the site, a change in use has occurred.

I have provided below the section of our guidebook which covers agricultural use classification.

AGRICULTURAL USE VALUE

Agricultural Use Value refers to the appraised value assigned to those acreage tracts of land that qualified based on bona fide agricultural use of the property.

A. Requirements for Agricultural Real Property, 12-43-232:

1. If the tract is used to grow timber, the tract must be five acres or more. Tracts of timberland of less than five acres which are contiguous to or are under the same management system as a tract of timberland which meets the minimum acreage requirement are treated as part of the qualifying tract. Tracts of timberland of less than five acres are eligible to be agricultural real property when they are owned in combination with other tracts of non-timberland agricultural

real property that qualify as agricultural real property. For the purposes of this item, tracts of timberland must be devoted actively to growing trees for commercial use.

2. For tracts not used to grow timber as provided in item (1) of this section, the tract must be ten acres or more. Non-timberland tracts of less than ten acres which are contiguous to other such tracts which, when added together, meet the minimum acreage requirements, are treated as a qualifying tract. For purposes of this item (2) only, contiguous tracts include tracts with identical owners of record separated by a dedicated highway, street/ road or separated by any other public way.

3. Non-timberland tracts not meeting the acreage requirement of item (2) qualify as agricultural real property if the person making the application required pursuant to Section 12-43-220(d)(3) earned at least one thousand dollars (\$1,000.00) of gross farm income for at least three of the five taxable years preceding the year of the application.

The assessor may require the applicant(s) to give written authorization consistent with privacy laws allowing the assessor to verify farm income from the Department of Revenue or the Internal Revenue Service and (ii) to provide the Agriculture Stabilization and Conservation Service (ASCS) farm identification number of the tract and allow verification with the ASCS Office.

4. SC Code of Laws 12-43-230 lists the following rules that "the words "'agricultural real property'" shall mean any tract of real property which is used to raise, harvest or store crops, feed, breed or manage livestock, or to produce plants, trees, fowl or animals useful to man, including the preparation of the products raised thereon for man's use and disposed of by marketing or other means. It includes but is not limited to such real property used for agriculture, grazing, horticulture, forestry, dairying and mariculture. In the event at least fifty percent of a real property tract shall qualify as "agricultural real property", the entire tract shall be so classified, provided no other business for profit is being operated thereon. The term "agricultural real property" shall include real property used to provide free housing for farm laborers provided such housing is located on the tract of land that qualifies as agricultural real property."

B. Qualification Requirements for Agricultural Use Value:

Agricultural real property which is actually used for such purposes shall be taxed on an assessment equal to:

1. Four percent of its market value for such agricultural purposes for owners or lessees who are individuals or partnerships and certain corporations which do not:

- (i) Have more than ten shareholders.
- (ii) Have as a shareholder a person (other than an estate) who is not an individual.
- (iii) Have a nonresident alien as a shareholder.
- (iv) Have more than one class of stock.

2. Six percent of its market value for such agricultural purposes for owners or lessees who are corporations, except for certain corporations specified in (A) above [South Carolina Code 12-43-220(d) (1)].

C. When to File for Agricultural Use Value:

The owner of the property or the owner's agent must apply for the special valuation based on agricultural use before the first penalty date for the payment of taxes for the tax year for which the owner first claims eligibility. Example: For tax year 2016, file between January 1, 2016 and January 15, 2017. Once an initial application for agricultural use value has been qualified, no further application is necessary while the property continues to meet the eligibility requirements of this item. In any year that the ownership changes a new application must be filed by the new owner during the filing period. The owner shall notify the assessor of any change in use within six months of the change. Remember: Failure to file and become qualified means an automatic 6% assessment.

D. Rollback Taxes:

When real property which is in agricultural use and is being valued, assessed and taxed under the provisions of this article, is applied to another use other than agricultural, it shall be subject to additional taxes, hereinafter referred to as rollback taxes, in the amount equal to the difference, if any, between the taxes payable on the basis of the agricultural use valuation and assessment, and the taxes that would have been paid had the property been taxed at the market value appraisal and 6% assessment ratio. The rollback can be applied to the property for the current tax year (the year of change in use) and each of the five tax years immediately preceding the year of change in use [South Carolina Code 12-43-220(d) (4)].

Brad Carnes

Lancaster County Assessor Office



ALAN WILSON
ATTORNEY GENERAL

September 22, 2014

The Honorable Daniel B. Verdin
S.C. Senate, District 9
404 Gressette Building
Columbia, SC 29201

Dear Senator Verdin:

We are in receipt of your May 22, 2014 letter requesting an opinion from this Office concerning a county's authority to establish additional requirements for landowners seeking to have timberland classified and assessed as agricultural real property. Specifically, you explain "a few counties are requiring that all timberland owners have a forest management plan before granting the agricultural use assessment." You add that the majority of counties do not require landowners to present such a plan and express your concern that "[t]his creates an inconsistent standard for obtaining the assessment and may require a landowner to incur the additional cost of obtaining a forest management plan in one county while a landowner in another county does not have to pay for a forest management plan." Continuing, you note that because "many private landowners own timberland in several counties" there is a need for "a consistent statewide policy regarding this issue." As a result, you ask whether "counties are authorized by state law to require all timberland owners to have a forest management plan before qualifying and being approved for an agricultural use assessment." Because South Carolina constitutional, statutory and regulatory laws do not authorize counties to regulate the assessment and classification of property for purposes of the property tax, we believe they are not.

I. Law/Analysis

The substance of your question, whether state law authorizes counties to place additional requirements on landowners seeking to have their timberland classified and assessed as agricultural real property, is step one in what is typically a two-step analysis regarding the validity of a local ordinance. See Bugsy's, Inc. v. City of Myrtle Beach, 340 S.C. 87, 93, 530 S.E.2d 890, 893 (2000) ("Determining whether a local ordinance is valid is a two-step process."). Here, however, we were not provided with a specific ordinance, but instead received only a flyer, stamped by the Anderson County Assessor's Office, which states, "[y]ou must have a timber management plan in place in order to qualify for agricultural use." Moreover, since you explain "a few counties" appear to have policies similar to that of Anderson County, the focus of this opinion will be limited to the question of whether state law authorizes counties to "require timberland owners to have a forest management plan before qualifying and being approved for

agricultural use.” For purposes of this discussion we will assume the policies requiring a forest management plan amount to an exercise of authority tantamount to that of an ordinance.¹

As stated most recently in Sandlands C&D, LLC v. Horry County, 394 S.C. 451, 716 S.E.2d 280 (2011), our Supreme Court now evaluates the question of whether a local governmental body has the power to adopt an ordinance on two fronts: (1) whether local government possesses the authority to enact the ordinance; and (2) whether state law preempts the area of legislation. 394 S.C. at 460, 716 S.E.2d at 284. “If no such power existed, the ordinance is invalid and the inquiry ends.” Bugsy’s Inc. v. City of Myrtle Beach, 340 S.C. at 93, 530 S.E.2d at 893.

A. Authority to Pass Legislation and Preemption

“Article VIII of the South Carolina Constitution mandates ‘home rule’ for local governments and requires all laws concerning local government to be liberally construed in their favor.” South Carolina State Ports Auth. v. Jasper County, 368 S.C. 388, 402, 629 S.E.2d 624, 631 (2006) (citing S.C. Const. Art. VIII, § 17); see also Quality Towing Inc. v. City of Myrtle Beach, 340 S.C. 29, 37, 530 S.E.2d 369, 373 (2000). The rationale underlying “home rule” is that “different local governments have different problems that require different solutions.” Quality Towing, 340 S.C. at 37, 530 S.E.2d at 373. “Pursuant to the constitutional mandate of ‘home rule’ the General Assembly has delegated general authority to its counties to enact ordinances ‘in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them.’” Op. S.C. Att’y Gen., 2014 WL 2591471 (May 20, 2014) (quoting S.C. Code Ann. § 4-9-25 (2006)). That said, because the rationale underlying home rule only applies in instances where the State has either expressly or impliedly delegated its legislative authority to local government, counties cannot set aside general law on subjects requiring statewide uniformity. See S.C. Const. Art. VIII, § 14 (1895) (explaining local government cannot set aside general law provisions regarding “the structure and the administration of any governmental service or function, responsibility for which rests with the State government or which requires statewide uniformity.”). In the present situation, we believe that while local government possesses general police power to regulate local issues, these powers do not extend to the area of classification of real property for purposes of the property tax as this is an area of the law that is reserved for the General Assembly and is one requiring statewide uniformity. See City of Charleston v. County of Charleston, 363 S.C. 527, 530, 611

¹ As an initial matter, we note that while arguably collateral to the question in your opinion request, state law does not require timberland owners seeking classification and assessment of their property as agricultural real property to have a forest management plan in place. See Hampton County Assessor v. Johnson, 2008 WL 445783 (S.C. Admin. Law Judge Div. filed January 16, 2008) (“[A] [timber] Management Plan is not required by South Carolina law for a property to qualify as timberland, and therefore agricultural property.”). Instead, as explained below, South Carolina constitutional, statutory and regulatory law collectively provide an extensive framework to determine whether timberland qualifies for classification and assessment as agricultural real property.

S.E.2d 920, 922 (2005) (concluding the state constitution requires uniformity of property tax laws); Martin v. Condon, 324 S.C. 183, -- , 478 S.E.2d 272, 274 (1996) (noting the State Constitution requires uniformity of property tax laws); S.C. Const. Art. VIII, § 14 (explaining local government cannot set aside general law provisions regarding “the structure and the administration of any governmental service or function, responsibility for which rests with the State government or which requires statewide uniformity.”).

1. County Authority to Legislate

In determining whether local government, in this case the county, has authority to legislate, we first look to South Carolina constitutional and statutory law, specifically, Article VIII, Section 17’s “home rule” provision embodied in Section 4-9-25 of the Code. See South Carolina State Ports Auth. v. Jasper County, 368 S.C. at 401-03, 629 S.E.2d at 631 (analyzing Jasper County’s authority to pass an ordinance under “home rule” and Section 4-9-25); Quality Towing, Inc., 340 S.C. at 37, 530 S.E.2d at 373 (looking to “home rule” to determine whether a locality had authority to pass an ordinance regarding a local towing issue). Under Section 4-9-25, counties generally possess authority to regulate subjects which they believe are “necessary and proper,” including the security, general welfare, health, preservation of peace and order and convenience of the county, so long as such regulations are “not inconsistent with the Constitution and general laws of this State.” See S.C. Code Ann. § 4-9-25 (“All counties of the State, in addition to the powers conferred to their specific form of government, have authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of these powers in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them.”).

Here, in reviewing the extent of a county’s “home rule” powers, we believe there is simply no authority to pass additional legislation or policies concerning restrictions on an individual’s ability to qualify for the agricultural real property classification. Specifically, a county’s police powers under Section 4-9-25 only enable them to pass legislation regarding “any subject as appears to them necessary and proper *for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them.*” Id. (emphasis added). None of these powers encompass the subject of classification and assessment of real property for purposes of the statewide property tax, nor does additional regulation of real property classification and assessment aid the county in preserving health, peace, order or good government. To the contrary, and as noted in your letter, county-level legislation on this matter would create a situation in which landowners in different counties would be required to go through different procedures to receive a property classification defined and regulated under state law. This would be the opposite of creating order and promoting good government.

Moreover, county regulation within this subject matter appears to be “inconsistent with the Constitution and general laws of this State,” the limiting clause contained within Section 4-9-25 of the Code. As detailed below, South Carolina law has preempted local legislation in this area on the basis that it is expressly and exclusively delegated to the General Assembly pursuant to the South Carolina Constitution, and is a subject matter thoroughly regulated by state statutory law and regulatory law in a field requiring statewide uniformity. See City of Charleston v. County of Charleston, 363 S.C. at 530, 611 S.E.2d at 922 (concluding the state constitution requires uniformity of property tax laws); Martin, 324 S.C. at --, 478 S.E.2d at 274 (noting the State Constitution requires uniformity of property tax laws); S.C. Const. Art. VIII, § 14 (explaining local government cannot set aside general law provisions regarding “the structure and the administration of any governmental service or function, responsibility for which rests with the State government or which requires statewide uniformity.”).

2. Preemption

In Sandlands, the Court, when evaluating whether a local ordinance is preempted by state law, looks to “federal preemption concepts” meaning the Court will review whether the ordinance is expressly preempted, impliedly preempted or preempted under an implied conflict analysis. 394 S.C. at 462, 716 S.E.2d at 285. “Express preemption occurs when the General Assembly declares in express terms its intention to preclude local action in a given area,” Id. at 462, 716 S.E.2d at 286; “[i]mplied field preemption occurs when the state statutory scheme so thoroughly and pervasively covers the subject so as to occupy the field or when the subject mandates statewide uniformity,” Id. at 465, 716 S.E.2d at 287; and “[i]mplied conflict preemption occurs when the ordinance hinders the accomplishment of the statute’s purpose or when the ordinance conflicts with the statute such that compliance with both is impossible.” Id. at 467, 716 S.E.2d at 288. In this instance, we believe that county legislation within the area of classification and assessment of agricultural real property is both expressly and impliedly preempted by South Carolina constitutional, statutory and regulatory law.

a. Express Preemption

Because South Carolina Constitutional Law expressly provides the General Assembly with the authority to determine and define the parameters of real property classifications for purposes of assessing tax ratios under the property tax, we believe, under the canon of “*expressio unius est exclusio alterius* or *inclusio unius est exclusio alterius*” meaning “to express or include one thing implies the exclusion of another or the alternative,” that localities are preempted from legislating within the area of assessing and classifying real property for purposes of the state property tax. See Riverwoods, LLC v. County of Charleston, 349 S.C. 378, 384, 563 S.E.2d 651, 655 (2002) (utilizing the canon of “*expressio unius est exclusio alterius* or *inclusio unius est exclusio alterius*” to invalidate a local option ordinance as the locality was preempted by state law).

Article Ten, Section One of the South Carolina Constitution states that the “General Assembly may provide for the ad valorem taxation by the State or any of its subdivisions of real and personal property.” S.C. Const. Art. X, § 1. Continuing, Section One sets forth the classifications for uniform taxation and in subsection (4)(A) explains that agricultural real property used for such purposes “shall be taxed on an assessment equal to four percent of its value” so long as the individual, partnership or corporation owning or leasing the property meets certain requirements. S.C. Const. Art. X, § 1(4)(A)(i-iv).

Additionally, under Article Ten, Section Two of the South Carolina Constitution, the General Assembly is tasked with, *inter alia*, defining “the classes of property and values for property tax purposes of the classes of property.” S.C. Const. Art. X, § 2. Specifically, subsection (a) of Article Ten, Section Two explains, “[t]he General Assembly may define the classes of property and values for property tax purposes of the classes of property set forth in Section 1 of this article and establish administrative procedures for property owners to qualify for a particular classification.” S.C. Const. Art. X, § 2(a). Further, subsection (c) of Article Ten, Section Two adds that “[s]tatutes pertaining to the methods of assessment of property for ad valorem taxation not in conflict with this article shall continue in force until changed by an act of the General Assembly.” S.C. Const. Art. X, § 2(c). This Office has previously interpreted Article Ten, Section Two as conferring “authority upon the General Assembly to set forth what lands qualify for taxation with the agricultural assessment.” Op. S.C. Att’y Gen., 1991 WL 632955 (March 20, 1991).

Moreover, like Article Ten Sections One and Two, Article Ten, Section Six of the South Carolina Constitution also addresses the uniform assessment of property tax. In particular, Article Ten, Section Six explains, “the General Assembly may vest the power of assessing and collecting taxes in all of the political subdivisions of the State.” S.C. Const. Art. X, § 6. However, Article Ten, Section Six goes on to reinforce that despite the delegation of the power to assess and collect the property tax, the General Assembly alone has the power to pass legislation regarding the method of assessment. See S.C. Const. Art. X, § 6 (“The General Assembly shall establish, through the enactment of general law, and not through the enactment of local legislation pertaining to a single county or other political subdivision, the method of assessment of real property within the State that shall apply to each political subdivision within the State.”).

Thus, the South Carolina Constitution is clear that the General Assembly, to the exclusion of localities, is responsible for passing uniform legislation regarding the classifications, ratios and assessment of the property tax. S.C. Const. Art. X, § 1; S.C. Const. Art. X, § 2; S.C. Const. Art. X, § 6. Furthermore, while political subdivisions such as counties may administer the property tax through assessment and collection, our constitution collectively explains that they lack the authority to enact local legislation regarding the classification, valuation and method of assessing property subject to the tax. S.C. Const. Art. X, § 1; S.C. Const. Art. X, § 2; S.C. Const. Art. X, § 6. As a result, we believe that local legislation on this

subject matter is expressly preempted by the State Constitution meaning state law does not authorize counties to place additional requirements on timberland owners seeking to have their property classified and assessed as agricultural real property.

b. Implied Preemption

We further believe that, since South Carolina statutory and regulatory law place uniform requirements on landowners seeking to have timberland assessed and classified as agricultural real property, a subject matter which we have explained is an area of law requiring statewide uniformity, local legislation within this sphere would be impliedly preempted even if were not expressly preempted. As stated previously, “[i]mplied field preemption occurs when the state statutory scheme so thoroughly and pervasively covers the subject so as to occupy the field or when the subject mandates statewide uniformity.” Sandlands, 394 S.C. at 465, 716 S.E.2d at 287. Here, it appears state statutory and regulatory law, while not required to meet both of these requirements, does so and results in this field of local legislation being impliedly preempted as well.

Pursuant to the constitutional provisions mentioned above, the General Assembly enacted Section 12-43-220 of the South Carolina Code which, like Article Ten, Section One, provides various ratios of assessment and sets forth both tax classifications and methods of assessment for the various property classifications subject to the property tax. S.C. Code Ann. § 12-43-220 (as amended by 2014 S.C. Acts 133). As noted above, property classified and assessed as agricultural real property is taxed at four percent of its fair market value unless it is later determined to be subject to additional taxation in the form of roll-back taxes. See S.C. Code Ann. § 12-43-220(d)(1) (setting forth the agricultural real property taxation rate); S.C. Code Ann. § 12-43-220(d)(4)(A-D) (2014) (setting forth the assessment of property subject to the roll-back tax).

South Carolina statutory law also defines the phrase “agricultural real property” and sets forth both the permissible and impermissible uses of property for purposes of classifying and assessing property under the property tax. Specifically, “agricultural real property” includes *inter alia* “any tract of real property which is used to . . . produce . . . trees” including property used for forestry so long as “at least fifty percent” of the property qualifies as such, and “no other business for profit is being operated thereon.” S.C. Code Ann. § 12-43-230(a) (2014). Section 12-43-232(1)(a) adds that, where the tract is used to grow timber, the tract must be either five acres or more; contiguous to or under the same management system as a tract meeting the minimum acreage requirement; or owned in combination with other tracts of qualifying non-timberland agricultural real property. S.C. Code Ann. § 12-43-232(1)(a) (2014). Under item (a), “tracts of timberland must be devoted actively to growing trees for commercial use.” *Id.* Item (b) further explains that Christmas Tree farms may qualify for assessment as agricultural real property under item (a) in certain circumstances. S.C. Code Ann. § 12-43-232(1)(b) (2014).

Moreover, where property “is in agricultural use and is being valued, assessed, and taxed” as agricultural real property, but “is applied to a use other than agricultural,” such property is “subject to additional taxes . . . referred to as roll-back taxes.” S.C. Code Ann. § 12-43-220(d)(4) (2014). The formula to be utilized by assessors in calculating roll-back taxes is detailed in Section 12-43-220(d)(4), items (A) through (D) of the Code. See S.C. Code Ann. § 12-43-220(d)(4)(A-D) (setting forth the assessment of property subject to the roll-back tax). As a result, South Carolina’s statutory scheme not only places uniform requirements on landowners seeking to have their property assessed and classified as agricultural real property, but also requires that such property is in fact utilized in such a manner.²

In addition to the statutory definitions concerning timberland and the agricultural use classification, South Carolina law also permits the Department of Revenue (“the Department”) to provide further guidance to determine whether property should be assessed as “agricultural real property.” S.C. Code Ann. § 12-43-230(c) (2014). For instance, Regulation 117-1780.1 states that “Agricultural Real Property shall not include any property used as the residence of the owner or others” and adds that such property must be used “for bona fide agricultural purposes.” 27 S.C. Code Ann. Regs. § 117-1780.1 (2012). Likewise, Regulation 117-1780.1 says “[r]eal property is not used for agricultural purposes unless the owner or lessee thereof has, in good faith, committed the property to that use” and explains that to determine this, county assessors should look to six factors. Id. This includes: (1) the nature of the terrain; (2) the density of the marketable product (timber, etc) on the land; (3) the past usage of the land; (4) the economic merchantability of the agricultural product; (5) the use or non-use of recognized care, cultivation, harvest and like practices applicable to the product involved, and any implemented plans thereof; and (6) the business or occupation of the landowner or lessee. Id.

Furthermore, the Department, pursuant to the statutory mandate of Section 12-43-230(c), has also created an application for those seeking classification of their property as agricultural real property. See 27 S.C. Code Ann. Regs. § 117-1780.2 (2012) (application setting forth the qualifications for the agricultural real property assessment and defining agricultural real property in addition to qualifying questions regarding whether a piece of property meets the requirements for taxation as agricultural real property). Similarly, the Department, citing to Sections 12-43-210 to 12-43-310 of the Code, promulgated regulations concerning the roll-back tax and its application. 27 S.C. Code Ann. Regs. § 117-1780.3 (2012). According to the Department, these statutes and regulations “as a whole are designed to insure that real property accorded the benefit of a lower assessment actually be agricultural property.” S.C. Rev. Ruling #87-9 (eff. November 4, 1987).

With this in mind, we believe that both the breadth and specificity of the statutes and regulations mentioned above indicate a clear intent that the General Assembly, acting consistent

² Notably, South Carolina statutory law also provides criminal penalties for those who knowingly and willingly make a false statement on an application for classifying their property as agricultural real property under Section 12-43-340 of the Code.

with its constitutional mandate, sought to thoroughly and pervasively regulate the subject matter of classifying and defining the types of real property subject to the property tax. For purposes of your question, this is particularly so within the sphere of timberland and the definition of agricultural real property. See Sandlands, 394 S.C. at 465, 716 S.E.2d at 287 (“Implied field preemption occurs when the state statutory scheme so thoroughly and pervasively covers the subject so as to occupy the field or when the subject mandates statewide uniformity.”). Moreover, as mentioned previously in Section I(A), because the subject matter at issue is one requiring statewide uniformity, we conclude that local legislation on this subject matter is impliedly preempted for this reason as well.³ Id. Accordingly, it is the opinion of this Office that state law does not authorize counties to regulate the subject matter at issue because, in addition to being expressly preempted as discussed in Section I(A)(2) above, it is also impliedly preempted.

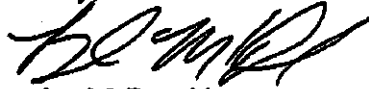
II. Conclusion

In conclusion, while it is true that counties possess general police powers in order to find local solutions to local problems under the auspices of “home rule” and Section 4-9-25, it is equally true that a county’s police powers do not extend to passing legislation regarding the classification of real property for purposes of assessing the property tax, nor can they set aside general law on subjects requiring statewide uniformity. See S.C. Const. Art. VIII, § 14 (explaining local government cannot set aside general law provisions regarding “the structure and the administration of any governmental service or function, responsibility for which rests with the State government or which requires statewide uniformity.”). The South Carolina Constitution provides that the General Assembly is responsible for passing uniform legislation regarding the classifications, ratios and assessment of the property tax. See S.C. Const. Art. X, § 1 (1895); S.C. Const. Art. X, § 2 (1895); S.C. Const. Art. X, § 6 (1895). This is expressly and exclusively regulated through South Carolina constitutional, statutory and regulatory law as the subject matter of such regulation, uniform classification of real property for purposes of assessing the property tax, is a subject matter requiring statewide uniformity. As a result, local legislation within this sphere is both expressly and impliedly preempted under state law. See S.C. Const. Art. X, §§ 1-2; S.C. Const. Art. X, § 6; S.C. Code Ann. § 12-43-220; S.C. Code Ann. § 12-43-230; S.C. Code Ann. § 12-43-232; 27 S.C. Code Ann. Regs. § 117-1780.1-3; City of Charleston v. County of Charleston, 363 S.C. at 530, 611 S.E.2d at 922; Martin, 324 S.C. at --, 478 S.E.2d at 274. Accordingly, it is the opinion of this Office that counties are unauthorized to enact local legislation placing additional requirements on landowners seeking to have timberland classified as agricultural real property.

³ We would further note that in a previous opinion of this Office we found the intent of the Right to Practice Forestry Act “is to create a uniform system, statewide for the practice of forestry” and thus concluded “that if there are forestry activities on forest land, local regulation . . . is preempted.” Op. S.C. Att’y Gen., 2012 WL 2364243 (June 12, 2012).

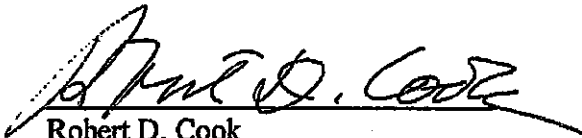
The Honorable Daniel B. Verdin
Page 9
September 22, 2014

Sincerely,



Brendan McDonald
Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Solicitor General



February 3, 2016

**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: WPDE (SD & HD), WPDE D2, WACH (SD & HD), WACH D2, WCIV (SD & HD), WCIV D2 (SD & HD), WCIV D3, WTAT (SD & HD), WTAT D2, WTGS (SD & HD), WSOC (SD & HD), WSOC D2, WAXN (SD & HD), WAXN D2, Azteca America, YouToo, RFD HD, Pivot, 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, TV One (SD & HD), NHL Network (SD & HD), ShopHQ/EVINE Live (SD & HD), POP/TVGN (SD & HD), Music Choice On Demand and Music Choice (channels 1900-1950), DW Amerika, Outdoor Channel (SD & HD), Al Jazeera (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 February 25th, the following multicasts may be added to Digital Broadcast: WTGS D3 Antenna TV (Hilton Head and Sun City).

H2 Network may be replaced by Vice Channel on or around February 29, 2016.

On or about February 29, 2016, WRAL will become an NBC affiliate. Therefore, in Laurinburg, NC, WRAL will move from channel 1210 to channel 1204.

On or after March 1st, the following multicasts may be added to Digital Broadcast: WOLO This TV channel 1241 (Columbia DMA), WCCB Antenna TV channel 1261 (Cheraw and McBee).

WGN America may be repositioned from Starter TV to Standard TV on or after March 15, 2016.

A free preview of STARZ will be provided to all TV customers with a Digital Set-Top Box April 8-10, and may contain PG, PG-13, TV-14, TV-MA and R rated programs. To block this preview and for Parental Control information, visit twc.com or call 1-800-TWCABLE. Restrictions may apply.



5

The new services listed below cannot be accessed on CableCARD-equipped Unidirectional Digital Cable Products purchased at retail without additional, two-way capable equipment: None at this time.

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 that reads "Ben Breazeale".

Ben Breazeale
Director of Government Relations
Time Warner Cable, South Carolina

MEETINGS & FUNCTIONS – 2016

DAY/DATE	TIME	FUNCTION/LOCATION
Monday, February 22 nd	6:30 p.m.	Regular Council Meeting
Monday March 14 th	6:30 p.m.	Regular Council Meeting
Tuesday, March 15 th	8:00 a.m.	Public Safety Committee Council Conference Room
Tuesday, March 15 th	9:00 a.m.	Economic Development Structural Committee Council Conference Room
Tuesday, March 15 th	3:00 p.m.	Infrastructure and Regulation Committee Council Conference Room
Thursday, March 17 th	4:30 p.m.	Administration Committee Council Conference Room
Saturday, March 19 th	7:30 p.m.	Bucky Covington Bundy Auditorium – USC Lancaster
Monday March 21 st	6:30 p.m.	Regular Council Meeting
Monday March 28 th	Closed	Easter Holiday

LANCASTER COUNTY STANDING MEETINGS

The Tuesday following 1st Council meeting (most of the time it is the 2nd Tuesday)
.....8:00 a.m..... Public Safety Committee
The Tuesday following the 1st Council meeting (most of the time it is the 2nd Tuesday)
.....3:00 p.m. ... Infrastructure and Regulation Committee
The Thursday following the 1st Council meeting (most of the time it is the 2nd Thursday)
.....4:30 p.m. ... Administration Committee
1st Thursday of each month7:00 p.m. ... Fire Commission, Covenant Street EOC Building
2nd and 4th Tuesday of each month9:00 a.m. ... Development Review Committee, Council Chambers
2nd Tuesday of each month6:30 p.m. ... Zoning Appeals Board, County Council Chambers
2nd Tuesday of each month6:30 p.m. ... Recreation Commission, 260 S. Plantation
Last Tuesday of each month (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 Tuesday6:00 p.m. ... Historical Commission, Library Conference Room
3rd Thursday of each month6:30 p.m. ... Community Relations Commission, County Council Chambers
1st Thursday of each month5:00 p.m. ... Planning Commission work session, County Council Chambers
3rd Tuesday of each month6:30 p.m. ... Planning Commission, County Council Chambers