

# Lancaster County Council Regular Meeting Agenda

Monday, June 27, 2016

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

1. **Call to Order – Chairman Bob Bundy** 6:30 p.m.
2. **Welcome and Recognition – Chairman Bob Bundy**
3. **Pledge of Allegiance and Invocation – Council Member Larry McCullough**
4. **Approval of the agenda** *[deletions and additions of non-substantive matter]*
5. **Learning Lancaster graduation – Chairman Bob Bundy**
6. **Special presentations**
  - a. Thumbs Up Award to Bobby Olsen for the Buford Battleground site Eagle Scout project – *Hal Hiott and Chairman Bob Bundy*
  - b. Lifesaving Award to Deputy Black – *Sheriff Faile*
  - c. Employee of the Quarter – Jennifer Collins - *Chairman Bob Bundy*
7. **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]*
8. **Consent Agenda**
  - a. Minutes of the June 13, 2016 Council Meeting – *pgs. 5-15*
  - b. **3rd Reading of Ordinance 2016-1400 regarding adoption of 2015 Building Codes**  
Ordinance Title: An Ordinance to amend Article 1 of Chapter 7 of the Lancaster County Code related to adopted codes; and to provide for other matters related thereto. ***Passed 2<sup>nd</sup> Reading 7-0 at the June 13, 2016 Council meeting. Steve Willis – pgs. 16-18***
  - c. **3rd Reading of Ordinance 2016-1396 – Transfer of 10 acres located in the 600 block of Marion Street to the Town of Kershaw**  
Ordinance Title: An Ordinance to approve the transfer of approximately 10.02 acres of land located on the 600 Block of East Marion Street in the Town of Kershaw, tax parcel no. 0156J-0G-004.00, to the Town of Kershaw; and to authorize county officials to take such actions as necessary to effectuate the purposes of this ordinance. **(Favorable – Administration**

Committee) *Passed 2nd Reading 7-0 at the June 13, 2016 Council meeting. Steve Willis – pgs. 19-21*

d. **3rd Reading of Ordinance 2016-1397 – Transfer of approximately 00.42 acres of land to the Lancaster County School District**

Ordinance Title: An Ordinance to approve the transfer of approximately 00.42 acres of land located on SC Highway 522 – Rocky River Road, Tax Parcel No. 0058-00-008.00, to the Lancaster County School District; and to authorize County Officials to take such actions as necessary to effectuate the purposes of this ordinance. **(Favorable – Administration Committee)** *Passed 2nd Reading 7-0 at the June 13, 2016 Council meeting. Steve Willis – pgs. 22-24*

e. **3rd Reading of Ordinance 2016-1401 Procurement Code**

Ordinance Title: An Ordinance to amend portions of Chapter 2, Article VI of the Lancaster County Code as relates to the County Procurement Code. **(Favorable – Administration Committee)** *Passed 2nd Reading 7-0 at the June 13, 2016 Council meeting. John Weaver and Bryant Cook– pgs. 25-42*

9. **Non-Consent Agenda**

a. **Resolution 0924-R2016** – A Resolution approving the lease of the land from Duke Energy for additional amenities at the Springs Park Boat landing. **(Favorable – I&R Committee)** *Steve Willis – pgs. 43-45*

b. **3<sup>rd</sup> Reading of Ordinance 2016-1398 regarding the FY2016-2017 Budget amendment needed**

Ordinance Title: An Ordinance to appropriate funds and approve a detailed budget for Lancaster County for the fiscal year beginning July 1, 2016 and ending June 30, 2017 (FY 2016-17); to set millage rates for the levy of ad valorem taxes; to approve a schedule of taxes, fees and charges for FY 2016-17; and to provide for matters related thereto. *Passed 2<sup>nd</sup> Reading 7-0 at the May 23, 2016 meeting. Kimberly Hill – pgs. 46-59*

c. **3<sup>rd</sup> Reading of Ordinance 2016-1399 regarding an amendment to the Financial Policy to reflect new fund balance limits**

Ordinance Title: An Ordinance to amend Article 6 Budget Reserves, Sections 6.101 and 6.102 of the Financial Policies and Procedures for the county, relating to fund balances, so as to update the section to reflect new standards promulgated by the Government Finance Officers Association. *Passed 2<sup>nd</sup> Reading 7-0 at the May 23, 2016 meeting. Kimberly Hill – pgs. 60-62*

10. **Discussion and Action Items**

a. Discussion regarding Ordinance No. 1099. *Jack Estridge – pgs. 63-64*



- b. Motion to Rescind the Ansley Park Development Agreement. *Jack Estridge and John Weaver – pgs. 65-69*
- c. Monthly budget report. *Kimberly Hill – pgs. 70-83*
- d. Committee reports
  - *Public Safety – Chairman Steve Harper*
  - *I&R – Chairman Larry Honeycutt*
  - *Administration – Chairman Brian Carnes*
- e. Board and Commission appointments - *Debbie Hardin – pgs. 84-85*
  - *Library Board member*
  - *Charlotte Regional Partnership member*

#### **11. Status of items tabled, recommitted, deferred or held**

- a. Resolution 0911-R2016 regarding the use of funds from the sale of 3888 Chester Highway - *deferred at the 2-22-16 meeting*
- b. 3rd Reading of Ordinance 2016-1393 regarding enlarging the Walnut Creek Improvement District - *held to redo resolution/ public hearing*
- c. 2nd Reading of Ordinance 2016-1402 regarding a Local Hospitality Tax – *held 2<sup>nd</sup> Reading for more information regarding time lines and estimated operational cost estimate for a sports complex*

#### **12. Miscellaneous Reports and Correspondence – pg. 86-94**

- a. Letter regarding a Motions to Rescind by Councilman Jack Estridge
- b. Administrator's policy – Social media policy
- c. Fox Hole verbal update
- d. Time Warner Cable

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

#### **14. Executive Session Continued**

- a. Personnel matter regarding a person regulated by a public body - SC §30-4-70(a)(1)
- b. Economic Development matter regarding a fee in lieu agreement - SC §30-4-70(5)
- c. Economic Development matter regarding Project 8 – SC §30-4-70(5)

***Upon returning to open session, action may be taken on the items discussed during executive session.***

15. Calendar of Events – pg.95

16. Adjournment

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

*Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website: [www.mylancastersc.org](http://www.mylancastersc.org)*



**DRAFT**

*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, June 13, 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, Veronica Thompson, 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 meeting to order**

Chairman Bob Bundy called the meeting of Council to order at 5:30 p.m.

**Executive Session**

Larry Honeycutt moved to go into Executive Session to hear a contractual matter regarding a potential sale of property. Seconded by Charlene McGriff. Passed 6-0. (Councilman Harper arrived late to the meeting, while in Executive Session)

Executive Session was continued until the end of the meeting.

**Welcome and Recognition/Pledge of Allegiance and Invocation**

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

# DRAFT

## **Approval of the agenda**

Chairman Bundy requested that the agenda be amended to move #10 Discussion/Action Items, following item #6, Citizens Comments.

Jack Estridge requested that his motion to rescind be moved from #12a Miscellaneous to #10 Discussion/Action items. Chairman Bob Bundy explained that the way the motion to rescind works is that at one meeting the intent of the motion to rescind is stated so that the public will have the opportunity to hear and have time between that meeting and the next to actually comment or find out information about that motion to rescind. Chairman Bundy noted that this item would be placed on the June 27 agenda as a Discussion/Action Item.

Charlene McGriff moved to approve the agenda as amended moving #10 Discussion/Action Item following #6, Citizens Comments. Seconded by Larry Honeycutt. Passed 7-0.

## **Citizens Comments**

### ***The following citizens spoke regarding the Animal Shelter:***

Wanda Johnson, 1098 Honey Comb Drive, Lancaster

Meta Wasson, 9823 Blackhorse Run, Indian Land

Janine Gross, 15155 Legend Oaks Court, Indian Land, submitted documents to Council attached as schedule B.

Doris Macomson, 718 Will Jones Circle, Rock Hill

Mary Reimers, 2007 Green Peach Road, Lancaster

Nina Allfaro, 4773 Logging Road, Lancaster

### ***The following citizens spoke regarding the Avondale Development:***

Alan Patterson, 206 Patterson Lane, Indian Land

Craig Miller, 22076 Preswick Drive, Fort Mill

Manny Villa, 10024 Southmoor Lane, Fort Mill

Gary Holland, 8728 Collins Road, Indian Land

Erick Notheisen, 19034 Bridge Mill Trail, Indian Land

Ben Levine, 5062 Terrier Lane, Indian Land

Douglas Hall, 5042 Kerriker Court, Indian Land

Tanya Boust, 5038 Karriker Court, Indian Land, submitted a petition attached as schedule C.

Dallene Smith, 442 Lakemont Drive, Chapin, SC

John Delfausse, 7228 Shenandoah Drive, Indian Land, SC

### ***The following citizens spoke regarding other topics:***



# DRAFT

Jane Tanner, 7041 Whittingham Drive, Indian Land, spoke on behalf of the Indian Land Action Council as President, regarding Ansley Park, Ordinance 650 and submitted a letter from their attorney attached to these minutes as schedule A. Jane Tanner also spoke as a citizen regarding the reinstatement of Jerry Holt to the Planning Commission, the Indian Land recycling center and agenda item 10b – the sale of the recreation center at Collins Road.

Gary Holland, 8728 Collins Road, spoke regarding Ansley Park and the reinstatement of Jerry Holt to the Planning Commission

Brent Thompkins, 1458 Jack White Drive, Rock Hill, spoke regarding Ansley Park.

Melvin Threatt, 55714 Thresher Court, Indian Land, spoke regarding the Planning Commission rules regarding missed meetings.

Waylon Wilson, 1511 Legend Oaks Court, spoke regarding PDD 21 (Ansley Park) and the Unified Development Ordinance (UDO).

Lynn Jakub, 1106 Tanner Crossing Lane, Indian Land, spoke on behalf of Phyllis Squire regarding Ansley Park and the Unified Development Ordinance (UDO).

J.R. Wilt, 903 Rock Hill Highway, spoke regarding the Planning Commission Ordinance regarding missed meetings.

John Delfausse, 7228 Shenandoah Drive, spoke regarding Ansley Park and the impact to roads by developments in Indian Land.

## **Discussion and Action Items**

### ***New Economic Development Director***

Chairman Bundy announced that Jamie Gilbert, the new Economic Director, would be joining us on July 18.

### ***Highway 521 EMS & Recreation Center at Collins Road***

John Weaver explained that Lancaster County owns 9.62 acres of property on Highway 521 just south of Collins road. The county was approached about their interest in selling that property. Currently an EMS station and a recreation center, along with a ballfield and some parking are located on the property. The EMS and Recreation Departments recognize that the facilities are in vast need of upgrading and repair. Mr. Weaver reported that he believes a developer is going to purchase the surrounding property for commercial development. He further reported that we have no formal offer made on that property and that the land alone is valued at approximately \$2.5 million. He stated in his opinion, the property is being boxed in with the surrounding



development and the concern from an ownership standpoint is that the highest value of the property would be at present, valuable to an overall commercial development and less valuable if the development continues and we are boxed out.

Councilman Estridge discussed his concerns with selling the property and looking at the overall plan. The cost to replace current facilities, no plan to replace, as well as the public safety aspect of EMS being located on 521.

Councilmembers further discussed the inadequate space and demand for recreation facilities, and a need to look at all opportunities and plans prior to making a decision.

Jack Estridge moved that we withdraw current negotiations to sell this property and challenge our Parks and Recreation Department to come up with a plan to up fit these facilities to be fully utilized. Seconded by Larry McCullough. Motion Failed 2-5. Larry McCullough and Jack Estridge voted in favor. Bob Bundy, Charlene McGriff, Steve Harper, Larry Honeycutt and Brian Carnes opposed.

***Motion to Rescind Ordinance 2015-1386 (rezoning several parcels on Harrisburg Road)***

Jack Estridge called for a point of order and provide the following reason: *The UDO Section 18 requires a one year wait after a denial of a zoning request, action has been taken since January 11, 2016 of Council and Ms. McGriff's notice of intent is not consistent with what is presented on these items, therefore should be ruled out of order, I fail to find a motion to rescind an ordinance or a motion to renew an ordinance is proper. It is the duty of the Chairman to protect this assembly from such improper uses of Robert Rules of Order and asked that the Chair rule these items to be out of order.*

Bob Bundy stated that he respected his request, under Roberts Rules as far as the nature of a motion to rescind, and he is of the opinion that Ms. McGriff's motion to rescind was in order and ruled as such.

Jack Estridge noted that in the minutes in the package on page 25, Charlene McGriff made an announcement into the record that on June 13, 2016 a motion to rescind an Ordinance 2015-1386, 2015-1369 and 2015-1370 will be made. The motions that she said would be made tonight are written up different because 10c is to rescind and 10d and 10e is to renew. Are we rescinding or renewing.

Bob Bundy stated that the motion is to rescind the first ordinance and the motion was to renew the others.

Bob Bundy noted that he will consider this information but still ruled her motion in order.



Charlene McGriff requested that John Weaver speak to the legal points as to the way the motions are outlined, because if we make a motion to rescind certain motions will have to follow.

John Weaver noted the first item, Ordinance 2015-1386, was passed unanimously at first reading 7-0. On second reading, it failed, so it got a negative, if you want to reverse a negative you have to do a motion to rescind in other words bring it back and change the outcome of that vote. As to the other ones, while the draft minutes do say that you are going to make a motion to rescind, between that time and the time that items 10d and 10e were added to the agenda, his review of Roberts Rules of Order found that it should be a motion to renew because no action was ever taken at the meeting on January 11, 2016.

Councilman McCullough asked John Weaver to explain the mechanics if an item is brought to Council and it “dies” what makes it remain “dead”. Mr. Weaver stated to make something “dead” the County Council Code of Ordinances needs to be changed that says in that circumstance, Roberts Rules of Order will not prevail and that the ordinance passed by County Council henceforth will be applicable.

Chairman Bundy emphasized that the motion to rescind should be used in the rarest of cases.

Charlene McGriff moved to rescind Ordinance 2015-1386. Seconded by Steve Harper. Passed 4-3. Jack Estridge, Bob Bundy and Larry Honeycutt opposed.

There was a question raised regarding having a two thirds majority vote for rescinding a motion.

John Weaver noted there is a requirement of a two-thirds majority vote - if notice has not been given and if it is going to be a final decision. In such a case, there must be a super majority vote and a public hearing. In this case, by rescinding the 2<sup>nd</sup> Reading that failed, it is neither a final decision and it was given notice in advance, so neither of those conditions are applicable.

### ***Motion to Renew Ordinance 2015-1369 (establish the Avondale PDD-27)***

Charlene McGriff moved to renew Ordinance 2015-1369. Seconded by Brian Carnes. Passed 6-1. Jack Estridge opposed.

Larry Honeycutt asked if we would have the opportunity to go back and look at our Development Agreement. John Weaver stated yes and noted that it will go back through the Planning Commission and to Council.

### ***Motion to Renew Ordinance 2015-1370 (Avondale Development Agreement)***

Larry Honeycutt moved to renew Ordinance 2015-1370. Seconded by Charlene McGriff. Passed 6-1. Jack Estridge opposed.

**DRAFT**

***Board and Commission appointments***

*Fire Commission member, Health and Wellness member, Planning Commission members*

Larry Honeycutt moved to approve Everatt Alex Parker to represent Heath Springs Fire Department on the Fire Commission to serve in an unexpired term ending June 30, 2019. Seconded by Charlene McGriff. Passed 7-0.

Larry Honeycutt moved to approve Tamela Davis to fill the vacant position on the Health and Wellness Commission for a term ending June 30, 2020. Seconded by Brian Carnes. Passed 7-0.

Brian Carnes moved to appoint Jerry Holt to the Planning Commission for an unexpired term ending June 30, 2017. Seconded by Jack Estridge. Passed 5-2. Larry Honeycutt and Charlene McGriff opposed.

Larry McCullough moved to appoint David Freeman to the Planning Commission for an unexpired term ending June 30, 2017. Seconded by Brian Carnes. Passed 4-3. Larry Honeycutt, Charlene McGriff and Bob Bundy opposed.

Council Members Carnes, Harper and McCullough requested that a closer look be given to the Board and Commission Ordinances that pertain to missed meetings.

**Consent Agenda**

Minutes of the following Council Meetings:

- April 28, 2016
- May 9, 2016
- May 23, 2016

Larry Honeycutt moved to approve the Consent agenda as presented. Seconded by Charlene McGriff. Passed 7-0.

**Public Hearing and Budget Discussion {29 people in attendance}**

*Regarding the FY2016-2017 Budget (Ordinance 2016-1398)*

Chairman Bundy opened public hearing to receive comments regarding the FY2016-2017 Budget.

Solicitor Randy Newman, 104 N. Main Street, requested a 3% raise for seven employees that work Lancaster County cases totaling \$11,984.67. The Solicitor explained that Chester and



Fairfield County employees will receive a raise and he would like to give his Lancaster County employees a raise. He further explained that his employees work for him and are neither state nor county employees.

Council asked if there were similar direct assistance agencies with this same issue and how raises would affect the budget. Kimberly Hill noted that the Public Defender and Soil and Water Conservation are the same and she could work with those agencies to find out how much it would cost for raises and bring it back to the next meeting as information.

No other citizen spoke regarding the budget.

*Regarding the FY2016-2017 Fee Schedule (Ordinance 2016-1398)*

Chairman Bundy opened public hearing to receive comments regarding the FY2016-2017 Fee Schedule.

No citizen spoke during this time.

### **Non-Consent Agenda**

#### **Resolution 0918-R2016 – A Resolution accepting a bridge into the Lancaster County Road System – (Bridge on Gilroy Drive – Regent Park)**

Brian Carnes moved to approve Resolution 0918-R2016. Seconded by Larry McCullough. Motion Failed by a vote of 3-4. Larry McCullough, Brian Carnes and Larry Honeycutt were in favor. Bob Bundy, Steve Harper, Jack Estridge and Charlene McGriff opposed.

#### **Resolution 0922-R2016 – A Resolution establishing the Local Option Sales Tax Credit Factor for the 2016-2017 tax year.**

Charlene McGriff moved to approve Resolution 0922-R2016. Seconded by Larry Honeycutt. Passed 7-0.

**Resolution 0923-R2016** - A Resolution regarding Walnut Creek Improvement District  
A Resolution describing the Walnut Creek Improvement District (formerly known as the Edenmoor Improvement District) as proposed to be enlarged and the amended improvement plan effected thereby, the projected time schedule for the accomplishment of the amended improvement plan, the estimated cost of the improvements and the amount of such costs to be derived from assessments, bonds or other funds; setting forth the proposed basis and rates of assessments to be imposed within the enlarged improvement district; ordering a public hearing; and other matters relating thereto.

Steve Harper moved to approve Resolution 0923-R2016. Seconded by Larry McCullough. Passed 7-0.

**DRAFT**

**Public Hearing and 2nd Reading of Ordinance 2016-1400 regarding adoption of 2015**

**Building Codes {29 people in attendance}**

Ordinance Title: An Ordinance to amend Article 1 of Chapter 7 of the Lancaster County Code related to adopted codes; and to provide for other matters related thereto.

Chairman Bundy opened public hearing to receive comments regarding Ordinance 2016-1400.

No citizen came forward to speak during the public hearing.

Brian Carnes moved to approve 2<sup>nd</sup> Reading of Ordinance 2016-1400. Seconded by Charlene McGriff. Passed 7-0.

**Public Hearing and 2nd Reading of Ordinance 2016-1396 – Transfer of 10 acres located in the 600 block of Marion Street to the Town of Kershaw {29 people in attendance}**

Ordinance Title: An Ordinance to approve the transfer of approximately 10.02 acres of land located on the 600 Block of East Marion Street in the Town of Kershaw, tax parcel no. 0156J-0G-004.00, to the Town of Kershaw; and to authorize county officials to take such actions as necessary to effectuate the purposes of this ordinance.

Chairman Bundy opened public hearing to receive comments regarding Ordinance 2016-1396.

No citizen came forward to speak during the public hearing.

Charlene McGriff moved to approve 2<sup>nd</sup> Reading of Ordinance 2016-1396. Seconded by Jack Estridge. Passed 7-0

**Public Hearing and 2nd Reading of Ordinance 2016-1397 – Transfer of approximately 00.42 acres of land to the Lancaster County School District {29 people in attendance}**

Ordinance Title: An Ordinance to approve the transfer of approximately 00.42 acres of land located on SC Highway 522 – Rocky River Road, Tax Parcel No. 0058-00-008.00, to the Lancaster County School District; and to authorize County Officials to take such actions as necessary to effectuate the purposes of this ordinance.

Chairman Bundy opened public hearing to receive comments regarding Ordinance 2016-1397.

No citizen came forward to speak during the public hearing.

Larry Honeycutt moved to approve 2<sup>nd</sup> Reading of Ordinance 2016-1397. Seconded by Charlene McGriff. Passed 7-0

**2nd Reading of Ordinance 2016-1401 Procurement Code**

Ordinance Title: An Ordinance to amend portions of Chapter 2, Article VI of the Lancaster County Code as relates to the County Procurement Code.



Larry Honeycutt moved to approve Ordinance 2016-1401. Seconded by Brian Carnes.

Charlene McGriff moved to amend Ordinance 2016-1401 with the minor changes highlighted in yellow on pages 70-73 of the agenda package (pages attached to the minutes for reference as schedule D). Seconded by Larry McCullough. Passed 7-0.

Council voted 7-0 to approve Ordinance 2016-1401 as amended.

**1<sup>st</sup> Reading of Ordinance 2016-1402 regarding a Local Hospitality Tax**

Ordinance Title: An Ordinance to establish a Local Hospitality to apply to all establishments, which sell prepared meals and beverages, located in the unincorporated areas of Lancaster County.

Charlene McGriff moved to approve Ordinance 2016-1402. Seconded by Steve Harper. Passed 5-2. Jack Estridge and Bob Bundy opposed.

John Weaver noted that the language in the ordinance provides for determination of the use of funds at a later date by ordinance. Council can designate exactly how the money will be used at a later date.

Steve Willis stated that several items regarding the use of money have been discussed. One of which would be a large sports complex, however, we are going to have to bond that project. He further stated that the Administration Committee discussed the uses would have to be tourism related, and sports tourism is one that can be done. We could look at tourism improvements at some of our current locations that would host tournaments, such as Walnut Creek, Buford, Springdale and Kershaw. Council could further review historic tourism and natural tourism.

Councilman McCullough asked that prior to 2<sup>nd</sup> Reading we have a time line for more definitive information that would help set expectations. Chairman Bundy asked for an estimate as to how much it would cost to operate a sports complex.

**Miscellaneous Reports and Correspondence**

***Letter regarding a Motion to Rescind by Councilman Jack Estridge***

Councilman Estridge read for the record the following:

*Mr. Chairman, I had intended to make a Motion to Rescind the November 23, 2015 approval of 1378 Ansley Park Development Agreement tonight, however, I got an email from the County Attorney this morning stating something about Section 5.02(A) and contract law. Since there was not time to consult with him about a better solution to the problem and to give he and I more time to work something out for the betterment of Lancaster County; I would like to reserve the right to remain on the agenda for June 27 Council meeting. My intentions, just for everyone to*



*know, is to protect the vested rights of all parties involved in this PDD. That includes Forestar, Lancaster County, and more importantly any future developers of the Highway 521 portion of PDD-21. We have not heard from those developers and State Code as well as our local Ordinance and Master Plan grants them vested rights as well. I don't see my motion having a negative impact on Forestar but I do see it impacting in a positive way the citizens of Indian Land, both present and future. Since Mr. Weaver has provided an Agenda Item Summary for Ms. McGriff's motion it is my hope that we can work together to develop a solution for Ansley Park as well.*

*Mr. Chairman, I request that my Motion to Rescind, Amend, or even Renew Ansley Park be placed on the June 27<sup>th</sup> agenda as an action item.*

Chairman Bundy stated that it is his intention to place this motion on the June 27, 2016 Council meeting agenda.

### **Executive Session Continued**

Charlene McGriff moved to go into Executive Session to hear the following matters:

- Receipt of legal advice relating to a potential claim regarding performance bonds – SC §30-4-70(2)
- Receipt of legal advice relating to a potential claim regarding a lease – SC §30-4-70(2)
- Discussions incident to a proposed contractual arrangement – SC §30-4-70(2)
- Economic Development Matter regarding Project 2016-8 – SC §30-4-70(5)

Seconded by Larry McCullough. Passed 7-0.

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

John Weaver noted that during the course of Executive Session, Council received legal advice relating to potential claims regarding performance bonds and a lease. They also discussed a contractual arrangement and an economic development matter. There were no votes taken and no motions made during Executive Session.

Upon returning to open session, the following action was taken on the items discussed during executive session.

Larry McCullough moved to authorize the County Attorney to notify Alston DeVenny to move forward pursuant to his June 10, 2016 letter. Seconded by Larry Honeycutt. Passed 7-0.

DRAFT

Larry McCullough moved to subordinate the Lancaster County mortgage to a 1<sup>st</sup> mortgage issued by the owner's bank in an amount not to exceed \$500,000. Seconded by Brian Carnes. Passed 7-0.

**Adjournment**

Councilman Larry Honeycutt moved to adjourn. Seconded by Councilwoman Charlene McGriff. Passed 7-0.

Respectfully Submitted:

Approved by Council, June 27, 2016

Debbie C. Hardin  
Clerk to Council

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Steve Harper, Secretary

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STATE OF SOUTH CAROLINA

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COUNTY OF LANCASTER

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ORDINANCE NO. 2016-1400

**AN ORDINANCE**

**TO AMEND ARTICLE I OF CHAPTER 7 OF THE LANCASTER COUNTY CODE  
RELATED TO ADOPTED CODES; AND TO PROVIDE FOR OTHER MATTERS  
RELATED THERETO.**

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

**Section 1.**      *Findings and determinations; Purpose.*

The Council finds and determines that:

(1)      The State of South Carolina mandates that local governments adopt the applicable codes as dictated by the South Carolina Building Code Council;

(2)      The South Carolina Building Code Council has mandated that certain new codes be adopted effective July 1, 2016; and

(3)      A public hearing must be conducted related to the adoption of the following codes.

**Section 2.**      *Amendment of County Code.*

Article I of Chapter 7 of the County Code of Lancaster, South Carolina is amended as follows:



## **Sec. 7-1. - Standard codes adopted.**

The following codes, as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina's Department of Labor, Licensing and Regulation, shall constitute and become an ordinance of the county, and are hereby adopted as fully as though set out at length herein, excluding the appendices and including Chapter One, except as further provided herein. Provided, however, that the provisions of the codes which concern the qualification, removal, dismissal, duties, responsibilities of, and administrative procedures for all building officials, deputy building officials, chief inspectors, and other inspectors and assistants are not adopted herein.

Amendments to these codes shall become effective in the county on the effective date specified by the state.

2012 2015 Editions:

- International Building Code, with South Carolina amendments;
- International Residential Code, with South Carolina amendments;
- International Mechanical Code, including Chapter One;
- International Plumbing Code, including Chapter One;
- International Fire Code, with South Carolina amendments;
- International Fuel Gas Code, with South Carolina amendments;

2011 2014 Edition:

- National Electric Code.

2009 Edition:

- International Energy Conservation Code.

(Ord. No. 259, 12-5-94; Ord. No. 298, 8-19-97; Ord. No. 437, 4-30-01; Ord. No. 548, 6-30-03; Ord. No. 847, 9-10-07; Ord. No. 1171, § 1, 10-8-2012; Ord. No. 1320, § 1, 2-9-2015)

**Cross reference**— Adoption of technical codes, [§ 2-64](#); building and zoning department to enforce building and construction codes, [§ 25-61](#).

## **Sec. 7-2. - Optional codes adopted.**

The following codes, as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina's Department of Labor, Licensing and Regulation, shall constitute and become an ordinance of the county, and are hereby adopted as fully as though set out at length herein, excluding the appendices and including Chapter One, except as further provided herein. Provided, however, that the provisions of the codes which concern the qualification, removal, dismissal, duties, responsibilities of, and administrative procedures for all building officials, deputy building officials, chief inspectors, and other inspectors and assistants are not adopted herein.

Amendments to these codes shall become effective in the county on the effective date specified by the state.

2012 2015 Editions:

- International Existing Building Code.
- International Property Maintenance Code.
- International Swimming Pool and Spa Code.
- International Performance Code for Buildings and Facilities

(Ord. No. 847, 9-10-07; Ord. No. 1320, § 1, 2-9-2015)

**Secs. 7-3—7-20. - Reserved.**

**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 thereby.

**Section 4.      *Controlling provisions.***

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

**Section 5.      *Effective date.***

This ordinance shall be effective on July 1, 2016.

And it is so ordained, this 27<sup>th</sup> day of June 2016.

LANCASTER COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Bob Bundy, Chair, County Council

\_\_\_\_\_  
Steve Harper, Secretary, County Council

Attest:

\_\_\_\_\_  
Debbie C. Hardin, Clerk to Council

First Reading:	May 23, 2016	Passed 7-0
Second Reading:	June 13, 2016	Passed 7-0
Public Hearing:	June 13, 2016	
Third Reading:	Tentative – June 27, 2016	



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STATE OF SOUTH CAROLINA

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COUNTY OF LANCASTER

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ORDINANCE NO. 2016-1396

**AN ORDINANCE**

**TO APPROVE THE TRANSFER OF APPROXIMATELY 10.02 ACRES OF LAND LOCATED ON THE 600 BLOCK OF EAST MARION STREET IN THE TOWN OF KERSHAW, TAX PARCEL NO. 0156J-0G-004.00, TO THE TOWN OF KERSHAW; AND TO AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) in 1991 Lancaster County, using state recreational grant funding, acquired 10.02 acres of land located on the 600 block of East Marion Street in the Town of Kershaw, Tax Parcel No. 0156J-0G-004.00 (the "Land"), to be used as the location for a recreational site;

(b) the land was never developed for recreational use as the Mullinax site became available;

(c) per County Code section 24-24(a)(2) real property controlled by the Parks and Recreation Commission is to be titled to the government where the property is located;

(d) the Town of Kershaw is desirous of acquiring title and developing the tract for passive recreational use; and

(e) title should have been transferred to the Town of Kershaw in 1991 but that never occurred.

**Section 2. Approval of Transfer; Authority to Execute; Termination of Authority.**

A. The County Administrator is authorized, empowered and directed, in the name of and on behalf of Lancaster County, to execute, acknowledge, and deliver a deed conveying the Land to the Town of Kershaw (the "Deed").

B. Council authorizes and approves the transfer of the Land to the Town of Kershaw.

**Section 3. Authority to Act.**

The Council Chair, Secretary and Clerk, the County Administrator and County Attorney, each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

**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 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 6. Effective Date.**

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.



AND IT IS SO ORDAINED, this 27<sup>th</sup> day of June, 2016.

**LANCASTER COUNTY, SOUTH CAROLINA**

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Bob Bundy, Chair, County Council

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Steve Harper, Secretary, County Council

ATTEST:

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Debbie C. Hardin, Clerk to Council

First Reading:	May 23, 2016	Passed 7-0
Public Hearing:	June 13, 2016	
Second Reading:	June 13, 2016	Passed 7-0
Third Reading:	June 27, 2016	Tentative

Approved as to form:

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County Attorney

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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2016-1397

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO APPROVE THE TRANSFER OF APPROXIMATELY 00.42 ACRES OF LAND LOCATED ON SC HIGHWAY 522 – ROCKY RIVER ROAD, TAX PARCEL NO. 0058-00-008.00, TO THE LANCASTER COUNTY SCHOOL DISTRICT; AND TO AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Lancaster County has title to 00.42 acres of land located on South Carolina Highway 522, Rocky River Road, Tax Parcel No. 0058-00-008.00 (the “Land”);

(b) the land was the former location of the Buford Health Department which was demolished;

(c) the land is surrounded by property owned by the Lancaster County School District, which is used for various athletic fields, Buford Elementary School, and Buford Middle School;

(d) Lancaster County has no use for the small parcel.

**Section 2. Approval of Transfer; Authority to Execute; Termination of Authority.**

A. The County Administrator is authorized, empowered and directed, in the name of and on behalf of Lancaster County, to execute, acknowledge, and deliver a deed conveying the Land to the Lancaster County School District (the “Deed”).

B. Council authorizes and approves the transfer of the Land to the Lancaster County School District.



**Section 3.      Authority to Act.**

The Council Chair, Secretary and Clerk, the County Administrator and County Attorney, each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

**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 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 6.      Effective Date.**

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED, this 27<sup>th</sup> day of June, 2016.

**LANCASTER COUNTY, SOUTH CAROLINA**

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Bob Bundy, Chair, County Council

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Steve Harper, Secretary, County Council

ATTEST:

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Debbie C. Hardin, Clerk to Council

First Reading:	May 23, 2016	Passed 7-0
Public Hearing:	June 13, 2016	Passed 7-0
Second Reading:	June 13, 2016	
Third Reading:	June 27, 2016	Tentative

Approved as to form:

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County Attorney



STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

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ORDINANCE NO. 2016-1401

**AN ORDINANCE**

**TO AMEND PORTIONS OF CHAPTER 2, ARTICLE VI OF THE LANCASTER COUNTY CODE AS RELATES TO THE COUNTY PROCUREMENT CODE**

**WHEREAS**, through the passage of ordinance 1076 on December 13, 2010, County Council did establish the present county procurement code that subsequently has been incorporated within the Lancaster County Code of Ordinances as noted above, and

**WHEREAS**, upon the recommendation of the County Procurement Director and the County Administrator, Council finds that various amendments to the procurement code are appropriate and necessary so as to update and modernize several policies and practices contained therein;

**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 that:

**Section 1. Amendment of County Code.**

Attached hereto and incorporated herein by reference as fully as if repeated verbatim herein is a seventeen (17) page attachment (Code of Ordinances, Section 2-251 – Section 2- 296) to this ordinance that specifically indicates the intended amendments to Chapter 2, Article VI of the County Code of Lancaster, South Carolina:

- A. Section 2-258(k);
- B. Section 2-260(c);
- C. Section 2-261(a) and (b);
- D. Section 2-266(a), (h) and (i);
- E. Section 2-267;
- F. Section 2-268(a);
- G. Section 2-269(f) and (j);
- H. Section 2-270 main provision and (g);
- I. Section 2-272 main provision and (h)
- J. Section 2-275;
- K. Section 2-276;
- L. Section 2-77(a)(7);
- M. Section 2-278(11) and (12);
- N. Section 2-281.

**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 thereby.

**Section 4. Controlling provisions.**

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

**Section 5. Effective date.**

This Ordinance shall become effective on July 1, 2016.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_ day of June, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Bob Bundy, Chair, County Council

\_\_\_\_\_  
Steve Harper, Secretary, County Council

Attest:

\_\_\_\_\_  
Debbie C. Hardin, Clerk to Council

First Reading:	May 23, 2016 Passed 7-0
Second Reading:	June 13, 2016 Passed 7-0
Third Reading:	Tentative – June 27, 2016

## ARTICLE VI. - LANCASTER COUNTY PROCUREMENT CODE<sup>(13)</sup>

### Footnotes:

--- (13) ---

**Editor's note**—Ord. No. 1076, § 1, adopted Dec. 13, 2010, added provisions as Art. VI, Divs. 1—8, §§ 2-280A—2-324A, in order to avoid conflicts in section numbering and to conform to the format of numbering used in the Code, the editor has renumbered the provisions of Ord. No. 1076 as §§ 2-251—2-295 as herein set out.

### DIVISION 1. - GENERALLY

#### Sec. 2-251. - Citation.

This article may be cited as the "Lancaster County Procurement Code."

(Ord. No. 1076, § 1, 12-13-10)

#### Sec. 2-252. - Purpose.

The purpose of the Lancaster County Procurement Code is to:

- (a) Establish policies and procedures for the Lancaster County government that embody sound principles of competitive procurement as required by Section 11-35-50 of the Code of Laws of South Carolina 1976, as amended (the South Carolina Consolidated Procurement Code);
- (b) Develop an efficient and effective means of delegating roles and responsibilities to departments, elected officials, boards, and component units;
- (c) Ensure fair and equitable treatment of all persons who do business with the county;
- (d) Provide a mechanism of controlling all purchases of supplies, materials, equipment and services required by the county;
- (e) Prescribe the manner in which the county shall dispose of surplus real and personal properties in an effective manner; and
- (f) Provide safeguards to ensure ethical behavior on the part of all persons engaged in the public procurement process.

(Ord. No. 1076, § 1, 12-13-10)

#### Sec. 2-253. - Application of procurement code.

The Lancaster County Procurement Code applies to:

- (a) All procurements solicited after December 31, 2010;
- (b) All expenditure of funds by the county for public procurement irrespective of the source of the funds;



- (c) Procurement involving the expenditure of federal or state funds, except that the county shall comply with federal or state law that is mandatorily applicable to the procurement; and
- (d) All county departments, agencies, commissions, boards, or officials appropriated funds by the county.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-254. - Legal counsel; contract review.**

- (a) The county attorney shall serve as legal counsel to the procurement officer.
- (b) The county attorney shall review any proposed contract: (i) with a term that extends beyond June 30 of the fiscal year following the fiscal year in which the contract is proposed to be entered; or (ii) with an automatic renewal clause.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-255. - Right to reject.**

In all solicitations made under the Lancaster County Procurement Code, the county shall reserve the right to reject any and all responses to the solicitation. A solicitation may be cancelled, or any or all bids or proposals received may be rejected, in whole or in part as may be specified in the solicitation, when it is in the best interest of the county. The reasons for rejection must be documented and kept on file. Each solicitation request by the County shall state this section of the code.

(Ord. No. 1076, § 1, 12-13-10)

**DIVISION 2. - PROCUREMENT OFFICER**

**Sec. 2-256. - Procurement officer.**

- (a) There is created the position of procurement officer who shall be the county's principal contact for procurement services. The procurement officer shall be under the supervision of the finance director and the county administrator.
- (b) The procurement officer shall not incur any obligation on behalf of the county if sufficient funds have not been appropriated by the county council.
- (c) Responsibilities of the procurement officer include, but are not limited to:
  - (1) Procuring supplies, materials, equipment and services needed by county government and its officials;
  - (2) Coordinating the disposal of all surplus property and equipment;
  - (3) Assisting grant recipients in ensuring proper procurement procedures are followed;
  - (4) Maintaining a complete record of all purchasing transactions;
  - (5) Conducting pre-bid conferences and bid openings;
  - (6) Handling bid advertisements, logging bids, mailing and posting notice of awards and rejection notices;
  - (7) Properly maintaining records of all bid information;

- (8) Establishing and updating a bidders list;
  - (9) Assisting county government entities with writing bid specifications;
  - (10) Developing, reviewing, and updating procurement and contract procedures to ensure effective and efficient operations;
  - (11) Receiving and responding to inquiries from county government entities and vendors regarding procurement procedures; and
  - (12) Providing instruction and guidance to county government entities and officials.
- (d) The procurement officer, subject to approval by the finance director, is authorized to develop, prepare and publish rules, regulations, manuals, guidelines, interpretations and other directives to aid in the implementation and use of the Lancaster County Procurement Code.

(Ord. No. 1076, § 1, 12-13-10)

### **DIVISION 3. - SOURCE SELECTION AND CONTRACT INFORMATION**

#### **Sec. 2-257. - Methods of source selection.**

Unless otherwise provided by law, all Lancaster County contracts shall be awarded by competitive sealed bidding, pursuant to section 2-258, except as provided in:

- (a) Section 2-260 (purchases under \$25,000);
- (b) Section 2-263 (sole source procurement);
- (c) Section 2-262 (emergency procurement);
- (d) Section 2-264 (architect-engineering, construction management, land surveying services and other professional services);
- (e) Section 2-261 (Use of state contract and cooperative purchasing);
- (f) Section 2-265 (Authority to contract auditing services);
- (g) Section 2-259 (Competitive sealed proposals); and
- (h) Section 2-264.1 (Special/unusual procurements).

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1363, § 1, 8-10-2015)

#### **Sec. 2-258. - Competitive sealed bidding.**

- (a) Conditions for use. Contracts more than twenty-five thousand dollars (\$25,000.00) shall be awarded by competitive sealed bidding except as otherwise provided in section 2-257.
- (b) Invitation for bids. An invitation for bids shall be issued and shall include a description of the purchase and all contractual terms and conditions applicable to the procurement.
- (c) Notice. The county shall give notice of the invitation for bids at least ten (10) calendar days before the date set in it for the opening of bids. The notice shall be published on the County's website. A notice may also be published in the South Carolina Business Opportunities (SCBO) publication.
- (d) Pre-bid conference. A pre-bid conference may be held to clarify information or ask questions concerning the solicitation. Attendance at the pre-bid conference may or may not be mandatory.

When mandatory attendance is required, only bids from those attending the conference will be accepted at final bid time.

- (e) Receipt and safeguarding of bids. All bids (including modifications) received prior to the time of bid opening shall be kept secure and unopened. It is the responsibility of bidders to make sure all bids are delivered to the proper place and at the proper time. Bids received after the time set in the Invitation for Bids shall not be considered and shall be noted as "late".
- (f) Bid opening. Bids shall be publicly opened. Questions on the contents of the bids shall not be answered until after evaluations are completed. A bid tabulation must be kept and shall be open for public inspection.
- (g) Bid acceptance and bid evaluation. Bids shall be evaluated based on the criteria set forth in the solicitation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article.
- (h) Correction, cancellation or withdrawal of a bid. After bids are opened, no changes in bid prices or other provisions of the bids prejudicial to the interest of the county or fair competition shall be permitted.
- (i) Discussion with bidders. As provided in the invitation for bids, discussions may be conducted with apparent responsive bidders for the purpose of clarification to assure full understanding of the requirements of the invitation for bids. Clarification on any bidder's bid must be documented in writing by the procurement officer.
- (j) Tie bids. If two (2) or more bidders are tied in price while otherwise meeting all of the required conditions, awards shall be determined in the following order of priority:
  - (1) In-state vs. out-of-state firms. If there is a tie with a South Carolina and an out-of-state firm, the award shall be made to the South Carolina firm;
  - (2) Lancaster County firm vs. other South Carolina county firms. If there is a tie with a firm located in Lancaster County and a firm located in another county of South Carolina, the award shall be made to the Lancaster County firm; and
  - (3) In all other situations in which bids are tied, the award must be resolved by the flip of a coin by the procurement officer with a witness.
- (k) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bid. Notice of award must be posted on the county's website. If the contract is at least fifty thousand one dollars (\$50,001.00) notice of award must be sent to all bidders on the same day.

(Ord. No. 1076, § 1, 12-13-10)

#### Sec. 2-259. - Competitive sealed proposals.

- (a) Conditions for use. A contract may be entered into by competitive sealed proposals when the procurement officer or county administrator determines in writing that the use of competitive sealed bidding is either impractical or not advantageous to the county.
- (b) Request for proposals. Proposals shall be solicited through a request for proposal.
- (c) Public notice. Public notice for request for proposals shall be given in the same manner as provided in subsection 2-258(c) for competitive sealed bids.
- (d) Receipt and safeguarding of proposals. All proposals (including modifications) received prior to the time of opening shall be kept secure and unopened. It is the responsibility of persons submitting proposals to make sure their proposal is delivered to the proper place and at the proper time.



Proposals received after the time set in the request for proposals shall not be considered and shall be noted as "late".

- (e) Proposal opening. Proposals shall be publicly opened. Questions on the contents of the proposals shall not be answered until after evaluations are completed. A proposal tabulation must be kept and shall be open for public inspection.
- (f) Evaluation factor. The request for proposals must state the relative importance of factors to be considered in evaluating the proposals.
- (g) Discussion with responsible offerors. Discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification.
- (h) Award. Award shall be made to the responsible offeror whose proposal is determined in writing to be most advantageous to the County, taking into consideration the evaluation factors set forth in the request for proposals. The contract file must contain the basis on which the award is made.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-260. - Procedures for procurements not exceeding twenty-five thousand dollars (\$25,000.00).

- (a) Purchases under \$2,500.00. Small purchases not exceeding two thousand five hundred dollars (\$2,500.00) may be accomplished without securing competitive quotations if the prices are considered to be reasonable.
- (b) Purchases from \$2,500.01 to \$25,000.00. Purchases from two thousand five hundred dollars and one cent (\$2,500.01) to twenty-five thousand dollars (\$25,000.00) may be accomplished by solicitation of quotes from a minimum of three (3) qualified sources and documentation of the quotes submitted with the purchase requisition.
- (c) All purchases of technology and technology services must be approved by IT Director, including, but not limited to: computer hardware, computer software, servers, printers, audio visual equipment, security systems, and networking.

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1363, § 2, 8-10-2015)

Sec. 2-261. - Use of state contract and cooperative purchasing.

- (a) When it is advantageous to the county, purchases may be made through the State of South Carolina's Materials Management Office. Sections 2-258, 2-259 and 2-260 are waived when purchasing from the state contract.
- (b) The procurement officer may enter into an agreement, independent of sections 2-258, 2-259 and 2-260, with any public procurement entity for the cooperative use of supplies or services under the terms agreed upon by the parties.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-262. - Emergency procurements.

Notwithstanding any other provision of this article, the county administrator or designee may make or authorize emergency procurements of supplies, services or construction items when an emergency condition arises and the need cannot be met through normal procurement methods. An emergency condition is a situation which creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, equipment failures, fire loss, or other reason as may be proclaimed by either the

County Administrator or designee. The existence of emergency conditions must create an immediate and serious need for supplies, services, or construction that cannot be met through normal procurement methods and the lack of which would seriously threaten: (i) the functioning of county government; (ii) the preservation or protection of property; or (iii) the health or safety of any person. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written determination (Emergency Procurement Form) of the basis for the emergency and for the selection of the particular contractor or vendor shall be made and shall set forth the contractor's or vendor's name, amount, and a listing of the items procured under the contract.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-263. - Sole source procurement.**

A contract may be awarded for a supply, service, or construction item by the procurement officer without competition, subject to the approval of the County Administrator or designee. Procurements made with grant funds must receive written approval from the grantor agency. Written documentation (sole source justification form) must include the determination and basis for the proposed sole source procurement. A sole source purchase must be based upon one or more of the following criteria: (i) there is a lack of competition for a product or service; (ii) it is a unique, one-of-a-kind service offer; or (iii) the product has patented or proprietary rights that provide superior capabilities that are not obtainable from similar products, and the product is not marketed through other wholesalers or distributors whose competition could be encouraged.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-264. - Architecture, engineering, construction management, land surveying and other professional services.**

- (a) The county administrator may negotiate contracts for architect-engineer, construction management, land surveying and other professional services valued at fifty thousand dollars (\$50,000.00) and below.
- (b) It is the policy of Lancaster County to publicly announce requirements for architect-engineer, construction management, land surveying and other professional services at fifty thousand dollars (\$50,000.00) or more and to negotiate contracts for such services on the basis of demonstrated competence and qualification at fair and reasonable prices. The date for submission from interested persons or firms in response to an invitation shall not be less than ten (10) days after publication of the invitation. An evaluation panel, the procurement officer, and the county administrator shall conduct interviews with no less than two (2) firms regarding the proposed contract. The procurement officer and the county administrator shall negotiate a contract with the highest qualified firm or person. The county administrator shall present the contract to county council for its approval.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-264.1. - Special/unusual procurements.**

A special/unusual procurement is the acquisition by Lancaster County of personal property, services and improvements to real property without competition, subject to the approval of the county administrator or designee. Lancaster County is justified in utilizing a special/unusual procurement when it has a need that has a unique requirement that the use of the procurement methods would not responsibly satisfy or further the interests to Lancaster County.

(Ord. No. 1363, § 1, 8-10-2015)

**Sec. 2-264.2. - Local vendor preference.**

The lowest local responsible and responsive bidder who is within three (3) percent, with a cap of six thousand dollars (\$6,000.00), of the lowest non-local responsible and responsive bidder, may match the bid submitted by the non-local responsible and responsive bidder and thereby be awarded the contract. The local preference as set forth in this section shall only be applied to responses to solicitations of written quotes and invitations to bid in excess of ten thousand dollars (\$10,000.00). The local preference as set forth in this section shall only be given to local responsible and responsive bidders who have a physical business address located and operating within Lancaster County for a minimum of six (6) months prior to the solicitation of quotes and/or bids, and who have met all other requirements of the solicitations of written quotes or the invitation to bid, including, without limitation, payment of all duly assessed state and local taxes. If state or federal guidelines prohibit or otherwise limit local preference, then the county shall not use local preference in awarding the contract. If there are multiple responsible and responsive bidders who meet the local preference guidelines as set forth in the section, the county shall use standard procurement practice and procedure as set forth in the article to determine the priority of selection. The local preference as set forth in this section does not waive or otherwise abrogate the county's unqualified right to reject any and all bids or proposals or accept such bids or proposals, as appears in the county's own best interest.

(Ord. No. 1363, § 3, 8-10-2015)

**Sec. 2-265. - Authority to contract auditing services.**

County council must approve all contracts for auditing services.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-266. - Procurement procedures exemptions.**

The following specific supplies or services are exempt from the procurement procedures:

- (a) Published books, periodicals, pamphlets, DVDs and other media;
- (b) Professional dues, membership fees and seminar registration fees;
- (c) Utilities including gas, electricity, water, and sewer;
- (d) Postage stamps and postal fees;
- (e) Travel;
- (f) Bank payments;
- (g) Legal services, subject to the approval of the county administrator; and
- (h) Brand name fleet operations equipment and services. (i)

Maintenance Agreements

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1326, § 1, 3-9-2015)



#### DIVISION 4. - PURCHASING CARD PROGRAM

##### Sec. 2-267. - Purchasing card program.

The procurement officer is authorized to establish a purchasing card program ("P-Card" or "P-Card Program"). The P-Card is a VISA charge card issued to county employees to make small value purchases of supplies, materials, equipment, and services for county business use. The objective of the program is to streamline payments by eliminating the administrative burdens and costs associated with traditional methods of payment. The use of the P-Card is intended to eliminate the need for issuing small dollar purchase orders and petty cash. The P-Card Program also provides a simplified purchasing and payment process and provides for an expedited delivery of goods. The P-Card is issued by a vendor under the umbrella of a contract awarded by the State Materials Management Office which permits county governments to participate in the program. Use of the P-Card is subject to the small purchase procedures established in this article, unless otherwise authorized.

(Ord. No. 1076, § 1, 12-13-10)

##### Sec. 2-268. - P-Card administration and responsibilities.

- (a) The procurement officer will serve as the P-Card administrators and the liaisons between accounts payable, the issuing bank, and county entities.
- (b) The county's accounts payable office shall reconcile and ensure transactions are paid in accordance with the requirements of this division and the P-Card Program.

(Ord. No. 1076, § 1, 12-13-10)

##### Sec. 2-269. - Recordkeeping.

Department heads and supervisors are responsible for:

- (a) Recordkeeping;
- (b) The monthly transactions including obtaining and submitting receipts for the purchases with the monthly statement;
- (c) Determining that the purchases are reasonable;
- (d) Approving the billing statement;
- (e) Maintaining knowledge of the P-Card policy and procedures;
- (f) Requesting P-Cards for employees under their supervision;
- (g) Notifying the P-Card administrator when a cardholder resigns, transfers, or is terminated from employment;
- (h) Monitoring transactions and card activity to ensure that all purchases are for legitimate county business use;
- (i) Reviewing all documentation and ensuring original receipts are sent to accounts payable in a timely manner; and
- (j) Approving the monthly transactions for card holders within their department using P-Card software from the issuing bank.

(Ord. No. 1076, § 1, 12-13-10)

##### Sec. 2-270. - Cardholder responsibilities.

Persons who are issued a P-Card must use the P-Card solely for legitimate county business purposes. Cardholders may make purchases of two thousand five hundred dollars (\$2500) or less without obtaining competitive quotes. Certain types of vendors may be blocked from use. Misuse of the card subjects the cardholder to disciplinary action. Cardholders must:

- (a) Maintain the P-Card in a secure location;
- (b) Prevent the use of the P-Card by anyone other than the approved cardholder;
- (c) Maintain knowledge of the P-Card policy and internal policies and procedures;
- (d) Ensure all purchases are allowable purchases according to the County's P-Card policy;
- (e) Ensure all purchases comply with purchasing requirements of the Lancaster County Procurement Code;
- (f) Obtain "best value" for the county when making any purchase;
- (g) Approve monthly transactions using P-Card software from the issuing bank; and
- (h) Immediately investigate any discrepancies and resolve the discrepancy in a timely manner to ensure that the county is not assessed a late fee for non-payment of a charge.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-271. - Accounts payable responsibilities.**

The accounts payable specialist is responsible for reviewing signed supporting documents submitted from county entities and reconciling documents with the monthly bill. The accounts payable specialist must review the credits and returns on the P-Card statements with the supporting documentation submitted by the county entity to assess the validity and completeness of the transaction. Any lack of documentation or support must be communicated immediately to the county entity and resolved in a timely manner. Payments must be made in a timely manner.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-272. - P-Card administrator.**

The procurement officer is designated as the P-Card administrators and is responsible for the overall P-Card program. Responsibilities of the P-Card administrator include:

- (a) Acting as the county's liaison with the issuing bank;
- (b) Utilizing the P-Card software from the issuing bank;
- (c) Reviewing department approved applications for completeness of required information;
- (d) Submitting completed applications to the issuing bank and receiving P-Cards from it;
- (e) Training supervisors and cardholders before releasing P-Cards;
- (f) Ensuring each cardholder signs the cardholder agreement, signifying agreement with the terms of the P-Card Program;
- (g) Handling disputed charges and discrepancies not resolved by the cardholder or supervisor;
- (h) Submitting information to the issuing bank; to deactivate P- Cards;
- (i) Reviewing usage of P-Card data for appropriateness;

- (j) Ensuring lost or stolen cards have been blocked by the issuing bank; and
- (k) Assisting supervisors with erroneous declines and emergency transactions.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-273. - Issuance of P-Cards.**

The P-Card Administrator issues P-Cards to authorized personnel who have signed the P-Card agreement that covers the code of conduct and the terms and conditions of the program. The issuance of a P-Card to an employee is strictly prohibited if the employee has not signed the agreement. The P-Card administrator shall maintain a copy of the signed P-Card agreement and shall forward a copy to human resources and the accounts payable specialist. The P-Card administrator must maintain the following information: (i) name of the employee issued a P-card; (ii) date of issue; (iii) card number; and (iv) limits. Access to the P-Card data base is restricted to authorized personnel and any misuse is strictly prohibited and shall subject the employee to immediate termination and possible prosecution. The P-Card is the property of the County and must be retained in a secure location.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-274. - Authority to use P-Card.**

Only the employee issued the P-Card is authorized to use it. Delegating the use of the P-Card to another employee or person is strictly prohibited and may result in the termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-275. - P-Card cancellation.**

A P-card must be immediately cancelled when an employee terminates employment with the county or assumes another position that does not require the use of the P-Card. The employee's supervisor is responsible for immediately notifying the P-Card administrator. If an employee is taking a leave of absence, then the P-Card shall be placed in an inactive status during the leave and may only be reactivated when the employee's return to work is confirmed in writing by the employee's department head or supervisor.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-276. - P-Card dollar limits.**

Each P-Card has a single transaction limit of two thousand five hundred dollars (\$2500). Requests to raise the limit must be submitted in writing to the P-card administrator. For purchases in amounts greater than the single transaction limit, a purchase order must be processed. Transaction limits more than two thousand five hundred dollars (\$2500) must be approved by the county administrator and finance director. As used in this section, "single transaction limit" means one or more items purchased from the same vendor at the same time on the same day. Any intentional circumvention of the single transaction limit is strictly prohibited and may result in the immediate termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-277. - P-Card purchases.**



(a) A P-Card may be used to purchase:

- (1) Airline tickets;
- (2) Hotel accommodations for travel;
- (3) Car rental for travel;
- (4) Registrations for conferences;
- (5) Ground transportation for travel;
- (6) Facsimile charges when traveling;
- (7) Business meals; must attach agenda or meeting minutes to receipt;
- (8) Authorized memberships or subscriptions; and
- (9) Supplies.

(b) In addition to the goods and services listed in subsection (a), the P-Card administrator may designate other goods and services that may be purchased with a P-Card.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-278. - Prohibited purchases.**

(a) The following is a list of charges that are not allowed as purchases using the P-Card:

- (1) Personal purchases of any kind;
- (2) Cash advances;
- (3) Gift cards, calling cards, pre-paid cards of any type or similar products;
- (4) Employee travel expenses such as meals and transportation (except airline tickets);
- (5) Entertainment, including in-room movies;
- (6) Alcoholic beverages;
- (7) Tobacco products;
- (8) Fuel (maintenance to be arranged by the county garage department);
- (9) Professional services;
- (10) Food for consumption by county employees; and
- (11) Computers, unless purchased by IT.
- (12) Services conducted on county owned property.

(b) In addition to the goods and services listed in subsection (a), the P-Card administrator may designate other goods and services that may not be purchased with a P-Card.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-279. - Documentation.**

All charges on a P-Card must be documented with an original receipt from the vendor as support for the transaction. Receipts must include at a minimum: (i) vendor name; (ii) amount of the purchase; (iii) date of the transaction; and (iv) a description of the items purchased. Receipts that do not include this minimum documentation are not considered acceptable.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-280. - P-Card statements.

A copy of a cardholder's P-Card statement shall be sent directly to the cardholder's business address. The master copy of P-Card statements shall be sent to accounts payable by the issuing bank and shall contain a detailed listing of charges by cardholder name and department.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-281. - Deadlines.

Cardholder must approve transactions by 12:00PM on the first (1<sup>st</sup>) day of the following month. The accounts payable specialist must receive the cardholder's statement and supporting documentation by 12:00PM the seventh (7th) day of the following month. If the information received is incomplete, a notice shall be sent to the cardholder. Failure of the cardholder to respond to the notice by the fifteenth (15th) calendar day, then the cardholder's account shall be deactivated and no more transactions shall be allowed.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-282. - Lost cards.

Cardholders must immediately notify the issuing bank and the P-Card Administrator if the cardholder's P-Card is lost or stolen.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-283. - Card violations.

(a) The following is a list of violations of the P-Card Program:

- (1) Prohibited purchases (see section 2-277);
- (2) Unacceptable documentation (see section 2-280);
- (3) Missed deadlines for submitting the P-Card documentation (see section 2-276);
- (4) Unresolved credits or disputes; and
- (5) Intentional circumvention of the authorized limits, such as splitting transactions to avoid the single transaction limit (see section 2-276).

(b) Repeated violations of the P-Card program's requirements, including the violations listed in subsection (a), may result in the deactivation of a P-Card and discipline including possible termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 5. - RISK MANAGEMENT

Sec. 2-284. - Bid security.

- (a) Bid security is required for all competitive sealed bidding for construction contracts in excess of fifty thousand dollars (\$50,000.00) and other contracts as may be prescribed by the procurement officer. Bid security shall be a certified cashier's check or a bond provided by a surety company licensed in South Carolina with an "A" minimum rating of performance as stated in the most current publication of "Best Key Rating Guide, Property Liability," which company shows a financial strength rating of at least five (5) times that portion of the contract price that does not include operations, maintenance, and finance. Each bond shall be accompanied by a "power of attorney" authorizing the attorney in fact to bind the surety.
- (b) Bid security must be in an amount equal to at least five (5) percent of the amount of the bid at a minimum.
- (c) When the invitation for bids requires security, noncompliance requires that the bid be rejected except that a bidder who fails to provide bid security in the proper amount or a bid bond with the proper rating must be given one working day from bid opening to cure the deficiencies. If the bidder is unable to cure these deficiencies within one working day of bid opening, the bid must be rejected.
- (d) After the bids are opened, they must be irrevocable for the period specified in the invitation for bids.

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-285. - Contract performance payment bonds.**

- (a) The following bonds or security must be delivered to the county and become binding on the parties upon the execution of the contract for construction:
  - (1) A performance bond satisfactory to the county, executed by a surety company meeting the criteria established in section 2-284, or otherwise secured in a manner satisfactory to the county, in an amount equal to one hundred percent of the portion of the contract price that does not include the cost of operation, maintenance, and finance;
  - (2) A payment bond satisfactory to the county, executed by a surety company meeting the criteria established in Section 2-284, or otherwise secured in a manner satisfactory to the county, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the construction work provided for in the contract. The bond must be in an amount equal to one hundred percent of the portion of the contract price that does not include the cost of operation, maintenance, and finance; and
  - (3) in the case of a construction contract valued at fifty thousand dollars (\$50,000.00) or less, the county may waive the requirements of (1) and (2) above;
- (b) The county may require a performance bond or other security in addition to the security listed in subsection (a).

(Ord. No. 1076, § 1, 12-13-10)

**Sec. 2-286. - Insurance requirements.**

The county may require a vendor or contractor performing services under contract with the county to file with the procurement officer a certificate of insurance evidencing workers compensation coverage, general liability coverage, errors and omissions coverage or other types of insurance coverage as may be appropriate for the type of goods or services being procured by the county. The amount and scope of any insurance coverage for a specific contract shall be determined by the procurement officer after consultation with the county's risk management official.

(Ord. No. 1076, § 1, 12-13-10)

## **DIVISION 6. - SMALL AND MINORITY BUSINESS ENTERPRISES**

### **Sec. 2-287. - Participation in procurements.**

The procurement officer shall facilitate the participation of small business enterprises (SBE) and minority business enterprises (MBE) in the procurement transactions of the county. The procurement officer shall assist any SBE or MBE in understanding county solicitations.

(Ord. No. 1076, § 1, 12-13-10)

## **DIVISION 7. - SURPLUS PROPERTY**

### **Sec. 2-288. - Disposal of personal property.**

- (a) All items of personal property belonging to the county may be declared surplus property to be sold, transferred, traded, or placed in storage by the county. Each department shall report all surplus property to the procurement officer on an annual basis.
- (b) Surplus personal property shall be disposed of in the following manner:
  - (1) County personal property may be sold by public auction or by competitive sealed bidding to the highest bidder. The sale of property not in actual public use shall be conducted by the procurement officer. Sales may be held on an as needed basis. The procurement officer shall deposit the proceeds from the sales, less the expense of the sales, in the fund from which the item was originally paid from.
  - (2) Surplus supplies, inventory, or capital assets may be transferred between departments. The procurement officer must document all transfers of assets and give proper documentation to the accounting office.
  - (3) Certain personal property may be held in storage until an appropriate time for disposal in accordance with this article.
  - (4) Certain property deemed by the procurement officer and the using department to be of no value and not suitable for disposal through the above methods, may be dismantled and disposed of permanently and in an appropriate fashion.

(Ord. No. 1076, § 1, 12-13-10)

### **Sec. 2-289. - Disposal of real property.**

- (a) Surplus real property is property owned by the county and declared surplus by the county council. The county administrator may make recommendations to the county council. Disposal of property declared surplus by the county council shall be disposed of in accordance with this section.
- (b) All surplus real property must be appraised to determine its fair market value.
- (c) The sale of any surplus real property must be approved by county council by passage of an ordinance and with a public hearing held prior to final approval of the ordinance.
- (d) County council shall determine the method of disposal of the surplus real property in the ordinance authorizing the sale of the property.



(Ord. No. 1076, § 1, 12-13-10)

#### DIVISION 8. - LEGAL AND CONTRACTUAL REMEDIES

##### Sec. 2-290. - Right to protest; exclusive remedy.

- (a) A prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the solicitation of a contract shall protest to the procurement officer in the manner stated in Section 2- 291 within ten (10) days of the date of issuance of the invitation for bids or requests for proposals or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue. An invitation for bids or request for proposals or other solicitation document, not including an amendment to it, is considered to have been issued on the date it is posted on the county's website.
- (b) Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall protest to the procurement officer in the manner stated in section 2-291 within ten (10) days of the date of award or notification of intent to award, whichever is earlier, is posted in accordance with this article; except that a matter that could have been raised pursuant to subsection (a) as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.
- (c) The rights and remedies granted in this division to bidders, offerors, contractors, or subcontractors, either actual or prospective, are to the exclusion of all other rights and remedies of the bidders, offerors, contractors, or subcontractors against the county.
- (d) The rights and remedies granted by this section are not available for contracts with an actual or potential value of up to twenty-five thousand dollars (\$25,000.00).

(Ord. No. 1076, § 1, 12-13-10)

##### Sec. 2-291. - Protest procedure.

- (a) A protest pursuant to section 2-290 must be in writing, filed with the procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the procurement officer within the time provided in subsection 2-290(a).
- (b) A protest pursuant to subsection 2-290(b) must be in writing and must be received by the procurement officer within the time limits established by subsection 2-290(b). At any time after filing a protest, but no later than ten (10) days after the date of award or notification of intent to award, whichever is earlier, is posted in accordance with this article, a protestant may amend a protest that was first submitted within the time limits established by subsection 2-290(b). A protest, including amendments, must set forth both the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided.

(Ord. No. 1076, § 1, 12-13-10)

##### Sec. 2-292. - Attempt to settle.

Before commencement of an administrative review as provided in section 2-293, the procurement officer or designee may attempt to settle by mutual agreement a protest of an aggrieved bidder, offeror, contractor, or subcontractor, actual or prospective, concerning the solicitation or award of the contract. The procurement officer or designee has the authority to approve any settlement reached by mutual agreement.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-293. - Administrative review; decision; and finality.

- (a) If in the opinion of the procurement officer, after reasonable attempt, a protest cannot be settled by mutual agreement, the procurement officer shall immediately notify the county administrator who shall conduct promptly an administrative review. The county administrator or designee shall commence the administrative review no later than fifteen (15) business days after the deadline for receipt of a protest has expired and shall issue a decision in writing within ten (10) days of completion of the review. The decision must state the reasons for the action taken.
- (b) A copy of the decision under subsection (a) must be mailed or otherwise furnished immediately to the protestant and other party intervening. The procurement officer or designee shall post a copy of the decision at a date and place communicated to all parties participating in the administrative review, and the posted decision must indicate the date of posting on its face.
- (c) A decision pursuant to subsection (a) is final and conclusive, unless fraudulent.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-294. - Automatic stay.

In the event of a timely protest pursuant to section 2-290, the county shall not proceed further with the solicitation or award of the contract until ten (10) days after a decision is posted by the procurement officer except that solicitation or award of a protested contract is not stayed if the procurement officer, after consultation with the head of the using department or agency, makes a written determination that the solicitation or award of the contract without further delay is necessary to protect the best interests of the county.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-295. - Procurement officer address.

Notice of the address of the procurement officer must be included in every notice of an intended award and in every invitation for bids, request for proposals, or other type solicitation.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 9. - REAL PROPERTY ACQUISITION

Sec. 2-296. - Acquisition of real property.

All transactions involving real property, made for or by the county, must be approved by county council by passage of a resolution or ordinance to that effect. If the transaction is for the purchase of real property the resolution or ordinance must include the purchase price. Prior to acting on the resolution or ordinance, county council shall be provided a phase I environmental assessment and an appraisal completed by an MAI certified appraiser. For right-of-ways and easements, a phase I environmental assessment is not required and a valuation by the county tax assessor's office may be provided to county council in lieu of an MAI appraisal.

(Ord. No. 1099, § 1, 6-27-11)

## Agenda Item Summary

Ordinance # / Resolution#:	Resolution
Contact Person / Sponsor:	Steve Willis
Department:	Administration
Date Requested to be on Agenda:	June I&R Meeting June 27, 2016 Council Meeting

### **Issue for Consideration:**

Accept additional land from Duke Energy adjacent to the Springs Park Boat landing through their recreational lease program.

### **Points to Consider:**

This would be for additional amenities, including a fishing pier, on land adjacent to the Springs Park Boat Landing. This is from Duke:

As we discussed in our meeting about Access Area leases we are diligently working on our Recreation Management Plan (RMP) for the Catawba Wateree to be submitted to the Federal Energy Regulatory Commission (FERC). To ensure that we include the correct information for all Access Areas I wanted to follow up on our meeting earlier this year about your interest in leasing Springs Park Access Area and plans for any additional development on the site. While additional amenities may be approved in the future, including site plans in the RMP will allow our team time to review the plans and may expedite FERC approval. We are asking all potential leasees to respond by June 30, 2016 with their intent to lease (or decline) the Access Area(s) and provide any additional site development plans. We fully intend to submit the RMP on time and if we do not have site additions by June 30<sup>th</sup> we will submit the plans with the Duke Energy upgrades only. After June 30<sup>th</sup> we will have to wait for FERC to approve the full RMP and then we could go back to and ask for site additions, however this may be 3 years down the road. If you have any questions please feel free to contact me by phone or email.

We look forward to a continued partnership in providing recreation access to the communities waterways.

**Jennifer Bennett** | Duke Energy

Project Manager I

Public Safety Recreation Strategy Planning

Water Strategy, Hydro Licensing and Lake Services

526 South Church Street | Mail Code EC12Q | Charlotte, NC 28202

### **Funding and Liability Factors:**

Occasional site maintenance by Parks and Recreation.

### **Council Options:**

Approve or reject the lease.

### **Staff Recommendation:**

Approve the lease.

### **Committee Recommendation:**

Approval

**RESOLUTION NO. 0924-R2016**

**APPROVING THE LEASE OF LAND FROM DUKE ENERGY FOR  
ADDITIONAL AMENITIES AT THE SPRINGS PARK BOAT LANDING.**

**Section 1. Approval for Land Lease from Duke Energy.**

**Section 2. Springs Park Boat Landing Site.**

**Section 3.** *Further acts.*

**Section 4. Effective date.**

Resolution No. 0924-R2016  
Page 1 of 2



And it is so resolved, this 27<sup>th</sup> day of June, 2016

**LANCASTER COUNTY, SOUTH CAROLINA**

(SEAL)

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Bob Bundy, Chair, County Council

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Steve Harper, Secretary, County Council

**ATTEST:**

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Debbie Hardin, Clerk to Council

## Agenda Item Summary

Ordinance # / Resolution#: 2016-1398  
Contact Person / Sponsor: Kimberly Hill  
Department: Finance  
Date Requested to be on Agenda: June 27, 2016

### **Issue for Consideration:**

Fiscal year (FY) 2016-2017 budget changes.

### **Points to Consider:**

There are a few changes that are being requested third reading. They are summarized in the table below.

Fund	Change	Additional Funds
General Fund	EMS 8 sinkhole will need to be taken care of. Recommend funding through fund balance.	\$350,000
	The library received additional lottery money. It has also received an additional allocation from the state for next year (about \$20,000) above prior years.	\$69,095
	We will not have all expenses complete on the convenience site by June 30. We will have to move that money forward to complete.	\$334,135
Capital Projects Sales Tax 1	Currently only Tax 2 is on the ordinance. The Clerk of Court will be unable to procure all the Courthouse money by the end of the Fiscal Year and the remaining amount will need to be carried forward.	\$2,076,679
Debt Service	We have updated debt service numbers and a final millage rate.	-\$29,950
CTC	Additional revenue from the state	\$950,000

Solicitor, Public Defender and Soil and Water have also asked for staff salary increases totaling \$28,823 which would affect the General Fund.

### **Funding and Liability Factors:**

Determines the Financial plan for the next Fiscal Year.

### **Council Options:**

Whether or not to amend the budget ordinance.

### **Recommendation:**

Admin. Committee recommends amending for the items in the table above. No recommendation on pay increases for Solicitor, Public Defender or Soil and Water (cost of \$28,823).

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STATE OF SOUTH CAROLINA     )  
   )  
COUNTY OF LANCASTER         )

ORDINANCE NO.2016-1398

**AN ORDINANCE**

**TO APPROPRIATE FUNDS AND APPROVE A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017 (FY 2016-17); TO SET MILLAGE RATES FOR THE LEVY OF AD VALOREM TAXES; TO APPROVE A SCHEDULE OF TAXES, FEES AND CHARGES FOR FY 2016-17; AND TO PROVIDE FOR MATTERS RELATED THERETO.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

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

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

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

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

**Section 2. Appropriations and Detailed Budget.**

A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2016 and ending June 30, 2017 ("FY 2016-17"):

APPROPRIATIONS	AMOUNT
Airport Fund	223,483
Capital Improvement Fund	1,594,000
Capital Project Sales Tax #2	9,500,000
Capital Project Sales Tax #1	2,076,679
County Debt	4,233,312
	4,203,722
County Transportation Committee Fund	1,650,000
	2,600,000
Court Mandated Security	1,283,500
E-911 Fund	625,150
General Fund	48,343,725
	49,108,955
Indian Land Fire Protection District Fund	596,000
Local Accommodations Tax Fund	50,000
Pleasant Valley Fire Protection District Fund	440,078
Recreation Fund	2,540,062
Victims Services Fund	86,605
Sunday Alcohol Sales Tax Fund	7,000

B.

Except as may be otherwise provided in this ordinance, the appropriations contained in subsection A of this section are maximum and conditional, and are subject to reduction by action of County Council if the County's revenues fail to be sufficient to pay the appropriation, to the end that the expenditures of the County for FY 2016-17 shall not exceed its revenues and available carry forward funds.

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

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

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

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



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

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

### **Section 3. Tax Levy.**

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

General Fund	<del>80.8</del> <u>76.0</u>
Capital Improvement Fund	4.6
County Debt	<del>5.3</del> <u>7.0</u>
USC-L	4.3

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

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

### **Section 4. Fee Schedule.**

For FY 2016-17, the taxes, fees and charges for the County are set at the levels provided in the Schedule of Taxes, Fees and Charges, attached to this ordinance as Exhibit A which is incorporated into this ordinance by reference as if it were set out in this ordinance in its entirety and it is adopted and approved for use in FY 2016-17.

### **Section 5. Severability.**

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

### **Section 6. Conflicting Provisions.**

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

### **Section 7. Effective Date.**

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED, this \_\_\_\_\_ day of June, 2016

Ordinance No.2016-1398

**LANCASTER COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Bob Bundy, Chair, County Council

\_\_\_\_\_  
Steve Harper, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Debbie Hardin, Clerk to Council

1 <sup>st</sup> reading:	May 9, 2016	Passed 7-0
2 <sup>nd</sup> reading:	May 23, 2016	Passed 7-0
3 <sup>rd</sup> reading:	June 27, 2016	Tentative
Public Hearing:	June 13, 2016	

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**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

**1.00 ANIMAL CONTROL FEES**

<b>1.01 Medical Services Rendered</b>		
Canine Heartworm Test		\$9.75
Bordetella Vaccine (Kennel Cough)		\$3.25
DHPP Vaccine		\$3.00
Panacur (includes 3 days)		\$1.50
Pyrantel (per dose)		\$0.50
Parvo Test		\$15.00
FIV/FelV/HW Feline Test		\$20.00
FVRCP Vaccine (4 way for Felines)		\$3.25
Dog	Per animal	\$25.00
Cat	Per animal	\$30.00
Puppy (6 months & below)	Per animal	\$10.00 (Max. \$50.00)
Kitten (6 months & below)	Per animal	\$15.00 (Max. \$50.00)
<b>1.02 Redemption Fees</b>		
1st Offense (must also pay applicable daily shelter fee) *		\$25.00
2nd Offense (must also pay applicable daily shelter fee)		\$50.00
3rd Offense (must also pay applicable daily shelter fee)		\$100.00
4th/ Subsequent Offenses (must also pay applicable daily shelter fee)		\$200.00
*First 24 hours free		
<b>1.03 Shelter Fees</b>		
Daily shelter fee		\$5.00
Euthanization fee		\$10.00
Quarantine fee (must also pay applicable daily shelter fee)		\$25.00

**2.00 ASSESSOR FEES**

Line maps	\$5.00
Overlay maps	\$10.00

**3.00 AUDITOR FEES**

Temporary tag fee (does not include state charges)	Per tag	\$5.00
Copies	Per Copy	\$0.25

**4.00 BUILDING DEPARTMENT FEES**

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

<b>4.01 Building Permits</b>	
Description	Fee Amount
Floor area less than 120 sq. ft.	No fee unless inspection required - then \$15.00 per inspection
	*Exception: Building Permits shall not be required for one-story detached accessory structures which are valued at \$5,000.00 and less. Zoning permits are required for all structures.
Floor area of 120 sq. ft. or greater	Three fourths of one percent (0.0075) of estimated value. Valuation shall be determined by the National Building Valuation Data and Modifiers dated April 15, 1994 and thereafter by the updated revisions.
No Inspection Exception	\$25.00 Agricultural structures which require no subsequent electrical, gas, mechanical, plumbing, or structural inspection. Zoning permits are required for all structures.

**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

Plan Review	When a set of plans is required by Section 106 of the International Building Code or by the building official and a plan review thereof, a plan review fee shall be submitted at the time of submitting the plans and specification for checking said plan checking fee shall be equal to one-tenth- ( 1/10) of the building permit fee as set forth above.
1st Re-inspection	\$50.00
2nd Re-inspection	\$100.00
3rd/ Subsequent Re-inspections ( <i>reinspection fee increases \$250.00 per additional inspection after 3rd</i> )	\$250.00

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

Minimum Permit Fee	\$15.00
<b>Valuation From/To</b>	<b>Fee Amount</b>
\$0	\$500
\$501	\$1,000
\$1,000	\$150,000
\$151,000	Or More
1st Additional Inspection	\$50.00
2nd Additional Inspection	\$100.00
3rd/ Subsequent Additional Inspections ( <i>reinspection fee increases \$250.00 per additional inspection after 3rd</i> )	\$250.00

**4.03 Gas Permit Fees**

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

**4.04 Mechanical Permit Fees**

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

**4.05 Mobile Home Permit Fees**

Mobile Home - de-title	Per Instance	\$50.00
Mobile Home - placement and set-up	Per Instance	\$180.00



**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

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

**4.06 Plumbing Permit Fees**

Water Heater Changeout	\$10.00
Minimum Permit Fee	\$15.00
<b>Valuation From/To</b>	<b>Fee Amount</b>
\$0	\$1,000
\$1,001	\$5,000
\$5,001	Or More
\$25.00 for the first \$5,000.00, plus \$3.00 for each additional thousand or fraction thereof	
1st Re-inspection	\$50.00
2nd Re-inspection	\$100.00
3rd/ Subsequent Re-inspections ( <i>reinspection fee increases \$250.00 per additional inspection after 3rd</i> )	\$250.00

**4.07 Swimming Pool Permit Fees**

<b>Valuation From/To</b>	<b>Fee Amount</b>
\$0	Or More
Three fourths of one percent (0.0075) of estimated value. Valuation shall be determined by the National Building Valuation Data and Modifiers dated April 15, 1994 and thereafter by the updated revisions.	

**4.08 Building Department Miscellaneous Fees**

	<b>Unit</b>	<b>Amount</b>
Appeal from action of building official	Per Instance	\$200.00
Moving fee - any building or structure	Per Instance	\$50.00

**5.00 CLERK OF COURT FEES**

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

**6.00 CORONER FEES**

**6.01 Cremation Fees**

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

Cremation Permits	\$25.00
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**6.03 Report Fees \* Note: Fees will not apply to reports marked "NOT FOR LEGAL USE" provided to surviving family members.**

**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

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

**7.00 EMERGENCY MANAGEMENT/ FIRE SERVICE FEES**

**7.01 Fire Marshal/Fire Service Fees**

1st Additional Inspection	\$50.00
2nd Additional Inspection	\$100.00
3rd Additional Inspection	\$250.00
Inspection fee increase per inspection following 3rd inspection	\$250.00
Response to false alarms in excess of 3 in any calendar year	per instance \$100.00

**7.02 Hazardous Materials Fees**

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

**7.03 Special Tax District Uniform Service Charge**

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

ALS Emerg Treat/No Transport	\$175.00
ALS Unit, Urgent, No ALS Tx	\$600.00
ALS Emerg Treat - Helicopter at ER	\$150.00
Medical Records	\$15.00
Mileage, ground	\$10.00
Standby Service (per employee)	Per hour \$30.00
Response to false alarms in excess of 3 in any calendar year	per instance \$100.00
ALS with Treatment and Emergency Transport	Base Fee \$700.00
BLS A0429	Base Fee \$600.00
ALS 2 A0433	Base Fee \$800.00

**9.00 FARMERS MARKET FEES**

<b>Rental Fee</b>	
Vendor Fee	One Time \$20.00
Booth rental	Per day \$2.00

**10.00 FINANCE DEPARTMENT FEES**

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

**11.00 GIS MAPPING FEES**

**11.01 Black and White Plotter Maps**

**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

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

**11.02 Color Plotter Maps**

Letter	\$5.00
Legal	\$10.00
18 by 24	\$20.00
24 by 36	\$25.00
36 by 44	\$30.00
Poster up to 60	\$40.00

**11.03 Digital Data Fees**

2011 aerial photo (entire county)	\$1,500.00
CAMA data in text format	\$500.00
Parcel layer with attributes (entire county)	\$1,000.00
Parcel layer without attributes (entire county)	\$500.00
Street centerline layer	\$250.00
Other digital data	Per hour \$30.00

**12.00 LIBRARY FEES**

**12.01 Overdue and Lost Fees**

Overdue book fee (maximum charge of \$2.00)	Per day	\$0.15
Copies- self serve	Per Copy	\$0.25
Lost book fee	Per book	Replacement cost

**12.02 Miscellaneous Fees**

Out of state library membership	Per year	\$25.00
Duplication machine reproduction fee - general	Per Page	\$0.15
Facsimile charge	First page	\$0.50
Facsimile charge	Subsequent pages	\$0.50

**13.00 911 FEES**

<b>Enhanced 911 Emergency Service System</b>		
Uniform service charge	Per line	\$1.00

**14.00 PLANNING FEES**

**14.01 Ordinance Fees**

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**14.02 Development Fees**

<b>Development Agreements</b>		
Per acre of highland proposed		\$25.00 not to exceed \$20,000
<b>Planned Development Districts *in addition to Development Agreement Fee</b>		
Rezoning	\$2,000.00	
Amendment- PDD	\$2,000.00	

**14.03 Development Review Application Fee**

Review application	Per review	\$75.00
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**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

<b>14.04 Subdivision Fees</b>		
Preliminary plat - 1 to 10 lots	Per lot	\$25.00
Preliminary plat 11 or more lots	per lot	\$300 plus \$10 for each lot
Final plat	Per plat	\$100 plus \$10 for each lot or building permit
Amendment of a final plat		\$100.00
Construction Document Fee	Per lot	\$300 plus \$10 for each lot
Amendment of Construction Document Fee		\$300.00
Subdivision variance	Per instance	\$200.00

<b>14.05 Zoning Fees</b>		
Appeal from action of zoning official		\$300.00
Use permitted on review		\$150.00
Variance		\$200.00
Rezoning application- single parcel		\$250.00
Rezoning application- multi parcel		\$500.00
2nd rezoning fee (within 1 month)		\$250.00
Text amendment Fee		\$250.00
Cluster Subdivision Overlay		\$250.00
Cluster Subdivision Overlay w/multi parcel		\$500.00
Rehearing of a Board of Zoning Appeals Action		\$200.00

<b>14.06 Miscellaneous Fees</b>		
<b>Item</b>	<b>Unit</b>	<b>Amount</b>
Comprehensive plan - picked up	Each	\$25.00
Comprehensive plan - mailed	Each	\$30.00
Corridor Study plan - picked up	Each	400
Road name change	Per road	\$250.00
Telecommunication Towers Review	Each	\$200 plus 1% of cost of tower
Zoning map (2 parts; northern & southern) - picked up	Per part	\$25.00
Zoning map (2 parts; northern & southern) - mailed	Per part	\$30.00

**15.00 PROBATE COURT FEES**

<b>15.01 Cost of Court: Estate Fees - Regular Estate</b>		
Property valuation less than \$5,000		\$25.00
Property valuation of \$5,000 but less than \$20,000		\$45.00
Property valuation \$20,000 but less than \$60,000		\$67.50
Property valuation \$60,000 but less than \$100,000		\$95.00
Property valuation of \$100,000 but less than \$600,000	\$95.00 plus 0.0015 in excess of \$100,000	
Property valuation \$600,000 or more	\$845.00 plus 0.0025 in excess of \$600,000	

<b>15.02 Cost of Court: Estate Fees - Small Estate or Affidavit of Collection for Personal Property</b>		
Property valuation less than \$100.00		\$12.50
Property valuation of \$100 but less than \$5,000		\$25.00
Property valuation of \$5,000 but less than \$20,000		\$45.00
Property valuation of \$20,000 but less than \$25,000		\$67.50

**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

<b>15.03 Miscellaneous Fees</b>		
Legal advertisement - cost of advertisement is in addition to prescribed court costs and are due and payable prior to		
CD copy of hearing		\$10.00
Search fee		\$7.00
Plain Copy	Per Page	\$0.25
Replacement Forms	Per Page	\$0.50
Faxing Documents		\$5.00

<b>15.04 Probate Court Fees</b>		
Appointment of Special Administrator or temporary fiduciary		\$22.50
Special Certificates		\$10.00
Certified marriage certificates		\$5.00
Certifying appeal record		\$10.00
Certified copy of Information to Heirs and Devisee Form		\$0.50 each
Additional Certificates of Appointment		\$0.50 each
Filing - any summons, complaint, or petition		\$150.00
Filing conservatorship accounting		\$10.00
Filing demand for notice		\$5.00
Filing of will only		\$10.00
Issuing certified copies	Per Document	\$5.00
Issuing exemplified/ authenticated copies		\$20.00
Recording authenticated or certified copies.		\$20.00
Reforming or correcting marriage record		\$6.75
Reopening closed estates		\$22.50

<b>15.05 Weddings</b>		
Marriage license - at least one party in-state (includes \$20.00 state fee)		\$50.00
Marriage license - out of state (includes \$20.00 state fee)		\$75.00
Marriage license-Reprint copy		\$5.00

**16.00 PUBLIC WORKS FEES**

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

**17.00 REGISTER OF DEEDS FEES**

Affidavit of partnership	\$10.00 for first 4 pages and \$1.00 per additional page	
Assignment of lease	\$10.00 for first 4 pages and \$1.00 per additional page	
Assignment of leases, rents, and profits	\$10.00 per reference and \$1.00 per additional page	
Assignment of mortgage	\$6.00 for first page and \$1.00 per additional page	
Assumption of agreement	\$10.00 for first 4 pages and \$1.00 per additional page	
Bond to release mechanic's lien	\$10.00 for first 4 pages and \$1.00 per additional page	
Cancellation of contract of sale	\$10.00 for first 4 pages and \$1.00 per additional page	
Cancellation of lease	\$10.00 for first 4 pages and \$1.00 per additional page	
Certified copy charge	\$5.00	
Charter	\$10.00 for first 4 pages and \$1.00 per additional page	
Contract for sale	\$10.00 for first 4 pages and \$1.00 per additional page	



**COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES**  
**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

Deed/ mortgages recording fee	\$10.00 for first 4 pages and \$1.00 per additional page
Document stamp charge	\$3.70 per thousand
Duplication machine reproduction certification fee	\$5.00
Easement	\$10.00 for first 4 pages and \$1.00 per additional page
Federal tax liens	\$10.00
Lease	\$10.00 for first 4 pages and \$1.00 per additional page
Mechanic's lien	\$10.00 for first 4 pages and \$1.00 per additional page
Mortgage modification	\$6.00 per reference and \$1.00 per additional page
Notice of lien	\$10.00 for first 4 pages and \$1.00 per additional page
Partial release of mortgage	\$6.00 per reference and \$1.00 per additional page
Partnership agreement/ dissolution	\$10.00 for first 4 pages and \$1.00 per additional page
Passport Fee	\$25.00
Plats	Large - \$20.00 / medium - \$10.00 / small - \$5.00
Power of attorney	\$15.00 for first 4 pages and \$1.00 per additional page
Project commencement notice	\$15.00
Real property agreement	\$10.00 for first 4 pages and \$1.00 per additional page
Revocation of power of attorney	\$10.00 for first 4 pages and \$1.00 per additional page
Satisfaction of assignment of leases, rents, and profits	\$5.00
Satisfaction of mortgage	\$5.00
SC tax liens	\$10.00
Subordination of mortgage	\$6.00 per reference and \$1.00 per additional page
Trust Indenture	\$10.00 for first 4 pages and \$1.00 per additional page
UCC1 or UCC3	\$8.00 first 2 pages & \$1 per additional page; each additional debtor - more than 2 debtors \$2.00
Waiver	\$10.00 for first 4 pages and \$1.00 per additional page

**18.00 ROAD FEES**

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

**19.00 SHERIFFS FEES**

<b>19.01 Detention Center Fees</b>		
Per Diem for municipal court prisoners	Solely Municipal Charges	\$39.46

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

**20.00 TAX COLLECTION FEES**

Collection fee	\$120.00 or actual cost, whichever is greater
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# COUNTY OF LANCASTER, SC - SCHEDULE OF TAXES, FEES AND CHARGES

**FISCAL YEAR: 2016 2017 ATTACHMENT TO ORDINANCE NO: 2016-1398**

## 21.00 TREASURER FEES

Convenience fee for SCDMV stickers	\$1.00
Duplicate Receipts	\$0.25

## 22.00 ZONING FEES

### 22.01 Plan Review Fees - non-residential excluding multi-family

Up to 12,000 square feet	\$100.00
12,001 square feet to 25,000 square feet	\$200.00
Exceeding 25,001 square feet	\$300.00

### 22.02 Mobile Home Fees

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

### 22.03 Miscellaneous Fees

Item	Unit	Amount
Alarm system registration	Per alarm system	\$10.00
Demolition fee - any building or structure	Per Instance	\$50.00
Septic license- South Carolina	Per Instance	\$10.00
Septic license- North Carolina	Per Instance	\$100.00
Zoning fee	Per Instance	\$90.00
Moving fee - any building or structure	Per Instance	\$50.00
Sign Permit - Commercial	Per Company	\$100.00
Sign Permit - Political	Per Candidate	\$35.00
Sign Permit - Real Estate	Per Company	\$35.00
Sign Permit - Regular	Per Sign	\$35.00

### 22.04 Permit

Floodplain Development- commercial & subdivisions	\$100.00
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## 23.00 OTHER COUNTY FEES AND CHARGES

### 23.01 Historic Courthouse Rental

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

### 23.02 Miscellaneous County Fees

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

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STATE OF SOUTH CAROLINA     )  
  )  
COUNTY OF LANCASTER        )

ORDINANCE NO. 2016-1399

AN ORDINANCE

TO AMEND ARTICLE 6 BUDGET RESERVES, SECTIONS 6.101 AND 6.102 OF THE FINANCIAL POLICIES AND PROCEDURES FOR THE COUNTY, RELATING TO FUND BALANCES, SO AS TO UPDATE THE SECTION TO REFLECT NEW STANDARDS PROMULGATED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION.

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

**Section 1.** Article 6 Sections 6.101 and 6.102 of the Financial Policies and Procedures, dated December 13, 2010, and as approved in Ordinance No. 1075, as amended by Ordinance No. 1100, is amended to read:

Fund balance is a measurement of financial resources available. It is the policy of the County to maintain adequate levels of fund balance to mitigate current and future risks and to ensure stable tax rates. For this reason, it is the County's objective to:

(a) Maintain a general fund unassigned fund balance at a level of 28-32 percent of the general fund operating budget; and

(b) If the year-end unassigned fund balance is more than 32 percent of the general fund operating budget, then the Administrator will assess and recommend to council ways in which the excess will be allocated during the next annual operating and capital budget process. The surplus can only be allocated for one of the following purposes:

- (i) one-time capital expenditures which do not increase ongoing operational costs;
- (ii) Establishing or increasing reserves for special purposes;
- (iii) other one-time costs; and
- (iv) debt reduction.

(c) If the unassigned fund balance falls below 28 percent of the general fund operating budget, the Administrator will pursue and recommend to Council ways of increasing revenues or decreasing expenditures, or a combination of both until the threshold is attained within a time period not to exceed three years. At the inception of the implementation of this policy, such recommendations, and implementation of plans to increase the fund balance(s) of the County may be through the annual County budget ordinance(s), or through separate ordinances of the County.

(d) County council may authorize the expenditure of fund balance that would cause the unassigned fund balance to decrease to below 28 percent of regular general fund expenditures by a supermajority (five to two vote of Council). After such vote the Administrator will plan and

recommend to Council ways to replenish the balance to 28-32 percent. The threshold must be reached within a period not to exceed three years.

(e) Committed Fund balance, self imposed limitations, can only be established by County Council. Once resources are committed, the purpose can only be changed by action of Council. The action to commit the funds must take place before the end of the fiscal year, though the actual can be determined after the close of the fiscal year.

(f) The County's intended use of resources, Assigned Fund Balance, can be assigned by the County Administrator and Finance Director. The County Administrator must inform the Council of assigned resources during the fiscal year.

**Section 2.** The County Finance Director is authorized to prepare and publish an updated "Financial Policies and Procedures" document to reflect the change approved in this ordinance.

**Section 3.** 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 4.** **Effective Date.**

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED, this \_\_\_\_\_ day of June, 2016

Ordinance No.2016-1399

**LANCASTER COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Bob Bundy, Chair, County Council

\_\_\_\_\_  
Steve Harper, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Debbie Hardin, Clerk to Council

1 <sup>st</sup> reading:	May 9, 2016	Passed 7-0
2 <sup>nd</sup> reading:	May 23, 2016	Passed 7-0
3 <sup>rd</sup> reading:	June 27, 2016	Tentative

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STATE OF SOUTH CAROLINA )  
COUNTY OF LANCASTER )

FILED  
OFFICE OF CLERK  
OF COURT  
ORDINANCE NO. 1099  
2011 JUL 13 PM 3-10

~~Indicates Matter Stricken~~  
Indicates New Matter

CLERK OF COURT  
LANCASTER, SC

### AN ORDINANCE

TO AMEND ARTICLE VI, CHAPTER 2 OF THE LANCASTER COUNTY CODE (LANCASTER COUNTY PROCUREMENT CODE) BY ADDING DIVISION 9 RELATING TO REAL PROPERTY ACQUISITION.

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

**Section 1.** Article VI, Chapter 2 of the Lancaster County Code (Lancaster County Procurement Code) is amended by adding a new division:

#### **/DIVISION 9. REAL PROPERTY ACQUISITION**

##### **Sec. 2-296. Acquisition of Real Property.**

All transactions involving real property, made for or by the County, must be approved by County Council by passage of a resolution or ordinance to that effect. If the transaction is for the purchase of real property, the resolution or ordinance must include the purchase price. Prior to acting on the resolution or ordinance, County Council shall be provided a Phase I environmental assessment and an appraisal completed by an MAI certified appraiser. For right-of-ways and easements, a Phase I environmental assessment is not required and a valuation by the County tax assessor's office may be provided to County Council in lieu of an MAI appraisal./

**Section 2.** 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.

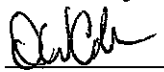
**Section 3.** This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

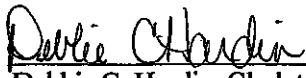
AND IT IS SO ORDAINED, this 27<sup>th</sup> day of June, 2011.

LANCASTER COUNTY, SOUTH CAROLINA

  
Kathy G. Sistare, Chair

  
D.W. "Cotton" Cole, Secretary

Attest:

  
Debbie C. Hardin, Clerk to Council

First Reading: May 23, 2011  
Second Reading: June 13, 2011  
Third Reading: June 27, 2011

Approved as to form:

  
County Attorney

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## Agenda Item Summary

**Ordinance:** 2015 1378 Ansley Park Development Agreement

**Contact Person / Sponsor:** John Weaver

**Department:** County Attorney

**Date Requested to be on Agenda:** County Council – June 27 2016

**Issue for Consideration:** It is anticipated that a Motion to rescind the Ansley Park Development Agreement Ordinance will be made on June 27, 2016. This Agenda Item Summary is provided so as to refresh the Council's memory as to what I believe to be the binding law on this issue.

**Points to Consider:** Accompanying this Agenda Item Summary are selected pages from the approved minutes of Council's Regular Meeting of March 21, 2016. The discussion noted on pages 6-9 of those minutes relate to the same subject that is noted on the present Agenda. Rather than being required to again reiterate verbally my legal opinion on the issue, I believe it may be of benefit to both the Council and the interested citizens of Lancaster County to have my earlier comments available for review in advance of the meeting. My opinion today remains the same as it was on March 21, 2016. I am happy to speak again to the issue if requested.



Charlene McGriff moved to approve the grant submissions as presented. Seconded by Steve Harper. Passed 7-0.

### ***Ansley Park discussion***

Councilman Estridge stated that he has been on this Council a long time and saw a lot of planned development and ordinance changes and he has never seen this much change and confusion regarding a Development Agreement. He further stated that there have been misconceptions and lack of information to Council.

Jack Estridge moved that Council authorize the I&R committee to consult with a contract litigation attorney to research this matter and return to Council a written legal opinion. I would like Council to allow the committee 30 business days and instruct the Planning Department to place a hold on any action on PDD-21. I think the I&R committee would require no more than \$4,000 for a retainer and fees. I think the money should be taken from the Indian Land Developer Fund because this would benefit the whole County but especially that district. Seconded by Larry McCullough. MOTION FAILED by a vote of 2-5. Brian Carnes and Jack Estridge voted in favor of the Motion. Charlene McGriff, Larry McCullough, Steve Harper, Larry Honeycutt and Bob Bundy opposed.

Chairman Bundy and Councilwoman McGriff requested that Mr. Weaver, County Attorney, give his legal opinion regarding the two ordinances referenced in citizen's comments and on the agenda for discussion tonight.

Mr. Weaver approached the podium and addressed two items prior to presenting his legal briefing. Mr. Weaver reminded Council that he did not negotiate the contract with Forestar, as he does not have the authority nor did he ask for the authority for such negotiations. The terms of development agreement were negotiated by three members of Council and the Developer, and were approved unanimously by this Council. Mr. Weaver also stated that he has no conflict of interest in this matter and shows no favoritism towards Forestar, the Developer. He further noted that he has no interest in Ansley Park and his one client is Lancaster County.

Mr. Weaver discussed the original document from 2005, Ordinance 650 (pgs. 10-34 of the agenda package) and the 2015 Ordinance 2015-1378 (page 37). He stated that Ordinance 650 is not a contract at all; it is not a contract by Lancaster County with Cambridge Homes nor is it a contract offer by Cambridge Homes with Lancaster County. Mr. Weaver stated that, he and the Planning Department both agree that had Mr. Coey and his primary client Forestar decided that they wanted to build that subdivision based upon the rezoning ordinance, (that is all 650 is - a rezoning ordinance) and had they come to the Planning Department and gone through their plan and going through their construction documents, they would have never had reason to come to the Planning Commission or this County Council and they would have had no financial obligation to this county for one cent. Mr. Weaver defined a contract in simple terms as an



agreement between two people, an offer and an acceptance. An agreement between two parties is an offer made for specific things on a particular matter, the terms are specific, and the other side (receiving party) of the offer accepts the terms. Mr. Weaver called their attention to several shortcomings to Ordinance 650 that he states show that it is not a contract at all. He first stated that on December 27, 2004, the County Council was given in some way a draft letter and there is no evidence whatsoever that the draft was intended to be an offer. He pointed out that it was labeled draft just like we do draft ordinances and to make certain of that, he noted he went back to the actual minutes that were kept in 2004 and 2005 and at no time did the minutes reflect the developer making that offer when he stood before Council. The letter was never addressed by the developer in the minutes. At the 1st Reading of Ordinance 650, it passed 5-2; at the 2nd and 3rd Reading, it passed 7-0. He further stated that the Council accepted that and they made this statement: *"to amend the ordinance to add the language that Cambridge Homes will establish"*. Mr. Weaver noted the ordinance had to be amended, just as we amend ordinances all the time. Those words were never added to the ordinance and a verbal representation does not outweigh the written document of a contract. To be even more certain of that, sometime later, about a year, this ordinance was amended to do some technical things unrelated to this discussion, and it was not amended at that time to include the wording.

Mr. Weaver stated it is his opinion, that it is no more a contract dealing with money or terms, it is nothing but a rezoning ordinance that Forestar could have moved forward with, without doing what they have agreed to do here.

Mr. Weaver moved on to his second point that deals with Ordinance 2015-1378. He read some language from page 41, which is on the second page of the Development Agreement: *"Now therefore the parties to this agreement intending to be legally bound to a Development Agreement"* and then read page 43, Section 108, The Relationship between the Parties: *this agreement creates a contractual relationship between the parties*. Mr. Weaver stated it is in fact a contract. It was signed by the County, after being voted on by the County unanimously and signed by Forestar. He went on to explain that the financial terms in the Development Agreement are specific and because it is a contract, both parties are legally bound by those terms and conditions. Forestar is required to pay the money that Mr. Coey mentioned and we are bound under the contractual law by these terms that we have passed. Mr. Weaver further noted the he is here to tell Council that it is a legally binding contract for which the county could be sued if Council decides that it is appropriate to rescind it and if that were to happen, it is his opinion that if there were 100 judges in this case, they would rule against us 100 times.

He stated in summary, from reading the minutes, there is an affirmative requirement that we abide by the terms of this contract and that if a motion to rescind is considered by the Council and even if it is passed, it will have no impact whatsoever, just as sending it back to another committee. We have a binding contract that obligates both parties.



Councilwoman McGriff commented that there is a difference in someone's opinion opposed to our legal obligations and our legal obligations are in contract form. She further thanked Mr. Weaver for his opinion and clarification.

Councilman Estridge stated that he was here in 2004 and the letter from Cambridge was sent to the County Administrator Mr. Hurst and in the letter, in order to assist the county and its long term public safety needs, Cambridge Homes was willing to establish a special tax district, \$75 per home per year within the PDD 21, should the project be approved by Lancaster County and it was approved. Mr. Estridge further stated that the last paragraph of the letter says; please accept this letter as Cambridge Homes commitment to the partnership with Lancaster County to continue to have ensure the county's future success. The last paragraph the developer is saying yes – this is part of it.

John Weaver noted the fact that the letter is attached or recorded is of no legal significance. If the terms of the letter had been incorporated into the rezoning ordinance then you would have a valid argument.

Steve Harper asked Mr. Weaver to comment on the two Master Plans from 2004 and 2015 regarding PDD 21 noting that this is just a preliminary Master Plan, the roads and things do not mean anything as it is just a preliminary document.

Mr. Weaver declined to speak on the Master Plans stating that he would let the Planning Department handle those questions.

Brian Carnes asked if the letter that Mr. Estridge referenced was not part of the zoning document, but talked more about being a part of a development agreement between the developer and the county and enacted in 2005, is there a time limit that the Development Agreement would have been valid up, had it been approved.

John Weaver replied that hypothetically the agreement would have no longer been valid as of November 23, 2015, when the new development agreement regarding Ansley Park was passed. It ended on that day with the new contract.

Larry McCullough commented the way agreements and documents were handled in the past versus how they are handled now. He requested that we carve out time to look at the other agreements and developments that are still out there and review what is outstanding.

Charlene McGriff noted that the question was not the past and how things are handled but the legality of the ordinance and stated that she thought that was answered.

Larry Honeycutt noted that he had been a part of the Development Agreement Committee and noted that we have had a very good set of procedures. He further noted that he would not mind checking into what we have done in the past to find anything that might need changing.

Brian Carnes, stated that he agreed with Councilman McCullough and noted that Ms. Karagounis has a list of developments that have been approved that we need to dust off the shelf, (the legacy developments) to see if there is something, we can do to spur along or put to rest. Either way we need to know that we need to do a better job of documenting changes to ordinances. Such as, changes could be highlighted in yellow by the Clerk to Council for tracking purposes.

Jack Estridge commented that the Master Plan Map of 2004 shows a connector road so that you would not need to go back around to get on 521. If Cambridge Homes presented to County Council that this is what they are going to put in and they do not, something is wrong. He further noted that page 46 of package, Section 3.06 - Lots Widths and Bridges, the county and developer acknowledges, agrees to two minor changes to the Ansley Park Master Plan. One is the lot width and the other is the removal of the bridge across the Six Mile Creek, both of which Councilman Estridge states are major changes that Council should have been notified of.

Steve Harper commented the 2004 Master Plan is a conceptual drawing, which is stated on the document that it is preliminary and that the roads and actual design may be different. It is nothing more than a sketch plan.


Jack Estridge moved to rescind the November 23, 2015 approval of the 2015-1378 Ansley Park Development Agreement. MOTION FAILED due to lack of second.


### Adjournment

Larry Honeycutt moved to adjourn. Seconded by Larry McCullough. Passed 7-0.

Respectfully Submitted:

Approved by Council, March 14, 2016

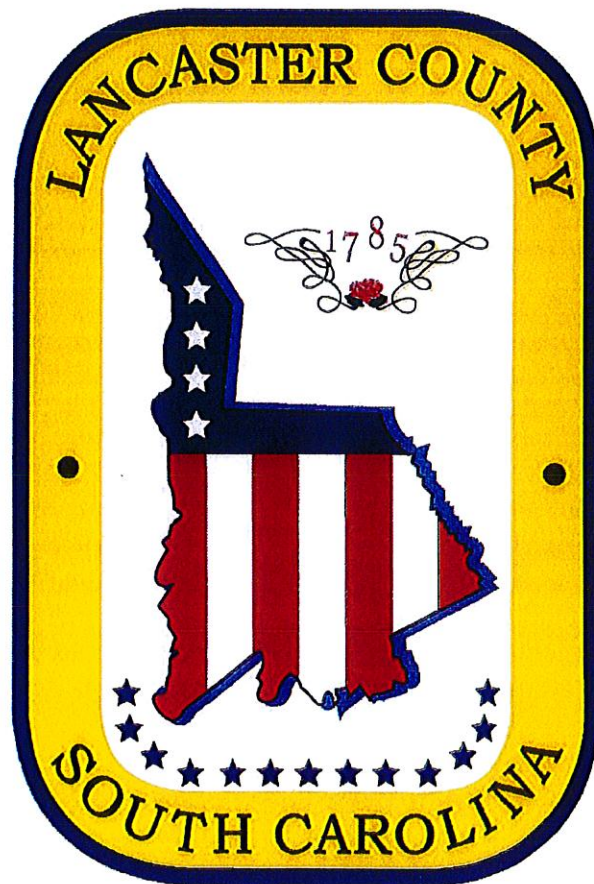
  
Debbie C. Hardin  
Clerk to Council

  
Steve Harper, Secretary



# **Budget Monitoring Report**

**Month of May 2016**



**Council Meeting June 27, 2016**

**Prepared by Kimberly Hill, Budget Analyst**

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

**Contents:**

<b>General Fund Revenue Overview</b>	<b>2-3</b>
<b>General Fund Expenditures Overview</b>	<b>4</b>
<b>General Fund Fund Balance</b>	<b>5</b>
<b>Other Fund Overview</b>	<b>6-9</b>
<b>General Fund Revenue &amp; Expenditure Summary</b>	<b>10-12</b>
<b>General Fund Department Summary</b>	<b>13</b>

## 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.

May Collections	YTD Collections	Total Budgeted Collections
899,267	28,439,484	28,677,353

### Major Revenue Source - Other Taxes

These FY2016 revenues come from road improvement fees.

May Collections	YTD Collections	Total Budgeted Collections
207,880	2,089,263	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.

May Collections	YTD Collections	Total Budgeted Collections
139,563	3,438,550	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.

May Collections	YTD Collections	Total Budgeted Collections
91,213	2,530,001	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.

May Collections	YTD Collections	Total Budgeted Collections
527,690	5,390,346	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.

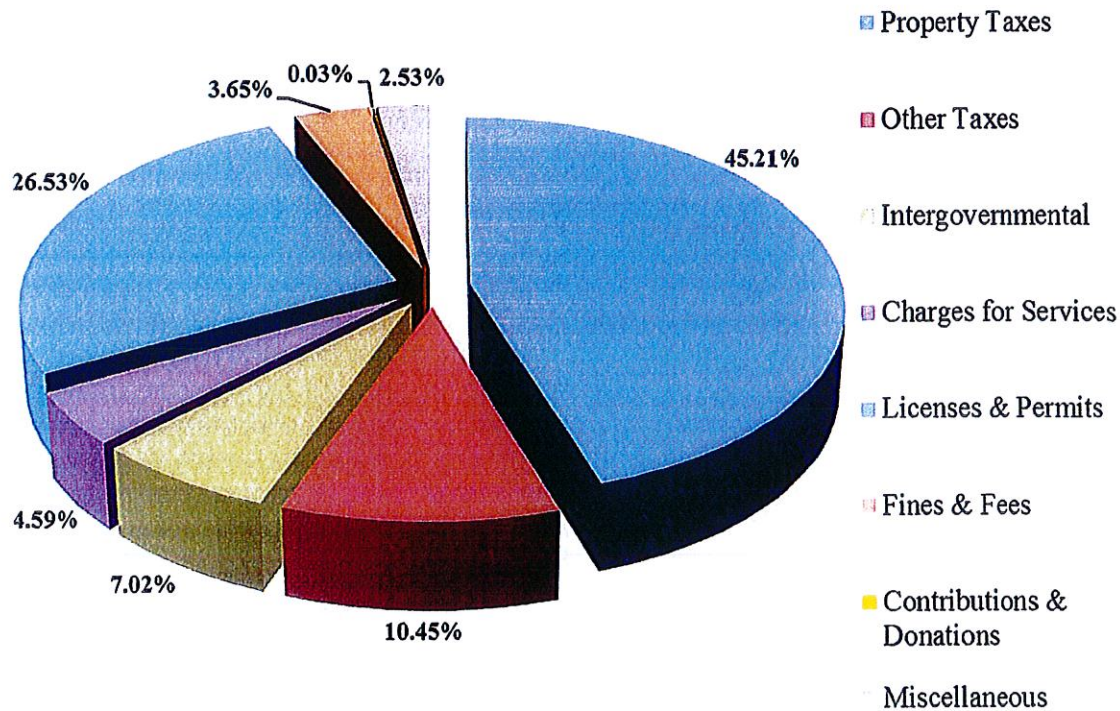
Source	May Collections	YTD Collections	Total Budgeted Collections
Fines & Fees	72,623	784,138	933,750
Contributions & Donations	560	120,783	46,000
Miscellaneous	50,260	227,882	145,212

**Total Revenue May: \$1,989,087**

Major Revenue Sources:

Local Option Rollback	\$389,463
Building Permits	\$260,165
Vehicle Taxes	\$253,752
Road Improvement Fees	\$207,880
1% Local Option Revenue	\$173,799
Licenses-Cable Franchise	\$139,480

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



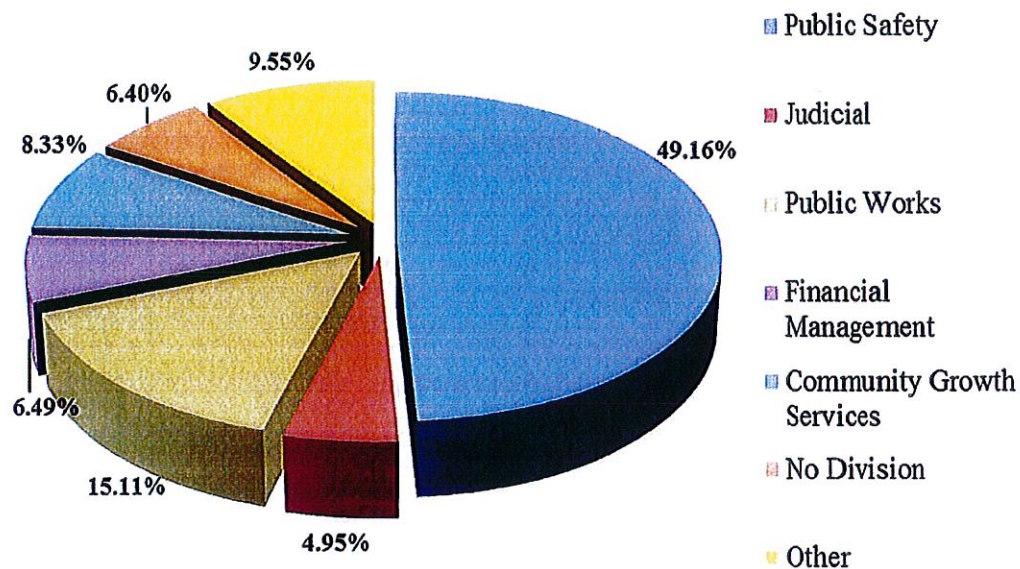
## General Fund Expenditure Overview

**Total Expenditures May: \$3,109,950**

### Major Expenditures:

Wages & Salaries	\$1,469,838
Fringe Benefits	\$574,444
Direct Assistance	\$186,099
Contractual Service	\$129,262
Vehicle Maintenance	\$125,789
Utilities	\$94,070

### General Fund YTD Expenditures by Division



### GENERAL FUND

CATEGORY	BUDGET	YTD	%
Revenues	43,603,985	43,020,449	98.66%
Expenditures	-44,275,197	-36,690,618	82.87%
Other Financing Source	9,295,593	535,422	5.76%
Other Financing Use	-8,624,381	-1,222,267	14.17%
Revenues Over (Under) Expenditures	0	5,642,986	



## **Fund Balance Estimates**

**Estimated Unassigned Fund Balance (GF): \$16,741,663** which is about 32% of the total GF budget.

Overall the GF expenditure budget reflects a remaining percentage of 17.1%. Revenue collections are within 98.7% of estimates.

	Current Year	Prior Year
<b>Nonspendable</b>	\$1,216,061	\$660,654
<b>Restricted</b>	\$1,252,570	\$1,545,437
<b>Committed</b>	-	-
<b>Assigned</b>	\$9,213,139	\$1,175,977
<b>Unassigned</b>	\$16,741,663	\$19,536,251
<b>Fund Balance End of May</b>	\$28,423,433	\$22,918,319

## **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](mailto:khill@lanastercountysc.net)

### Other Fund Overview-May 31, 2016

#### CAPITAL IMPROVEMENT FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,498,000	1,579,595	105.45%
Expenditures	-1,498,000	-924,784	61.73%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	654,811	

#### COURT MANDATED SECURITY

CATEGORY	BUDGET	YTD	%
Revenues	1,193,500	1,205,367	100.99%
Expenditures	-1,215,584	-843,240	69.37%
Other Financing Source	22,084	0	
Revenues Over (Under) Expenditures	0	362,127	

#### VICTIMS SERVICES FUND

CATEGORY	BUDGET	YTD	%
Revenues	86,605	62,499	72.17%
Expenditures	-86,605	-67,714	78.19%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	-5,216	

#### E-911

CATEGORY	BUDGET	YTD	%
Revenues	727,550	396,790	54.54%
Expenditures	-671,459	-326,616	48.64%
Other Financing Use	-56,091	0	
Revenues Over (Under) Expenditures	0	70,174	

#### COUNTY TRANSPORTATION COMMISSION FUND

CATEGORY	BUDGET	YTD	%
Revenues	5,220,600	5,152,242	98.69%



Expenditures	-5,394,400	-4,608,095	85.42%
Other Financing Source	173,800	0	
Revenues Over (Under) Expenditures	0	544,147	

#### INDIAN LAND FIRE PROTECTION DISTRICT FUND

CATEGORY	BUDGET	YTD	%
Revenues	495,000	530,819	107.24%
Expenditures	-522,574	-448,977	85.92%
Other Financing Source	27,574	0	
Other Financing Use	0	-2,344.00	
Revenues Over (Under) Expenditures	0	79,498	

#### LOCAL ACCOMODATIONS TAX FUND

CATEGORY	BUDGET	YTD	%
Revenues	30,000	55,860	186.20%
Expenditures	-30,000	-23,402	78.01%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	32,458	

#### DEBT SERVICE FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,859,931	1,850,982	99.52%
Expenditures	-1,859,931	-2,172,360	116.80%
Other Financing Source	0	0	
Revenues Over (Under) Expenditures	0	-321,378	

#### CAPITAL PROJECT SALES TAX FUND

CATEGORY	BUDGET	YTD	%
Revenues	8,500,000	2,394,441	28.17%
Expenditures	-3,481,149	-777,117	22.32%
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	-9,399,490	

#### RECREATION FUND

CATEGORY	BUDGET	YTD	%
Revenues	1,387,503	1,148,752	82.79%
Expenditures	-2,447,396	-1,965,574	80.31%
Other Financing Source	1,059,893	1,059,893	
Revenues Over (Under) Expenditures	0	243,071	

#### AIRPORT FUND

CATEGORY	BUDGET*	YTD*	%
Revenues	191,059	112,727	59.00%
Expenditures	-255,345	-195,436	76.54%
Other Financing Source	64,286	64,286	
Revenues Over (Under) Expenditures	0	-18,423	

#### PLEASANT VALLEY FIRE PROTECTION DISTRICT FUND

CATEGORY	BUDGET	YTD	%
Revenues	417,344	464,562	111.31%
Expenditures	-392,344	-309,557	78.90%
Other Financing Source	0	0	
Other Financing Use	-25,000	-33,078	132.31%
Revenues Over (Under) Expenditures	0	121,927	

#### DEVELOPMENT AGREEMENT FUND

CATEGORY	BUDGET	YTD
Revenues	418,349	1,592,000
Expenditures	-14,450	-11,764
Other Financing Source	0	0
Other Financing Use	-403,899	0

Revenues Over (Under) Expenditures	0	1,580,236
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

05/01/2016 TO 05/31/2016

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
<b>10 GENERAL FUND</b>					
<b>REVENUE:</b>					
400 CURRENT PROPERTY TAXES	20,443,906.00	253,866.27	20,905,488.56	-461,582.56	102
410 DELINQUENT PROPERTY TAXES	916,500.00	80,642.71	766,628.07	149,871.93	84
417 PROPERTY TAXES-STATE REIM	1,601,947.00	1,495.98	1,655,784.70	-53,837.70	103
418 PROPERTY TAXES-LOST REV	5,700,000.00	563,261.77	5,096,179.96	603,820.04	89
419 MULTI COUNTY PILOT	15,000.00	0.00	15,402.79	-402.79	103
422 OTHER TAXES	2,100,000.00	207,880.42	2,089,263.10	10,736.90	99
434 INTERGOVERNMENTAL- STATE	3,458,875.00	61,789.18	2,439,367.66	1,019,507.34	71
435 STATE AID TO LIBRARY	95,815.00	0.00	145,750.07	-49,935.07	152
436 INTERGOVERNMENTAL- LOCAL	897,930.00	77,774.00	797,682.17	100,247.83	89
437 FEDERAL GRANT	0.00	0.00	20,601.39	-20,601.39	0
439 OTHER GOVERNMENTAL REVENUE	0.00	0.00	35,148.98	-35,148.98	0
440 LICENSE- MISCELLANEOUS	0.00	0.00	4,377.00	-4,377.00	0
441 LICENSE- FRANCHISE	452,000.00	142,283.78	513,140.76	-61,140.76	114
442 LIC & PERMITS- BLDG	2,968,200.00	277,829.00	3,805,601.00	-837,401.00	128
444 LIC & PERMITS- PLANNING	24,100.00	4,910.00	46,135.00	-22,035.00	191
446 LIC & PERMITS- ROD	900,000.00	102,516.78	1,019,162.72	-119,162.72	113
448 LIC & PERMITS- CORONER	2,000.00	150.00	1,930.00	70.00	97
450 CHGS. FOR SVCS.- PUBLIC W	111,400.00	1,305.78	78,889.77	32,510.23	71
455 CHGS. FOR SVCS.- FEES	272,500.00	20,290.11	245,232.08	27,267.92	90
456 CHGS. FOR SVCS.- COPIES	14,650.00	2,807.95	24,131.60	-9,481.60	165
457 CHGS. FOR SVCS.- OTHER	28,200.00	2,486.00	21,593.84	6,606.16	77
458 CHGS. FOR SVCS.- EMS	2,450,000.00	62,058.54	2,134,669.97	315,330.03	87
459 CHGS. FOR SVCS.- MISC	26,000.00	2,265.00	25,484.18	515.82	98
460 FINES & FEES-TEMP VEH TAG	3,000.00	190.00	1,825.00	1,175.00	61
461 FINES & FEES- COURTS	817,500.00	60,847.80	639,212.58	178,287.42	78
464 FINES & FEES- OTHER	10,000.00	500.00	7,900.00	2,100.00	79
465 FINES & FEES- OTHER	0.00	66.67	8,459.68	-8,459.68	0
466 FINES & FEES- OTHER	15,000.00	620.00	9,404.00	5,596.00	63
467 FINES & FEES- OTHER	20,000.00	5,550.00	54,475.00	-34,475.00	272
468 FEES- BANK	68,250.00	4,848.76	62,861.77	5,388.23	92
470 CONTRIBUTION & DONATIONS	18,000.00	402.84	110,597.26	-92,597.26	614
471 LIBRARY DONATIONS	28,000.00	157.20	10,186.09	17,813.91	36
480 INTEREST INCOME	25,500.00	0.00	64,173.74	-38,673.74	252
490 OTHER INCOME	92,212.00	47,394.88	133,918.21	-41,706.21	145
491 OTHER INCOME	26,000.00	2,853.55	29,497.79	-3,497.79	113
495 OTHER INCOME	1,500.00	41.56	292.04	1,207.96	19

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
TOTAL REVENUE	43,603,985.00	1,989,086.53	43,020,448.53	583,536.47	99
EXPENDITURE:					
500 WAGES	19,754,606.00	1,469,838.37	16,764,514.84	2,990,091.16	85
510 FRINGE	7,826,460.25	574,444.47	6,627,165.41	1,199,294.84	85
520 OTHER PERSONNEL EXPENDITURE	327,500.00	1,437.11	176,098.74	151,401.26	54
530 TRAVEL, TRAINING, & DUES	435,536.00	26,890.62	302,936.34	132,599.66	70
540 SUPPLIES	417,518.00	28,992.54	361,234.30	56,283.70	87
541 POSTAGE	460,898.00	31,583.72	428,935.30	31,962.70	93
542 CLOTHING	201,536.00	15,908.47	153,187.48	48,348.52	76
543 SUPPLIES- LAUNDRY	220,000.00	18,991.65	181,978.12	38,021.88	83
544 SUPPLIES- PUBLIC WORKS	522,000.00	68,021.83	520,419.60	1,580.40	100
545 SUPPLIES- CUSTODIAL	20,000.00	1,248.92	17,472.67	2,527.33	87
547 SUPPLIES- ANIMAL FOOD	3,000.00	45.98	870.86	2,129.14	29
548 SUPPLIES- HAND TOOLS	20,000.00	129.01	20,547.91	-547.91	103
549 SUPPLIES- WELCOME CENTER	4,000.00	206.66	3,458.91	541.09	86
550 EQUIPMENT- NON CAPITAL	82,500.00	29,130.24	57,253.62	25,246.38	69
551 EQUIPMENT- GENERAL	568,777.00	54,240.79	456,545.06	112,231.94	80
560 CAPITAL EQUIPMENT	940,642.32	56,887.11	674,023.50	266,618.82	72
570 UTILITIES	1,027,640.00	94,069.55	948,205.49	79,434.51	92
571 UTILITIES- TELEPHONE	510,790.00	44,565.47	446,095.17	64,694.83	87
580 RENT	7,500.00	0.00	4,770.00	2,730.00	64
581 RENT- BUILDING	78,766.00	6,325.00	72,000.00	6,766.00	91
582 RENT- EQUIPMENT	5,000.00	0.00	0.00	5,000.00	0
590 MAINTENANCE	1,748,100.00	125,789.18	1,148,893.56	599,206.44	66
591 MAINTENANCE- GENERAL	66,500.00	3,220.51	54,917.86	11,582.14	83
593 MAINTENANCE-SVC AGREEMENT	626,500.00	23,913.21	543,315.55	83,184.45	87
594 MAINTENANCE- BLDG	172,000.00	14,753.82	172,828.89	-828.89	100
600 CONTRACTUAL SERVICES	2,066,682.13	129,261.96	1,452,803.48	613,878.65	70
604 PS-MEDICAL & PROFESSIONAL	662,151.00	41,967.83	538,858.01	123,292.99	81
605 CS- PRINTING	372,466.60	21,645.90	330,821.20	41,645.40	89
608 SC DEPT OF CORRECTIONS	25,000.00	1,545.00	13,815.00	11,185.00	55
612 CS-DISPOSAL CONTRACT	1,300,000.00	136,388.02	1,141,758.28	158,241.72	88
613 DEMOLITION EXPENSE	50,000.00	0.00	30,180.00	19,820.00	60
620 DIRECT ASSISTANCE	13,041.00	0.00	13,040.77	0.23	100
625 DIRECT ASSISTANCE	977,033.00	1,827.27	934,848.44	42,184.56	96
650 INSURANCE	974,059.00	4,740.00	954,233.24	19,825.76	98
670 ADVERTISING	92,700.00	-6.97	62,107.95	30,592.05	67
680 FEE REIMBURSEMENT	600.00	0.00	50.00	550.00	8
690 SPECIAL PROJECTS	501,504.92	52,037.44	313,902.89	187,602.03	63
691 SP- PROMOTIONS	56,000.00	3,696.44	48,189.35	7,810.65	86
750 EQUIPMENT LEASE	146,000.00	11,978.07	122,539.14	23,460.86	84

	<u>BUDGETED</u>	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE INCLUDING ENCUMBRANCES</u>	<u>REMAINING BALANCE</u>	<u>PCT USED</u>
760 GRANTS MATCH	338,000.00	2,353.33	53,262.06	284,737.94	16
771 DS- LEASE PURCHASE	437,732.00	0.00	437,731.19	0.81	100
780 MISCELLANEOUS	50,000.00	2,760.00	30,140.00	19,860.00	60
781 MISCELLANEOUS	160,888.00	5,856.97	46,549.82	114,338.18	29
782 OVER/SHORT	570.00	850.97	-44.56	614.56	-8
783 DRUG FORFEITURE	0.00	709.13	3,809.98	-3,809.98	0
786 DONATIONS	3,000.00	1,704.41	24,352.26	-21,352.26	812
TOTAL EXPENDITURE	<u>44,275,197.22</u>	<u>3,109,950.00</u>	<u>36,690,617.68</u>	<u>7,584,579.54</u>	<u>83</u>
DEFICIENCY OF REVENUE BEFORE TRANSFERS	<u>-671,212.22</u>	<u>-1,120,863.47</u>	<u>6,329,830.85</u>		<u>-943</u>
OTHER FINANCING SOURCE:					
801 TRANSFER IN	35,422.00	0.00	35,422.00	0.00	100
810 OFS FUND BALANCE	9,260,170.97	0.00	0.00	9,260,170.97	0
820 SALE OF CAPITAL ASSETS	0.00	0.00	500,000.00	-500,000.00	0
TOTAL OTHER FINANCING SOURCE	<u>9,295,592.97</u>	<u>0.00</u>	<u>535,422.00</u>	<u>8,760,170.97</u>	<u>6</u>
OTHER FINANCING USE:					
950 TRANSFERS	8,624,380.75	0.00	1,222,266.75	7,402,114.00	14
TOTAL OTHER FINANCING USE	<u>8,624,380.75</u>	<u>0.00</u>	<u>1,222,266.75</u>	<u>7,402,114.00</u>	<u>14</u>
DEFICIENCY OF REVENUE AFTER TRANSFERS	<u>0.00</u>	<u>-1,120,863.47</u>	<u>5,642,986.10</u>		<u>0</u>



# BUDGET REPORT BY DEPARTMENT - EXPENDITURE

Current Period: 05/01/2016 To 05/31/2016

County Of Lancaster

FY 2015-2016

Ideal Remaining Percent: 8 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
005 Non-Departmental	1,484,909.00	1,387.85	1,294,425.45	0.00	190,483.55	13
007 Cnty Economic Dev. Dept.	318,810.25	18,705.91	141,843.57	9,800.00	167,166.88	52
011 County Council	8,592,483.00	72,559.63	786,753.95	0.00	7,805,709.05	91
012 Council Transfers	1,124,179.00	0.00	1,124,179.00	0.00	0.00	0
014 Direct Assistance	844,124.00	1,827.27	801,939.21	0.00	42,184.79	5
021 Administrator	518,059.73	41,801.65	399,398.18	261.78	118,399.77	23
022 Legal Team	290,518.00	19,822.35	195,297.47	0.00	95,220.53	33
023 Finance	845,007.88	51,088.63	544,322.38	5,582.28	95,103.22	15
024 Human Resources	207,030.10	8,788.66	166,410.26	1,652.94	38,969.90	19
025 Risk Management	98,921.00	8,088.53	79,580.18	0.00	19,340.82	20
028 Mis	943,094.38	90,808.64	760,317.15	34,326.72	148,450.49	16
027 Gis	149,144.00	10,477.51	106,140.02	0.00	43,003.98	29
029 Zoning	382,866.00	35,975.96	315,987.19	0.00	66,878.81	17
031 Building	948,920.00	55,314.35	850,477.78	0.00	298,442.24	31
032 Planning	587,486.59	37,258.72	459,728.96	2,598.92	105,158.71	19
035 Economic Development	98,087.75	0.00	98,087.75	0.00	0.00	0
041 Assessor	876,607.00	64,457.87	680,321.83	0.00	196,285.17	22
043 Auditor	379,711.68	28,519.56	329,844.84	447.63	49,419.21	13
044 Treasurer	378,158.00	29,218.41	331,640.71	0.00	46,517.29	12
045 Delinquent Tax	316,500.00	15,248.89	282,860.13	0.00	53,639.87	17
051 Registration & Elect	312,716.00	17,213.94	296,987.59	0.00	15,748.41	5
060 Register Of Deeds	337,793.50	34,757.04	273,237.13	9,764.50	54,791.87	16
061 Circuit Court	82,607.00	4,296.66	47,121.90	0.00	35,485.10	43
063 Clerk Of Court	469,479.99	37,026.13	413,351.16	0.00	56,128.83	12
064 Family Court	358,188.53	23,950.88	297,785.03	0.00	61,423.50	17
068 Coroner	418,552.04	38,374.76	403,621.68	0.00	14,930.36	4
069 Probate Court	444,715.64	29,719.27	341,788.26	3,587.24	99,340.14	22
070 Mag-Countywide	852,348.00	67,813.65	748,811.82	0.00	103,536.08	12
110 Sheriff	7,814,022.32	524,401.32	6,265,078.13	41,398.72	1,507,545.47	19
111 Sher-Drug Asset Forf	0.00	709.13	3,809.98	0.00	-3,809.98	0
117 Sheriff Dpt- Town Of Kers	493,780.85	39,304.87	437,560.38	1,548.80	54,653.49	11
120 Detention Center	2,030,899.00	156,361.87	1,706,734.29	13,609.08	308,555.63	15
121 School Resource Officers	113,152.00	12,172.19	118,345.91	0.00	-5,193.91	-5
130 Communications	1,801,802.92	112,101.55	1,328,909.59	10,223.92	264,469.41	17
140 Emergency Management	363,258.00	27,879.75	313,424.91	7,827.50	42,005.59	12
141 Fire Service	1,272,325.00	113,831.24	1,026,062.30	99,699.62	146,563.08	12
142 Town Of Kershaw- Fire	140,988.00	9,640.27	121,109.43	0.00	19,888.57	14
144 Lanc. County Firefighters	987,692.00	80,278.40	800,948.83	5,393.64	181,359.53	18
153 Lancaster Ems	6,345,931.00	498,087.23	5,588,019.70	26,853.07	751,058.23	12
202 Roads & Bridges	2,483,581.00	187,218.61	1,972,293.45	165,059.08	346,228.47	14
210 Fleet Operations	542,584.00	35,100.18	414,235.43	150.51	128,178.06	24
251 Building Maintenance	1,482,243.25	130,742.91	1,250,920.15	15,681.58	215,641.52	15
310 Landfill-Solid Waste	80,852.46	0.00	28,489.79	2,500.00	29,862.67	49
312 Solid Waste Collect	2,879,759.00	207,758.30	1,971,157.66	199,694.28	708,907.06	25
318 Animal Shelter	156,218.92	14,352.83	145,330.90	0.00	10,888.02	7
330 Health Services	82,600.00	6,358.95	74,321.08	0.00	8,278.92	10
601 Dept. Of Social Services	64,210.00	2,941.36	54,359.69	0.00	9,850.31	15
602 D.S.S. Family Indep	58,330.00	4,372.98	53,148.20	0.00	5,181.80	9
610 Veterans Affairs	161,581.41	12,999.68	147,903.65	0.00	13,677.76	8
840 Library	1,159,867.00	89,341.78	998,702.09	0.00	161,164.91	14
999 Lease	162,156.00	0.00	162,156.00	0.00	0.00	0
<b>Report Totals Net</b>	<b>62,899,577.97</b>	<b>3,109,960.00</b>	<b>37,316,220.18</b>	<b>657,649.81</b>	<b>14,926,707.98</b>	<b>28</b>

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## Agenda Item Summary

Ordinance # / Resolution#: n/a  
Contact Person / Sponsor: Debbie Hardin  
Department: Administration  
Date Requested to be on Agenda: June 27, 2016

**Issue for Consideration:**

Board and Commission appointment.

**Points to Consider:**

Patricia Croxton has resigned from the Library Board. Councilman Estridge is nominating Margaret Gamble to fill the unexpired term ending 6-30-2019

**Funding and Liability Factors:**

n/a

**Council Options:**

Make appointment as requested / deny appointment

## Agenda Item Summary

Ordinance # / Resolution#: N/A  
Contact Person / Sponsor: Steve Willis  
Department: Administration  
Date Requested to be on Agenda: June 27, 2016

**Issue for Consideration:**

Appointment to Board of Directors for Charlotte Regional Partnership.

**Points to Consider:**

We need an appointment to serve on the Board of Directors for the Charlotte Regional Partnership.

The next meeting is July 28<sup>th</sup>. We are asking for an appointment now so that the appointee can receive a Board packet prior to the meeting.

Ronnie advised this could be the Council Chair or a member of Council.

Michael Trotter has been attending the EDAC meetings as our developer and Jamie Gilbert will transition into this role once he is on board.

**Funding and Liability Factors:**

N/A Dues are built in to the budget and there is no additional cost for Board membership.

**Council Options:**

To make appointment.

**Staff Recommendation:**

This is up to Council but a new appointee will be needed once the new Council makes their appointments to various Boards, such as the Council of Governments and RFATS, in January. So that all returning members would have an equal opportunity I would recommend Council consider Chairman Bundy for the remainder of the year.

**Committee Recommendation:**

N/A

Mr. Bob Bundy  
Chairman County Council  
101 N. Main St. Lancaster, SC 29720

June 15, 2016

Dear Mr. Chairman,

I plan to make a Motion to Rescind the vote on the approval of the Avondale Motion to Rescind proposed Ordinance 2015-1386 rezoning that was taken by the County Council on June 13, 2016. I also plan to make a separate Motion to Rescind the vote on the approval of the Avondale Motion to Renew proposed Ordinance 2015-1369 PDD-27 that was taken by the County Council on June 13, 2016. And a third Motion to Rescind the vote on the approval of the Avondale Motion to Renew proposed Ordinance 2015-1370 Development Agreement that was taken by the County Council on June 13, 2016. I don't believe I need give a reason other than Council granted these approvals based on out of order and improper use of parliamentary procedures. Even though I raised the question of order asking for the enforcement of the regular Council rules these motions were allowed to come before the assembly on that night.

I understand, according to the January 20, 2016 Memo "Parliamentary Procedure" by Mr. Weaver. A motion to Rescind may be made by a member of the Council regardless of how the member voted on the original motion and there is no time limit on making the motion.

Mr. Chairman, according to Robert's Rules Newly Revised, Section 10, page 122 line 1 and following states – "Motions that have the effect of changing or nullifying previous action of the assembly – such as motion to Rescind or to Amend something – require previous notice if they are to be adopted by only a majority vote.

In keeping with UDO Section 2-50 and Robert's Rules Newly Revised Section 10 page 123, line 35 please distribute this notice to members of the Council and place my intention on the Action items agenda for June 27<sup>th</sup>. This letter serves as a confirmation of my intent to make as many as three separate motions to rescind the June 13, 2016 approval of Avondale Sub-division.

Jack Estridge

Councilmember District 6

## **LANCASTER COUNTY ONLINE/SOCIAL MEDIA POLICY FOR EMPLOYEES**

Lancaster County Government seeks to inform residents, businesses and visitors by engaging in a proactive communications program through the Public Relations Coordinator. Emerging online interactive and social media platforms are fundamentally changing the way organizations and individuals communicate. This policy outlines how Lancaster County, as an organization, will support the components of social media in terms of its agency mission and communication goals, as well as providing online communication guidelines for Lancaster County.

### **Employees Communicating Online**

The main point Lancaster County employees need to remember about social networking sites and blogs is that the same basic approaches apply in these spaces as in other areas of your lives. The purpose of the following guidelines is to help you understand how Lancaster County policies apply to these newer technologies for communication so you can participate with confidence not only on Lancaster County's own social media platforms where appropriate/applicable, but in other online venues as well. Employees should be sensitive to the fact that social networks and other online forums can appear to blur the distinction between an individual's official and personal identities.

- In a non-work capacity, use a personal email address and not your LANCASTER COUNTY email address as the primary means of identification. Just as an employee would not use LANCASTER COUNTY stationery or a work-identifying signature for a letter-to-the-editor expressing personal views, he/she should not use a LANCASTER COUNTY email address to express personal views on a social networking platform or external website.
- If you publish content to any website outside of LANCASTER COUNTY's official online presence and it relates to subjects associated with our agency, consider a disclaimer such as this: "The postings are my own and do not necessarily represent the opinion of Lancaster County Government's administration, staff or County Council."
- If you are responding on a non-County site concerning an official County matter, be sure to identify yourself and your position with the agency. Comment only about matters that you are qualified to address. Do not respond on behalf of your County position without consulting first with your supervisor or the Public Relations Coordinator.
- Never use or reference your formal position when writing in a non-official capacity. Do not use your County email address to establish a private social media presence.
- Under the NLRA, employees have the right to post or carry on conversations on social media sites regarding wage and working conditions. Protected speech cannot be censored by an employer. Legally protected activity does not include personal complaints or gripes; nor does it protect an employee's offensive, demeaning, defamatory, abusive, or inappropriate remarks.



- Those with leadership responsibilities, by virtue of their position, must consider whether the personal thoughts they publish, even in clearly personal venues, may be misunderstood as expressing the position of the County. They should assume that those outside our agency will read what is written. Be aware of your County association in online social networks. If you identify yourself as a Lancaster County employee or have a prominent position in which your association with the County is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a professional and is appropriate with the public trust associated with your position.
- Some social networking activities and blogging may be approved activities in the work place, typically in the context of marketing and communications, where staff may engage in Internet conversations for work-related purposes. Such engagement on behalf of LANCASTER COUNTY must be approved and coordinated through the Public Relations Coordinator. Only certain employees who work in blogging or social media capacities for their department will have access to such activity from their County computer.
- If an employee's personal blog, postings or other online activities are inconsistent with or would negatively impact LANCASTER COUNTY's reputation or brand, he/she should not refer to LANCASTER COUNTY or identify a connection to LANCASTER COUNTY.
- Employees should be respectful and professional to fellow employees, County partners and other agencies' representatives. They should avoid using unprofessional online personas.
- Employees should contact their supervisor and the Public Relations Coordinator if there are any questions about what is appropriate to include in a blog or social networking profile. Remember that if comments would not be deemed appropriate by a manager or others at LANCASTER COUNTY, it is unwise to post them on the Internet.
- If someone from the media or press contacts a LANCASTER COUNTY employee about posts made in online forums that relate to LANCASTER COUNTY in any way, the employee must alert his/her supervisor and contact the Public Relations Coordinator before responding to the media.
- An employee's manager and the Public Relations Coordinator should be notified in advance by employees who wish to use personal websites, blogs, Facebook pages, Twitter accounts, etc., that present them in their LANCASTER COUNTY roles. As previously noted, LANCASTER COUNTY employees should not disparage LANCASTER COUNTY or disclose confidential information obtained through their work with LANCASTER COUNTY in these types of online communications.
- Remember that all content contributed on all platforms becomes immediately searchable and can be immediately shared, i.e., anything you post online immediately leaves your control forever.
- Employees should be thoughtful about how they present themselves as LANCASTER COUNTY staff members in online networks. By virtue of identifying oneself as part of LANCASTER COUNTY in such a network, connections are established to colleagues, managers, citizens, and in some cases, patients.
- If a group or individual offers to pay an employee to participate in an online forum as a representative of LANCASTER COUNTY, this could constitute conflict of interest and the relevant policies and guidelines would apply.
- Reading, posting or other such activity done after working hours shall not be a compensable activity.

## Official Lancaster County Social Media Sites/Platforms

- **Institutional representation on online social networking platforms must be authorized by the LANCASTER COUNTY Administrator via the Public Relations Coordinator.**
- To be clear, there may be no official LANCASTER COUNTY sites or pages on YouTube, Facebook, Twitter, etc. , unless they are pre-approved and/or developed by through the Public Relations Coordinator and the Lancaster County Administrator.
- All requests to establish any official LANCASTER COUNTY social media platform must be submitted in writing to the Public Relations Coordinator. Any existing sites or pages will have to be reviewed and may be amended or taken down if they do not comply with or maintain compliance with official LANCASTER COUNTY guidelines.
- LANCASTER COUNTY official sites on social network platforms may have pages or content areas that are assigned to departments, divisions or programs at LANCASTER COUNTY. Communication guidelines will apply to such pages, as well as to content and are managed by or monitored by the Public Relations Coordinator.
- Content posters, as approved by the Public Relations Coordinator in conjunction with each department, are responsible for posting and using content in accordance with LANCASTER COUNTY values, the LANCASTER COUNTY codes of conduct, HIPAA, and other existing communications, privacy and conflict-of-interest, and information security policies and procedures.
- Departments' content posters are responsible for monitoring and maintaining content:
  - Content must be current and accurate
  - Content posters will not engage in any communications that would not be acceptable in the LANCASTER COUNTY workplace that will respect copyrights and disclosures, and will not reveal proprietary financial, intellectual property, patient care or similar sensitive or private content.
  - Content posters are responsible for frequently monitoring social media sites and deleting postings that do not adhere to County policies.
- County pages should only share or include links to other governmental entities with which we have an official business relationship and/or an involvement in a joint effort, such as partnering with a nonprofit agency for an event. An exception would be a program/event in which a private entity is an official partner or sponsor of the County.
- No link(s) may appear on any page or within any context containing content or materials that may be interpreted as libelous, obscene or criminal, or which infringes, otherwise violates, or advocates the infringement or other violation of, any third party rights.
- LANCASTER COUNTY ordinarily does not prohibit outside entities to link to its websites, provided that any such link does not improperly connote an endorsement by or affiliation with LANCASTER COUNTY or otherwise adversely impact any LANCASTER COUNTY entity.
- It is recommended to not allow comments on pages. However, if a department chooses to keep user-generated content posts and replies on its pages, note that objectionable content is subject to deletion at the discretion of LANCASTER COUNTY. Content posters must ensure that comments:
  - Are not profane or offensive
  - Are in context to the site or discussion thread
  - Respect the privacy of LANCASTER COUNTY's patients and their families (do not use names or readily identifiable personal specifics)
- Do not disclose LANCASTER COUNTY's proprietary information or that of its partners.

## **TWITTER:**

- There is only one LANCASTER COUNTY Twitter account, [@LancCtyGov](https://twitter.com/LancCtyGov), and it is managed by the Public Relations Coordinator. Requests to disseminate a work-related message via Twitter should be submitted to the Public Relations Coordinator via email.

## **YOU TUBE:**

- There is only one LANCASTER COUNTY You Tube account, <https://www.youtube.com/user/Lancastercountygov>, and it is managed by the Public Relations Coordinator. Requests to post a work-related video via You Tube should be submitted to the Public Relations Coordinator via email.

## **FACEBOOK:**

- LANCASTER COUNTY has a [main Facebook page](#), which is managed by the Public Relations Coordinator, and some departments may receive approval to maintain a separate page as well.
- Facebook is the preferred social networking site for LANCASTER COUNTY department-themed pages.  
Facebook is preferred for its popularity with the target audience, ease of use for members and administrators, wide range of tools available for delivering content and clean design that helps maintain the integrity of the LANCASTER COUNTY brand.

**Determine if an individual department Facebook page is necessary using the following criteria:**

- What information will be shared with the public?
  - The base audience for Lancaster County is the citizen. Information posted on our sites must be useful i.e., meeting schedules, agendas, tax info, change in laws etc.
- How often will information be posted?
  - A page that sits quiet is a useless page. If your department doesn't have enough necessary information to post twice a week then a page isn't necessary
- Who will be in charge of updating the page?
  - A Department Head must assign Facebook responsibility ("content poster") to at least two individuals (as noted below, the Public Relations Coordinator must be given shared rights to each department's page).
- Who decides if a department can create a Facebook page?
  - The Lancaster County Administrator has the final say. It's advised that each department requesting a page answer the above criteria and submit a request for the page via an e-mail to the Public Relations Coordinator. We can then begin processing your request with the Administrator.

#### **Requirements in creating a LANCASTER COUNTY-themed Facebook page:**

- All guidelines in previous section ("Official Lancaster County Social Media Sites/Platforms"), plus:
  - Work with the Lancaster County Public Relations Coordinator to design the page.
  - Shared management and posting access must be given to the Public Relations Coordinator.
  - Designate select staff as "content posters" who are responsible for adding content and monitoring your page on a regular basis – a minimum of every two to three days is recommended for content updates, but daily monitoring may be necessary based on the nature of your content and comments.
  - Do not use images of patients unless you have their written consent. All HIPAA laws must be adhered to.
  - Do not allow any inappropriate photos or copy to be placed on your page. Monitoring of comments on a regular basis is your designated staff members' responsibility. Whether or not to allow comments to be posted on a department's page is up to the department's discretion, and the Public Relations Coordinator should be consulted in advance to discuss the pros and cons of allowing two-way conversations on an official business page.
  - A Facebook page is a direct reflection of the County and all posts need to be grammatically correct (you can edit them later if a mistake is made) and images properly loaded and sized.

#### **Suggestions for creating a LANCASTER COUNTY-themed Facebook page:**

- Use the official County logo (or departmental logo, if applicable) for the profile picture.
- Embed any YouTube videos made available on the official LANCASTER COUNTY YouTube page related to your department.
- Upload images of LANCASTER COUNTY and other images provided by LANCASTER COUNTY. Images should be saved in P:/Social Media Pictures for future reference

#### **Standards for posting -what is acceptable to post on your department's page?**

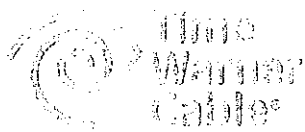
- Any information, steps or materials necessary for people to do business with Lancaster County
  - Examples include paperwork for tax info, how to file for a permit, hurricane preparedness tips.  
Basically, information we want the citizen to have at the start of each service process
- Use the "share" feature to help spread information from other County pages, i.e., Emergency Management Department, Zoning and Planning, Sheriff's Office
  - The goal is the spread of information directly to the public without a middle man like the media.  
The more times County information is shared across our own social media platforms, the better.
- Do not link to or repost a story from the media (TV, newspaper, magazines, etc.) even if it's a positive for Lancaster County
  - It could be viewed as favoritism for one media outlet and we wouldn't post a negative story
- Do not promote private businesses.
  - This includes local concerts or events (example: Chastain Lofts Paint Events)

- o If the County is partnering with a company on an event the event may be publicized but be careful not to promote the company. When in doubt, contact the Public Relations Coordinator for guidance.
- Post pictures of employees only from official county functions or public presentations/events
  - o Employees sometimes have bad news for citizens and in the worst case situation, someone may think the employee photographed is to blame

**Additional information related to Facebook:**

- Facebook does not currently allow us the ability to block comments. We do delete comments on the main page when they come in. Unfortunately, social media can bring out the worst in people and we don't want people turning the County Facebook page into a political/ personal debate.
- PDF files cannot be posted on Facebook. All images should be in JPEG format
- Hyperlinks do not work on Facebook. To add a link, copy and paste the URL address in the text box.
- **Finally, once something is posted, remember THERE IS NO TURNING BACK!**





June 15, 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: WRAL, Azteca America, YouToo, RFD HD, Pivot, TV One (SD & HD), ShopHQ/EVINE Live (SD & HD), POP/TVGN (SD & HD), Music Choice On Demand and Music Choice (channels 1900-1950), Outdoor Channel (SD & HD), Al Jazeera (SD & HD), Aspire, FM (SD & HD), Fuse (SD & HD), Weather Channel (SD & HD), Go!TV (SD & HD), GMA Pinoy TV, GMA Life TV.

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 about June 21<sup>st</sup>, Time Warner Cable will be making technical changes to our cable system in Columbia, Bishopville, Sumter, Manning, Summerville and Hilton Head that may disrupt your ability to view the following unencrypted ("in the clear") channel on a digital television or other device that includes a QAM tuner ("a ClearQAM device"): WACH, WIS, WIS D2, ETV, WOLO, WZRB, WLTX, WBTW, WKTC, WPDE, WCSC, WCSC D2, WCIV, WCIV D2, WMMP, WTAT, WCBF, WCBF D2, WLCN, WGSA, WGSA D2, WHHI, WJCL, WSAV, WTGS, WTOG, WVAN. If this occurs, you will need to go into the settings menu on your ClearQAM device and perform a new channel scan in order to resume viewing this channel. Customers using digital cable set-top boxes will not notice any change. We apologize for any inconvenience.

On or about July 6<sup>th</sup>, the POP scrolling guide will no longer be available with Starter TV. This affects the following areas: Starter TV in Dillon/Lake View/Marion/Mullins, Hartsville (channel 3), Rowland (channel 4), Bishopville, Columbia, Ft. Jackson, Manning, Orangeburg, Summerville, Sumter (channel 10), Hilton Head, Sun City (channel 12), Laurinburg (channel 17), Standard TV in Florence/Lake City (channel 19), Cheraw (channel 68), Brown's Ferry/Sampit, Conway, Georgetown/Debordieu, Kingstree/Lane, Murrells Inlet/Pawleys Island, Myrtle Beach and Surfside Beach (channel 97).

On or about August 2<sup>nd</sup>, the following multicast station may be added as part of Digital Broadcast in the Florence-Myrtle Beach DMA (includes Conway, Dillon/Marion/Mullins, Nichols, Florence, Hartsville, Johnsonville, Lake City, Lake View, Laurinburg, Myrtle Beach, Rowland, Surfside Beach and Lumberton, NC): WWMB D3 American Sports Network channel 1260.

WGN America may be repositioned from Starter TV to Standard TV.



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](http://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 cursive script, appearing to read "Ben Breazeale".

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

# MEETINGS & FUNCTIONS – 2016

DAY/DATE	TIME	FUNCTION/LOCATION
Monday, June 27 <sup>th</sup>	6:30 p.m.	Graduation of Learning Lancaster participants Council Chambers
Monday, June 27 <sup>th</sup>	6:30 p.m.	Regular Council Meeting
Monday, July 4 <sup>th</sup>	Closed	Independence Day
Tuesday, July 12 <sup>th</sup>	8:00 a.m.	Public Safety Committee Council Conference Room
Tuesday, July 12 <sup>th</sup>	3:00 p.m.	I&R Committee Council Conference Room
Thursday, July 14 <sup>th</sup>	4:30 p.m.	Administration Committee Council Conference Room
Monday, July 18 <sup>th</sup>	6:30 p.m.	Council Meeting (only one Council meeting in July)
July 30 <sup>th</sup> – August 3 <sup>rd</sup>		South Carolina Association of Counties Annual Conference/Hilton Head, SC

## LANCASTER COUNTY STANDING MEETINGS

The Tuesday following 1<sup>st</sup> Council meeting (most of the time it is the 2<sup>nd</sup> Tuesday)  
 ..... 8:00 a.m. .... Public Safety Committee  
 The Tuesday following the 1<sup>st</sup> Council meeting (most of the time it is the 2<sup>nd</sup> Tuesday)  
 ..... 3:00 p.m. .... Infrastructure and Regulation Committee  
 The Thursday following the 1<sup>st</sup> Council meeting (most of the time it is the 2<sup>nd</sup> Thursday)  
 ..... 4:30 p.m. .... Administration Committee  
 1<sup>st</sup> Thursday of each month ..... 7:00 p.m. .... Fire Commission, Covenant Street EOC Building  
 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month ..... 9:00 a.m. .... Development Review Committee, Council Chambers  
 2<sup>nd</sup> Tuesday of each month ..... 6:30 p.m. .... Zoning Appeals Board, County Council Chambers  
 2<sup>nd</sup> Tuesday of each month ..... 6:30 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  
 2<sup>nd</sup> Wed (Jan/March/May/July/Sept/Nov) ..... 11:45 a.m. .... Health & Wellness Comm., various locations  
 2<sup>nd</sup> Tuesday ..... 6:00 p.m. .... Historical Commission, Library Conference Room  
 3<sup>rd</sup> Thursday of each month ..... 6:30 p.m. .... Community Relations Commission, County Council Chambers  
 1<sup>st</sup> Thursday of each month ..... 5:00 p.m. .... Planning Commission work session, County Council Chambers  
 3<sup>rd</sup> Tuesday of each month ..... 6:30 p.m. .... Planning Commission, County Council Chambers