

Lancaster County Council Administration Committee Regular Meeting Agenda

Wednesday, July 12, 2017

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

1. **Call to Order – Committee Chair Charlene McGriff** **5:00 p.m.**
2. **Approval of the agenda** *[deletions and additions of non-substantive matters]*
3. **Citizens Comments**
4. **Approval of Minutes from the June 13, 2017 Administration Committee meeting – pgs. 3-5**
5. **Discussion / Action Items**
 - a) **Resolution 0965-R2017 regarding Extension Of Investment Period for Horton Machine and Custom Design, Inc.**
Resolution Title: A Resolution Consenting To An Extension Of The Investment Period For Horton Machine And Custom Design, Inc. Under Its Fee Agreement With Lancaster County Pursuant To Section 12-44-30(13), Code Of Laws Of South Carolina, 1976, As Amended (The “Code”). – *Jaime Gilbert - pgs. 6-9*
 - b) Request to change the bylaws of the Health and Wellness Commission regarding quorum for meeting – *Nancy Fleming, Health and Wellness Board – pgs. 10-15*
 - c) Updates to Social Media Platforms – *Jessica Kennington – pg. 16*
6. **Executive Session**
 - a. *Discussion incident to a proposed contractual matter. SC Code 30-4-70(2).*

7. 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 Administration Committee agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancasterc.org



Members of Lancaster County Council
Administration Committee

Charlene McGriff, District 2, Chairwoman
Steve Harper, District 5
Terry Graham, District 1

Minutes of the Lancaster County Council Administration Committee Meeting

101 N. Main Street, Lancaster, SC 29720

Tuesday, June 13, 2017

Council Members present were Charlene McGriff, Steve Harper and Terry Graham. Also present were Steve Willis, John Weaver, Sherrie Simpson, Kimberly Hill and various Department Heads. A quorum of the Lancaster County Administration Committee was present for the meeting.

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

Call to Order

Chairwoman Charlene McGriff called the meeting to order at 5:00 p.m.

Approval of the agenda

Terry Graham moved to approve the agenda. Seconded by Steve Harper. Passed 3-0.

Citizens Comments

There were no citizens that came forward for comments.

Approval of Minutes

Steve Harper moved to approve the minutes from the May 9, 2017 Administration Committee meeting. The minutes of the May 9, 2017 Administration Committee meeting passed by unanimous vote of 3-0.

Discussion / Action Items

Resolution 0962-R2017 regarding Fee Agreement Between Lancaster County and IX WR 3023 HSBC Way, L.P.

Resolution Title: A Resolution To Consent To The Transfer Of The Fee Agreement Between Lancaster County and IX WR 3023 HSBC Way, L.P. To Angelo Gordon Real Estate, Inc. Or Its Affiliate Or Designee.

Steve Harper moved that Resolution 0962-R2017 be moved to full Council with a favorable recommendation from the Administration Committee. Passed by unanimous vote of 3-0.

Ordinance 2017-1452 regarding Amended Fee Agreement Between AG-APG Edgewater Property Owner, LLC And Lancaster County

Ordinance Title: An Ordinance Authorizing The Execution And Delivery Of An Amended And Restated Fee Agreement Between AG-APG Edgewater Property Owner, L.L.C., And Lancaster County, South Carolina.

Steve Harper moved that Ordinance 2017-1452 be moved to full Council with a favorable recommendation from the Administration Committee. Passed by unanimous vote of 3-0.

Resolution 0963-R2017 regarding Special Source Revenue Credit Agreement with Unique Loom, LLC

Resolution Title: A Resolution To State The Commitment Of Lancaster County To Enter Into A Special Source Revenue Credit Agreement With Unique Loom, LLC, And/Or Its Designee Or Nominee; To Provide The General Terms Of The Special Source Revenue Credit Agreement; To State The Commitment Of Lancaster County To Place Project Property In A Multi-County Park.

Steve Harper moved that Resolution 0963-R2017 be moved to full Council with a favorable recommendation from the Administration Committee. Passed by unanimous vote 3-0.

Fee Waiver For Government Building Projects.

Steve Willis explained that past practice has been that the County would waive fees for other governmental agencies or other tax paying entities. However, now the County has costs that are associated with building projects that need to be recouped, such as consultants, traffic analysis studies, etc. The County does not currently have a written policy for this practice. Steve Willis

noted that he would like to start billing other governmental entities only for the costs the County is incurring on building projects. The County would not be trying to make money and the money would actually be a wash. The County would bill only for costs incurred. Steve Willis stated that this process is handled administratively.

Terry Graham moved that the change in practice to bill and recoup for costs for government building projects be moved to full Council with a favorable recommendation from the Administration Committee. The motion passed by unanimous vote of 3-0.

Monthly Report

Kimberly Hill reviewed the revenues and expenditures for the month of May.

Adjournment

Steve Harper moved to adjourn the committee meeting. The motion to adjourn the Administration Committee meeting passed by unanimous vote of 3-0. The Committee meeting was adjourned at 5:40 p.m.

Respectfully Submitted:

Approved by the Administration Committee

Sherrie Simpson
Clerk to Council

Charlene McGriff, Chairwoman

Administration Committee Agenda Item Summary

Ordinance # / Resolution#: Resolution #0965-R2017
Contact Person / Sponsor: Jamie Gilbert
Department: Economic Development
Date Requested to be on Agenda: July 11, 2017

Issue for Consideration:

Horton Machinery is a 20 person CNC machining operation located at 4777 Stoneboro Road in Heath Springs. The 40 year old company provides machining services for projects around the world. 90% of Horton Machinery's employees reside in Lancaster County. Most salaries at Horton Machinery are 31.5% higher than the county average wage.

The company has a thirty year FILOT which began five years ago and has a 6% assessment rate with a fixed millage rate of 262.3 mills. The FILOT required a minimum capital investment of \$2.5 million within a five year investment period. Horton Machinery has invested over \$2.6 million during the investment period which meets the FILOT's minimum investment requirement of \$2.5 million. It had a five year SSRC at 50% that ended last year.

Horton Machinery is seeking to strengthen its operation over the next several years through the purchase of new machining equipment. The new investment could be at least \$2 million and result in several new jobs being created at the facility. Horton Machinery is requesting that the Lancaster County Council extend the investment period from five to ten years as permitted by state law. The extension would allow for any additional investments being made at the facility over the next five years to be covered by the FILOT.

Points to Consider:

The county has expressed its commitment to assist small businesses, especially in targeted areas of the county such as Heath Springs. The extension of the investment period for Horton Machinery would allow the company to better position itself for additional contracts. In addition to assisting the company's workforce, the additional investment could lead to additional employment opportunities at the facility.

Funding and Liability Factors:

There is no funding required or liability factors.

Committee Options:

Vote to approve or decline sending Resolution 0965-R201 which extends Horton Machinery's FILOT investment period an additional five years to the Lancaster County Council for review and consideration.

Recommendation:

Approve sending Resolution 0965-R201 to the Lancaster County Council for review and consideration.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **RESOLUTION NO. 0965-R2017**

A RESOLUTION CONSENTING TO AN EXTENSION OF THE INVESTMENT PERIOD FOR HORTON MACHINE AND CUSTOM DESIGN, INC. UNDER ITS FEE AGREEMENT WITH LANCASTER COUNTY PURSUANT TO SECTION 12-44-30(13), CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED (THE "CODE").

WHEREAS, pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), Lancaster County, South Carolina (the "County") entered into a Fee Agreement with Horton Machine and Custom Design, Inc. (the "Company") dated as of May 21, 2012 in order to provide, among other things, for the payment by the Company of fees in lieu of ad valorem taxes ("FILOT") with respect to the Company's qualifying investment in the "Project", as defined in such agreement (the "Fee Agreement"); and

WHEREAS, the qualifying investment period with respect to the Project as provided in the Fee Agreement terminates on November 30, 2017, unless otherwise extended (the "Initial Investment Period"); and

WHEREAS, pursuant to Section 12-44-30(13) of the Act, the County may grant an up to five-year extension of the Initial Investment Period, provided that the minimum statutory investment required of the Company with respect to the Project pursuant to the Act has been met by the end of such period; and

WHEREAS, the Company has invested within the Initial Investment Period in excess of \$2,500,000 which exceeds the minimum statutory investment requirement in the Project; and

WHEREAS, the Company has applied for a five-year investment period extension prior to expiration of the Initial Investment Period so as to include additional investment the Company contemplates making in the Project under the terms of the Fee Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Lancaster County Council ("County Council") in a meeting duly assembled as follows:

Section 1. The County Council hereby finds that the Project directly and indirectly substantially benefits the County, the taxing entities within the County and the citizens and residents of the County due to the investment created by the Company which contributes to the tax base and economic welfare of the County, and the County Council further finds that the extension of the Initial Investment Period as provided herein will result in substantial public benefits to the County by enhancing the likelihood that additional investments will occur in the Project during the extended investment period.

Section 2. In accordance with Section 12-44-30(13) of the Act, the County hereby consents to an extension of the Initial Investment Period by five (5) years to December 31, 2022.

Section 3. The Chairman of the County Council, for and on behalf of the County, is hereby authorized and directed to do any and all things necessary to effect the extension of the Initial Investment Period and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 4. The provisions of this Resolution are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 5. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall take effect and be in full force from and after its passage and approval.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2017.

LANCASTER COUNTY, SOUTH CAROLINA

(SEAL)

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Agenda Item Summary

Ordinance # / Resolution#: N/A

Contact Person / Sponsor: Sherrie Simpson

Department: Administration

Date Requested to be on Agenda: July 12, 2017

Issue for Consideration:

To change the bylaws for the Health and Wellness Commission regarding the number of members required for a quorum. The bylaws currently require 9 members present to have a quorum; however, the Commission would like to change the bylaws to say that only ½ of the members would need to be present for a quorum.

Points to Consider:

The Commission sometimes does not have enough members present for a quorum and, therefore, cannot hold votes.

Funding and Liability Factors:

This would not require any additional funding from Council.

Council Options:

Approve or deny the change of the bylaws for the Health and Wellness Commission.

Recommendation:

N/A

DIVISION 3. - HEALTH AND WELLNESS COMMISSION^[16]

Footnotes:

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Editor's note—Ord. No. 244, adopted July 25, 1994, repealed Ord. No. 196, adopted Oct. 7, 1991, in its entirety from which former Div. 3, §§ 2-331—2-338, derived. The provisions of Ord. No. 244 have been included by the editor as a new Div. 3 as herein set out and are similar in subject matter to the provisions of the former division.

Sec. 2-331. - Purpose.

The purpose of the Lancaster County Health and Wellness Commission is to serve as an advisory body to county council and as a coordinating and educational body for the people of Lancaster County in matters concerned with the health and well-being of the community.

(Ord. No. 244, 7-25-94)

Sec. 2-332. - Membership.

- (a) The health and wellness commission shall consist of seventeen (17) members appointed by county council as follows:
- (1) Each council member shall recommend one (1) member to represent the council member's district; however, residency in the council member's district is not required.
 - (2) Four (4) members shall be appointed by county council at-large.
 - (3) County council will consider representation from business and industry, the clergy, city and town governments, and interested citizens.
 - (4) One (1) member shall be appointed by the county council to represent each of the following six (6) institutions:
 - Lancaster County Department of Social Services;
 - Lancaster County School District—Student Health Services;
 - Lancaster County School District—Comprehensive Health Education Curriculum;
 - Springs Memorial Hospital;
 - University of South Carolina at Lancaster; and
 - Lancaster County Council on Aging.

Each institution shall nominate an individual to represent the institution and the nominated individual shall be formally appointed by the county council.

- (b) (1) The term of office for all commission members is four (4) years. All terms end on June 30. A person who has served two (2) consecutive terms on the commission is ineligible for appointment for an additional term unless a period of at least two (2) years has elapsed since the expiration of the person's last term; provided, however, upon a two-thirds (2/3) vote of the county council members, a person may be reappointed to the commission notwithstanding the term limitation. Time served in filling a vacancy is not included in the term limitation. Members serve until their successors are appointed and qualified. Vacancies must be filled for the unexpired term in the same manner as the original appointment.
- (2) A member of the commission who misses three (3) consecutive meetings of the commission during any fiscal year or a total of five (5) meetings in any fiscal year vacates the office to which the member is appointed. The vacancy in the office exists as of the end of the meeting missed by the member that triggers the vacancy and the vacancy shall be filled in the same manner as other vacancies. When a vacancy occurs pursuant to this item, the commission chair or the chief administrative officer of the commission shall notify the clerk to council in writing as soon as possible.
- (3) Members of the commission serve at the pleasure of county council.
- (c) All members serve without compensation, but may be reimbursed for actual expenses and mileage pursuant to county policy after approval by the commission chair and the county administrator.
- ✓ (d) Within one (1) year of the member's appointment and at such other times as may be required by county council, the member shall attend a training session provided by the county on the topics of fiduciary duties, county fiscal and personnel policies, and other responsibilities and duties of a commission member.

(Ord. No. 244, 7-25-94; Ord. No. 898, 4-7-08; Ord. No. 998, § 6.A, 4-26-10; Ord. No. 1258, § 5, 3-10-2014)

Sec. 2-333. - Reserved.

Editor's note— Ord. No. 998, § 6.B, adopted April 26, 2010, repealed former § 2-333 in its entirety which pertained to membership terms of health and wellness commission and derived from Ord. No. 244, 7-25-94.

Sec. 2-334. - Duties.

The duties of the health and wellness commission shall be to identify health issues in the county, to coordinate existing services and/or the establishment of additional services or programs to meet those needs. The commission will seek the advice of the citizens by appropriate means (i.e. hearings, surveys, etc.) in identifying concerns and solutions.

The commission shall also serve county council as an advisory body in dealing with health-related matters.

(Ord. No. 244, 7-25-94)

Sec. 2-335. - Organization.

- (a) The internal structure of the county health and wellness commission shall consist of a chairman, a vice-chairman, and a recording secretary to be elected by the membership of the commission. Terms of these offices shall be one (1) year, with the option of re-election.
- (b) The transaction of business shall be by Robert's Rules of Order. A quorum shall consist of the presence of nine (9) members of the commission.

(Ord. No. 244, 7-25-94)

Sec. 2-336. - Meetings.

The frequency of commission meetings shall be determined by the membership with a minimum frequency of bi-monthly (January, March, May, July, September, November). More frequent meetings may be called by the chair as the need exists or on requests by a member of the commission or by county council.

(Ord. No. 244, 7-25-94; Ord. No. 998, § 6.A, 4-26-10)

Sec. 2-337. - Freedom of information.

The health and wellness commission is a public body within the meaning of Section 30-4-10 et seq. of the Code of Laws of South Carolina of 1976, as amended, also known as the Freedom of Information Act and, as such, is required to give public notice of its meetings and agendas and attempt to notify the press thereof as required by the Act. Meetings may be closed only in accordance with statutory procedures in the Act. Executive session may be declared by the chairman in the event personnel or other confidential matters should arise. All meetings and records shall be open to the public. All voting shall be conducted in open session.

(Ord. No. 244, 7-25-94)

Sec. 2-338. - Records and reports.

- (a) The commission shall maintain records of its meetings and shall forward copies of the minutes of each meeting to the county council within thirty (30) days of each meeting. The minutes shall reflect the date of the meeting, the members present, and the business considered and decided. The secretary of the commission will transcribe the minutes of each meeting and forward them to the office of the county administrator.
- X (b) The commission shall deliver to county council, during regular session, a written and oral report of activities on an annual basis.

(Ord. No. 244, 7-25-94)

Sec. 2-339. - Budget and financial structure.

- (a) Annually, at the time designated by the county council, the commission shall submit to the county council an operating budget for the ensuing fiscal year adequate to fund the operation and programs of the commission.
- (b) The expenditure of funds by the commission is subject to the purchasing rules and financial procedures of the county as adopted by county council. The commission shall designate a person on the commission as liaison with the offices of the county administrator and county finance director to ensure compliance with these rules and procedures.
- (c) The county shall include the commission in the annual independent audit of the financial records of the county.
- (d) The commission shall be empowered to seek available funding (i.e., grants) for specific activities with prior approval of county council only.
- (e) The commission is subject to the county's personnel policies including wage and salary guidelines.

(Ord. No. 244, 7-25-94; Ord. No. 998, § 6.D, 4-26-10)

Sec. 2-340. - Legal counsel.

In the event the commission requires the advice of legal counsel, the commission shall first contact the county attorney. If for any reason the county attorney is unable to represent the commission, the county attorney shall so advise the commission and the council. The council, upon recommendation of the commission, may provide substitute counsel if deemed necessary by council.

10/6/2019

Lancaster County, SC Code of Ordinances

(Ord. No. 244, 7-25-94)

Secs. 2-341—2-350. - Reserved.

Agenda Item Summary

Ordinance # / Resolution#: N/A

Contact Person / Sponsor: Jessica Kennington

Department: Administration

Date Requested to be on Agenda: July 11th, 2017

Issue for Consideration:

Updates to Social Media Platforms: Facebook, Twitter, Instagram and YouTube including but not limited to using social media to post upcoming meeting information.

Points to Consider:

- The up and coming generations primarily seek important information from social media rather than the news networks or newspapers. Because of this it is important for Lancaster County Government to provide up to date information regarding county news via social media platforms on a consistent basis. Allowing the below requested points would achieve this goal.
- Using these platforms to provide consistent scheduling information to the public regarding upcoming meetings and current news.
- Using these platforms to provide citizen education through videos such as department duty information, upcoming events, college planning tips, posting boards & commission information videos.

Funding and Liability Factors:

This project would require no additional funding to complete.

Council Options:

Approve or deny the use of social media to provide meeting information to the public, provide county government education opportunities to the public by way of informational or tutorial videos created by the Public Relations Coordinator.

Recommendation:

My recommendation to this committee is to allow the use of all Lancaster County Social Media platforms including but not limited to Facebook, Twitter, Instagram and YouTube to provide upcoming Council, Committee, Boards and Commissions meeting dates to the public to increase citizen involvement in these meetings and commissions. Providing permission to use social media in this way would also foster a sense of citizen involvement that I believe would positively impact the citizen's outlook on County Government.