

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Secretary
District 4: Larry Honeycutt
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis Marstall

County Attorney

John K. DuBose III

Clerk to Council

Sherrie Simpson

June 15, 2022

4:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY COUNCIL
COMMITTEE OF THE WHOLE
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

AGENDA

1. **Call to Order - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Allen Blackmon**
4. **Approval of Agenda**

[deletion and additions of non-substantive matter]

5. **Citizens Comments**

[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day before the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

6. **Discussion and Action Items**

- a. American Rescue Plan Act (ARPA) Update and Potential Funded Projects - Dennis Marstall
- b. Roselyn Residential Improvement District (RID) and other Development Issues - Dennis Marstall
- c. Zoning and Land Use for Billboards - Dennis Marstall/Rox Burhans
- d. Discussion of Closed County Road System - Dennis Marstall
- e. Justice Planners Analysis for Proposed Lancaster County Detention Center - Sheriff Barry Faile/Steve Willis

7. **Citizen Comments**

[If Council delays until end of meeting]

8. **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

*Meetings are live streamed and can be found by using the following link:
https://mylancastersc.org/government/lancaster_county_council/County_Council_Meetings.php*

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Finance

Date Requested to be on Agenda: 6/15/2022

Issue for Consideration:

Status of ARPA Funded Projects to date and consideration of potential projects to be funded.

Points to Consider:

The County has been allocated \$19,037,682 in federal ARPA funds and has committed \$12,271,656 to date.

Each of the ARPA-funded projects are in various stages of progress, with significant movement on many of the IT-related projects, such as security and technology upgrades.

County Administration last presented a list of prioritized projects at the March 14 Council Regular Meeting, including consideration to commit one million dollars towards the upfit of the Barnett Building. Cost estimates and design layout for the Barnett Building proposal are still being generated.

In addition to the list of projects presented, County Council has talked about other potential projects to be funded including Sheriff's vehicles (included in the FY '23 budget proposal), non-profit groups, neighborhood revitalization and amenities for the new regional county park.

In addition to the requested Barnett funding, Councilmembers have mentioned other projects than what has been recommended by County Administration, to be considered for funding with these federal funds. This would be the opportunity to discuss any other projects that Council would like County Administration to obtain more information or discuss any items on the current list that Council would like to see removed from consideration.

Given the supply chain issues and long implementation times for ARPA projects, County Administration wants to keep bringing projects forward to ensure we meet federal timelines for the use of funds. All ARPA funding has to be obligated by December 31, 2024.

Funding and Liability Factors:

The Barnett project total is \$1 million. If this project is authorized, and 12 Sheriff's vehicles are funded with ARPA funds, \$13,931,656 will have been obligated, leaving \$5,106,026.

County Administration will continue to bring forward more projects from the prioritized list or consider additional Council requests with this remaining funding.

Council Options:

Identify projects for potential ARPA funding.

Recommendation:

None at this time.

ATTACHMENTS:

Description	Upload Date	Type
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Priority List
Pending and Approved Project Categorization

6/10/2022
6/10/2022

Presentation
Presentation

Remaining Prioritized Projects			
Department	Project	Cost	Notes
Sheriff	Replacement Vehicles	660,000	This funding is to replace up to 12 aging vehicles at the Sheriff's Office. This funding is to be utilized in conjunction with the capital budget in the FY2023 budget to replace 20 total vehicles.
Multiple	Barnett Building Renovations	1,000,000	Finish renovations at the Barnett Building to allow for more county departments to locate there and accommodate space needs in other facilities.
Sheriff	Embedded Mental Health Services	375,000	Provide contracted mental health services to public safety departments/employees.
Registration and Elections	New and Expanded Facility	1,000,000	New requirements with early voting locations has put a strain on space needs for this department. They need to have a space to adequately run their operations and early voting.
Emergency Management	Storage Warehouse	840,000	Storage space for stockpile of personal protective equipment and supplies including gloves, masks, gowns, etc.
Building Maintenance	Water Fountain Replacement	48,000	Replacement of 40 current water fountains across County facilities with a water bottle feature to help reduce the spread of germs.
Risk Management	Personal Protective Equipment (PPE)/Supplies	50,000	Two years of PPE and covid supplies including gloves, masks, and disinfectants.

Department	Project	Cost	Notes
Stormwater	Ander Vincent Culvert Replacement	900,000	Ander Vincent overtops frequently. This would improve culvert efficiencies to minimize flooding. It may need to be supplemented with stormwater funds to complete the project.
EMS	Mass Transport Bus	1,500,000	The bus would allow EMS to treat/transport up to 20 patients at a time which would keep them from pulling units from stations across the County when a response for multiple patients is required.
	Nonprofits/Community Program	100,000	Allow for external community groups with eligible uses to submit for funding.
	Contingency	293,026	
		6,766,026	

Approved Projects			
Department	Project	Cost	Notes
IT & Administration	Audio Visual Upgrades in Chambers	69,260	Audio visual system replacement including the microphones, sound and live stream video equipment in Council Chambers to provide better citizen service during meetings both in person and virtually.
IT	County-wide Network Overhaul	1,895,680	The overhaul would address underperforming firewalls and switches which cause slow load times to the internet and internal servers, memory has been maxed out and reduces the capacity for remote work back into the network. We would have an enterprise strength solution that meets user and citizen needs and would provide more robust security in our
IT & Sheriff	Bandwidth and Remote Operations Upgrade	657,375	The office also has needs for more bandwidth and remote operations upgrade including hardware which will help increase functionality for officers in the field or administrative staff working remotely.
IT	Remote Workstations	43,000	Laptops and docking stations which would allow for more remote work capabilities
IT	Administration Building Security Upgrades	63,900	Replacement of current system to include motion sensors, cameras and the burglar alarm to increase building security for employees and citizens.
911 Communications	Avigilon Camera System	50,295	Replacement of malfunctioning camera system which has some cameras completely down right now.

Department	Project	Cost	Notes
Register of Deeds & Assessor	Digital Records Indexing	125,000	A collaborative project which would expand and cleanup some of the digital records that our citizens access on the website. This would provide more of a one-stop shop with access to digitized deed and plat index books with less clicking back and forth between the two departments.
IT & GIS	GIS Server Replacement	43,115	These are some of the oldest servers we have left. They are currently at maximum storage capacity. The funding is for three virtual servers.
Procurement	Vendor Software	34,435	Replacement of the current software as it is failing to meet the needs of vendors as well as project evaluators.
IT & Airport	Airport Internet Capability	20,800	Extend the fiber from the road to the airport terminal for greater internet speed which currently runs very slow and struggles to meet basic needs for staff and visitors.
Coroner	Building Expansion	1,770,000	Expansion of their current office space due to significant increases in caseload and complexity of cases.
Lancaster County Water and Sewer District	Water/Sewer Infrastructure	500,000	Wastewater Hannah's Creek upsize phase 1a

Department	Project	Cost	Notes
Multiple	Premium Pay	1,329,800	Certain employees in the Coroner's Office, EMS, Fire Rescue and Emergency Management, Public Safety Communications, Sheriff's Office and Detention Center, and Solid Waste received a retroactive payment for 300 hours worked at \$10.00 per hour.
EMS/Coroner's Office	PAPR Masks	377,928	Powered Air Purifying Respirators for EMS and Coroner's Office employees.
Multiple	Glass Barriers	65,000	Installation of glass barriers at remaining locations within the County Administration Building.
LACH	Temporary Housing Shelter	334,213	Temporary Homeless Shelter and Housing Relocation Project.
Multiple	HVAC Unit Replacement	1,310,000	Replacement of outdated units at various County Facilities to help reduce spread of viral infections such as COVID.
Administration	Badge controller for Administration Building	34,855	Replace current controller with one capable of handling all doors within the building.
Sheriff	Decontamination Shower	93,000	Construction of both male and female facilities to protect employees.
Sheriff	Wall construction	14,000	Construction of a wall between front desk and records to prevent contamination from lobby area.

Department	Project	Cost	Notes
EMS	Headquarters Bay Construction	400,000	The bay would allow for an additional unit to be at headquarters to be used as a backup as needed. Also includes cost for storage of requested bus.
Recreation	Springdale Parking Lot Reclamation and Addition	1,100,000	Reclamation as well as the addition of parking at Melvin Steele with the increased use of parks facilities which grant a safe outdoor space for citizens during the pandemic.
Sheriff	Evidence Storage	1,440,000	Expansion of evidence storage is needed with an increased population and more evidence being collected, the Sheriff's
Clerk of Court	Public Defender's Office Addition	500,000	Addition due to the increased staff over the last few years and to allow for future growth.
		12,271,656	

Unfunded Requests			
Department	Project	Cost	Notes
Sheriff	Administrative Assistant-Case Management	95,964	Removes an administrative assistant for the investigations division to focus on case file preparation and speed up case delivery to the Solicitor.
Sheriff	Personal Protective Equipment/Supplies	13,500	Removes PPE and supplies for the department.
Emergency Management	Storage Warehouse	1,073,000	Removes a portion of the request for a storage warehouse.
Stormwater	Water Quality and Roadway Improvements	3,070,000	Removes Calvin Hall, Black Horse Run and Man O War for culvert replacement.
Total		4,252,464	

ARPA Funds
Expenditure Category Summary
6/10/2022

Approved Projects Assigned to: Revenue Replacement Category		
Maximum Allowed for this Category:		10,000,000.00
Project	Category	Amount Allocated
Admin Building Security Upgrades - IT	6.1 - Revenue Replacement - Government Services	63,900.00
Vendor Software - Procurement	6.1 - Revenue Replacement - Government Services	34,435.00
Camera System for 911 Communications - 911 Communications	6.1 - Revenue Replacement - Government Services	50,295.00
GIS Server Replacement - IT & GIS	6.1 - Revenue Replacement - Government Services	43,115.00
Badge controller for Admin - Administration	6.1 - Revenue Replacement - Government Services	34,855.00
Recreation Parking Lot Reclamation - Recreation	6.1 - Revenue Replacement - Government Services	1,100,000.00
Evidence Building - Sheriff	6.1 - Revenue Replacement - Government Services (pending further research)	1,440,000.00
Total Approved and Assigned to Revenue Replacement Category		2,766,600.00

Pending Projects Assigned to: Revenue Replacement Category		
Barnett Building Renovation - Multiple Depts.	6.1 - Revenue Replacement - Government Services	1,000,000.00
Storage Warehouse - Emergency Management	6.1 - Revenue Replacement - Government Services (pending further research)	840,000.00
Replacement Vehicles - Sheriff	6.1 - Revenue Replacement - Government Services (pending further research)	660,000.00
Total Pending Projects Assigned to Revenue Replacement Category		2,500,000.00

Total Pending and Approved Assigned to Revenue Replacement Category **5,266,600.00**

Remaining Funds allowed for Revenue Replacement Category **4,733,400.00**

Note that while the Revenue Replacement category has additional capacity, in total, nearly all of the ARPA funds are accounted for with our current approved & pending projects - see "Total Remaining ARPA funds Available" below

Approved Projects Assigned to Other Categories		
Project	Category	Amount Allocated
Premium Pay - Multiple Depts.	4.1 - Premium Pay	1,329,800.00
PAPR Masks - EMS & Coroner	1.5 - Personal Protective Equipment	377,927.64
Glass Barriers - Multiple Depts.	1.4 - Prevention in Congregated Settings	65,000.00
Temporary Housing Shelter - LACH	2.18 - Housing Support	334,213.00
HVAC Unit Replacement - Multiple Depts.	1.4 - Prevention in Congregated Settings	1,310,000.00
Decontamination Shower - Sheriff	1.7 - Other Covid-19 Public Health Expenses	93,000.00
Wall construction - Sheriff	1.4 - Prevention in Congregated Settings	14,000.00
AV Upgrades to Council Chambers - IT & Administration	1.4 - Prevention in Congregated Settings	69,260.00
Remote Workstations - IT	1.4 - Prevention in Congregated Settings	43,000.00
County-Wide Network Overhaul - IT	3.5 - Public Sector Capacity: Effective Service Delivery	1,895,680.00
Enhanced Bandwidth & Remote operations - IT & Sheriff	3.5 - Public Sector Capacity: Effective Service Delivery	657,375.00
Digital Records Indexing - RoD & Assessor	1.4 - Prevention in Congregated Settings	125,000.00
Fiber Internet Capability - Airport	5.21 - Broadband: Other Projects	20,800.00
Building Expansion - Coroner	1.7 - Other Covid-19 Public Health Expenses	1,770,000.00
Wastewater Project - Hannah's Creek - LCWSD	5.2 - Clean Water: Centralized Wastewater Collection & Conveyance	500,000.00
EMS HQ Bay Construction - EMS	1.7 - Other Covid-19 Public Health Expenses	400,000.00
Public Defender Office Addition - Clerk of Court	2.37 - Economic Impact Assistance (Other)	500,000.00
Total Approved and Assigned to Other Categories		9,505,055.64

Pending Projects Assigned to Other Categories		
Embedded Mental Health Services - Sheriff	3.1 - Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers	375,000.00
Water Fountain Replacement - Building Maintenance	1.4 - Prevention in Congregated Settings	48,000.00
New and Expanded Facility - Registration & Elections	1.4 - Prevention in Congregated Settings	1,000,000.00
Personal Protective Equipment (PPE)/Supplies - Risk Management	1.5 - Personal Protective Equipment	50,000.00
Alder Vincent Culvert Replacement - Stormwater	5.6 - Clean Water: Stormwater	900,000.00
Nonprofit/Community Programs - External	Pending Program Development (possibly 1.9 or 2.34)	100,000.00
EMS Mass Transport Bus - EMS	1.7 - Other Covid-19 Public Health Expenses	1,500,000.00
Total Pending Projects Assigned to Other Categories		3,973,000.00

Total Allocated to All Other Categories **13,478,055.64**

Total ARPA Funds Awarded **19,037,682.00**
Total Allocated to All Categories **18,744,655.64**
Total Remaining ARPA Funds Available **293,026.36**

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 6/15/2022

Issue for Consideration:

Lennar, as the developer of the Roselyn Development, will be looking to the County to issue bonds for the associated Residential Improvement District (RID) in late summer or early Fall to cover the initial costs they have incurred for infrastructure in the Roselyn Development. Given the complexity and rare use of this funding method, County Administration wants to give County Council the background on this process and review the RID components before bringing forward the bond issuance action items.

In addition to discussing the RID bond components, staff will discuss other features of the Roselyn Development, including the status of the regional park connection and fire district coverage for the development.

Points to Consider:

- In October 2020, County Council established the Roselyn Residential Improvement District to cover the 1,446 acres of the development to help fund the acquisition and construction of road infrastructure and water and sewer infrastructure.
- The construction and improvements are expected to be implemented over a 10-year period.
- The total funding needed for infrastructure is estimated to be \$39.3 million with at least \$20 million funded through bond financing.
- Payments of the RID bonds will be paid by the individual parcel owners (homeowners) in the Roselyn Development.
- The annual payment per parcel owner is anticipated to be \$1,400.

Funding and Liability Factors:

The County will issue the RID bonds that could total \$40 million, with issuance and bond costs. The bonds will be paid by the parcel owners in the Residential Improvement District (Roselyn)

Council Options:

This is for information purposes only.

Recommendation:

This is for information purposes only.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1117-R2020 WITHOUT attachments	6/7/2022	Resolution
Ordinance 2020-1691	6/7/2022	Ordinance

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

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RESOLUTION NO. 1117-R2020

A RESOLUTION

DESCRIBING AND AUTHORIZING THE ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT AND THE ROSELYN IMPROVEMENT PLAN TO BE EFFECTED THEREBY, THE PROJECTED TIME SCHEDULE FOR THE ACCOMPLISHMENT OF THE ROSELYN IMPROVEMENT PLAN, THE ESTIMATED COST OF THE IMPROVEMENTS AND THE AMOUNT OF SUCH COSTS TO BE DERIVED FROM ASSESSMENTS OR OTHER FUNDS; SETTING FORTH THE PROPOSED BASIS AND RATES OF ASSESSMENTS TO BE IMPOSED WITHIN THE ROSELYN IMPROVEMENT DISTRICT; ORDERING A PUBLIC HEARING; AND OTHER MATTERS RELATED THERETO.

WHEREAS, a petition to request the creation of the Roselyn Residential Improvement District (the "Petition") has been submitted by Lennar Carolinas, LLC to Lancaster County Council (the "Council"); and

WHEREAS, the Petition includes an Improvement Plan that the Council wishes to implement.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Lancaster County, South Carolina:

Section 1. Findings.

The Council finds and determines that:

(a) The County of Lancaster (the "County") is a political subdivision of the State of South Carolina (the "State"), and as such, possesses certain powers granted by the Constitution and general laws of the State.

(b) Pursuant to Title 6, Chapter 35, Code of Laws of South Carolina 1976, as amended (the "Act"), the counties of the State are vested with all powers consistent with the Constitution necessary, useful, and desirable to effect improvements within an improvement district, to increase property values, prevent depreciation of property values and preserve and increase their tax bases.

(c) The Petition satisfies the requirements of a "petition" as described and defined in Section 6-35-118 of the Act and has been prepared by Lennar Carolinas, LLC, the "Owner" (within the meaning of Section 6-35-20 of the Act) of the twelve parcels of real property that are subject to the Petition and with respect to which the Petition has been prepared, and presented to the Council, which Petition, among other things, contemplates the creation of a "district" (within the meaning of Section 6-35-20 of the Act) to be known as the Roselyn Residential Improvement District (the "Improvement District"). A copy of the Petition, which may be amended or supplemented from time to time by the Owner and County Council, is attached hereto as Exhibit A and incorporated herein by reference and available for review in the office of the County Administrator.

(d) Pursuant to the Act, the Petition includes an "improvement plan" (within the meaning of the Act), entitled the "Improvement Plan - Roselyn Residential Improvement District" (the "Improvement Plan"), which has been prepared and presented to the Council, which such Improvement Plan, among other things, contemplates the creation of the Improvement District. A copy of the

Improvement Plan, which may be amended or supplemented from time to time, is included with the Petition that is attached as Exhibit A and is incorporated herein by reference and available for review in the office of the County Administrator. The Improvement Plan contemplates the provision of public improvements for the Improvement District, as more particularly described therein and below (collectively, the "Improvements"), which such improvements constitute "improvements" (within the meaning of Section 6-35-20 of the Act).

(e) Pursuant to the Act, (1) the Improvements may benefit the designated Improvement District, (2) the Improvements may increase property values within the Improvement District and are likely to encourage development in the Improvement District, (3) the general welfare and tax base of the County are likely to be improved by the creation of the Improvement District, (4) it would be fair and equitable to finance all or part of the cost of the Improvements by an assessment upon the real property located within the Improvement District, (5) the proposed Improvements are within the Improvement District or within the relevant service area and (6) based on due investigation and study, the proposed Improvements that are located outside of the Improvement District confer a direct benefit upon the real property inside the Improvement District.

(f) Pursuant to the Act, the Council may establish the Improvement District and implement and finance, in whole or in part, the Improvement Plan in the Improvement District in accordance with the provisions of the Act.

(g) Pursuant to the Act, the cost of the Improvements may be paid by assessments, by the issuance of special district bonds or other obligations secured by assessments, from general revenues from any source not restricted from such use by law, or from any combination of such financing sources as may be provided in the Improvement Plan.

It is now necessary and in the best interest of the health, safety and general welfare of the citizens of the County that the Improvement District and Improvement Plan be described and the other requirements of the Act be met through adoption and publication of this resolution.

Section 2. Description of the Improvement District.

The Improvement District shall consist of approximately 1,446.506 acres of real property on which residential development is expected. The Improvement District shall consist of the twelve parcels of property specified in the Petition. The real property in the Improvement District is located in the County and is alongside US Highway 521, as more fully described in the Improvement Plan.

Section 3. Description of Improvements.

Subject to the terms set forth in the Improvement Plan, the Council finds that the future development within the Improvement District requires the acquisition and construction of road infrastructure and water and sewer infrastructure, as described and more particularly identified in the Improvement Plan.

Section 4. Time Schedule for the Improvement Plan.

The implementation of the Improvement Plan is expected to be phased in over a period of ten years. The Owner of the real property parcels within the Improvement District began work on the Improvements in the second quarter of 2020.

Section 5. Estimated Cost of Improvements; Amount to be Derived from Assessments.

The total estimated, uninflated cost of all of the potential Improvements is approximately \$39,383,017. It is estimated that approximately \$20,000,000 of such costs will be financed, in whole or in part, by "assessments" (within the meaning of Section 6-35-20 of the Act) on all real property in the Improvement District benefiting from the Improvements ("Assessments"); the actual amount of Improvements to be funded will be limited by the actual bonds issued and the Assessments that are levied. If bonds secured by Assessments are issued, it is expected that the proceeds of such bonds will be used to pay or fund costs of the Improvements, capitalized interest on the bonds, if any, a debt service reserve fund, if any, the costs of issuing bonds, and the initial costs of administering the Improvement District. In addition, if bonds secured by Assessments are issued, the Assessments imposed and collected are expected to be used to pay debt service on the bonds, including principal and interest and redemption premium, if any, as well as the ongoing costs of administering the Improvement District.

Section 6. Proposed Basis and Rates of Assessments to be Imposed within the Improvement District.

Assessments shall be imposed upon parcels of real property in the Improvement District based upon the parcel's expected development use and the estimated benefit of the Improvements to the parcel, according to the procedures set forth in an Assessment Roll, a Rate and Method of Apportionment of Assessments, and an Assessment Report, which shall establish an assessment allocation methodology which fairly reflects the benefits derived from the Improvements.

The total of the Assessments shall be based on actual costs of the Improvements or reasonable estimates of the cost of the Improvements, to include, but not be limited to, interest expense, principal repayment, bond issuance costs, design and engineering costs and costs associated with the establishment and administration of the Improvement District.

Upon the subdivision of any parcel, the total Assessment allocated to that parcel prior to the subdivision shall be allocated to the parcels resulting from the subdivision in accordance with the established assessment allocation methodology. The Assessments on the parent parcel prior to the subdivision shall equal the sum of the Assessments on the resulting parcels after the subdivision of the parent parcel.

An Assessment shall not be imposed upon property within the boundaries of the Improvement District that does not receive a benefit from the Improvements. An Assessment shall not be imposed upon property outside the boundaries of the Improvement District. Assessments shall also not be imposed on any property purchased or otherwise acquired by a public entity.

The proposed annual rate of the Assessments is estimated to be \$1,400 per residential unit.

Section 7. Public Hearing.

The Council hereby establishes November 23, 2020, as the date of the public hearing to be held in accordance with the provisions of Section 6-35-130 of the Act. Such public hearing shall be held at 6:00 p.m., in Council Chambers, Administration Building, Lancaster, S.C., or at such other location in or around the complex as shall be posted at the main entrance. At the public hearing and at any adjournment of the meeting at which the public hearing is held, all interested persons may be heard either in person or by their designees.

Section 8. Public Notice.

Pursuant to Section 6-35-130 of the Act, the Council hereby authorizes the publication of a notice that provides the date, time and place of a public hearing and provides a general description of: the location of

the proposed Improvement District, the proposed Improvements, the owner of each parcel of real property that represents twenty-five percent or more by acreage of the real property situated in the proposed Improvement District; and furthermore, pursuant to Section 6-35-130 of the Act, the Council hereby authorizes the publication of this notice once a week for two successive weeks in a newspaper of general circulation within the County, with the final publication to occur at least ten days before the public hearing to be held on November 23, 2020. The Notice of Public Hearing shall be in substantially the form attached hereto as Exhibit B and incorporated herein by reference.

Section 9. Severability.

The provisions of this Resolution are hereby declared to be separable 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 10. Controlling Provisions.

To the extent this Resolution contains provisions that conflict with any prior orders, resolutions, and parts thereof, the provisions contained in this Resolution supersede all other prior orders, resolutions and parts thereof and this Resolution is controlling.

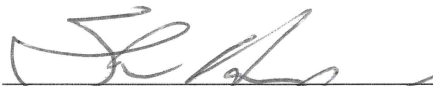
Section 11. Effective Date.

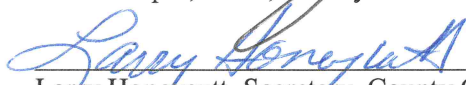
This Resolution takes effect upon its adoption.

AND IT IS SO RESOLVED

Dated this 12th day of October, 2020.

LANCASTER COUNTY, SOUTH CAROLINA

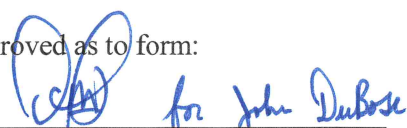

Steve Harper, Chair, County Council


Larry Honeycutt, Secretary, County Council

Attest:


Sherrie Simpson, Clerk to Council

Approved as to form:


John DuBose, County Attorney

FILED
OFFICE OF CLERK
OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

2020 DEC 17 AM 11:07
ORDINANCE NO. 2020-1691
CLERK OF COURT
LANCASTER, SC

AN ORDINANCE

AUTHORIZING THE CREATION OF THE ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT; APPROVING AND AUTHORIZING THE IMPLEMENTATION OF THE IMPROVEMENT PLAN; PROVIDING FOR THE FINANCING OF IMPROVEMENTS WITHIN THE ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT BY ASSESSMENT, ISSUANCE OF BONDS, OR OTHER REVENUES AS HEREIN DESCRIBED; APPROVING AN ASSESSMENT ROLL AND PROVIDING NOTICE THEREOF; AND OTHER MATTERS RELATING THERETO.

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

Section 1. Findings.

The County Council ("County Council") of Lancaster County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Title 6, Chapter 35, Code of Laws of South Carolina 1976, as amended (the "Act"), governing bodies of counties are authorized to acquire, own, construct, establish, install, enlarge, improve, expand, operate, maintain and repair, and sell, lease, and otherwise dispose of any "improvements" (within the meaning of Section 6-35-20(2) of the Act) and to finance such acquisition, construction, establishment, installation, enlargement, improvement, expansion, operation, maintenance, and repair, in whole or in part, by the imposition of assessments, by special district bonds, by revenue bonds of such counties, or from general revenues from any source not restricted from such use by law, or by any combination of such funding sources.

(b) As set forth in Resolution No. 1117-R2020 adopted by the County Council on October 12, 2020 (the "Resolution"), the County has caused to be prepared an "improvement plan" within the meaning of Section 6-35-20(3) of the Act, entitled: "Roselyn Residential Improvement District Improvement Plan" (the "Improvement Plan") attached hereto as Exhibit A. As described in the Improvement Plan, the cost of some or all of the Improvements (as defined herein) will be funded from the imposition and collection of an "assessment" within the meaning of Section 6-35-20(1) of the Act (the "Assessment"). The Improvement Plan, together with the Report on the Reasonable Basis of Assessment (the "Assessment Report") attached hereto as Exhibit B, and the Assessment Roll with attached Rate and Method of Apportionment of Assessment (the "Assessment Roll") attached hereto as Exhibit C and referred to in the Assessment Report, as each may be amended from time to time, contemplate the creation of the Roselyn Residential Improvement District (the "Roselyn District"), the implementation of the Improvements, and the payment of the costs of the Improvements by the imposition and collection of Assessments on the property in the Roselyn District.

(c) The Improvement Plan contemplates that the Roselyn District shall consist of property located in the County generally located between Highway 521 and Old Hickory Road, slightly south of W. North Corner Road. The real property included within the Roselyn District is generally bordered by independently owned parcels of real property. The real property within the Roselyn District will be accessed from Highway 521 and from Old Hickory Road.

Table A below specifies the real property within the Roselyn District and the approximate acreage thereof.

Table A
Real Property within the Roselyn District

Parcel	Owner	Acres
0044-00-001.00	Lennar Carolinas, LLC	211.680
0044-00-016.00	Lennar Carolinas, LLC	137.720
0044-00-018.00	Lennar Carolinas, LLC	557.570
0044-00-021.00	Lennar Carolinas, LLC	20.920
0044-00-022.00	Lennar Carolinas, LLC	110.410
0044-00-024.00	Lennar Carolinas, LLC	180.860
0044-00-025.00	Lennar Carolinas, LLC	49.600
0045-00-004.01	Lennar Carolinas, LLC	77.796
0045-00-005.00	Lennar Carolinas, LLC	24.070
0045L-0B-019.00	Lennar Carolinas, LLC	3.130
0045L-0B-020.00	Lennar Carolinas, LLC	3.310
0048-00-043.01	Lennar Carolinas, LLC	69.440
Total		1,446.506

As indicated in Table A above, the Roselyn District is approximately 1,446.506 acres in total.

(d) The County has previously zoned the real property within the Roselyn District, in whole or in part, as a Medium Density Residential District, as established for the real property in the Roselyn District by County Ordinance No. 2018-1542, County Ordinance No. 2018-1543 and County Ordinance No. 2019-1574.

(e) The County and the owner of all real property located in the Roselyn District (the "Owner") have agreed that certain road infrastructure, water and sewer infrastructure and a regional park, as more particularly described in the Improvement Plan, constitute "Improvements" (within the meaning of Section 6-35-20(2) of the Act).

(f) Pursuant to Section 6-35-130 of the Act and the provisions of the Resolution, a public hearing concerning the Resolution was held on November 23, 2020, which date was neither sooner than 30 days and nor more than 45 days following the adoption of the Resolution and neither less than ten days nor more than 120 days before the passage of this ordinance.

(g) Pursuant to Section 6-35-130(A) of the Act, a notice of the public hearing was published once a week for two successive weeks in *The Lancaster News*, which is a newspaper of general circulation in the County. The last date of publication was not less than ten days prior to the date of the public hearing concerning the Resolution.

(h) Pursuant to Section 6-35-170(B) of the Act, County Council hereby finds that:

(1) The Improvements may benefit the Roselyn District and the proposed service area;

(2) The Improvements may preserve or increase property values within the Roselyn District;

(3) The Improvements are likely to encourage development in the Roselyn District;

(4) The general welfare and tax base of the County would be maintained or likely improved by creation of the Roselyn District;

(5) It would be fair and equitable to finance all or part of the cost of the Improvements by imposing an Assessment upon the real property within the Roselyn District, and County Council may establish the area as an improvement district and implement and finance, in whole or in part, the Improvement Plan in the Roselyn District in accordance with the provisions of the Act; and

(6) The Improvements are located within the Roselyn District or within the relevant service areas.

(i) County Council hereby finds that a portion of the Improvements may be financed by the County through the issuance of special district bonds (the "Bonds") as provided in Section 6-35-60 of the Act.

(j) County Council finds that the cost of the acquisition, construction and equipping of the Improvements to be funded from proceeds of the Bonds will not exceed \$31,000,000. The par amount of the Bonds will be determined pursuant to Section 3 hereof.

(k) The Improvements consisting of road infrastructure will provide the level of service currently required by the South Carolina Department of Transportation and the County as set forth in the approved Traffic Impact Analysis Study. The water and sewer infrastructure will provide the level of service currently required by the Lancaster County Water and Sewer District. The regional park will provide the level of service deemed appropriate by the County.

(l) The methodology for the imposition, apportionment, adjustment, and termination of the Assessment is as set forth in the Assessment Report and the Assessment Roll.

(m) The Owner estimates that approximately 930 of the expected 1,860 single family residential homes within the Roselyn District will be age-restricted residential units which will have no school-aged children. The remaining 930 single family residential homes within the Roselyn District are projected to result in an estimate of 1,488 public school students. This expected impact upon school enrollments is based upon a projected 1.6 students per household.

Section 2. Creation of Improvement District; Approval of Improvement Plan

The Roselyn District as described above and more fully in the Improvement Plan is hereby created. The Improvement Plan, as described in Exhibit A, is approved and the implementation of the Improvement Plan is hereby authorized.

Section 3. Financing of Improvements; Issuance of Bonds.

(a) A portion of the costs of the Improvements shall be paid from the proceeds of the Bonds issued by the County and secured by the Assessments.

(b) The par amount of the Bonds to be issued will also be sufficient to:

- (i) pay capitalized interest on the Bonds;
- (ii) fund the reserve fund;
- (iii) pay costs incurred to establish the Roselyn District;
- (iv) pay administrative costs for the first year after the Bonds are issued; and
- (v) pay any and all costs directly or indirectly related to the Bonds.

(c) Assessments will be imposed by the County on the real property in the Roselyn District in amounts sufficient to:

- (i) fund the estimated debt service on the Bonds; and
- (ii) fund the estimated administrative costs of the Roselyn District.

(d) Assessments collected by the County from the real property in the Roselyn District will be utilized to:

- (i) fund the debt service on the Bonds;
- (ii) fund the administrative costs of the Roselyn District; and
- (iii) pay any other costs or expenses directly or indirectly related to the Roselyn District or the Bonds, as determined by the County.

(e) The Bonds shall be issued pursuant to the terms of Section 6-35-60 of the Act.

Section 4. Collection of Improvement Fees.

The County shall collect from the Owner upon the issuance of any Bonds secured by the Assessments an Improvement Fee equal to 4% of the aggregate par amount of such Bonds. The Improvement Fee shall be used to pay the costs of the "regional park," one of the Improvements, including, if applicable, amounts paid to reimburse the Owner or the County for costs of that Improvement previously paid. None of the proceeds of the Bonds will be used to pay any costs of the Improvements identified in this section. The Improvement Fee shall be paid by the Owner to the County within ten days of the issuance of any Bonds or at such other time as the County and Owner may agree.

Section 5. Disclosure to Prospective Purchasers.

The Owner must disclose to prospective purchasers of the real property located in the Roselyn District that the property is subject to an Assessment under the terms of the Act and the maximum amount and duration of the Assessment.

Section 6. Improvements as Property of Public Entity.

The Improvements within the Roselyn District will be the property of the County, the State or the Lancaster County Water and Sewer District.

Section 7. Approval of Assessments and of Assessment Roll.

County Council hereby approves the impositions of the Assessments, as well as both the Assessment Report and the Assessment Roll, which includes the Rate and Method of Apportionment of Assessment, both attached hereto as Exhibits B and C, respectively, and incorporated herein by reference. The maximum annual assessment on each residential unit or residential-equivalent unit shall not exceed \$1,550.

Section 8. Notice of Assessment Roll; Hearing of Objections to Assessment Roll.

Following the completion and approval of the Assessment Roll, notice shall be provided as required by Section 6-35-180(B) of the Act. Pursuant to the provisions of Section 6-35-180(E) of the Act, the requirements as to notice and hearing may be waived upon the filing with the County Council of a waiver signed by the Owner of all property within the Roselyn District.

Section 9. Declaration of Intent to Reimburse Certain Expenditures.

This Ordinance shall constitute the County's declaration of official intent pursuant to Regulation §1.150-2 of the Internal Revenue Code of 1986, as amended (the "IRC"), to reimburse the County from a portion of the proceeds of the Bonds for expenditures it anticipates incurring (the "Expenditures") with respect to the Improvements prior to the issuance of the Bonds. The Expenditures which are reimbursed are limited to Expenditures which are: (1) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2 of the IRC) under general federal income tax principals; or (2) certain de minimis or preliminary Expenditures satisfying the requirements of Regulation §1.150-2(f) of the IRC. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid; or (b) the date such Improvements were placed in service, but in no event more than three (3) years after the original Expenditures.

Section 10. Inspection.

This Ordinance and the files of the County related to the Improvement Plan and to the Roselyn District shall be made available to all interested persons upon twenty-four hours written notice at the Office of the Clerk to County Council at 101 North Main Street, 2nd Floor, Lancaster, South Carolina 29720.

Section 11. Authority to Act.

The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney and all other appropriate officials of the County are authorized and directed to do any and all things necessary to effect the purposes of this Ordinance.

Section 12. 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 13. Controlling Provisions.

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

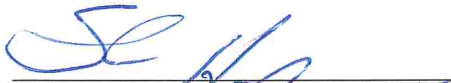
Section 14. Effective Date.

This ordinance is effective upon third reading.

AND IT IS SO ORDAINED

Dated this 14th day of December, 2020.

LANCASTER COUNTY, SOUTH CAROLINA



Steve Harper, Chair, County Council



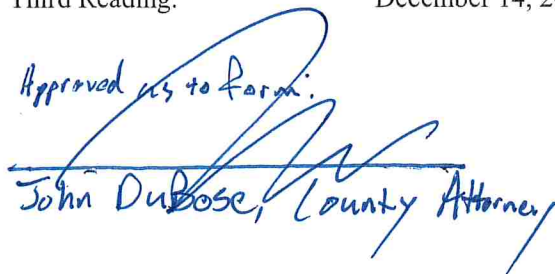
Larry Honeycutt, Secretary, County Council
Charlene M^{rs} Griff, Vice-Chair

ATTEST:



Sherrie Simpson, Clerk to Council

First Reading:	October 12, 2020
Second Reading:	November 23, 2020
Public Hearing:	November 23, 2020
Third Reading:	December 14, 2020

Approved as to form.


John Dubose, County Attorney

**Exhibit A to Ordinance No. 2020-1691
Roselyn Residential Improvement District Improvement Plan**

* * *

**Exhibit B to Ordinance No. 2020-1691
Report on the Reasonable Basis of Assessment**

* * *

**Exhibit C to Ordinance No. 2020-1691
Assessment Roll with Rate and Method of Apportionment of Assessment**

* * *

**IMPROVEMENT PLAN - ROSELYN RESIDENTIAL IMPROVEMENT
DISTRICT**

LANCASTER COUNTY, SOUTH CAROLINA

Prepared By:

MuniCap, Inc.

December 4, 2020

IMPROVEMENT PLAN – ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT

Pursuant to the Residential Improvement District Act (S. C. Code Section 6-35-10, *et seq.*, as amended from time to time, the “Act”), and subject to the receipt of all necessary public and governmental approval (as set forth in the Act), Lancaster County, South Carolina (the “County”) is authorized to designate an area within the County (such designated area defined in the Act as a “district” and such designated area being referred to herein as an “Improvement District”) in which or for which the County proposes to provide for the construction and installation of various improvements, public works and facilities.

The County, Lennar Carolinas, LLC (the “Owner”) and on behalf of all future owners or other interested parties, desire to create an Improvement District (the “Roselyn Residential Improvement District”) and provide for the provision and funding of various improvements and public works for the benefit of the County and the future users of the real property identified below.

The Act requires that the County adopt an “Improvement Plan” which is accepted by the Owner in connection with its establishment of an Improvement District. As set forth in the Act, the general purpose of an Improvement Plan is to establish the overall plan by which the Lancaster County Council (the “Governing Body”) proposes to effect improvements within an Improvement District in order to encourage and promote private or public development within the Improvement District. This Improvement Plan is written, and intended, to meet the Act’s requirements for an Improvement Plan for purposes of the Roselyn Residential Improvement District. Through the execution of this Improvement Plan, and the implementation of the various public improvements that it contemplates, the County intends to provide a benefit to the underlying real property, improve the property values and promote the development of the Roselyn Residential Improvement District. The County also anticipates that the County at large will benefit from the public nature of such improvements.

Description of the Roselyn Residential Improvement District

The real property included within the Roselyn Residential Improvement District (the “District”) is located in the County and is generally located between Highway 521 and Old Hickory Road, slightly south of W. North Corner Road. The real property included within the District is generally bordered by independently owned parcels of real property. The real property within the District will be accessed from Highway 521 and from Old Hickory Road.

Table A below specifies the real property within the District and the approximate acreage thereof.

Table A
Real Property within the District

Parcel	Owner	Acres
0044-00-001.00	Lennar Carolinas, LLC	211.680
0044-00-016.00	Lennar Carolinas, LLC	137.720
0044-00-018.00	Lennar Carolinas, LLC	557.570
0044-00-021.00	Lennar Carolinas, LLC	20.920
0044-00-022.00	Lennar Carolinas, LLC	110.410
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0045-00-004.01	Lennar Carolinas, LLC	77.796
0045-00-005.00	Lennar Carolinas, LLC	24.070
0045L-0B-019.00	Lennar Carolinas, LLC	3.130
0045L-0B-020.00	Lennar Carolinas, LLC	3.310
0048-00-043.01	Lennar Carolinas, LLC	69.440
Total		1,446.506

As indicated in Table A above, the District is approximately 1,446.506 acres in total.

For further illustration, a map of the real property in the District is shown on **Exhibit A** attached hereto.

Proposed Land Use

It is anticipated that the Owner (and/or any future owners of the real property in the District, or portions thereof) will develop the property located within the District in accordance with the current zoning designation of Medium Density Residential District, as established for the real property in the District by County Ordinance No. 2018-1542, County Ordinance No 2018-1543 and County Ordinance No. 2019-1574.

The County's Medium Density Residential District zoning specifies that many land uses, including but not limited to the following, are permitted:

- Residential, including but not limited to detached single-family homes and attached single family homes
- Recreation facility
- Green space

The Owner's development plan contemplates the creation of a master-planned, residential community. The Owner's current expectation for development uses within the District is shown in **Table B** below.

Table B
Owner's Estimated Development Uses

Expected Use	Expected Quantity
<u>Residential</u>	<u>Units</u>
Single family homes, detached, for sale	1,860
<u>Non-residential</u>	
Recreation facility (amenity center)	2

The County's Medium Density Residential District zoning allows for 2.5 residential units per acre, which equates to approximately 3,616 residential units for the real property in the District. The Owner, through its preliminary plat submittal (which the County approved on December 23, 2019), is planning for 1,860 residential units, well below the allowed number of residential units.

Notwithstanding the foregoing, it is understood that development uses that are distinct from the types and amounts shown in the table above may occur as a result of market demand or changes in the development plans. Any such deviation will nevertheless be consistent with the County's zoning requirements.

Government Approvals and Regulatory Agency Permits

As indicated above, the expected development uses are allowed under current zoning and land use regulations. Nevertheless, it is understood by all involved parties that Owner's development of the real property in the District will require ongoing compliance with all applicable zoning and land use regulations. To the extent the Owner (or other applicable party) has not already obtained them as of the date hereof, permits and approvals that are administrative in nature, including but not limited to approvals from agencies or departments of the United States of America, the State of South Carolina (the "State"), the County, utilities, or other similar jurisdictional bodies, will be obtained in the standard course of development.

The Improvements

The primary goal of this Improvement Plan is to provide certain public improvements that will serve the real property in the District. This will be accomplished through the construction and/or acquisition of the public improvements (collectively the "Improvements") specified in Table C below.

Each of the Improvements is intended to constitute an "Improvement" as such term is defined in the Act. All such Improvements (as approved or accepted by the County as provided herein) shall be deemed authorized by this Improvement Plan.

Assuming the Owner proceeds to develop the real property in the District in accordance with the development plan substantially as described herein, the Improvements (as described herein or as comparable public infrastructure) shall be constructed. To the extent that the Improvements are constructed, the Owner shall determine the timing of the construction in accordance with (1) a separate agreement(s) made between the Owner and the County, if any, and (2) the necessity for any

particular Improvements to facilitate the development of the real property in the District. The County shall determine the timing of the construction of the contemplated regional park.

The locations of certain Improvements will be determined at a later point in time by the Owner, the Lancaster County Water and Sewer District (the "LCWSD") and the County and may vary based on a number of factors. In accordance with the Act, certain Improvements will be located outside of the District; such Improvements will provide a benefit to the real property with the District. The general location of certain anticipated Improvements is shown on **Exhibit A**. The "Service Area," as the term is defined in the Act, for each Improvement that is located outside of the District is specified on **Exhibit B**. The location of each offsite road Improvement is shown on **Exhibit C**.

The estimated total cost of the Improvements is approximately \$70,383,017. The estimated cost of the Improvements are specified in Table C below.

Table C
Improvements and Estimated Cost Thereof

Improvements	Estimated Cost
<u>Road infrastructure</u>	-
Roselyn Avenue, within the residential improvement district	\$13,888,494
Intersection of Norman Forest Road and Highway 521	\$385,000
Intersection of Roselyn Avenue and Highway 521	\$315,000
Intersection of North Corner Road and Highway 521	\$100,000
Intersection of Roselyn Avenue and Old Hickory Road	\$150,000
Intersection of Old Hickory Road and Highway 5 (Rock Hill Highway)	\$100,000
Subtotal for road infrastructure	\$14,938,494
<u>Regional park</u>	\$31,000,000
<u>Water and sewer infrastructure</u>	
On site (within the residential improvement district) water system and sewer system infrastructure, including: a regional pump station, an onsite pump station and onsite force main and trunk lines	\$4,742,757
Offsite force main (outside of the residential improvement district)	\$5,225,010
Onsite water and sewer lines throughout the Roselyn development	\$14,476,756
Subtotal for water and sewer infrastructure	\$24,444,523
Total	\$70,383,017

The foregoing estimates provided herein are for informational purposes only. The actual costs of the Improvements may be greater or less than the estimates specified above. The Assessments, as defined below, to be imposed on the real property in the District, are anticipated to fund a portion of the Improvements (subject to the limitations of the imposed Assessments and any County limitations established at the time of the imposition of the Assessments) through the County's expected issuance of revenue bonds (as further explained below). It is also understood that the inclusion of the Improvements within this Improvement Plan shall not prohibit the funding of the Improvements from

methods and sources other than the Assessments.

Design and engineering work for certain Improvements has already started; the costs of such services are included in the estimates specified above and in accordance with the Act, are eligible for funding from the Assessments.

The Improvements shall be constructed in accordance with all governmental standards, including appropriate permits, approvals, reviews and acceptances by the County, the LCWSD, the State and the United States of America. Pursuant to the Act, the County may contract with the Owner or other third party for the construction of the Improvements.

Furthermore, in addition to the Improvements, other public improvements not contemplated or covered by this Improvement Plan are possible and may be constructed within the Improvement District.

Projected Time Schedule for the Accomplishment of the Improvement Plan

The Owner projects that the Improvements will be constructed and/or acquired within ten years.

To the extent that the Improvements are constructed, the timing of the construction shall be determined by the Owner (as noted above, the County shall determine the timing of the construction of the regional park).

Ownership and Maintenance of the Improvements

The Improvements will be owned by the County, the LCWSD or the State.

The Improvements will be maintained by the County, the LCWSD or the State.

Sources of Funds

The Owner and County anticipate obtaining the funds required to construct the Improvements from the following sources:

- Proceeds from anticipated revenue bonds (or other borrowing) issued by the County and secured by the Assessments (as defined below) shall be utilized to fund the various Improvements, excluding the regional park;
- The improvement fee provided by the Owner, as specified in the Act, in the amount of four percent of the par value of revenue bonds (or other borrowing) issued by the County and secured by the Assessments, shall be utilized to fund the regional park;
- Other County funds shall be utilized to fund the regional park.

As allowed by the Act, special assessments (the "Assessments") are expected to be imposed by the County on the real property in the District in order to help fund a portion of the costs of the Improvements. In particular, the County shall impose Assessments in order to 1) fund a portion of the costs of the Improvements, including the estimated debt service and issuance costs of the anticipated revenue bonds, 2) fund the costs incurred to establish the District and to impose the

Assessments, and 3) fund the administrative costs of the District.

The Assessments will be billed and collected by the County on an annual basis through the annual real property tax billing process. Collected revenues from the Assessments may, in certain cases, be used to directly fund the initial costs of Improvements. Additional sources of revenue not mentioned within this Improvement Plan but allowed by State law may also be utilized independently or in combination with the revenue sources stated above to execute this Improvement Plan.

Proposed Basis and Rates of Assessment to be Imposed within the Improvement District

Assessments shall be imposed upon real property in the District in accordance with each of the District documents (including, without limitation, any Report on the Reasonable Basis of the Assessments, Assessment Roll or the Rate and Method of Apportionment of Assessments, all expected to be prepared for the County by MuniCap, Inc., a public finance consultancy that specializes in special assessment districts), to the extent such documents are approved by the County (collectively the "Improvement District Documents"). The Improvement District Documents shall establish special assessment rates that fairly reflect the benefits derived from the Improvements by each of the individual parcels within the District (both the currently existing parcels and to be created parcels).

Notwithstanding the foregoing, an Assessment shall not be imposed upon any real property located outside of the District or any real property located within the District that does not receive a special benefit from the Improvements. In addition, Assessments shall not be imposed on any real property that is expressly reserved for the use of a public entity.

The Assessments will be allocated in part based upon each parcel's distinct development classification and such classification's projected utilization of the Improvements. Accordingly, the methodology and procedure for allocating Assessments shall provide that, as real property within the District is subdivided, the expected development use of the subdivided real property (including the quantity of the expected development use) shall be utilized to apportion the Assessments to the subdivided real property. In each case, the sum of the Assessments on all parcels resulting from a subdivision shall equal the total Assessment of the single parcel in question prior to the subdivision. Pursuant to the Act, the basis of the Assessments may allow for changes in the annual billing of the Assessments upon subdivisions and/or other events, as specified in the Improvement District Documents.

Termination of Assessments

The Assessments will terminate upon the full payment of the anticipated thirty-year billing cycle of the Assessments. The Assessments on a parcel will terminate upon the full payment of the Assessments that are allocated to such parcel, which may occur upon an allowed full prepayment of the Assessments on a parcel or at the completion of the thirty-year billing period described above.

Amendments

This Improvement Plan may be amended or supplemented from time to time in accordance with the Act.

Exhibit List:

Exhibit A – An exhibit that shows the boundaries of the District and the currently planned location of certain Improvements.

Exhibit B – An exhibit that describes the location of the Service Areas for certain Improvements.

Exhibit C – An exhibit that shows the location of the offsite road Improvements.

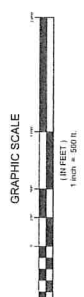


EXHIBIT A

PROJECT INFORMATION	
PROJECT NUMBER	1000000
PROJECT NAME	ROSELYN
PROJECT DATE	10/20/20

LANCASTER COUNTY, SC	
ROSELYN	
TAX DISTRICT IMPROVEMENTS	

NO.	DATE	REVISION
1	10/20/20	ADDED ROSELYN PARK LABEL

PRELIMINARY
NOT FOR
CONSTRUCTION



www.espsouth.com
704-585-1000
4700 Blue Ridge Circle, Suite 200
Charlotte, NC 28217
ESP Associates, Inc.



EXHIBIT B

The Service Areas for the Improvements that are located outside of the District are provided below.

The Service Area for offsite force main (described below) is based on Owner's analysis, including input from an engineering firm with extensive experience in water and sewer matters in the Lancaster County region.

The Service Areas for the road and transportation Improvements (described below) are based on Owner's analysis, including input from a traffic specialist with the South Carolina Department of Transportation and a traffic impact analyst with experience in the Lancaster County region.

The Service Area for each of the road and transportation Improvements is described individually below; however, it is worth noting that each of these Improvements:

- 1) impacts vehicles from the region during peak traffic times;
- 2) helps to alleviate traffic jams so that each vehicle which utilizes any of these Improvements moves more smoothly on each road and at each intersection; and,
- 3) generally, positively impacts traffic flow within three to five miles of the Improvement.

The Improvements located outside of the District:

1) **Offsite force main.** The Service Area for the offsite force main includes the Roselyn development project as well as an estimated 3,400 acres of real property, made of eleven (11) parcels (listed below), on which development may occur in the future. The offsite force main is proposed to drain southbound from an onsite pump station (within the Roselyn development area), generally following the alignment of existing Cane Creek while crossing the eleven parcels. The offsite force main is expected to be approximately 4.6 miles long and is proposed to cross University Drive and Lancaster Bypass (Hwy-9), before tying directly to the existing City of Lancaster Wastewater Treatment Facility located at 1150 Lockwood Lane, Lancaster, SC.

Parcels included:

0049-00-004.02, 0062-00-001.00, 0062-00-069.00, 0062-00-075.00, 0062-00-077.00, 0062-00-079.00, 0067-00-004.00, 0067-00-010.00, 0067-00-011.04, 0067-00-012.00, & 0067-00-025.00

2) **Intersection improvements at US 521 at Norman Forest Road.** The Service Area ranges from North Corner Road to the north and Shiloh Unity Road to the south, and extends from Old Hickory Road to the west to Craig Farm Road to the east.

3) **Intersection improvements at US 521 at Roselyn Avenue.** The Service Area ranges from North Corner Road to the north and Shiloh Unity Road to the south, and extends from Old Hickory Road to the west to Craig Farm Road to the east.

4) **Intersection improvements at US 521 at North Corner Road.** The Service Area ranges north and south on Highway 521 from Highway 5 in the north to Shiloh Unity Road in the south.

In addition, the service area extends west to Old Hickory Road and east to Craig Farm Road or Tirzah Church Road.

5) Intersection improvements at Old Hickory Road at Rock Hill Highway 5. The Service Area ranges from Van Wyck Road to the north to North Corner Road to the south, and extends to Highway 521 to the east and to Steele Hill Road to the west.

6) Intersection improvements at Roselyn Avenue and Old Hickory Road. The Service Area ranges from North Corner Road to the north to Waxhaw Village Road to the south, and extends to Highway 521 to the east and to Old Hickory Road to the west

**ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT
LANCASTER COUNTY, SOUTH CAROLINA
REPORT ON THE REASONABLE BASIS OF ASSESSMENT**

Prepared By:

MuniCap, Inc.

December 7, 2020

ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT LANCASTER COUNTY, SOUTH CAROLINA

REPORT ON THE REASONABLE BASIS OF ASSESSMENT

Introduction and Purpose of Report

The Roselyn Residential Improvement District (the "District") is being created to provide public improvements, as depicted on **Exhibit A** attached hereto (the "Improvements"), for the real property within the geographic boundaries of the District. The Improvements will provide a special benefit to the real property in the District. The Improvements are being provided as set forth in the "Improvement Plan - Roselyn Residential Improvement District," approved by ordinance enacted by Lancaster County Council on December 14, 2020 (the "Improvement Plan").

Lancaster County (the "County") is imposing a special assessment (the "Assessment") to fund a portion of the costs of the Improvements. The County may borrow funds (hereinafter referred to as "Bonds") at the discretion of County Council to finance all or a portion of the costs of certain Improvements, the costs of establishing the District, bond issuance costs, bond interest during construction and for a period after construction, and a debt service reserve fund. Assuming that Bonds are issued, the Assessments shall be utilized for the repayment of the Bonds and administrative expenses related to the District.

This report describes the real property in the District, the Improvements to be provided for the real property, the Bonds estimated to be issued to fund a portion of the Improvements and the Assessment to be imposed for the repayment of the Bonds.

The County will impose the Assessment on the real property in the District in amounts that in total equal the sum of the estimated principal of the Bonds (expected to be issued by the County), estimated interest on the Bonds until repaid and the estimated administrative expenses of the District. Pursuant to the provisions of the Assessment Roll, including the Rate and Method of Apportionment of Assessment for the District (which is attached as Appendix A to the Assessment Roll), to be approved in conjunction with this report (the "Rate and Method of Apportionment of Assessment"), the Assessment will be paid by owners of the real property in the District each year to provide funds for the payment of debt service on the Bonds, the cost of administration of the District, and other costs, if any, related to the Bonds. Alternatively, a property owner may pay the Assessment that has been imposed on a parcel of real property in full at any time without penalty.

The District is being created, the Assessment is being levied, and Bonds shall be issued pursuant to the Residential Improvement Act (S. C. Code Section 6-35-10, *et seq.* and, as amended from time to time, (the "Act")). The Act provides that the costs of the Improvements provided to the real property within the District may be assessed in a manner prescribed by the County upon real property benefited by such Improvements. This report explains the method of allocating the Assessment to the real property in the District for the Improvements to be provided to the real property in the District to reflect the benefit provided by the Improvements.

Undefined terms used herein shall have the meanings given to such terms in the Rate and

Method of Apportionment of Assessment.

Description of the District and Proposed Land Use

The real property included within the District is located in the County and is generally located between Highway 521 and Old Hickory Road, slightly south of W. North Corner Road. The real property included within the District is generally bordered by independently owned parcels of real property. The real property within the District will be accessed from Highway 521 and from Old Hickory Road.

Table A below specifies the real property within the District and the approximate acreage thereof.

Table A
Real Property within the District

Parcel	Owner	Acres
0044-00-001.00	Lennar Carolinas, LLC	211.680
0044-00-016.00	Lennar Carolinas, LLC	137.720
0044-00-018.00	Lennar Carolinas, LLC	557.570
0044-00-021.00	Lennar Carolinas, LLC	20.920
0044-00-022.00	Lennar Carolinas, LLC	110.410
0044-00-024.00	Lennar Carolinas, LLC	180.860
0044-00-025.00	Lennar Carolinas, LLC	49.600
0045-00-004.01	Lennar Carolinas, LLC	77.796
0045-00-005.00	Lennar Carolinas, LLC	24.070
0045L-0B-019.00	Lennar Carolinas, LLC	3.130
0045L-0B-020.00	Lennar Carolinas, LLC	3.310
0048-00-043.01	Lennar Carolinas, LLC	69.440
Total		1,446.506

As indicated in Table A above, the District is approximately 1,446.506 acres in total.

For further illustration, a map of the District is shown on **Exhibit A** and attached hereto.

The real property comprising the District is all owned in fee simple by Lennar Carolinas, LLC (the "Owner"). It is anticipated that the Owner (and/or any future owners of the real property in the District or portions thereof) will develop the property located within the District in accordance with the current zoning designation of Medium Density Residential District, as established for the real property in the District by County Ordinance No. 2018-1542, County Ordinance 2018-1543 and County Ordinance No. 2019-1574.

The County's Medium Density Residential District zoning specifies that many land uses, including but not limited to the following, are permitted:

- Residential, including but not limited to detached single-family homes and attached single family homes
- Recreational facilities
- Green space

The Owner's current expectation for development uses within the District is shown in **Table B** below.

Table B
Owner's Estimated Development Uses

Expected Use	Expected Quantity
<u>Residential</u>	<u>Units</u>
Single family, detached homes	1,860
Recreational facility (amenity center)	2

Notwithstanding the foregoing, it is understood that development uses other than the types and amounts shown in the table above may occur as a result of market demand or changes in the development plans. Any such deviation will nevertheless be consistent with applicable County requirements.

Proposed Improvements

As noted above, the Improvements have been identified in the Improvement Plan. The Improvements identified in the Improvement Plan, listed below, represent public improvements that are expected to provide benefit to the real property parcels in the District.

- Offsite, road intersection and related transportation infrastructure
- Onsite road infrastructure
- Water and sewer infrastructure
- Regional park

The Improvements are part of an integrated system of public improvements, with each component being a part of the system. In particular, the water and sewer infrastructure will provide a comprehensive solution to all of the real property in the District; the onsite road infrastructure will provide a large collector road serving all of the real property in the District; the offsite, road intersection and related transportation infrastructure are part of a larger transportation network that will serve all of the real property in the District; and the regional park will provide open space and other uses to all of the real property in the District. The Improvements have been designed to provide a similar benefit to all of the real property in the District, not to specific portions of the District.

As indicated in the Improvement Plan, the estimated current cost of the Improvements is \$70,383,017. The actual costs of the Improvements will likely vary from this estimate.

The general, expected location of certain Improvements, as currently planned, is shown on **Exhibit A**.

In addition to the Improvements, other public improvements not specified in the list or table above may be constructed within the District.

Projected Issuances of Bonds and Funding of the Improvements

As indicated in the Improvement Plan, the Improvements are expected to be funded by (1) the proceeds of the Bonds, (2) an "improvement fee" to be paid by the Owner, as specified in the Act, in the amount of four percent of the par amount of the Bonds, (3) direct contributions from the Owner and (4) contributions from the County. In particular, the Bonds will fund all of the Improvements with the exception of the regional park (the Bonds are estimated to generate net proceeds sufficient to fund a portion of the estimated costs of such Improvements); the assessment fee to be paid by the Owner will help to fund the regional park; the direct contributions from the Owner will fund all of the Improvements with the exception of the regional park; and the direct contributions from the County will fund the regional park.

As indicated above, the County may elect to issue the Bonds at the discretion of County Council. The Bonds may be issued by the County in multiple series to finance costs of the Improvements except the regional park, administrative expenses of the District, the costs to establish the District, a debt service reserve fund, issuance costs and capitalized interest. Potential interest income on the proceeds of the Bonds may act as a supplement to the bond proceeds. **Table C** shows the estimated sources and uses of funds for the projected issuances of the Bonds.

Table C
Projected Issuances of the Bonds

Sources and Uses of Funds	
Sources of funds:	
Bond proceeds	\$37,783,000
Interest earned	\$127,899
Total sources of funds	\$37,910,899
Uses of funds:	
Public improvements	\$28,006,000
Establishment of the District	\$50,000
Initial year admin expenses of the District	\$100,000
Issuance costs	\$750,000
Underwriter's discount	\$566,745
Capitalized interest	\$5,576,235
Reserve fund	\$2,861,120
Rounding	\$799
Total use of funds	\$37,910,899

The actual issuance of the Bonds, if any, will vary from these estimates depending on the interest rate on the Bonds, the date the Bonds are issued, the cost of issuing the Bonds and other factors.

The establishment of the District line item in the table above includes the costs of attorneys, engineers and consultants who performed services to establish the District.

The initial year administrative expenses line item in the table above includes fees from legal advisors, a trustee and an assessment consultant.

The issuance costs line item in the table above includes legal fees, financial consulting fees, cost of studies, , trustee's counsel, County expenses, document printing costs, and other miscellaneous costs related to the issuance of the Bonds.

The underwriter's discount line item in the table above is the fee to an underwriter for selling the Bonds.

The capitalized interest line item in the table above has been estimated to fund the interest on the Bonds for 30 months after the issuance of the Bonds. Capitalized interest allows time for the Improvements to be constructed, for the expected development of the project to occur and be added to the real property tax roll and for the Assessment to be collected from the real property and applied to the payment of debt service on the Bonds.

The primary purpose of the debt service reserve fund is to ensure there are sufficient funds to pay debt service should it be necessary to take action to collect delinquent Assessments. The proceeds in the debt service reserve fund are invested and the income is applied to the annual debt service on the Bonds. The debt service reserve fund itself is expected to eventually be applied to the repayment of the Bonds.

Projected Debt Service and Administrative Expenses

A schedule showing projected debt service and administrative expenses is attached to this report as **Exhibit B**. Interest is assumed to be 6.00% per year on the estimated Bonds. Administrative expenses are estimated at \$50,000 per year, increasing by one percent per year, as indicated on **Exhibit B**. The Assessment will be reduced pursuant to the Rate and Method of Apportionment of Assessment for any reductions in debt service, including reductions due to a lower interest rate and reduced administrative expenses. The estimated total principal, interest, and administrative expenses of the projected Bonds are shown below in **Table D**.

Table D
Estimated Total Debt Service and Administrative Expenses

Principal portion	\$37,783,000
Interest portion	\$46,239,660
Administrative expenses	\$1,920,713
Total Debt Service and Admin. Expenses	\$85,943,373

As further explained below, the total of Assessment being imposed on the real property in the District is equal to this estimate, that is, \$85,943,373. The Rate and Method of Apportionment of Assessment provides for the Assessment to be reduced if actual costs are less than the estimates shown in **Table D**. The Assessment may be prepaid by any parcel through the payment of the parcel's Principal Portion of Assessment, along with several minor adjustments for the prepayment.

Determination and Reasonable Basis of the Assessment

The determination and reasonable basis for the Assessment levied in the District is based on the following:

- (i) The Improvements to be provided by the District provide a special benefit to the real property in the District and this benefit equals or exceeds the cost of the Assessment;
- (ii) The Bonds, if issued, will pay for all or a portion of the Improvements that provide a peculiar and special benefit to the real property subject to the Assessment and the total Assessment collected will equal the amount required to repay the Bonds and fund administrative expenses related to the District; and
- (iii) The Assessment is allocated to parcels of real property within the District on a basis that reasonably reflects the benefit each parcel receives from the Improvements.

This section of this report explains how the Assessment as levied pursuant to the Assessment Roll, including the Rate and Method of Apportionment of Assessment, is consistent with these concepts.

Special Benefit

The real property on which the Assessment will be levied will receive a special benefit from the Improvements. The Improvements are located within or near the District and are provided to enhance the real property in the District. As indicated above and in the Improvement Plan, the Improvements are expected to provide water and sewer service to the real property in the District, to provide transportation infrastructure for the real property in the District, to provide transportation infrastructure in critical locations alongside and near the District and to provide a regional park on real property located within the District. The water and sewer infrastructure and road infrastructure Improvements are required for the proposed uses of the real property. Accordingly, the Improvements to be funded by the Assessment provide a special benefit to the real property in the District.

The special benefit of the Improvements to be provided will be equal to or greater than the cost of the Assessment imposed on the property. The determination that the special benefit from the Improvements is equal to or greater than the cost of the Assessment is confirmed by two means. First, the Owner, which owns all of the real property in, the District, has requested the County to impose the Assessment on the real property for the purpose of providing the Improvements. It is reasonable to believe that the Owner is acting in its interest and is making this request because the benefit that it expects to receive from the Improvements exceeds the cost of the Assessment.

A second confirmation of the relative value of the special benefit vs. the cost of the Assessment results from the fact that the Assessment is being imposed in order to provide public improvements that are necessary for the highest and best use of the property (i.e., the use of the property that is most valuable, including any costs associated with that use). Highest and best use can be defined as "the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value." (*Dictionary of Real Estate Appraisal, Fourth Edition*). The four criteria for highest and best use are (i) legal permissibility, (ii) physical possibility, (iii) financial feasibility, and (iv) maximum productivity.

The Owner, which owns all of the property on which the Assessment is being imposed, has indicated that it has analyzed various options for the use of the real property in the District, taking into consideration the legally permitted uses, the physical constraints of the site, financial parameters, market demand maximum productivity and other relevant factors. The Owner is understandably interested in maximizing its return on this real property. Based on this analysis, the highest and best use of the real property, including any costs required for that use, is the proposed use for the real property which will require the Improvements that are to be provided. Without the Improvements, the real property would not be adequately supported by the services that these Improvements will provide and would not be maximally productive. As a result, without the Improvements, the real property could not be put to its highest and best use.

As indicated above and in the Improvement Plan, the Bonds which will provide funding for certain Improvements are expected to be issued. The Bonds provide long-term financing and are expected to pay interest to the bond holders that is exempt from income taxes, resulting in a lower interest rate than other available financings on comparable terms. The terms of the Bonds also facilitate the financing of infrastructure for a large-scale development which will eventually have a large number of property owners. As a result of these and other advantageous terms, the financing provided by the Bonds is an extremely beneficial means of financing the Improvements.

In summary, the special benefit to the property is equal to or greater than the cost of the Assessment imposed on the real property due to the following:

1. The Owner has requested the County to impose the Assessment on the property for the purpose of providing the Improvements;
2. The Improvements to be provided by the District are required for the highest and best use of the property;
3. The highest and best use of the property is the use of the property that is most valuable (including any costs associated with this use of the property);
4. The financing provided by the Bonds is an extremely beneficial means of financing the Improvements;
5. As a result, the special benefits to the property from the Improvements to be provided by the District will be equal to or greater than the cost of the Assessment that will finance the Improvements necessary to achieve the highest and best use of the property.

Assessment

The Assessment is set to match the projected annual debt service on the Bonds, and the estimated administrative expenses of the District. The estimated annual installments of the Assessment in the amount necessary to pay the projected annual debt service on the Bonds and the projected annual administrative expenses of the District, are shown on Appendix B-2 of the Rate and Method of Apportionment of Assessment and on **Exhibit B** attached to this report. The annual installments of the Assessment shall be paid over the term of the Bonds. The Bonds are expected to have a 30-year term and are expected to be issued in multiple series. The total Assessment, which includes the projected principal of the Bonds to be issued, projected interest on the unpaid principal and estimated administrative expenses of the District, is shown below in **Table E**.

Table E
Total Assessment

Principal portion	\$37,783,000
Interest portion	\$46,239,660
Administrative expenses	\$1,920,713
Total Debt Service and Admin. Expenses	\$85,943,373

The actual total expenditures relating to the District, including debt service on the Bonds and administrative expenses, may be less than estimated herein, which may lead to adjustments in the Assessment, including the annual installments of the Assessment. Additionally, the Rate and Method of Apportionment of Assessment provides for the Assessment to be reduced to equal the actual costs of providing the Improvements, including the costs related to issuance and repayment of the Bonds, if the actual costs are less than shown on the Assessment Roll.

In summary, the Assessment is set in a manner consistent with the estimated debt service on the Bonds to be issued, which will finance a portion of the costs of the Improvements, which will provide a special benefit to the real property subject to the Assessment, plus the administrative expenses of the District and are therefore set in a reasonable manner.

Allocation of Assessment

This section explains how the Assessment is allocated to the property in the District in a reasonable manner that is representative of the benefit each property receives from the Improvements expected to be provided.

As noted above, the Improvements are a system of public improvements designed to provide benefit generally to all of the real property in the District. The specific Improvements are designed to provide a benefit to all of the real property in the District, as opposed to a distinct benefit to a specific area or a specific parcel within the District. As such, it is reasonable to expect that all of the real property in the District will receive a similar benefit from the Improvements. In accordance with this analysis, all real property in the District is being assessed for its share of the costs of the Improvements, not for individual components of the Improvements.

Consistent with the goal for the real property across the District to share the cost of the Improvements, an assessment methodology is being established for all of the future residential real property parcels in the District to equally share the Assessments. To accomplish this goal the Rate and Method of Apportionment of Assessment shall create a mechanism to allocate the Assessment to distinct real property parcels in relationship to the number of residential units that are expected on each parcel of real property (based on the Owner's development plan, a single residential unit is expected to be constructed on most distinct parcels of real property that will be created across the District).

Because (1) a goal to keep the allocation methodology as straight-forward and uncomplicated as possible, (2) the generally similar use by distinct residential property types of roads, water and sewer assets (which make up the Improvements) and (3) the Owner's well-developed plan to build out the District exclusively with single family detached homes, the Rate and Method of Apportionment of Assessment shall establish an allocation mechanism that treats all residential units equally.

In order to most accurately allocate the Assessment to the parcels within the District based upon the expected use of the parcel, including the quantity of residential units that will result on the parcel (as described above), the Rate and Method of Apportionment of Assessments shall utilize the awarding of a building permit by the County to establish the use and the number of residential units for a parcel. As such, the Rate and Method of Apportionment of Assessment will establish that the Assessment will be allocated upon obtaining a County building permit. In part to accomplish this approach, the Rate and Method of Apportionment of Assessment will establish the classification of Developed Property to represent parcels which have received a building permit.

Additionally, the Assessment will not be allocated to or imposed on Non-Assessed Property. Non-Assessed Property is property within the District that is, or is expected to be, either publicly owned, owned by a property owner's association or owned by a utility provider. Non-Assessed Property will either minimally utilize, if at all, the Improvements or not increase in value as a result of the construction of the Improvements. Additionally, the Assessment is not allocated to property owned by a property owner's association because it is more appropriate to allocate the Assessment directly to the specific parcels of real property owned by the property owners which avoids the property owner's association from having to pass the Assessment on to certain property owners, as it likely would if the Assessment were allocated to parcels owned by a property owner's association.

In order to facilitate the allocation of the Assessment on the basis specified above, the Rate and Method of Apportionment of Assessment will establish two land use classes, each with an Equivalent Units factor, to classify the real property within the District, as shown in **Table F** below. As detailed in the Rate and Method of Apportionment of Assessment, the Assessment shall be allocated to the parcels on the basis of Equivalent Units. The calculation of Equivalent Units for parcels will be based on the expected development on each parcel and the Equivalent Units factor for each land use class. As shown in Table F below, the Equivalent Unit Factor for Land Use Class 2 is zero, which follows the lack of benefit that an open space parcel would receive from the Improvements.

Table F
Equivalent Units Factors by Land Use Class

Land Use Class	Property Use	Equivalent Units Factor
Land Use Class 1	Residential	1.00 per unit
Land Use Class 2	Open space	0.00 per parcel

Based on the expected development plan for the District as shown in **Table A** and the Equivalent Units factors from **Table F**, there are an estimated total of 1,860.00 Equivalent Units, as shown below in **Table G**.

TABLE G
Estimated Total Equivalent Units

Land Use Class	Estimated Units / Parcels	Per unit or parcel	Equivalent Units factor	Total Equivalent Units
Land Use Class 1	1,860	per unit	1.00	1,860.00
Land Use Class 2	2	per parcel	0.00	0.00
Total				1,860.00

Table H shows the derivation of the estimated Assessment per Equivalent Units based on the total Assessment of the District, as shown in **Table E**, and the estimated number of Equivalent Units, as shown in **Table G**. Numbers shown below reflect rounding.

TABLE H
Estimated Assessment per Equivalent Units

Total Assessment	\$85,943,373
Total estimated Equivalent Units	1,860
Estimated total Assessment per Equivalent Units	\$46,206
Total Principal Portion of Assessment	\$37,783,000
Total estimated Equivalent Units	1,860
Estimated total Principal Portion of Asmt. per Equivalent Unit	\$20,313

Initially, the Assessment is to be imposed on the parcels as shown on the Assessment Roll. As noted above, and pursuant to the Rate and Method of Apportionment of Assessment, the Assessment is to be allocated to the expected, specific parcels of Developed Property based on the Equivalent Units of such parcels.

Pursuant to an executed consent letter, the Owner, which owns all of the real property parcels in the District, has consented to the Assessment imposed on the real property parcels,

including the method of allocating the Assessment, which further demonstrates the reasonableness of the allocation of the Assessment.

Annual Billing of the Assessment

In part, in order to facilitate the annual billing of the Assessment to the parcels within the District which receive a greater benefit from the Improvements due to their then current development status, the Rate and Method of Apportionment of Assessment establishes the classifications of Developed Property and Undeveloped Property to distinguish parcels at distinct stages of their development cycle. Furthermore, for the same goal, the Rate and Method of Apportionment of Assessment further distinguishes parcels of Undeveloped Property between Residual Property and Subdivided Property. It is reasonable and appropriate to conclude that real property parcels that are more fully developed utilize the Improvements to a greater degree, and thus receive greater benefit from the Improvements relative to real property parcels that are less fully developed; and secondly, that real property parcels that are receiving greater benefit should pay their Assessment earlier than real property parcels that are receiving lesser benefit.

A parcel is considered Undeveloped Property until it receives a building permit, at which point in time it is thereafter considered Developed Property. A parcel of Undeveloped Property is further classified as Subdivided Property or Residual Property; a parcel shall be classified as Subdivided Property if has been subdivided out of the existing parcels listed in **Table A** herein (the currently existing parcels, shown in **Table A**, will remain the only parcels of Residual Property). The creation of a new parcel (which shall establish the parcel as Subdivided Property), through the platting of the new parcel, represents a reasonable indication of the active development of the real property (even though the real property parcel may not yet be at the stage of vertical construction).

Consistent with the general goals described above for parcels of real property that are receiving greater benefit to pay the Assessment earlier than real property parcels that are receiving lesser benefit, the Rate and Method of Apportionment of Assessment establishes a billing mechanism which will lead to the billing of the Assessment to Developed Property prior to the billing of the Assessment to Undeveloped Property. Additionally, the Rate and Method of Apportionment of Assessment establishes billing mechanisms for the to be determined, as needed annual billing of the Assessment to Undeveloped Property parcels which effectively pro rate such annual billings to parcels of Subdivided Property and to parcels of Residual Property according to the assessed value and acreage of such parcels.

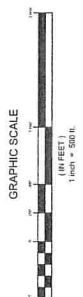
The Assessment will be billed to parcels annually pursuant to the Rate and Method of Apportionment of Assessment until such time as the parcel's entire Assessment has been fully paid.

Summary of Reasonable Basis of Assessment

The Assessment is imposed on the real property in the District according to the provisions of the Assessment Roll, including the Rate and Method of Apportionment of Assessment, in a reasonable manner. This report explains the reasonable basis of the Assessment. The reasonable basis may be summarized as follows:

1. The Improvements are being provided to allow for the development of the real property in the District, and as a result, provide a special benefit to the real property within the District;
2. The special benefit of the Improvements to the real property subject to the Assessment equals or exceeds the Assessment;
3. Bonds are expected to be issued to finance a portion of the costs of the Improvements and other costs related to the issuance of the Bonds;
4. The total Assessment imposed on all of the real property in the District is equal to the estimated amount required to pay the debt service on the Bonds and administrative expenses of the District;
5. The Assessment is to be allocated to each parcel within the District in a manner that is reasonably representative of the benefit each property receives from the Improvements.

For these reasons, the Assessment is imposed on the real property in the District in a reasonable manner.



PROJECT INFORMATION			
PROJECT MANAGER	DATE	DESIGNED BY	DATE
DRAWN BY	DATE	CHECKED BY	DATE
PROJECT NUMBER	DATE	PROJECT NAME	DATE
ISSUED DATE	DATE	ISSUED BY	DATE

EXHIBIT A

TAX DISTRICT IMPROVEMENTS
ROSELYN
LANCASTER COUNTY, SC

PRELIMINARY
NOT FOR
CONSTRUCTION



ESP Associates, Inc.
1000 N. 10th St.
Charlotte, NC 28203
704.375.1100
www.espsolutions.com

NO.	DATE	REVISION

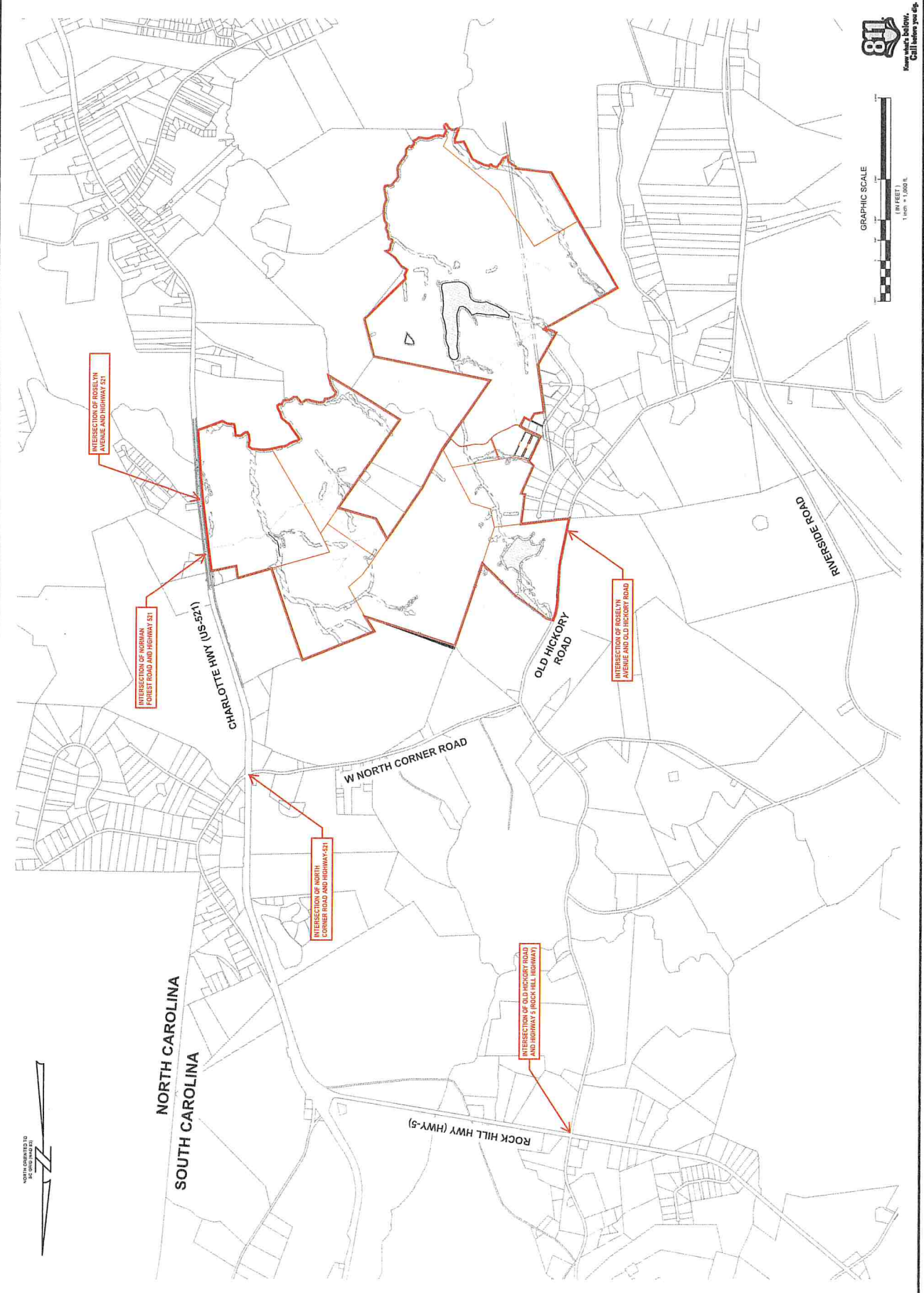


Exhibit B
Report on the Reasonable Basis of Assessment

Roselyn Residential Improvement District
Lancaster County, South Carolina

Assessment Year	Principal Portion of Assessment	Interest Expenses	Administrative Expenses	Total	Annual Installment
2021 - 2022	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2022 - 2023	\$0.00	\$988,680.00	\$50,000.00	\$1,038,680.00	\$1,038,680.00
2023 - 2024	\$0.00	\$988,680.00	\$50,000.00	\$1,038,680.00	\$1,038,680.00
2024 - 2025	\$0.00	\$988,680.00	\$50,500.00	\$1,039,180.00	\$1,039,180.00
2025 - 2026	\$259,000.00	\$2,266,980.00	\$51,005.00	\$2,576,985.00	\$2,576,985.00
2026 - 2027	\$274,000.00	\$2,251,440.00	\$51,515.05	\$2,576,955.05	\$2,576,955.05
2027 - 2028	\$291,000.00	\$2,235,000.00	\$52,030.20	\$2,578,030.20	\$2,578,030.20
2028 - 2029	\$642,000.00	\$2,217,540.00	\$52,550.50	\$2,912,090.50	\$2,912,090.50
2029 - 2030	\$681,000.00	\$2,179,020.00	\$53,076.01	\$2,913,096.01	\$2,913,096.01
2030 - 2031	\$722,000.00	\$2,138,160.00	\$53,606.77	\$2,913,766.77	\$2,913,766.77
2031 - 2032	\$765,000.00	\$2,094,840.00	\$54,142.84	\$2,913,982.84	\$2,913,982.84
2032 - 2033	\$811,000.00	\$2,048,940.00	\$54,684.26	\$2,914,624.26	\$2,914,624.26
2033 - 2034	\$860,000.00	\$2,000,280.00	\$55,231.11	\$2,915,511.11	\$2,915,511.11
2034 - 2035	\$911,000.00	\$1,948,680.00	\$55,783.42	\$2,915,463.42	\$2,915,463.42
2035 - 2036	\$966,000.00	\$1,894,020.00	\$56,341.25	\$2,916,361.25	\$2,916,361.25
2036 - 2037	\$1,024,000.00	\$1,836,060.00	\$56,904.66	\$2,916,964.66	\$2,916,964.66
2037 - 2038	\$1,085,000.00	\$1,774,620.00	\$57,473.71	\$2,917,093.71	\$2,917,093.71
2038 - 2039	\$1,151,000.00	\$1,709,520.00	\$58,048.45	\$2,918,568.45	\$2,918,568.45
2039 - 2040	\$1,220,000.00	\$1,640,460.00	\$58,628.93	\$2,919,088.93	\$2,919,088.93
2040 - 2041	\$1,293,000.00	\$1,567,260.00	\$59,215.22	\$2,919,475.22	\$2,919,475.22
2041 - 2042	\$1,370,000.00	\$1,489,680.00	\$59,807.37	\$2,919,487.37	\$2,919,487.37
2042 - 2043	\$1,453,000.00	\$1,407,480.00	\$60,405.45	\$2,920,885.45	\$2,920,885.45
2043 - 2044	\$1,539,000.00	\$1,320,300.00	\$61,009.50	\$2,920,309.50	\$2,920,309.50
2044 - 2045	\$1,633,000.00	\$1,227,960.00	\$61,619.60	\$2,922,579.60	\$2,922,579.60
2045 - 2046	\$1,731,000.00	\$1,129,980.00	\$62,235.79	\$2,923,215.79	\$2,923,215.79
2046 - 2047	\$1,834,000.00	\$1,026,120.00	\$62,858.15	\$2,922,978.15	\$2,922,978.15
2047 - 2048	\$1,944,000.00	\$916,080.00	\$63,486.73	\$2,923,566.73	\$2,923,566.73
2048 - 2049	\$2,061,000.00	\$799,440.00	\$64,121.60	\$2,924,561.60	\$2,924,561.60
2049 - 2050	\$2,184,000.00	\$675,780.00	\$64,762.82	\$2,924,542.82	\$2,924,542.82
2050 - 2051	\$2,315,000.00	\$544,740.00	\$65,410.44	\$2,925,150.44	\$2,925,150.44
2051 - 2052	\$2,453,000.00	\$405,840.00	\$66,064.55	\$2,924,904.55	\$2,924,904.55
2052 - 2053	\$1,354,000.00	\$258,660.00	\$66,064.55	\$1,678,724.55	\$1,678,724.55
2053 - 2054	\$1,435,000.00	\$177,420.00	\$66,064.55	\$1,678,484.55	\$1,678,484.55
2054 - 2055	\$1,522,000.00	\$91,320.00	\$66,064.55	\$1,679,384.55	\$1,679,384.55
	\$37,783,000.00	\$46,239,660.00	\$1,920,713.03	\$85,953,663.03	\$85,943,373.03

Roselyn Residential Improvement District

Lancaster County, South Carolina

ASSESSMENT ROLL

**Roselyn Residential Improvement District
Lancaster County, South Carolina**

ASSESSMENT ROLL

Parcel Identification	Acres	Owner	Assessment
0044-00-001.00	211.680	Lennar Carolinas, LLC	
0044-00-016.00	137.720	Lennar Carolinas, LLC	
0044-00-018.00	557.570	Lennar Carolinas, LLC	
0044-00-021.00	20.920	Lennar Carolinas, LLC	
0044-00-022.00	110.410	Lennar Carolinas, LLC	
0044-00-024.00	180.860	Lennar Carolinas, LLC	
0044-00-025.00	49.600	Lennar Carolinas, LLC	
0045-00-004.01	77.796	Lennar Carolinas, LLC	
0045-00-005.00	24.070	Lennar Carolinas, LLC	
0045L-0B-019.00	3.130	Lennar Carolinas, LLC	
0045L-0B-020.00	3.310	Lennar Carolinas, LLC	
0048-00-043.01	69.440	Lennar Carolinas, LLC	
Total	1,446.506		\$85,943,373.03

The "Rate and Method of Apportionment of Assessment," which is attached hereto as Appendix A and incorporated herein, includes a number of provisions related to the Assessment. The Assessment shall be collected, reallocated, reduced, terminated, prepaid and applied as set forth in the Rate and Method of Apportionment of Assessment.

Appendix B-1 attached hereto and incorporated herein shall be updated each Assessment Year to reflect, among other things, the current Parcels in the Harris Mill Residential Improvement District, the Assessment for each Parcel, including any reallocations for subdivisions and adjustments, the Annual Installment and the Annual Payment for the Assessment Year for which the Assessment Roll is being updated, prepayments or termination of the Assessment and other changes, all as provided for in the Rate and Method of Apportionment of Assessment.

The Annual Installment for each Assessment Year is shown by Appendix B-2 attached hereto and incorporated herein; the Annual Installment and Appendix B-2 shall be updated each Assessment Year pursuant to the Rate and Method of Apportionment of Assessment.

Undefined terms used herein shall have the meaning as given in the Rate and Method of Apportionment of Assessment, attached as Appendix A.

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ROSELYN RESIDENTIAL IMPROVEMENT DISTRICT Lancaster County, South Carolina

Appendix A to Assessment Roll

Rate and Method of Apportionment of Assessment

A. INTRODUCTION

The Assessment (as defined below) shall be imposed on and collected from real property within the Roselyn Residential Improvement District (the "District"), created by the Lancaster County Council by the Ordinance (as defined below), through the application of the procedures described below. Lancaster County Council or its designee shall make all determinations in this Rate and Method of Apportionment of Assessment unless stated otherwise.

The Assessment for each Parcel (as defined below) represents the total obligation of a Parcel, including the Parcel's share of principal and interest on the Bonds (as defined below) and Administrative Expenses (as defined below) of the District. The Assessment may be prepaid at any time as set forth herein. If not prepaid, the Assessment is payable annually as the Annual Installment (as defined below). The Annual Installment establishes the maximum payments of the Assessment that may be collected from the Parcels in any given year. It may not be necessary to collect the full amount of the Annual Installment. The portion of the Annual Installment required to be collected each year is the Annual Payment (as defined below).

B. DEFINITIONS

The terms used herein shall have the following meanings:

"Act" means the Residential Improvement District Act (S.C. Code Section 6-35-10, *et. seq.*, as amended from time to time).

"Administrative Expenses" means the actual or budgeted costs, as applicable, directly related to the administration of the District, including but not limited to: the costs of the recurring updates to the Assessment Roll; the costs of computing the Annual Installment and Annual Payment; the costs of collecting the Annual Payment; the costs of remitting the Annual Payment to the Trustee; the costs of the Administrator and Trustee (including their legal counsel) in the discharge of their duties; the costs of the County of complying with arbitrage rebate requirements; the costs of the County of complying with securities disclosure requirements; County expenses for the billing, collection and enforcement of the Assessment or in any other way related to the District; and any other costs of the County related to the administration and operation of the District, including, without limitation, the costs of legal counsel and other consultants and advisors, and costs related

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to commencing foreclosure and pursuing collection of delinquent Annual Payment.

"Administrator" means the official or designee of the County who shall be responsible for the updates of the Assessment Roll and such other responsibilities as provided herein or in separate documents or agreements relating to or governing the District.

"Annual Developed Property Revenue Requirement" means, for any Assessment Year for which no capitalized interest is estimated to be available to pay debt service, the Annual Revenue Requirement, and for any Assessment Year for which some capitalized interest is estimated to be available, the sum of the following: (1) regularly scheduled debt service on the Bonds; (2) periodic costs associated with such Bonds, including but not limited to rebate payments and credit enhancement on the Bonds; (3) Administrative Expenses, including any contingencies; less (a) any other funds available pursuant to the Bond Indenture to apply to the Annual Revenue Requirement, excluding capitalized interest, and (b) any other funds available to the District that may be applied to the Annual Revenue Requirement.

"Annual Installment" means for any given Assessment Year the portion of the Assessment due and payable in the selected Assessment Year as set forth on **Appendix B-2** attached hereto. The multi-year schedule of the Annual Installment shown on **Appendix B-2** may be revised to reflect the payments due on the Bonds and Administrative Expenses as long as the sum of the Annual Installment for all years does not exceed the sum of the Assessment for all the Parcels.

For each Assessment Year, a portion of the Annual Installment shall be assigned to each Parcel of Developed Property in an amount equal to the lowest of the following: (1) the Maximum Annual Installment per Equivalent Unit multiplied by the Parcel's Equivalent Units (utilized at the allocation of the Assessment to the Parcel); (2) the Assessment on the Parcel; or (3) the amount calculated by the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

- A = the Annual Installment assigned to the Parcel of Developed Property
- B = the total Annual Assessment
- C = the Assessment of the Parcel of Developed Property
- D = the sum of the Assessment on all Parcels of Developed Property

For each Assessment Year, a portion of the Annual Installment shall be assigned in total to all Parcels of Undeveloped Property in an amount equal to the total Annual Installment less the sum of the Annual Installment assigned to all Parcels of Developed Property. The Annual Installment shall not be assigned to individual Parcels of Undeveloped Property.

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"Annual Payment" for each Parcel of Assessed Property shall be the portion of the Parcel's Annual Installment to be collected from such Parcel each Assessment Year as determined by the provisions of Section D.

"Annual Payment Rate for Developed Property" means for any Assessment Year, the Annual Developed Property Revenue Requirement divided by the sum of the Principal Portion of Assessment for all Parcels of Developed Property.

"Annual Payment Rate per Acre of Residual Property" means the amount defined in Section D.2 below.

"Annual Payment Rate per Acre of Subdivided Property" means the amount defined in Section D.2 below.

"Annual Revenue Requirement" means, for any Assessment Year, the sum of the following: (1) regularly scheduled debt service on the Bonds; (2) periodic costs associated with such Bonds, including but not limited to rebate payments and credit enhancement on the Bonds; (3) Administrative Expenses, including any contingencies; less (a) any other funds available pursuant to the Bond Indenture to apply to the Annual Revenue Requirement, such as capitalized interest and interest earnings on any account balances and (b) any other funds available to the District that may be applied to the Annual Revenue Requirement.

"Assessed Property" means, for any Assessment Year, Parcels within the District other than Non-Assessed Property.

"Assessment" means the Assessment imposed on Assessed Property pursuant to the Ordinance and the provisions herein and as shown on the Assessment Roll, as it may be reapportioned, reduced, and terminated pursuant to the provisions herein.

"Assessment Roll" means the Assessment Roll to which this Rate and Method of Apportionment of Assessment is attached as **Appendix A**, as corrected or confirmed by the Assessment Ordinance, including **Appendices B-1 and B-2** also attached hereto, as these appendices are updated from time to time by the City in accordance with the procedures set forth herein.

"Assessment Year" means the annual cycle in which the Annual Installment and Annual Payment are determined each year for each Parcel, the Annual Payment is collected, and these revenues applied to the payments on the Bonds and Administrative Expenses.

"Bond Indenture" means an indenture or similar document setting forth the terms and other provisions relating to Bonds, as modified, amended and/or supplemented from time to time.

"Bonds" means any bonds or other debt issued or expected to be issued by the County pursuant to the Act which are secured by the Assessment, whether in one or more series, including any bonds issued to refund such bonds.

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"County" means Lancaster County, South Carolina.

"County Administrator" means the County Administrator or his designee.

"County Council" means the County Council of the County.

"Date of Classification" means June 30 of each year.

"Developed Property" means a Parcel of Assessed Property for which a building permit has been issued which allows the construction of a structure intended for occupancy.

"Equivalent Units" means for each Parcel of Assessed Property that is determined to be: (1) Land Use Class 1, the number of residential units that are either built or expected to be built on the Parcel multiplied by the factor below; (2) Land Use Class 2, the number 1.00 multiplied by the factor below.

Land Use Class 1	1.00 per residential unit
Land Use Class 2	0.00 per Parcel

A Parcel's Equivalent Units shall be initially established at the Parcel's creation. If applicable, Parcel's Equivalent Units shall be adjusted at the time that the Parcel is determined to be Developed Property.

The computation of Equivalent Units for each Parcel shall be based on the expected development in substantial conformance with any and all County approved development restrictions and measured by actual development, development plans, the legal maximum development allowed, the acreage of a Parcel, reasonable density ratios and other reasonable methods. County Council shall approve the computation of a Parcel's Equivalent Units.

As needed, the classification of real property within a Parcel as Land Use Class 1 or Land Use Class 2 shall be made through the selection of the land use class that is most consistent with the use or expected use of the real property.

A Parcel's Equivalent Units shall remain as previously estimated until such time as an owner(s) of Parcels request a reallocation of Assessment amongst the Parcels in accordance with Section C-3-c below and such request is approved by County Council, or the Parcel is subdivided.

"Improvement Plan" means the "Improvement Plan - Roselyn Residential Improvement District" approved by the Ordinance.

"Land Use Class 1" means a Parcel of Assessed Property not classified as Land Use Class 2.

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“Land Use Class 2” means a Parcel of Assessed Property that is expected to be open space or green space.

“Mandatory Full Prepayment of Assessment” shall mean a mandatory full prepayment of the Assessment pursuant to Section J (1).

“Mandatory Partial Prepayment of Assessment” shall mean a mandatory partial prepayment of the Assessment pursuant to Section J (2).

“Maximum Annual Installment per Equivalent Unit” shall mean \$1,550.00.

“Non-Assessed Property” means Public Property, Owner Association Property or Utility Property.

“Ordinance” means Ordinance No. 2020-1691 enacted by County Council on December 14, 2020, creating the District, approving the Improvement Plan and approving the Assessment Roll, including this Rate and Method of Apportionment of Assessment which is attached to the Assessment Roll as Appendix A.

“Owner Association Property” means Parcels owned by or irrevocably offered for dedication to a property owners association and available for general use by the property owners.

“Parcel” means a lot or parcel within the District with a tax map identification number assigned or to be assigned for real property tax collection purposes or as otherwise determined by the County.

“Principal Portion of Assessment” means, for each Parcel, a portion of Assessment in the amount shown under the column heading “Principal Portion of Assessment” on **Appendix B-1** hereto, as it may be reapportioned upon the subdivision of any Parcel according to the provisions of Section C.2., adjusted according to Section C.3., reduced according to the provisions of Section C.4., and terminated pursuant to Section I. The Principal Portion of Assessment reflects the principal portion of the existing and anticipated Bonds. The Principal Portion of Assessment may be increased for refunding bonds or other reasons as long as the total of the Assessment is not increased.

“Public Property” means Parcels owned by or irrevocably offered for dedication to the federal government, the State of South Carolina, the County, or any other public agency, political subdivision, or other public entity, whether in fee simple or in any other property ownership interest that creates a substantially exclusive use by the public entity in the Parcel. The existence of an easement on a portion of a Parcel does not make the parcel Public Property.

“Residual Property” means a Parcel of Assessed Property other than Developed Property and Subdivided Property.

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"Subdivided Property" means a Parcel of Assessed Property for which a plat has been recorded after the creation of the District other than Developed Property.

"True-Up Agreement" means a potential agreement established pursuant to the Bond Ordinance that provides for the maximum, if any, Assessment or Principal Portion of Assessment per Equivalent Unit or related restriction.

"Trustee" means the trustee as specified in a Bond Indenture, including any successor trustee.

"Undeveloped Property" means all Parcels of Residual Property and Subdivided Property.

"Utility Property" means Parcels owned by or irrevocably offered for sale or dedication to a provider of utilities, including but not limited to providers of the following: power, gas, water, sewer and telecommunications.

C. ASSESSMENTS

1. The Amount of the Assessment

The Assessment for Parcels of Assessed Property are shown on the Assessment Roll.

The Assessment for each Parcel shall not be changed except pursuant to the provisions provided for herein and in the Assessment Roll.

No Assessment will be allocated to Non-Assessed Property.

2. Determining the Assessment on Parcels

The Assessment shall be set on a Parcel when the Parcel is classified as Developed Property and thus is not fixed or determinable on Parcels of Undeveloped Property. The allocation of the Assessment to the Parcel(s) of Developed Property shall be made pursuant to the following formula:

$$A = B \times [C \div (C + D)]$$

Where the terms have the following meanings:

A = the Assessment of the Parcel of Developed Property

B = the aggregate Assessment of all Parcels of Undeveloped Property prior to this allocation

C = the Equivalent Units of the Parcel of Developed Property

D = the Equivalent Units of the remaining Parcel(s) of Undeveloped Property after this allocation

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In all cases, after the allocation to the Parcel(s) of Developed Property, the sum of the Assessment allocated to the Parcel(s) of Developed Property and the aggregate Assessment of the remaining Parcel(s) of Undeveloped Property shall equal the total Assessment on the Parcels of Undeveloped Property before the allocation of the Assessment.

Upon the allocation of the Assessment to the Parcel(s) of Developed Property, the total Principal Portion of Assessment shall be allocated to the Parcel(s) of Developed Property in the same manner as the allocation of the Assessment described above.

3. Adjustments to the Assessment

a. Subdivision of a Parcel

Upon the subdivision of any Parcel of Developed Property, the Assessment for the Parcel prior to the subdivision shall be allocated to each resulting Parcel in proportion to the Equivalent Units of each resulting Parcel and the Assessment for the undivided Parcel prior to the subdivision, according to the following formula.

$$A = B \times C \div D$$

Where the terms have the following meanings:

A = the Assessment of the resulting Parcel

B = the Assessment of the undivided Parcel prior to the subdivision

C = the Equivalent Units of the resulting Parcel

D = the sum of the Equivalent Units for all of the Parcels that result from the subdivision, as estimated at the time of the subdivision.

In all cases, the sum of the Assessment for all of the resulting Parcels after the subdivision of the Parcel shall equal the Assessment on the parent Parcel before the subdivision of the parent Parcel. In all such case of subdivisions of parcels of Developed Property, all of the resulting parcels shall be Parcels of Developed Property.

Upon the subdivision of any Parcel of Developed Property, the Principal Portion of Assessment shall be allocated to each new Parcel in the same manner as the allocation of the Assessment.

b. Consolidation of Parcels

Upon the consolidation of two or more Parcels of Developed Property, the Assessment and the Principal Portion of Assessment for the consolidated Parcel shall equal the sum of the Assessment and the Principal Portion of Assessment, respectively, for the Parcels immediately prior to the consolidation.

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To the extent that an owner of a Parcel of Developed Property wishes to consolidate its Parcel with a Parcel of Undeveloped Property, or alternatively, a Parcel of Developed Property has been consolidated with a Parcel of Undeveloped Property, the Assessment and Principal Portion of Assessment shall be set for the Parcel of Undeveloped Property according to the formula provided in Section C-2 above. Following that allocation, the Assessment and the Principal Portion of Assessment of the multiple Parcels shall be consolidated as detailed above.

c. Request of a Parcel Owner(s)

The Assessment on Parcels of Developed Property shall be reallocated by a resolution of County Council upon the unanimous request of the owners of the Parcels for which the Assessments are to be reallocated if the Equivalent Units of one of the Parcels has changed since the last allocation of Assessment to the Parcel.

The reallocation of the Assessment shall be made pursuant to the following formula:

$$A = B \times C \div D$$

Where the terms have the following meanings:

- A = the Assessment after reallocation for each Parcel for which the Assessment is being reallocated
- B = the sum of the Assessment of all Parcels involved in the reallocation prior to the reallocation
- C = the Equivalent Units of the Parcel as calculated at the time of the reallocation
- D = the sum of the Equivalent Units for all of the Parcels for which Assessments are being reallocated as calculated at the time of the reallocation

In all cases, the sum of the Assessments on all Parcels involved in the reallocation after the reallocation shall equal the sum of the Assessments on all Parcels involved in the reallocation immediately prior to such reallocation.

Upon a reallocation of the Assessment at the request of an owner(s) as explained above, the Principal Portion of Assessment shall be reallocated to each Parcel in a consistent manner as the allocation of the Assessment to each Parcel.

4. Reduction in the Assessment on Parcels

a. Reduction in Costs

If County Council determines that the costs to be incurred to be paid by the Assessment, including costs related to the issuance and repayment of the Bonds and Administrative Expenses, including potential, additional Bonds, are reduced to an amount less than the total of the Assessment, the

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Assessment for each Parcel of Assessed Property shall be reduced such that the adjusted, total Assessment equals the costs to be incurred to be paid by the Assessment.

The reduction to each Parcel shall be in equal percentage to each Parcel. County Council may, under compliance with any applicable law, reduce the Assessment in another manner under this section if County Council determines another method would be more equitable or practical.

The Assessment as reduced according to the provisions of this section shall not be reduced to an amount that is less than the remaining principal and interest on the Bonds outstanding and to be issued, through maturity, plus estimated Administrative Expenses.

The Principal Portion of Assessment shall be reduced for any reduction in costs pursuant to this section that also results in a reduction in the Bonds outstanding or to be issued. In such case, the Principal Portion of Assessment shall be reduced in the same manner as the reduction in Assessment. The Principal Portion of Assessment for all of the Parcels shall not be reduced to an amount less than the Bonds outstanding and to be issued.

b. Payment of the Assessments

The Assessment applicable to any Parcel shall be reduced each Assessment Year for the Annual Payment billed to such Parcel.

The Principal Portion of Assessment for each Parcel shall be reduced for the portion of the Annual Payment to pay principal on the Bonds that is billed to each Parcel.

The Assessment and the Principal Portion of the Assessment applicable to any Parcel shall be reduced for any prepayment of the Assessment for such Parcels pursuant to Section I and Section J below.

The Principal Portion of Assessment for the Parcels shall not be reduced to an amount such that the sum of the Principal Portion of Assessment of all Parcels is less than the Bonds outstanding and to be issued.

D. METHOD OF DETERMINING THE ANNUAL PAYMENT

Commencing with the Annual Payment to be collected in the 2020-2021 Assessment Year and for each following Assessment Year, the Administrator shall calculate and County Council shall confirm the Annual Payment on each Parcel of Assessed Property. The Annual Payment for each Parcel of Assessed Property shall be determined as indicated below. For this annual calculation of the Annual Payment, all Parcels shall be classified for the given Assessment Year as Developed Property or Undeveloped Property, utilizing the status of the Parcel of the most recent Date of Classification. Parcels of Undeveloped Property shall be classified as Residual Property or

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Subdivided Property in accordance with the definitions above. The classifications of the Parcels specified above shall be made by the Administrator and shall be confirmed by County Council.

The Annual Payment shall be collected from each Parcel of Assessed Property in conformance with Section E.

1. The Annual Payment for Developed Property

For a given Assessment Year, the Annual Payment for a Parcel of Developed Property shall be the lesser of (1) the Annual Installment assigned to the Parcel or (2) the amount calculated from the following formula:

$$A = B \times C$$

Where the terms have the following meanings:

- A = the Annual Payment of the Parcel
- B = the Principal Portion of Assessment for the Parcel
- C = the Annual Payment Rate for Developed Property

2. The Annual Payment for Undeveloped Property

The aggregate Annual Payment for all of the Parcels of Undeveloped Property shall equal the Annual Revenue Requirement less the total of the Annual Payments billed to all Parcels of Developed Property, but cannot be less than zero. The Annual Payment for all Parcels of Undeveloped Property shall be allocated between Residual Property and Subdivided Property based on the relative assessed value of each classification (Residual Property vs. Subdivided Property) derived from these Parcels of Undeveloped Property (relative assessed value means the aggregate assessed value of each of these two types of Undeveloped Property divided by the total assessed value of all such Parcels of Undeveloped Property). The specific calculations of the Annual Payment for all such Parcels are provided below. The Annual Payment for any Parcel shall not be greater than the Parcel's Assessment.

The Annual Payment for a Parcel of Subdivided Property shall be equal to the Parcel's acreage multiplied by the Annual Payment per Acre of Subdivided Property, calculated from the following formula:

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$$A = [(B \div C) \times (D - E)] \div F$$

Where the terms have the following meanings:

- A = the Annual Payment per Acre of Subdivided Property
- B = the sum of the assessed value of all Parcels of Subdivided Property
- C = the sum of the assessed value all Parcels of Undeveloped Property
- D = the Annual Revenue Requirement
- E = the sum of the Annual Payment from all Parcels of Developed Property
- F = the total acreage of all Parcels of Subdivided Property

The Annual Payment for a Parcel of Residual Property shall be equal to the Parcel's acreage multiplied by the Annual Payment per Acre of Residual Property, calculated from the following formula:

$$A = [(B \div C) \times (D - E)] \div F$$

Where the terms have the following meanings:

- A = the Annual Payment per Acre of Residual Property
- B = the sum of the assessed value of all Parcels of Residual Property
- C = the sum of the assessed value all Parcels of Undeveloped Property
- D = the Annual Revenue Requirement
- E = the sum of the Annual Payment from all Parcels of Developed Property
- F = the total acreage of all Parcels of Residual Property

Assessed value shall be calculated based on the most recent information available from the County at the time that the Administrator is calculating the Annual Payment. A Parcel's acreage shall be based on the most recent information available from the County at the time that the Administrator is calculating the Annual Payment.

E. MANNER OF COLLECTION OF ANNUAL ASSESSMENTS

Annual Payment shall be collected in the same manner as regular ad valorem property taxes or in any other manner permitted by law as determined by the County and shall be subject to the same penalties, procedures, sale, and lien priorities in case of delinquencies as are provided for regular real estate property taxes of the County.

F. UPDATING THE ASSESSMENT ROLL

In order to facilitate the collection of the Assessment, the Administrator shall prepare for approval by County Council an update to the Assessment Roll each Assessment Year to reflect (i) the current Parcels in the District, including an updated indication of whether the Parcel is Developed Property

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or Undeveloped Property as of the Date of Classification (ii) the total Assessment, including the specific Assessment that has been allocated to each Parcel of Developed Property pursuant to Section C.2., (iii) the total Principal Portion of Assessment, including the specific Principal Portion of Assessment that has been allocated to each Parcel of Developed Property pursuant to Section C.2., (iv) the Annual Installment including the specific Annual Installment that has been assigned to each Parcel of Developed Property, (v) the Annual Payment to be collected from each Parcel for the current Assessment Year, (vi) prepayments of the Assessment as provided for in Section I, and (vii) termination of the Assessment as provided for in Section H, along with other information helpful to the County in the administration of the District.

G. ADMINISTRATIVE REVIEW

Prior to seeking any other remedy, an owner of a Parcel claiming that a calculation error has been made in the update of **Appendices B-1** and **B-2** in any Assessment Year, including the calculation of the Annual Payment, shall send a written notice describing the error to the Administrator not later than thirty (30) calendar days after the date any amount which is alleged to be incorrect is due. The Administrator shall promptly review the notice, and if necessary, meet with the property owner, consider written and oral evidence regarding the alleged error, and decide whether, in fact, such a calculation error occurred.

If the Administrator determines that a calculation error has been made that requires **Appendices B-1** or **B-2** (including the Annual Payment for a Parcel) to be modified or changed in favor of the property owner, a cash refund may not be made for any amount previously paid by the owner (except for the final Assessment Year during which the Annual Installment shall be collected or if a determination is made that there will otherwise be sufficient funds to meet the Annual Revenue Requirement), but an adjustment shall be made in the amount of the Annual Payment to be paid by the owner in the following Assessment Year. The determination of the Administrator may be appealed to County Council. The decision of County Council in response to an appeal regarding a calculation error relating to the Assessment Roll A shall be conclusive as long as there is a reasonable basis for the determination.

H. TERMINATION OF ASSESSMENTS

Except for any delinquent Annual Payments and related penalties, the Assessment on each Parcel may not be collected after the earlier of (a) if Bonds have been issued, the stated term of the Bonds and (b) the date on which such Assessment is prepaid or paid in full as provided for herein

After the termination of the Assessment with respect to a Parcel, and the collection of any delinquent Annual Payment with respect to such Parcel, including penalties and interest, the County shall provide each owner of a Parcel for which the Assessment has been terminated a recordable document (or provide for the recordation of such document) evidencing the termination of the imposition and collection of the Assessment.

I. VOLUNTARY PREPAYMENT OF THE ASSESSMENT

The Assessment on any Parcel of Developed Property may be fully paid at any time, Assessment reduced to zero, and the obligation to pay the Annual Payment for such Parcel permanently satisfied by payment of an amount equal to: (a) the sum of the following: (i) Principal, (ii) Defeasance, and (iii) Expenses, less (b) the Reserve Fund Credit, where the terms have the following meanings:

“Principal” means a sum equal to the Principal Portion of Assessment for the Parcel.

“Defeasance” means an amount equal to the Annual Payment for such Parcel for the Assessment Year in which such prepayment occurs, if not previously paid, plus, appropriate adjustments as determined by the Administrator for the amount needed to pay interest on the outstanding Bonds to be redeemed less the investment earnings on the prepayment amount until the applicable Bonds can be called and redeemed pursuant to the Bond Indenture.

“Expenses” means the fees and expenses, including Administrative Expenses, related to the prepayment of the Assessment allocable to such Parcel.

“Reserve Fund Credit” means, a credit for the amount, if any, by which the debt service reserve fund for the Bonds will be reduced pursuant to the Bond Indenture as a result of a redemption resulting from the prepayment.

The amounts calculated in the preceding steps shall be paid to the County and shall be distributed by the County to pay costs related to the prepayment according to the Bond Indenture. Upon the payment of such prepayment amount to the County, the obligation to pay the Assessment shall be deemed to be permanently satisfied, the Assessment shall be reduced to zero, the Annual Payment shall not be collected on the Parcel thereafter, and the County shall provide to the owner (or cause to be recorded) a recordable notice of the payment of Assessment within a reasonable period of time of receipt of such prepayment amount.

J. MANDATORY PREPAYMENTS

1. Full prepayment of Assessment for Non-Assessed Property

A Mandatory Full Prepayment of Assessment shall be required on any Parcel that is acquired by an entity that results in the Parcel being classified as Non-Assessed Property, if the Assessment may not be reapportioned to a Parcel of Assessed Property pursuant to the provisions in Section C (3)(c) above. A Mandatory Full Prepayment of the Assessment shall be a full prepayment of the Assessment and shall be calculated as set forth in Section I.

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2. Partial prepayment of Assessment for an excessive Assessment per Equivalent Unit

A Mandatory Partial Prepayment of Assessment shall be required for any Parcel for which the Assessment or Principal Portion of Assessment per Equivalent Unit exceeds a maximum amount, if any, as set forth in a True-Up Agreement.

The Mandatory Partial Prepayment of Assessment, which may be a partial prepayment, shall be calculated according to the formula set forth in Section I.1, with the “Principal” component calculated such that the resulting Assessment and Principal Portion of Assessment do not exceed the maximum amount as provided for in a True-Up Agreement.

3. General Provisions Relating to a Mandatory Prepayment Assessment

Each Mandatory Prepayment of Assessment shall be paid to the Trustee and shall be used to pay and redeem, discharge, or defease the Bonds as provided for in a Bond Indenture and to pay the Administrative Expenses associated with the Mandatory Prepayment of Assessment.

Each Mandatory Prepayment of Assessment shall be due immediately upon the event or determination resulting in the Mandatory Prepayment of Assessment and may be collected from proceeds of a sale, condemnation or other form of compensation for the real property or from any other legally available source of funds. In the event a Mandatory Prepayment of Assessment is not paid when due, the Mandatory Prepayment of Assessment may be collected from any and all Parcels created from the Parcel from which the Mandatory Prepayment of Assessment was due.

The Mandatory Prepayment of Assessment shall have the same sale and lien priorities as provided for by law for the Assessment.

Subsequent to a Mandatory Prepayment of Assessment, the Assessment for the Parcel for which the Mandatory Prepayment of Assessment has been paid shall be reduced, the Assessment Roll updated to reflect such prepayment, and the obligation to pay the Annual Payment for such Parcel shall be reduced to the extent the payment is made.

The Mandatory Prepayment of Assessment shall not exceed the amount of the outstanding Bonds plus any amounts owed on the Bonds, including accrued interest and redemption fees.

K. AMENDMENTS

Immaterial amendments may be made to this Rate and Method of Apportionment of Assessment by the County Council without further notice under the Act to owners of Assessed Property located within the District. Immaterial amendments shall be those that (i) clarify or correct minor inconsistencies in the matters set forth herein, (ii) provide for lawful procedures as permitted under the Act and for the collection and enforcement of the Assessment and other charges imposed herein so as to assure their efficient collection, and (iii) otherwise improve the ability of the County to

DECEMBER 7, 2020

fulfill its obligations to impose and collect Assessment and charges imposed herein, and to make them available for the payment of the Bonds, Administrative Expenses, and other costs of the District. The County Council shall not approve such an amendment unless and until it has been found and determined that the amendment is necessary and appropriate and does not materially adversely affect the rights of the owners of the Bonds.

Amendments may not be made to this Rate and Method of Apportionment of Assessment pursuant to the procedure described above that would increase the total of the Assessment.

Administrative procedures as authorized herein shall not constitute or require an amendment of this Rate and Method of Apportionment of Assessment.

L. INTERPRETATION OF PROVISIONS

County Council shall make all interpretations and determinations related to the application of this Rate and Method of Apportionment of Assessment, unless stated otherwise herein or in a Bond Indenture, and as long as there is a rational basis for the determination made by County Council, such determination shall be conclusive.

M. SEVERABILITY

If any section or part of a section of this Rate and Method of Apportionment of Assessment is declared invalid or unenforceable, the validity, force, and effect of any other section or part of a section herein shall not thereby be affected or impaired unless such other section or part of a section herein is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unenforceable.

Assessment Roll
Roselyn Residential Improvement District
Appendix B-1

Parcel Identification	Real Property Status	Equivalent Units	Assessment	Principal Portion of Assessment	2021-2022 Annual Installment	2021-2022 Annual Payment
0044-00-001.00	Residual Property	414.00			TBD	TBD
0044-00-016.00	Residual Property	215.00			TBD	TBD
0044-00-018.00	Residual Property	800.00			TBD	TBD
0044-00-021.00	Residual Property	31.00			TBD	TBD
0044-00-022.00	Residual Property	8.00			TBD	TBD
0044-00-024.00	Residual Property	156.00			TBD	TBD
0044-00-025.00	Residual Property	64.00			TBD	TBD
0045-00-004.01	Residual Property	66.00			TBD	TBD
0045-00-005.00	Residual Property	36.00			TBD	TBD
0045L-0B-019.00	Residual Property	6.00			TBD	TBD
0045L-0B-020.00	Residual Property	5.00			TBD	TBD
0048-00-043.01	Residual Property	59.00			TBD	TBD
Total		1,860.00	\$85,943,373.03	\$37,783,000.00	TBD	TBD

Assessment Roll
Roselyn Residential Improvement District
Appendix B-2

Assessment Year	Principal Portion of Assessment	Interest Expenses	Administrative Expenses	Annual Installment	Annual Payment
2021 - 2022	\$0.00	\$0.00	\$0.00	\$0.00	TBD
2022 - 2023	\$0.00	\$988,680.00	\$50,000.00	\$1,038,680.00	TBD
2023 - 2024	\$0.00	\$988,680.00	\$50,000.00	\$1,038,680.00	TBD
2024 - 2025	\$0.00	\$988,680.00	\$50,500.00	\$1,039,180.00	TBD
2025 - 2026	\$259,000.00	\$2,266,980.00	\$51,005.00	\$2,576,985.00	TBD
2026 - 2027	\$274,000.00	\$2,251,440.00	\$51,515.05	\$2,576,955.05	TBD
2027 - 2028	\$291,000.00	\$2,235,000.00	\$52,030.20	\$2,578,030.20	TBD
2028 - 2029	\$642,000.00	\$2,217,540.00	\$52,550.50	\$2,912,090.50	TBD
2029 - 2030	\$681,000.00	\$2,179,020.00	\$53,076.01	\$2,913,096.01	TBD
2030 - 2031	\$722,000.00	\$2,138,160.00	\$53,606.77	\$2,913,766.77	TBD
2031 - 2032	\$765,000.00	\$2,094,840.00	\$54,142.84	\$2,913,982.84	TBD
2032 - 2033	\$811,000.00	\$2,048,940.00	\$54,684.26	\$2,914,624.26	TBD
2033 - 2034	\$860,000.00	\$2,000,280.00	\$55,231.11	\$2,915,511.11	TBD
2034 - 2035	\$911,000.00	\$1,948,680.00	\$55,783.42	\$2,915,463.42	TBD
2035 - 2036	\$966,000.00	\$1,894,020.00	\$56,341.25	\$2,916,361.25	TBD
2036 - 2037	\$1,024,000.00	\$1,836,060.00	\$56,904.66	\$2,916,964.66	TBD
2037 - 2038	\$1,085,000.00	\$1,774,620.00	\$57,473.71	\$2,917,093.71	TBD
2038 - 2039	\$1,151,000.00	\$1,709,520.00	\$58,048.45	\$2,918,568.45	TBD
2039 - 2040	\$1,220,000.00	\$1,640,460.00	\$58,628.93	\$2,919,088.93	TBD
2040 - 2041	\$1,293,000.00	\$1,567,260.00	\$59,215.22	\$2,919,475.22	TBD
2041 - 2042	\$1,370,000.00	\$1,489,680.00	\$59,807.37	\$2,919,487.37	TBD
2042 - 2043	\$1,453,000.00	\$1,407,480.00	\$60,405.45	\$2,920,885.45	TBD
2043 - 2044	\$1,539,000.00	\$1,320,300.00	\$61,009.50	\$2,920,309.50	TBD
2044 - 2045	\$1,633,000.00	\$1,227,960.00	\$61,619.60	\$2,922,579.60	TBD
2045 - 2046	\$1,731,000.00	\$1,129,980.00	\$62,235.79	\$2,923,215.79	TBD
2046 - 2047	\$1,834,000.00	\$1,026,120.00	\$62,858.15	\$2,922,978.15	TBD
2047 - 2048	\$1,944,000.00	\$916,080.00	\$63,486.73	\$2,923,566.73	TBD
2048 - 2049	\$2,061,000.00	\$799,440.00	\$64,121.60	\$2,924,561.60	TBD
2049 - 2050	\$2,184,000.00	\$675,780.00	\$64,762.82	\$2,924,542.82	TBD
2050 - 2051	\$2,315,000.00	\$544,740.00	\$65,410.44	\$2,925,150.44	TBD
2051 - 2052	\$2,453,000.00	\$405,840.00	\$66,064.55	\$2,924,904.55	TBD
2052 - 2053	\$1,354,000.00	\$258,660.00	\$66,064.55	\$1,678,724.55	TBD
2053 - 2054	\$1,435,000.00	\$177,420.00	\$66,064.55	\$1,678,484.55	TBD
2054 - 2055	\$1,522,000.00	\$91,320.00	\$66,064.55	\$1,679,384.55	TBD
	\$37,783,000.00	\$46,239,660.00	\$1,920,713.03	\$85,943,373.03	TBD

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 6/15/2022

Issue for Consideration:

Review of current, approved locations for Billboards along area roadways.

Points to Consider:

Several Councilmembers have been approached with a request to utilize county-owned land along major traffic corridors in the County to place billboards.

Currently, there are several land-use and zoning restrictions for billboards throughout the County. Such restrictions include limitations to industrial-zoned land as well as the Highway 521 Overlay District, plus SCDOT restrictions and federal highway funds use.

Council will receive a presentation on the various restrictions for billboards in the County, as well as the state and federal government considerations.

In addition to land-use and zoning requirements, the presentation will include sight, visual and lumen requirements for billboards depending on size and height and if they are digital or static billboards.

Funding and Liability Factors:

If Council is looking to utilize County-owned property for commercial purposes and revenue generation, it will need to consider what county property would be available for such opportunities, what type of procurement process will be utilized and what potential restrictions they would put on such a use, including termination clauses, among other considerations.

Council Options:

This is for discussion only.

Recommendation:

This is for discussion only.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 6/15/2022

Issue for Consideration:

Several residential developments throughout the County have deteriorating roads in their neighborhoods, yet these are private roads with the maintenance expense to be paid for by the properties along those roads. Given the large expense for road maintenance and repair, several neighborhoods are unable to generate the large lump sum of funds needed to fix or repave their roads.

This will become an increasing issue for the County, with some neighborhoods requesting the County take over the roads, or front the money for private road repair or replacement and collect the money from impacted households through payments on the annual property tax bill.

Points to Consider:

At the May 11, 2022 Committee of the Whole, County Council received an overview of December 2014 ordinance that restricted the County from adding new roads to its road network and formally stated that all *"roads within a Planned Development District, a residential subdivision or cluster subdivision overlay community after January 1, 2015"* will be private and maintained by the private landowners in those developments.

The ordinance did outline some rare exceptions by which the County would own and maintain residential roads, such as the ability of neighborhood associations to be able to pay for the future road maintenance, but any exception would require a two-thirds vote of Council.

At the May meeting, the County also received a presentation about the County's road ownership and maintenance policies, as well as funding sources and scenarios for future road maintenance on county roads.

The Council conversation reaffirmed that some Councilmembers have received constituent inquiries from various homeowners or neighborhood associations over the years about County taking over certain private roads, but all requests were denied based upon the December 2014 road closure Ordinance.

Since this last conversation in May, a request to present a private road for county ownership has emerged.

Funding and Liability Factors:

The County would have significant funding liability if it wants to provide general fund balance, credit, or bond support for private road maintenance, particularly when road costs can easily exceed \$250,000 and up.

Council Options:

This is for discussion only.

Recommendation:

This is for discussion only, no action will be taken.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2014-1299	6/8/2022	Ordinance
Ordinance 915	6/8/2022	Ordinance

FILED
OFFICE OF CLERK
STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

ORDINANCE NO. 2014-1299

2014 DEC 10 PM 3:51

CLERK OF COURT
LANCASTER, SC

AN ORDINANCE

TO AMEND SECTION 26-27 OF THE LANCASTER COUNTY CODE RELATING TO THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD SYSTEM AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

WHEREAS, over the past decade the extraordinary growth in Lancaster County's population and the roadways associated therewith has made it necessary for Council to consider appropriate modifications to the present ordinance that establishes the policy of accepting roads into the county system; and

WHEREAS, so as to distinguish between existing roads that have long since been constructed and those other newer roads, including those to be constructed in the future, the following amendments hereby are adopted.

THEREFORE, be it **ORDAINED** by the Council of Lancaster County, South Carolina:

Section 26-27 of the Lancaster County Code is amended to read:

Section 1. Acceptance of roads.

- (A) This amendment shall not impact those roads previously accepted into the Lancaster County roadway system.
- (B) There is hereby established several categories of roads that may be considered by Council for acceptance into the public road system, namely:
 - (1) **Legacy roads** – these roads are considered to be those roads that have been platted and built prior to the passage of Lancaster County Ordinance 2008-915, passed on December 1, 2008. To be accepted by the County, each of the following conditions must be met on or before December 31, 2015.
 - (a) The roadway must have a soil compaction of not less than ninety five (95%) percent and a roadbed of four (4) inches of stone and two (2) inches of asphalt.
 - (b) The roadway must have a dedicated right-of-way of at least fifty (50') feet and a paved area of not less that eighteen (18') feet in width.
 - (c) The roadway must be inspected by the Lancaster County Public Works Director prior to acceptance. Any repair work, less and excepting any normal aging, must be completed and approved prior to acceptance.
 - (d) Prior to acceptance, the owner must provide to the County the following documentation:
 - (i) Attorney's opinion letter regarding legal authority to transfer road;
 - (ii) Recorded plat indicating road(s) to be transferred;

- (iii) Recorded deed describing road(s) to be transferred;
 - (iv) Engineering report and verification that roadway standard noted herein has been met;
 - (v) If any repairs noted in (c) above were necessary, owner must provide a one year written warranty on the said repairs.
 - (e) Upon the prior conditions having been met, the roadway shall be accepted by the county staff without the requirement of Council approval.
 - (f) Under no circumstances shall the county accept ownership or responsibility for sidewalks, landscaped medians, storm water infrastructure outside the road right-of-way, detention ponds, street trees, decorative stamped asphalt or concrete, pavers, street lights or other similar items.
- (2) Post Ordinance 2008-915 roads – these roads are considered to be those roads that were “identified and created through the submission of a preliminary plan” following the passage of Lancaster County Ordinance 2008-915 on December 1, 2008 but prior to January 1, 2015. To be accepted by the County, the following shall be mandatory:
- (a) Each requirement and condition set forth in Ordinance 2008-915 must be accomplished;
 - (b) Each requirement shall be completed by the owner on or before December 31, 2017;
- (3) Roads within a Planned Development District, a residential subdivision or cluster subdivision overlay community that are identified and created through the submission of a preliminary plan after January 1, 2015 will be private -
 Subject only to the specific exception noted below, the approval process for these roads shall have the following two requirements:
- (a) The platted roadway must indicate with specificity on the plat to be recorded that the road will remain privately owned and privately maintained.
 - (b) The owner of the roadway must provide to Lancaster County sufficient proof that there is in existence a legally created property owners association or other similar entity for the purpose of providing perpetual maintenance and repairs for the road.
 - (c) One exception shall exist to the requirements set forth in Paragraph (3)(a) and (3)(b). Upon proof that the road in question has been built in full compliance with Ordinance 2008-915, Council may vote to accept the road into the county system upon a finding that the road provides connectivity to the county road system or is a necessary component for the proper development of the county road system.
 - (i) Council’s favorable consideration shall be by an affirmative Resolution vote of at least two-thirds of the Council members..
 - (ii) The Resolution must contain language establishes a finding that the road fully meets the two conditions cited in Paragraph (3)(c) above.
 - (iii) Under no circumstances shall the county accept ownership or responsibility for sidewalks, landscaped medians, storm water infrastructure outside the road right-of-way, detention ponds, street trees, decorative stamped asphalt or concrete, pavers, street lights and similar items.

Section 2. 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 3. Conflicting provisions.

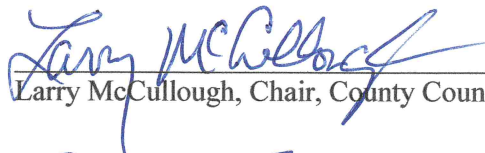
To the extent this ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, orders and resolutions, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 4. Effective date.

This ordinance is effective upon third reading.

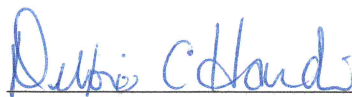
And it is so ordained, this 8th day of December, 2014.

LANCASTER COUNTY, SOUTH CAROLINA


Larry McCullough, Chair, County Council


Jack Estridge, Secretary, County Council

ATTEST:


Debbie C. Hardin, Clerk to Council

First Reading:

August 11, 2014

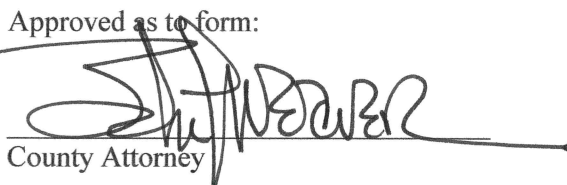
Second Reading:

November 24, 2014

Third Reading:

December 8, 2014

Approved as to form:


County Attorney

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STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

ORDINANCE NO. 915

AN ORDINANCE

TO AMEND CHAPTER 26 OF THE LANCASTER COUNTY CODE, RELATING TO ROADS, BRIDGES AND PUBLIC WAYS, SO AS TO ADOPT NEW STANDARDS FOR THE DESIGN, CONSTRUCTION AND ACCEPTANCE OF ROADS.

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

Section 1. Section 26-21 of the Lancaster County Code is amended to read:

“(a) Before any road or right-of-way is accepted by Lancaster County for ownership, maintenance or use the owner shall provide the county administrator a copy of a recorded certified plat of the road which must specifically show the distance, width and location of the road. The provisions of Section 26-27 must be followed if a road is to be accepted into the county road system.

(b) The owner wishing to transfer a road or right-of-way shall prepare a deed and deliver the deed to the county administrator along with the recorded plat and the opinion of the owner’s legal counsel that the grantor of the right-of-way has marketable fee simple title. Before any road is accepted, all owners of the road must have executed the deed. The deed must not be recorded before the road or right-of-way has been accepted by the County.

(c) The owner shall provide to Lancaster County a set of “as built” drawings for the roadway, showing all details related to the roadway, including storm drainage.

(d) Before any road or right-of-way is accepted by Lancaster County, the developer shall provide a one year warranty from the date of acceptance, backed by a letter of credit or other suitable bond.”

Section 2. Section 26-23 and Section 26-24 of the Lancaster County Code are amended to read:

“Section 26-23. Reserved.

Section 26-24. Reserved.”

Section 3. Section 26-27 of the Lancaster County Code is amended to read:

“Section 26-27. Acceptance contingent upon recommendation of acceptance.

If all standards as outlined in Article V, Division 2 are met, and the county road supervisor recommends acceptance, the county administrator shall accept the road into the county road system. Lancaster County will not accept ownership and/or responsibility for sidewalks, landscaped medians, storm water infrastructure outside the road right of way, detention ponds, street trees, decorative stamped asphalt/concrete, pavers, street lights, and similar items. Roads that do not meet the standards as contained in Article V, Division 2 shall not be accepted into the county road system.”

Section 4. Chapter 26 of the Lancaster County Code is amended by adding:

“Article V
Road Construction Standards

Division 1
Standards for Privately Maintained Roads

Section 26-61. Road design (geometric criteria).

In general, geometric criteria for road design for roads that will be privately maintained shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials. Local and collector residential roads which shall be privately maintained shall be designed in accordance with the following standards:

(1) Minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	20
Local (open drainage)	66	20
Collector	66	24

Additional right-of-way or pavement width will be provided as determined necessary by county council for high density residential or nonresidential subdivisions or portions thereof.

(2) Cul-de-sacs shall not exceed one thousand (1,000) feet in length, except where unusual topographic or other physical conditions dictate otherwise, and shall have a turnaround with seventy (70) feet minimum diameter to pavement edge and one hundred (100) feet minimum diameter to right-of-way line. Dead end streets without turnarounds are prohibited.

(3) Horizontal curvature shall be introduced at any change in road direction. Minimum centerline radius shall be one hundred and fifty (150) feet for local roads and two hundred and fifty (250) feet for collector roads. Major road curvature shall be in accordance with state highway department standards. Minimum tangent between reverse curves shall be one hundred (100) feet for local roads, two hundred (200) feet for collector roads, and sixty (60) feet from curve to any intersecting road.

(4) Stopping sight distance on vertical curves shall be at least one hundred and fifty (150) feet (twenty-five (25) miles per hour design speed) for local roads and three hundred and twenty-five (325) feet (forty-five (45) miles per hour design speed) for collector roads. If a collector road may reasonably be expected to serve more than one subdivision, it shall be designed for at least a fifty-five (55) miles per hour design speed (four hundred and fifty (450) minimum sight distances). Minimum sight distance at intersections shall be established by provision of a clear sight triangle measured along centerlines for one hundred (100) feet, which triangle shall be entered upon the final plat prior to recording.

(5) Roads shall be designed to intersect as nearly as possible at right angles, but no less than seventy-five (75) degrees. Minimum radius or curb or pavement edge at intersections shall be at least twenty (20) feet at intersections with local roads and twenty-five (25) feet at intersections with collector roads.

(6) Unless necessitated by unusual topographic conditions approved by county council, minimum and maximum road grade shall be one (1) percent and eight (8) percent, respectively. Road crown shall be 3/8" per foot.

(7) Proposed intersections on one side of a road shall coincide with existing or proposed intersections on the opposite side. Minimum centerline offset for intersections on opposite sides of a road shall be one hundred and fifty (150) feet. No two (2) roads may intersect on the same side of a road at a centerline separation distance of less than four hundred (400) feet.

Section 26-62. Road Construction.

In general, all roads that will be privately maintained shall be constructed in accordance with the South Carolina Department of Transportation's "Standard Specifications for Highway Construction" (latest edition) as it relates to earthwork, bases/subbases, paved surfaces, etc., and the following requirements.

(1) Paved road surfaces are required for any road except where such road is within a residential subdivision where all lots exceed five (5) acres in size.

a. Local roads: Road base shall include (approximately six (6) inches crushed stone compacted) with a two (2) inch surface course in compacted asphaltic concrete.

b. Collector / Sub Collector roads: Road base shall include approximately eight (8) inches crushed stone compacted with two (2) inch surface course of compacted asphaltic concrete.

(2) In subdivisions with all lots five (5) acres or more in area, local roads may be constructed with a six-inch crushed stone (crusher run) driving surface, drainage swales, and six-foot stabilized shoulders.

(3) Road paving for nonresidential roads is required. Pavement design requirements for nonresidential subdivisions shall be in accordance with sound engineering principles as outlined in procedures adopted by the American Association of State Highway and Transportation Officials, or the Portland Cement Institute, or the Asphalt Institute. However, in no case shall the paving standard be less than the standard required for residential roads.

(4) All roadway ditches and channels shall be designed to contain, at a minimum, a peak flow from a twenty-year frequency storm. All roadway ditches and channels shall be designed so that the velocity of flow expected from a twenty-year frequency storm shall not exceed the permissible velocities for the type of lining used. Riprap shall be placed for stops in road drainage swales as needed. Swales shall be stabilized against erosion by grassing with a mixture of rye and Bermuda grass. Road swales shall be installed at a maximum depth of three (3) feet and be designed to enable mowing by adjoining property owners.

(5) Roads may be constructed with drainage swales and six-foot-wide shoulders (12:1 slope) provided road grade does not exceed six (6) percent. Where road grade exceeds six (6) percent, curb and gutter, paved drainage swales, or riprap swales shall be provided. Curb and gutter may be roll-type or standard ninety-degree curb.

Section 26-63. Variances.

County council may vary appropriate provisions of this division upon a written finding that compliance with such provisions would result in undue hardship for the owner/developer or owners fronting upon a proposed road. Requests for variances shall be submitted in writing by the owner/developer. Such requests shall identify the provision or provisions for which a waiver is requested and shall substantiate the reasons that expenditures necessary to meet such provisions are not reasonably recoverable. Any variance granted shall be the minimum necessary to avoid unreasonable prejudice. To the extent that expenditures are recoverable on a reasonable basis, such as through the sale of lots fronting a road proposed for acceptance, prejudice shall not be found to exist. Approval of any variance shall be by no less than the affirmative vote of a majority of council.

Division 2

Standards for County Maintained Roads

Section 26-65. Road design (geometric criteria).

In general, geometric criteria for road design for roads that will be maintained by the county shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials. Local and collector

residential roads that will be maintained by the county shall be designed in accordance with the following standards.

(1) Minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	22
Local (open drainage)	66	22
Collector	66	24

Additional right-of-way or pavement width will be provided as determined necessary by county council for high density residential or nonresidential subdivisions or portions thereof.

(2) Cul-de-sacs shall not exceed one thousand (1,000) feet in length, except where unusual topographic or other physical conditions dictate otherwise, and shall have a turnaround with seventy (70) feet minimum diameter to pavement edge and one hundred (100) feet minimum diameter to right-of-way line. Dead end streets without turnarounds are prohibited.

(3) Horizontal curvature shall be introduced at any change in road direction. Minimum centerline radius shall be one hundred and fifty (150) feet for local roads and two hundred and fifty (250) feet for collector roads. Major road curvature shall be in accordance with state highway department standards. Minimum tangent between reverse curves shall be one hundred (100) feet for local roads, two hundred (200) feet for collector roads, and sixty (60) feet from curve to any intersecting road.

(4) Stopping sight distance on vertical curves shall be at least one hundred and fifty (150) feet (twenty-five (25) miles per hour design speed) for local roads and three hundred and twenty-five (325) feet (forty-five (45) miles per hour design speed) for collector roads. If a collector road may reasonably be expected to serve more than one subdivision, it shall be designed for at least a fifty-five (55) miles per hour design speed (four hundred and fifty (450) minimum sight distances). Minimum sight distance at intersections shall be established by provision of a clear sight triangle measured along centerlines for one hundred (100) feet, which triangle shall be entered upon the final plat prior to recording.

(5) Roads shall be designed to intersect as nearly as possible at right angles, but no less than seventy-five (75) degrees. Minimum radius or curb or pavement edge at intersections shall be at least twenty (20) feet at intersections with local roads and twenty-five (25) feet at intersections with collector roads.

(6) Unless necessitated by unusual topographic conditions approved by county council, minimum and maximum road grade shall be one (1) percent and eight (8) percent, respectively. Road crown shall be 3/8" per foot.

(7) Proposed intersections on one side of a road shall coincide with existing or proposed intersections on the opposite side. Minimum centerline offset for intersections on opposite sides of a road shall be one hundred and fifty (150) feet. No two (2) roads may intersect on the same side of a road at a centerline separation distance of less than four hundred (400) feet.

Section 26-66. Road standards.

In general, all roads that will be maintained by the county shall be constructed in accordance with the South Carolina Department of Transportation's "Standard Specifications for Highway Construction" (latest edition) as it relates to earthwork, bases/subbases, paved surfaces, etc., and the following requirements. Types of roads are defined in Chapter 13 of the Unified Development Ordinance of Lancaster County.

(1) Paved road surfaces are required for all roads.

Between March 1 and November 30:

a. Local roads: Road base shall include six (6) inches of crushed stone with a two (2) inch intermediate asphalt course. Alternate designs will be acceptable if they have the same or greater coefficient of strength and with prior written approval from the Public Works Director. Road shall be left down one and a half (1.5) inches for future overlay AFTER 95% build out of entire project, even if phased. A Local Road shall mean a route providing service which is of relatively low average traffic volume, short average trip length or minimal through-traffic movements, and high land access for abutting property. Total cross section for local roads: six (6) inches crushed stone compacted, two (2) inch compacted intermediate asphalt course, one and a half (1.5) inches compacted asphalt surface course.

b. Collector / Sub Collector roads: Road base shall include eight (8) inches of compacted crushed stone with a two (2) inches compacted intermediate asphalt course. Alternate designs will be acceptable if they have the same or greater coefficient of strength and with prior written approval from the Public Works Director. Road shall be left down one and a half (1.5) inches for future asphalt overlay AFTER 95% build out of entire project, even if phased. A Collector / Sub Collector road shall mean a route providing service which is of higher average traffic flow, serving as a main route for interior/exterior traffic and land/property access related to the designed project. Total cross section for Collector / Sub Collector roads: eight (8) inches compacted crushed stone, two (2) inches compacted intermediate asphalt course, one and a half (1.5) inches compacted asphalt surface course.

c. Commercial/Arterial roads: Road base shall include eight (8) inches of crushed stone with a four (4) inch asphalt binder course and two (2) inch surface asphalt course. Alternate designs will be acceptable if they have the same or greater coefficient of strength and with prior written approval from the Public Works Director. Commercial or arterial roads shall be accompanied by a CBR study of the soils, and a traffic study based on repetitive traffic, INCLUDING construction traffic per lot during building phase(s). Note: If CBR and traffic study supports a cross section BELOW the proposed standard, proposed standard will still be used. If road needs a heavier section, then the pavement design shall be included in plan review by the project engineer / geotechnical engineer. Lancaster County may also incorporate a mandatory lime / cement treated subgrade for such roads identified as commercial or arterial roads. A Commercial/Arterial Road shall mean any road inside a business or industrial park and those roads providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.

Between December 1 and February 28 (29), road work requires the advance approval of the Lancaster County Public Works Department and the following standards shall apply unless a written variance is granted by the Public Works Director:

a. Local roads, Collector/Sub Collector roads: Road base shall be treated with lime or cement base stabilization and shall include four (4) inches of asphalt base with a two inches compacted intermediate asphalt course. Road shall be left down one and a half (1.5) inches for future overlay AFTER 95% build out of entire project, even if phased.

b. Commercial/Arterial roads: Road base shall be treated with lime or cement base stabilization and shall include ten (10) inches of full depth asphalt. Commercial or arterial roads shall be accompanied by a CBR study of the soils, and a traffic study based on repetitive traffic, INCLUDING construction traffic per lot during building phase(s). Note: If CBR and traffic study supports a cross section BELOW the proposed standard, proposed standard will still be used. If road needs a heavier section, then the pavement design shall be included in plan review by the project engineer / geotechnical engineer. Lancaster County may also incorporate a mandatory lime / cement treated subgrade for such roads identified as commercial or arterial roads.

(2) All entrances shall be paved with 10" full depth asphalt 50' (minimum) from edge of intersecting road ROW. An entrance is defined as wherever asphalt begins of an intersecting street, or end of a previous phase.

(3) Any utility cuts in asphalt shall be saw cut, primed, and replaced with 8" minimum hot asphalt mix.

(4) All conduit crossings shall extend from edge to edge of the Right of Way of the road, and must be installed before curb and gutter is to be poured. Developer is responsible for ensuring dry utilities

(power, cable/phone, natural gas) are properly installed and compacted. Dry utilities are subject to inspection by Lancaster County Public Works, and any deficiencies must be corrected immediately.

(5) All curb must be, or transitioned to, SCDOT vertical standard curb at all creek crossings. A 10' transition is also required from curb to all drainage structures.

(6) All roadway ditches and channels shall be designed to contain, at a minimum, a peak flow from a twenty-year frequency storm. All roadway ditches and channels shall be designed so that the velocity of flow expected from a twenty-year frequency storm shall not exceed the permissible velocities for the type of lining used. Riprap shall be placed for stops in road drainage swales as needed. Swales shall be stabilized against erosion by grassing with a mixture of rye and Bermuda grass. Road swales shall be installed at a maximum depth of three (3) feet and be designed to enable mowing by adjoining property owners.

(7) Roads may be constructed with drainage swales and six-foot-wide shoulders (12:1 slope) provided road grade does not exceed six (6) percent. Where road grade exceeds six (6) percent, curb and gutter, paved drainage swales, or riprap swales shall be provided. Curb and gutter may be roll-type or standard ninety-degree curb.

Section 26-67. Proof rolls.

For roads that will be maintained by the county, the following requirements apply:

- (1) Curb subgrade shall be proof rolled with a loaded pan or loaded dump truck. Proof roll equipment must be approved by Lancaster County Public Works. No weight ticket will be necessary for curb subgrade proof roll.
- (2) Curb subgrade proof rolls shall be scheduled between the hours of 8:30 AM and 2:30 PM (Monday through Thursday). Any curb subgrade proof roll scheduled on Friday or the day prior to a holiday must be approved by Lancaster County Public Works. A 24 hour notice is required.
- (3) Curb proof rolls shall be scheduled accordingly, despite size or phasing of project. Lancaster County will not "piece mill" proof rolls for curb placement.
- (4) Curb subgrade shall be smooth on top with no loose material, cracks, ruts, or organic material / roots visible in subgrade. Exposed rock shall be at least 6" below subgrade.
- (5) The contractor or project engineer will schedule proof rolls.
- (6) All sewer lines shall be tested by the project engineer, and all road crossing conduits installed before curb subgrade proof roll.
- (7) Curb subgrade shall be compacted properly with no visible movement, and at optimum moisture content in order for proof roll to pass.
- (8) If proof roll fails, a re-inspection fee in an amount established by the Lancaster County annual budget shall be collected before the rescheduled proof roll.
- (9) Any undercut areas must be replaced with material approved by the Lancaster County Public Works Department.
- (10) All concrete shall meet or exceed SCDOT and all local government requirements. Concrete shall be 3,600 psi, or greater. Temperatures must be above 40 degrees Fahrenheit to pour curb. If temperatures fall below freezing (32 degrees F.) overnight, all finished curb shall be covered with insulation blankets.
- (11) Lancaster County reserves the right to have any material and/or utility trenches tested by an independent engineering firm, at the developer's/ contractor's expense.
- (12) Pour is to start within 24 hours of passed proof roll. If project receives significant rainfall, the proof roll shall be rescheduled. In the event of rainfall, any undermined curb and gutter shall be removed and repoured. Finished curb must have a minimum 72 hour period curing time, and be properly backfilled, before any stone is placed on the subgrade.
- (13) Lancaster County shall have final decision on the acceptance of all proof rolls.

Section 26-68. Roadway subgrade.

For roads that will be maintained by the county, the following requirements apply:

- (1) Roadway subgrade shall be proof rolled with a loaded tandem dump truck with a minimum 15 tons loaded on truck, or a maximum of 54,000 lbs. gross weight. Current weight ticket shall be provided to Lancaster County. Note: The use of water trucks, regardless of gross weight, is unacceptable.
- (2) Road subgrade proof rolls shall be conducted from the hours of 8:30 AM and 1:00 PM (Monday through Thursday). No road subgrade shall be proof rolled on Fridays or the day prior to a holiday.
- (3) The contractor or project engineer will schedule proof rolls. A representative of the paving contractor must be present at all subgrade proof rolls.
- (4) If a soils engineer is employed by the developer for quality control, the soils engineer shall be present at all proof rolls.
- (5) Subgrade proof rolls shall be scheduled accordingly, despite project size or phasing. Lancaster County will not "piece mill" proof rolls for stone placement. If subgrade is covered, contractor(s) shall make every effort to pave the road. Any stone left dormant over extended periods of time shall be considered contaminated, removed from the road base, and subgrade reworked.
- (6) Curb and gutter shall be properly backfilled and compacted before any roadway subgrade proof roll is scheduled. Backfill shall be inspected prior to ANY subgrade proof roll. Right of way shall be smooth and graded for positive drainage, with no ruts and all conduits / utility services properly tamped/compacted.
- (7) Roadway crown/grade shall be checked by the paving contractor, with a Lancaster County representative present, at 50' intervals minimum. If grade is inconsistent, the proof roll automatically fails and shall be rescheduled. A re-inspection fee in an amount established by the Lancaster County annual budget shall be collected before the rescheduled proof roll.
- (8) Proper erosion control measures shall be installed and maintained to prevent silt from contaminating roadway subgrade. Lancaster County reserves the right to have additional erosion control measures (ex. silt fencing, rip rap check dams, diversion ditches, etc.) installed to protect the roadway subgrade.
- (9) Roadway subgrade shall be smooth on top, with no visible cracks, ruts, or exposed organic material / roots present. Any exposed rock shall be at least 6" below subgrade, if conditions require rock to stay in place. Organics/roots shall be removed from the subgrade.
- (10) Roadway subgrade shall have no visible movement or deflection, and be at optimum moisture content, in order for proof roll to pass. Excessive "scaling" or movement in the top unbonded lift of soil shall be deemed failing, and unacceptable to Lancaster County.
- (11) Any undercut material must be approved by Lancaster County. Isolated marginal areas may use extra compacted crushed stone. Largely inconsistent areas must be reworked. Undercut areas shall be a minimum twelve (12) inches in depth, and are subject to a reinspection fee.
- (12) Stone is to begin being placed within 24 hours following satisfactory proof roll.
- (13) Every effort shall be made to protect the subgrade/stone base. Construction traffic shall be monitored, and in certain cases, isolated failing areas may cause entire proof roll to fail. Upon completion of a satisfactory proof roll, construction traffic shall be limited to the forces of the paving contractor only. Utilities shall not be trenched in the road right of way of unpaved, undeveloped roads.
- (14) Stone shall not be placed on frozen or excessively wet subgrade. Temperatures must be above 35 degrees to place stone. In the event temperatures fall under freezing overnight, proof roll shall be rescheduled.
- (15) All material shall meet SCDOT standards, as well as local government standards. Lancaster County reserves the right to have any material tested by an independent engineering firm, at the developer's/ contractor's expense.
- (16) Lancaster County shall have final decision on all proof rolls.

Section 26-69. Roadway stone base.

For roads that will be maintained by the county, the following requirements apply:

- (1) Stone base shall be proof rolled with a loaded tandem truck with 15 tons loaded on the truck, or a maximum gross weight of 54,000 lbs. Current weight ticket shall be checked.

- (2) Stone base shall be properly set and sealed, with no visible movement in order for proof roll to pass. No loose gravel, or segregation of stone on top, shall be permitted. Those areas shall be wet and rolled, or broomed/undercut until satisfactory surface is present. If proof roll fails, a re-inspection fee in an amount established by the Lancaster County annual budget shall be collected before the rescheduled proof roll
- (3) Proof rolls shall be conducted from the hours of 8:30 AM and 1:00 PM (Monday through Thursday). Any proof roll scheduled on Friday or the day prior to a holiday must be approved by Lancaster County Public Works. A 24 hour notice is required.
- (4) Stone base proof roll shall be scheduled by the paving contractor only.
- (5) Pavement is to begin within 24 hours following satisfactory proof roll.
- (6) Every effort shall be made to pave the stone base. Traffic shall be monitored and routed around subgrade before, during, and after stone base is set or being set. In certain cases, isolated areas could cause entire proof roll to fail.
- (7) Any isolated areas shall be undercut and removed to the subgrade for full depth patching. Undercut areas will be a minimum of six (6) inches.
- (8) Any areas of contaminated stone shall be undercut / removed before any asphalt is placed.
- (9) Pavement shall not be placed on frozen or excessively wet subgrade. Temperatures must be above 50 degrees by 10:00 AM to place asphalt. In the event temperatures fall under freezing overnight, proof roll shall be rescheduled. In the event of significant rainfall, proof roll shall be rescheduled.
- (10) All material shall meet SCDOT standards, as well as local government standards. Lancaster County reserves the right to have any material, fill, or trench tested by an independent engineering firm, at the developer's/ contractor's expense.
- (11) Proper measures shall be installed at catch basins to drain roadway properly after initial asphalt course is placed. These measures shall be the responsibility of the developer to maintain from the time of asphalt placement to the end of the warranty period.
- (12) Lancaster County shall have final decision on all proof rolls.

Section 26-70. Storm drain inspections.

The following requirements apply to storm drains:

- (1) Storm drain system must be initially inspected after catch basins are tied into curb and gutter (10 inch transition from curb to drainage structure). Storm drain system shall be cleaned and flushed before final acceptance inspection of roadway. A 48 hour notice is required.
- (2) Catch basins must be free of excess silt and mud for inspection to pass. All throat/hood openings shall conform to SCDOT specifications, and all pipe shall be reinforced concrete pipe (RCP). Any failures or deficiencies noticed in any pipe crossings flashed in roadway must be corrected before stone base is put down. Minor issues such as grouting boxes, changing grates, adding steps can be completed before final inspection.
- (3) All materials used in the storm drain system must be SCDOT approved.
- (4) All outfall pipes must have a flared end with rip rap outlet protection properly installed.
- (5) Developer/contractor shall be required to have weepholes, pipes, or some form of temporary drainage, installed to the catch basins to protect the road subgrade/stone base/intermediate asphalt base course.

Section 26-71. Pavement inspections.

For roads that will be maintained by the county the following requirements apply:

- (1) Pavement shall pose no drainage or safety hazard during its warranty period.
- (2) Upon installation of the intermediate asphalt course, Lancaster County Public Works will conduct monthly inspections of the roadway. Any immediate hazards will be forwarded in writing to the project engineer and/or developer. These repairs must be done immediately, or developer will be found in default, with the possibility of the suspension of building permits and certificates of occupancy for the project.

- (3) Pavement will be cored for Lancaster County Public Works at random intervals, determined by Lancaster County Public Works. Any failing areas must be made good immediately.

Division 3
General

Section 26-72. Technical procedures.

The Director of Public Works is authorized to publish and utilize departmental technical procedures and processes to carry out the provisions of this Chapter.”

Section 5. 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 6. 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 7. This ordinance is effective upon third reading. This ordinance applies to the design and construction of all roads except for those roads in which the development right was vested on the effective date of this ordinance.

AND IT IS SO ORDAINED THIS 8TH DAY OF DECEMBER, 2008.

LANCASTER COUNTY, SOUTH CAROLINA



Rudy L. Carter, Chair, County Council



Wesley Grier, Secretary, County Council

Approved as to form:



J. Michael Ey, County Attorney

ATTEST:



Christopher S. Karres, Deputy Clerk to Council

First Reading: May 5, 2008 PASSED 7-0
Second Reading: November 24, 2008 PASSED 5-2 (For: Carter, Grier, Thomas, Honeycutt; Vaughn. Against: Estridge, Kersey)
Third Reading: December 8, 2008 PASSED 5-1 (For: Carter, Grier, Thomas, Honeycutt, Kersey. Against: Estridge)

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sheriff Barry Faile / Lancaster County Sheriff's Office

Department: Sheriff Department

Date Requested to be on Agenda: 6/15/2022

Issue for Consideration:

Discussion of the report from Justice Planners regarding bed needs analysis for the proposed Lancaster County Detention Center. Key Sheriff's Office staff, the Project Manager, and representatives from Justice Planners will be in attendance.

Points to Consider:

Justice Planners has prepared a report (attached) regarding the bed needs for the planned Detention Center. Data considered in preparing the report included:

- Data from the South Carolina Court Administration regarding case loads and case processing times for both General Sessions Court and Lancaster County Magistrate's Court;
- Data from the Lancaster County Detention Center with historical information regarding Average Daily Populations (ADP), Average Length of Stay per Detainee (ALOS), and number of bookings.
- Census projections for growth in the population of Lancaster County. Particular attention was paid to the 20 years of age to 50 years of age male demographic as this is the primary driver of the ADP within the Lancaster County Detention Center. This is the common driver for detention facilities nationwide. Interestingly, the projected growth in that demographic sector is less than the overall population projection between 2020 and 2035 (43% versus 57.4%). This is helpful and was taken into account in the various scenario projections.

The report is attached as information with substantial background information but the key information for discussion today starts on page 47. Key points for consideration include:

- Data on the ADP is not the sole driver in determining bed capacity. As explained, law enforcement must take into account peak usage needs. Also, space must be included to allow for proper classification and separation of inmates. Examples include male versus female, co-defendants in a case, members of rival groups, etc.
- A 10% bump for classification needs is a good average but it should be noted the architects will take into account that the South Carolina Department of Corrections uses an 80% figure of total beds in calculating the functional capacity of any detention facility.
- Justice Planners has submitted projections utilizing four different scenarios. We recommend using Scenario 1 as discussed below.
 - o Scenario 1 – this is the “status quo” scenario. It presumes no significant changes in ALOS and case processing times. It is Justice Planners best estimate of our future needs.
 - o Scenario 2 – this is the “worst case” scenario where ALOS and case processing times worsen. We do not feel this will happen.
 - o Scenario 3 – this is the “best case” scenario where ALOS and case processing times significantly improve. Again, since these factors are beyond the control of County Council and are state driven, we do not feel that is an accurate forecast either.
 - o Scenario 4 – this scenario forecasts a moderate improvement to the system.

County Council could impact this by funding programs to reduce recidivism, provide for mental health programs for inmates, etc. It should be noted that the Lancaster County Sheriff's Office has already implemented a cite and release policy for minor Summary Court offenses such as Simple Possession of Marijuana and Shoplifting First Offense. These type cases were found to be the main drivers in ADP reductions in counties where a Criminal Justice Coordinating Council was created. Since the Sheriff has already taken the steps he can take and no county funding is currently available for other programs, we do not recommend utilizing this scenario.

The determination of which scenario to utilize is the key decision point for today's discussion. That will drive schematic planning for the facility.

It should be noted early on that the current thinking is to build the core spaces, such as kitchen, laundry, medical, mechanical, etc. to support the 2050 estimated bed needs. These spaces are extremely difficult, and costly, to expand in the future. We certainly do not have to build the total number of beds to start with and can plan to construct new housing pods as needed in the future.

Just as information for comparative purposes, the current facility has had housing expanded one time and currently has 121 beds. Under SCDC calculations this gives the current facility a functional capacity of 97. The Average Daily Population currently runs in the 160 range. Core spaces such as the kitchen, medical, administrative, booking, etc. were not able to be expanded during the one addition. We plan to learn from the mistakes of the past in the design of the new facility.

Funding and Liability Factors:

The discussion today on which scenario to utilize will drive the schematic design which will be utilized for cost estimating purposes. We are simply far too early in the process to provide any funding projections. Council is already well aware of the liability for a failure to properly design the facility.

Council Options:

Information to make sure that Council concurs with the recommendation to utilize Scenario Number One for planning purposes. Recognizing that Council may not take formal votes at a Committee of the Whole meeting, staff will move forward with Scenario 1 for planning absent a directive for further discussion at a County Council meeting. Obviously once schematic plans and early cost estimates are available that will come before Council at a Council meeting. In the future, we would plan to provide routine informational updates at Committee of the Whole meetings. The frequency will obviously vary depending upon which phase of the project we are in.

Recommendation:

Concurrence with using Scenario 1 for planning purposes.

ATTACHMENTS:

Description	Upload Date	Type
Lancaster County Detention Center Needs Assessment	6/10/2022	Backup Material

Lancaster County Detention Center Needs Assessment



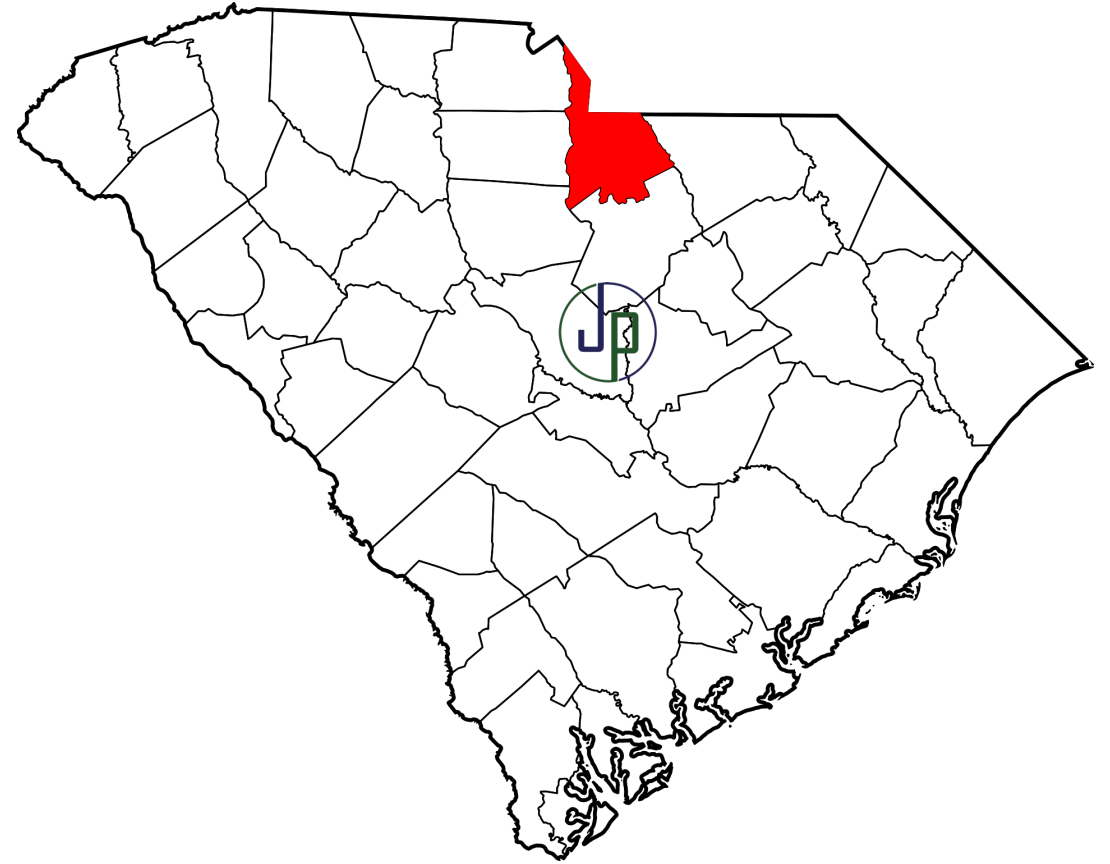
May 23, 2022

Welcome and Introductions

- Welcome
- Project Team Introductions



JUSTICE PLANNERS



Outline

- Introduction
- Lancaster County Detention Center Population
 - Population Profile
 - Average Daily Population, Bookings, & Average Length of Stay
 - Criminal Court Case Processing
- Corrections Population Forecasts
- Conclusions

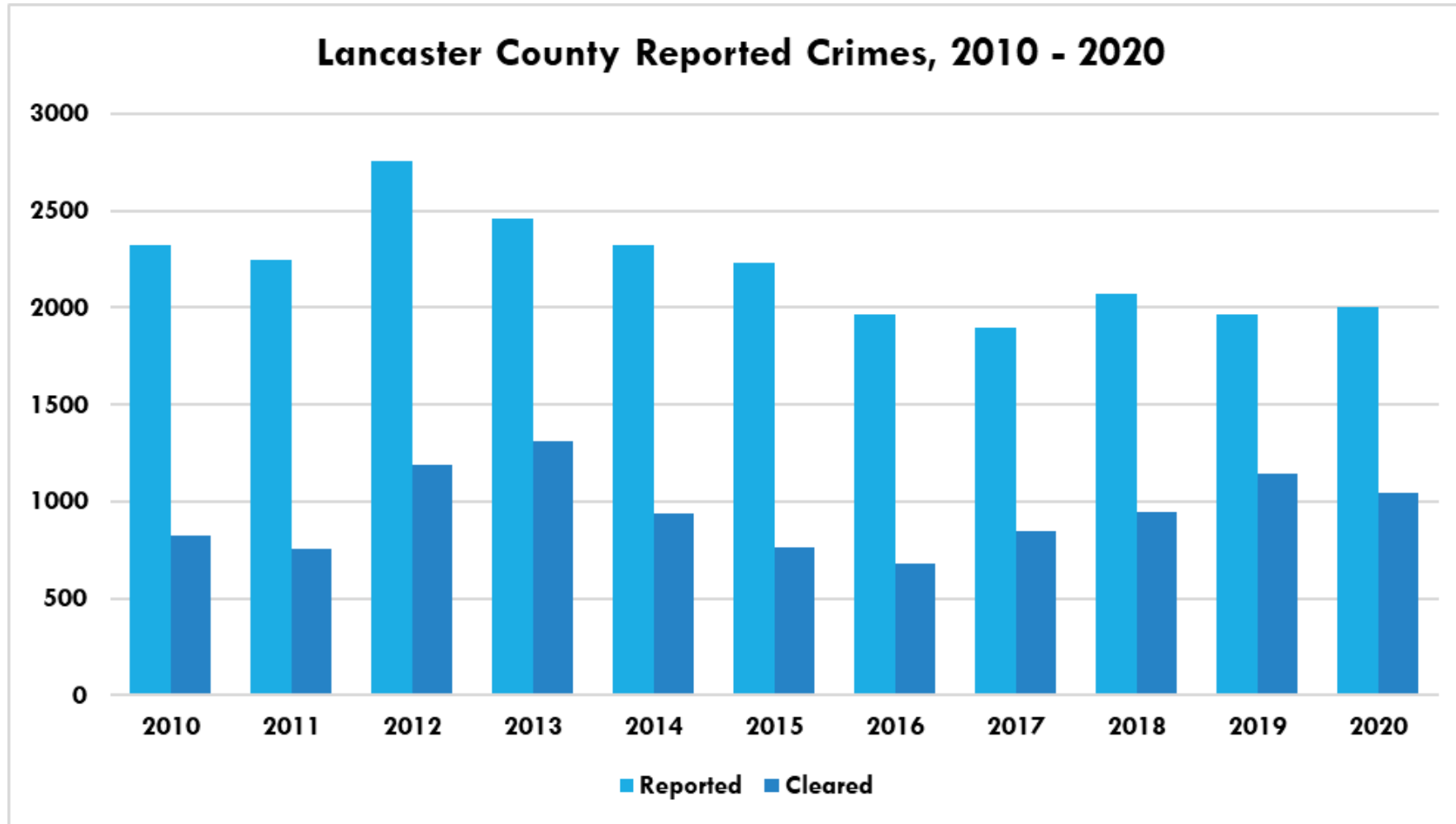
Introduction – Inmate & Bedspace Projections

- Determine whether the processes used throughout the local system represent ‘best practices’ and identify areas for improvement.
- Enable the County to make informed decisions on the policies and procedures in multiple phases of the criminal justice system.
- Multiple scenarios will be presented for the future size of the inmate population and bedspace needs.

Outline

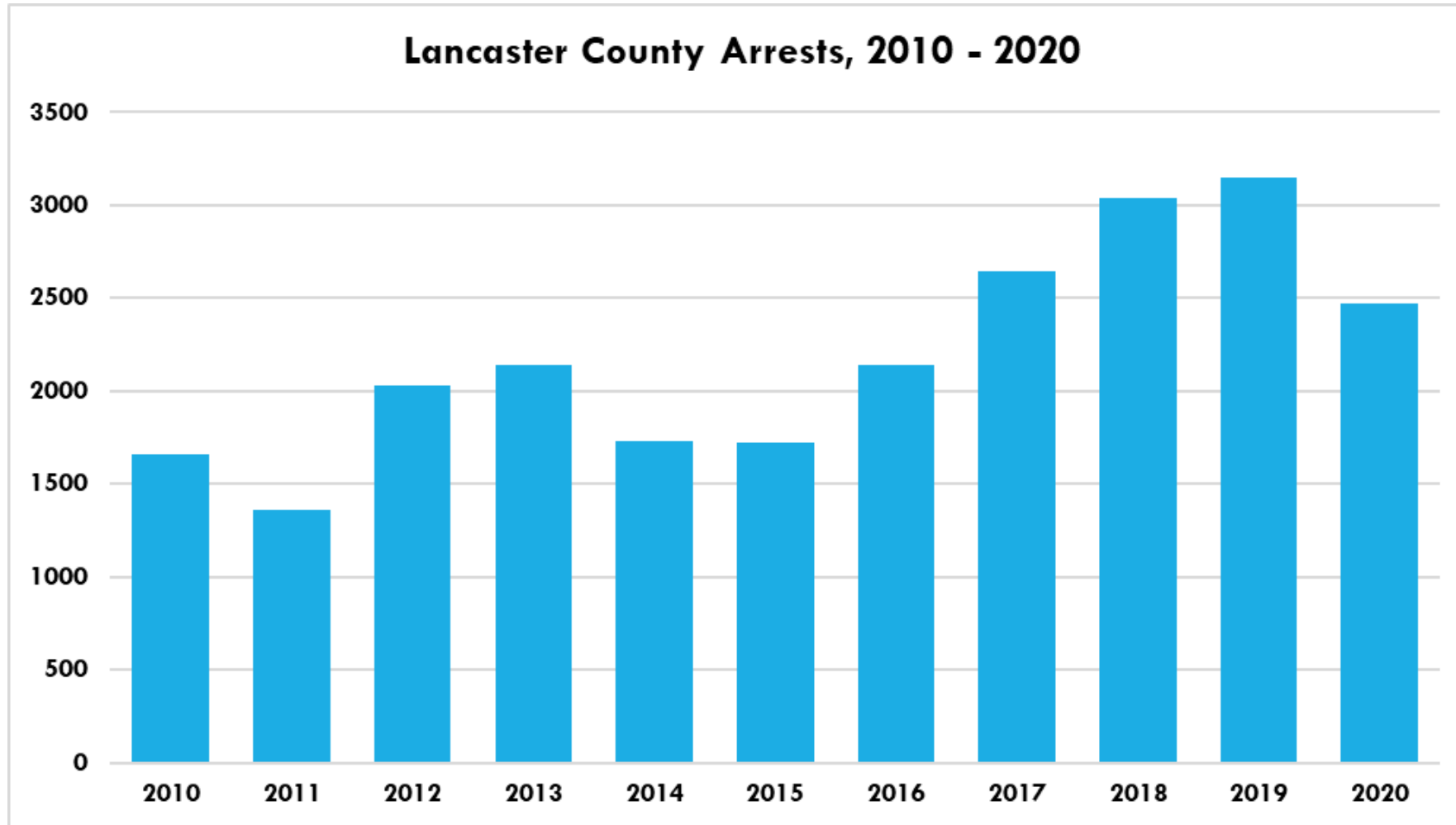
- Introduction
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Lancaster County Reported Crimes



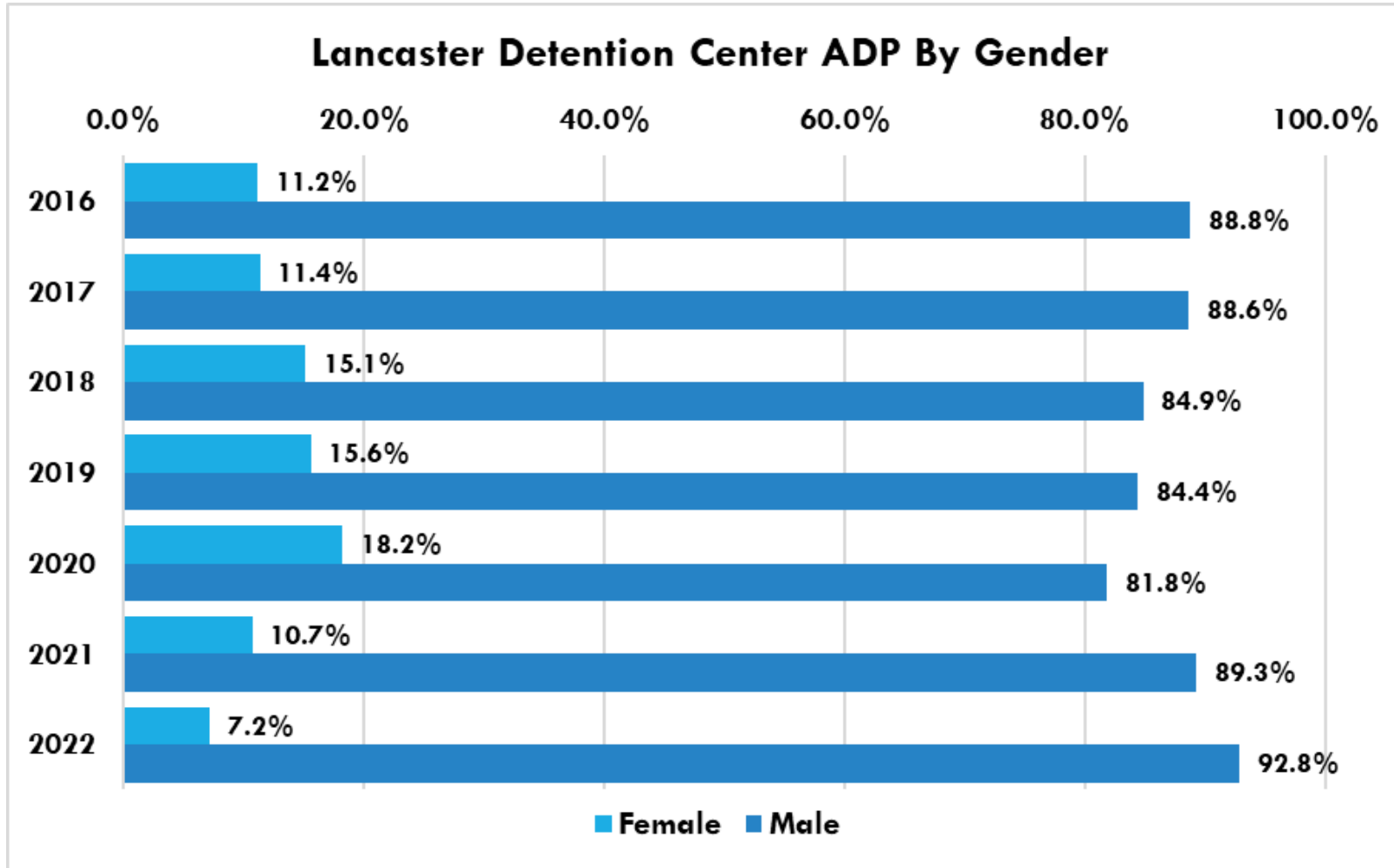
- Reported crimes have been stable the last 5 years in the data

Lancaster County Arrests



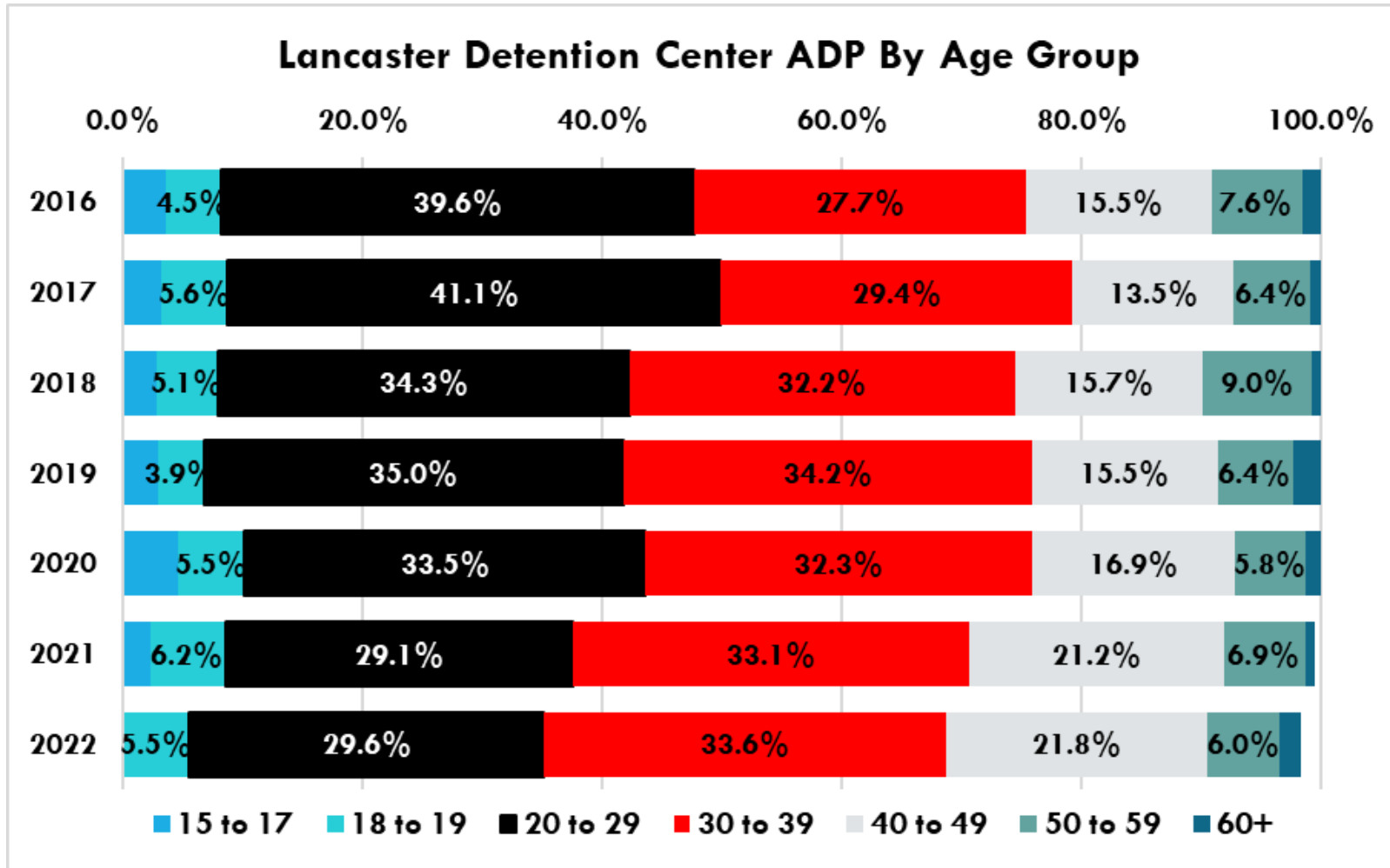
- Arrests increased each year prior to the pandemic

LCDC Population By Gender



- The gender balance in the population was growing until the pandemic
- After 2020, the female proportion has continued to shrink
- We see no explanation for this in the data

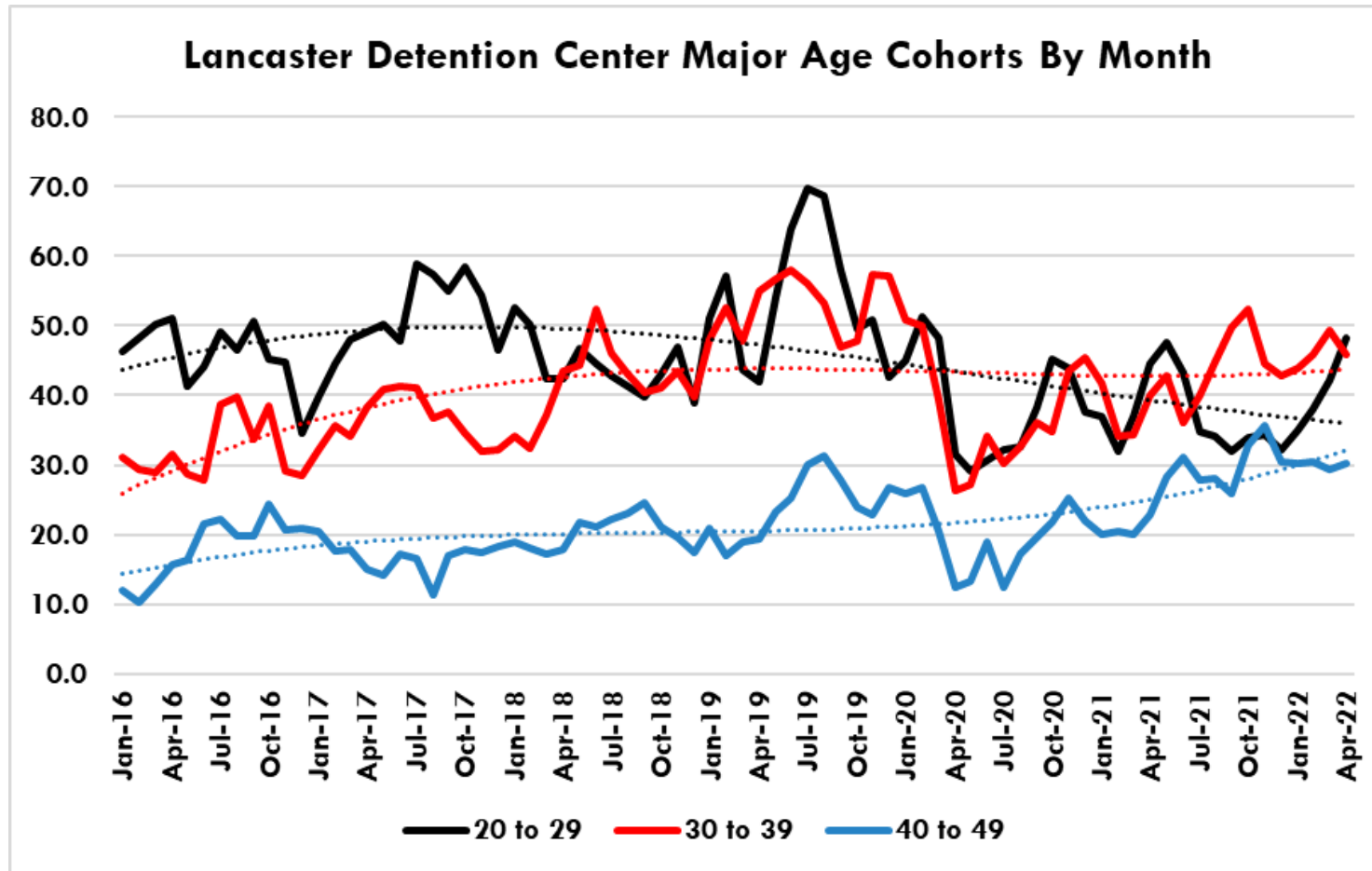
LCDC Population By Age



- The population is shifting older across time
- The shift in the population proportions by age group is very similar to what we have seen across the country
- The shift is important to the projections of the facility's future population

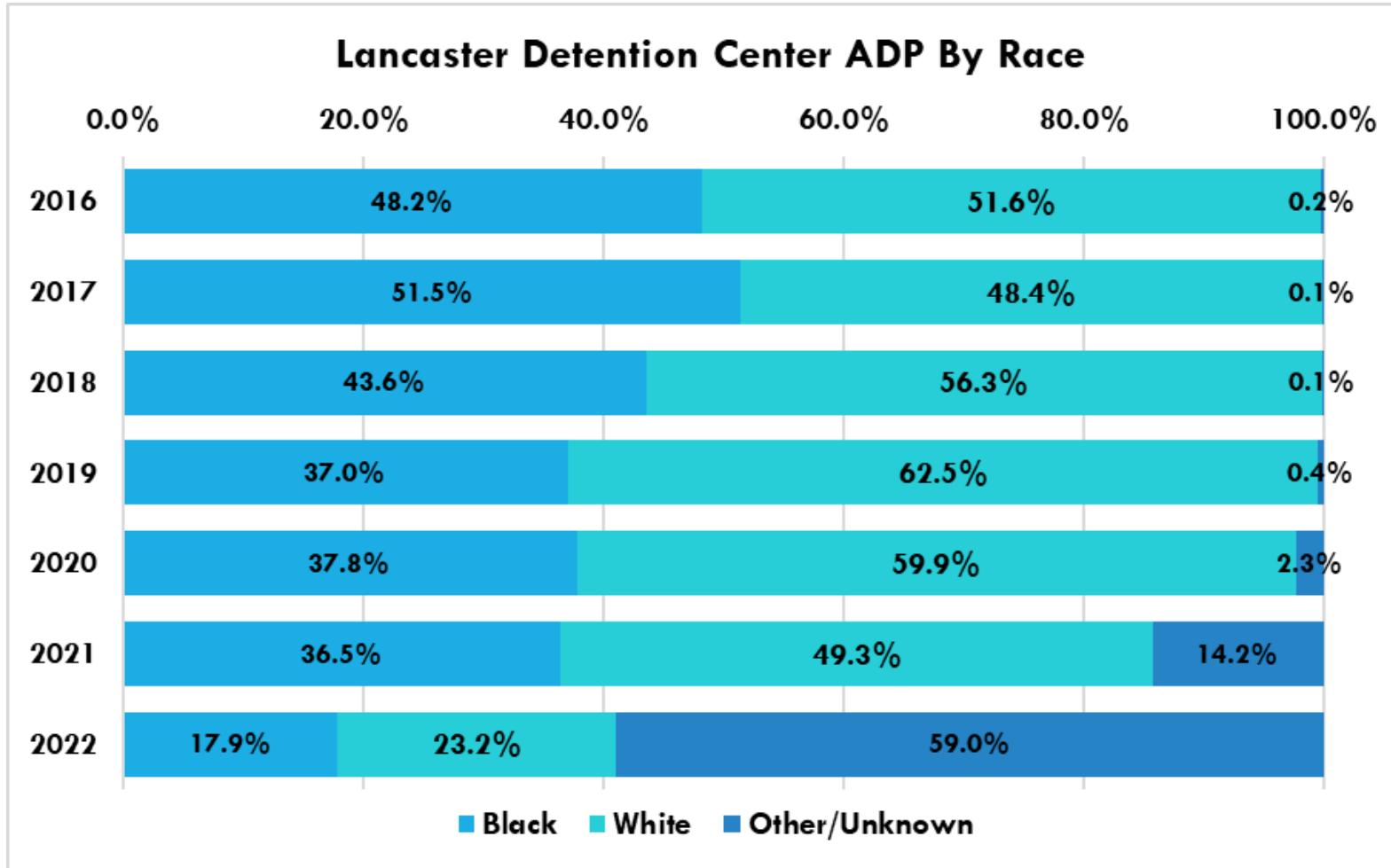
Year	% Males 20 - 50
2016	73.4%
2017	74.1%
2018	69.2%
2019	70.4%
2020	66.6%
2021	73.4%
2022	77.9%

LCDC Population By Age



- A monthly view of the shifts in age group
- If current trends continue, the number of inmates in their 40s should surpass inmates in their 20s on a regular basis within the next few years
- That said, there has been an uptick of inmates in their 20s so far this year

LCDC Population By Race

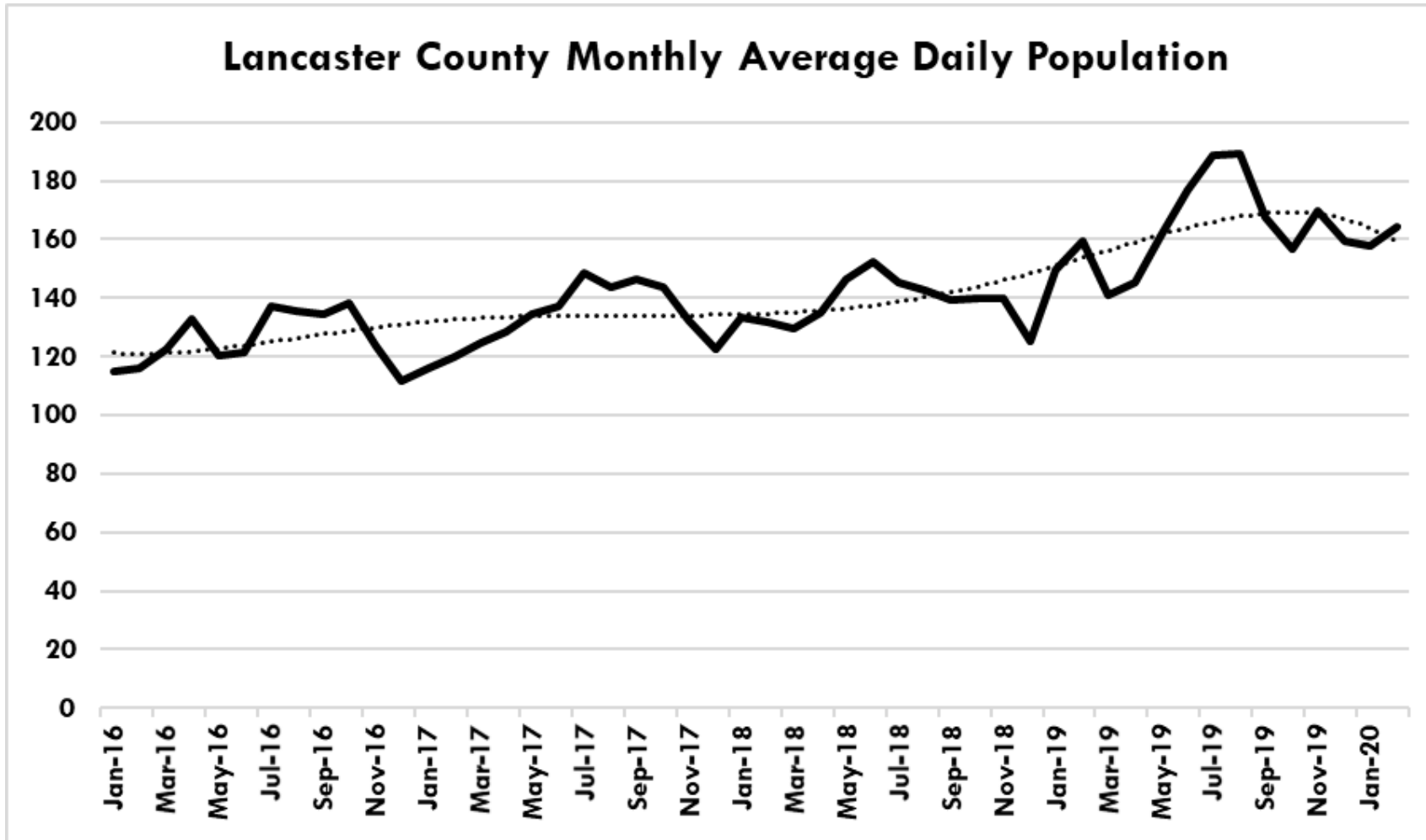


- Gradual shift in direction of more white inmates in the population
- The rise in the 'Other/Unknown' category is not real. Our data analysis combined the records of released inmates as well as current inmates. The current inmate data did not have race information.

Outline

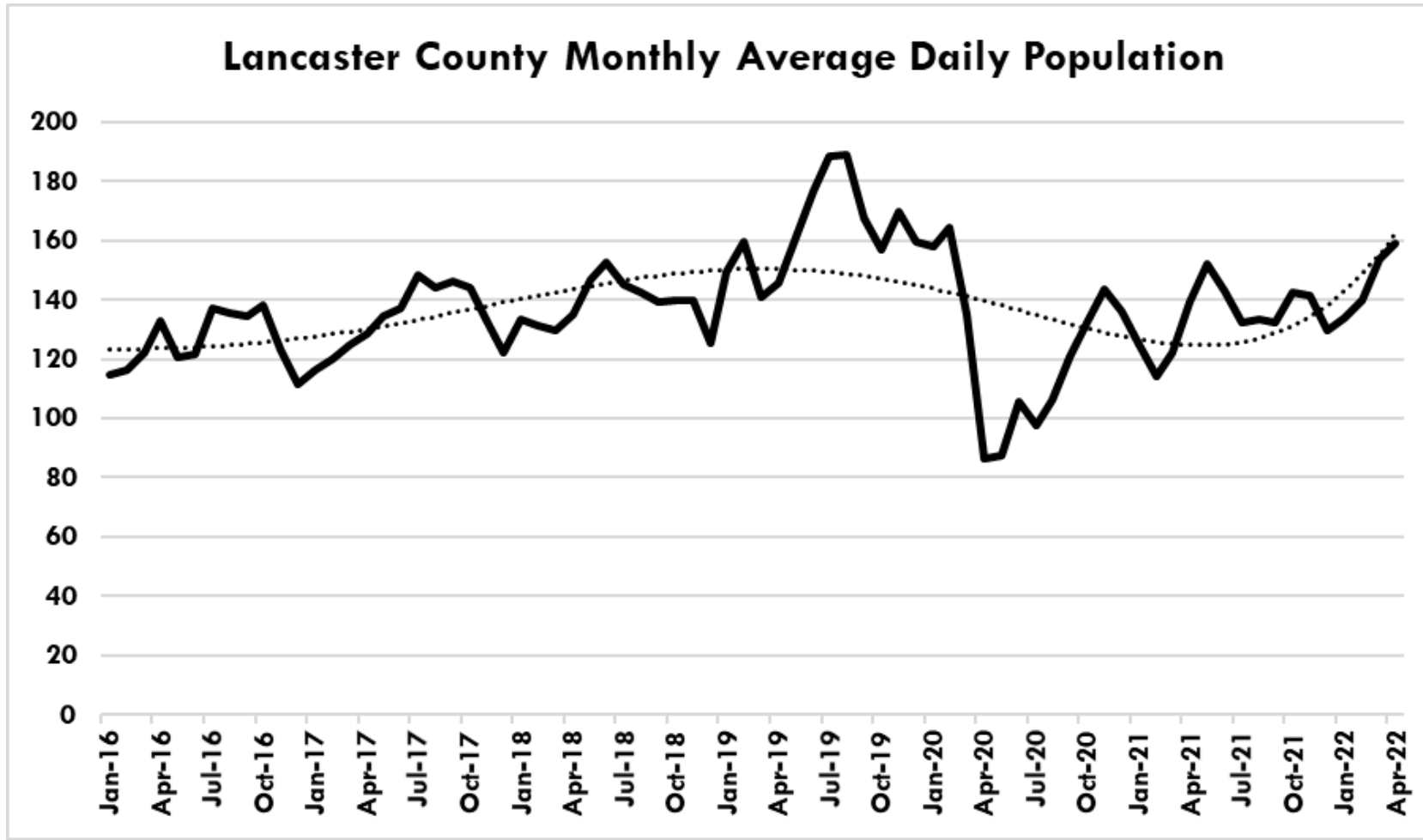
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LCDC Population: Prior to COVID-19



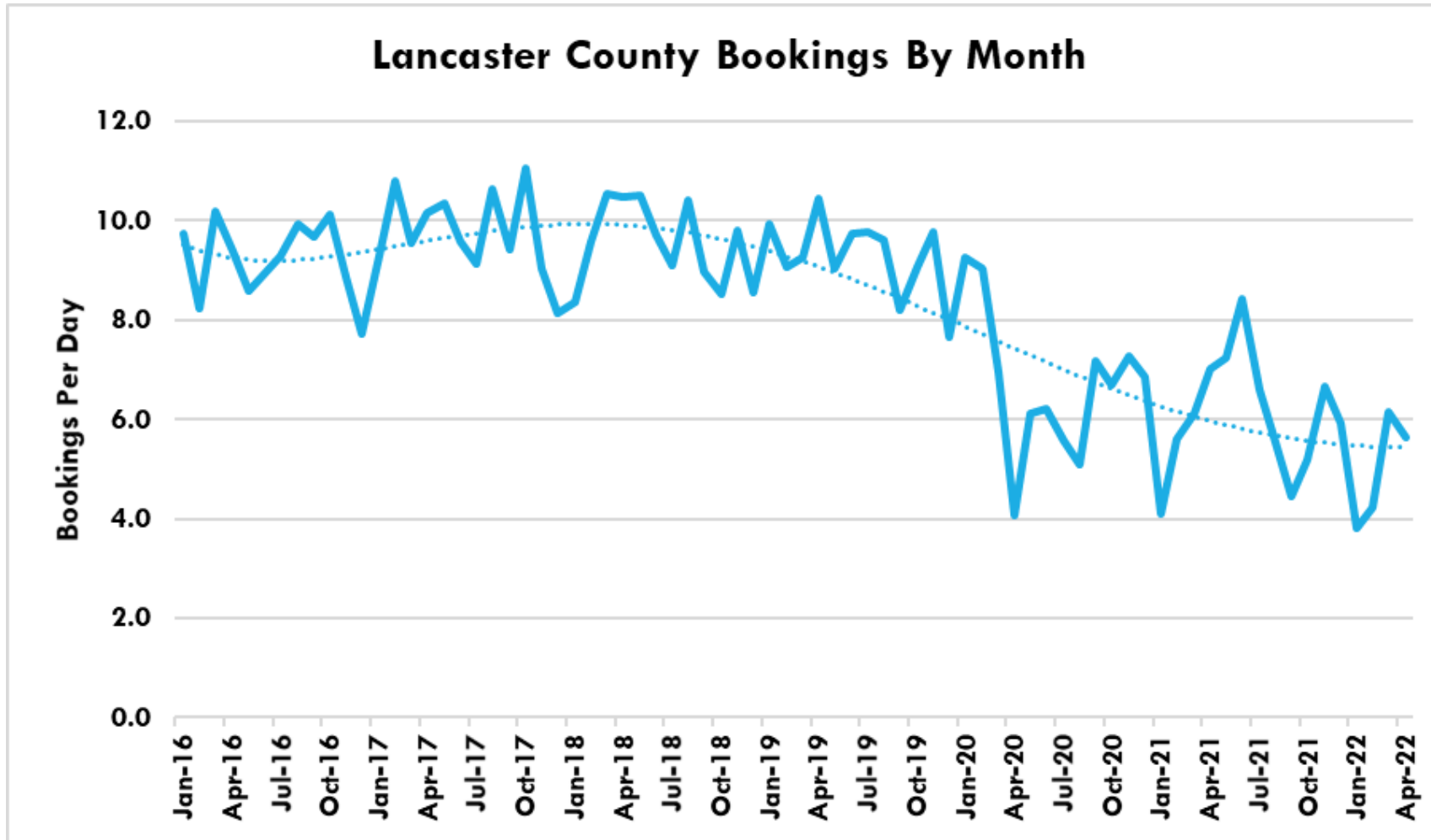
- The jail's ADP was growing regularly prior to the onset of the pandemic
- 2019 ADP was 20% higher than the 2018 ADP

LCDC Population



- Most jails saw a huge decline in March/April 2020 with the population rebounding slightly afterwards
- The 2020 ADP shrunk by 25%
- ADP is still 11% lower in 2022 than it was in 2019
- 2022 ADP YTD is 8.4% higher than in 2021
- 2022 ADP is also 7% higher than it was in 2018

LCDC Bookings



- With the bookings data, we see a clear impact of the pandemic's first and second waves
- Bookings still have not returned to their 2019 levels
- 2022 YTD bookings are 47% lower than in 2019
- 2021 bookings were 35% lower than in 2019

LCDC Bookings by Most Serious Offense

	2016	2017	2018	2019	2020	2021	2022
Violent	14.2%	14.0%	18.0%	18.3%	22.2%	23.8%	24.4%
Theft/Fraud	13.0%	12.9%	15.4%	19.3%	18.1%	15.8%	14.8%
Drugs	2.9%	3.1%	3.6%	10.4%	12.6%	14.2%	13.2%
DUI	7.8%	7.6%	7.5%	7.4%	7.3%	9.2%	8.7%
Public Order	12.0%	10.4%	10.3%	8.5%	9.0%	7.2%	6.8%
Warrant	14.7%	12.9%	5.8%	7.3%	5.1%	4.6%	7.0%
Hold	3.1%	3.5%	3.8%	4.9%	4.2%	4.6%	3.3%
Weapons	1.9%	3.0%	3.1%	2.9%	3.5%	4.0%	3.0%
Traffic	6.1%	7.0%	6.1%	3.8%	3.2%	3.4%	3.0%
Burglary	2.4%	2.8%	2.5%	2.9%	3.4%	3.0%	3.1%
Offenses vs Government	5.1%	4.7%	3.9%	2.5%	3.0%	2.9%	2.8%
Offenses vs People	1.5%	1.9%	2.2%	2.0%	2.7%	2.8%	2.3%
Sex Offense	0.8%	1.0%	1.3%	1.3%	1.6%	1.6%	2.1%
Supervision/Conditional Release Violation	1.0%	1.3%	1.9%	1.9%	1.8%	1.6%	2.4%
Everything Else	13.5%	13.8%	14.6%	6.5%	2.1%	1.4%	3.1%

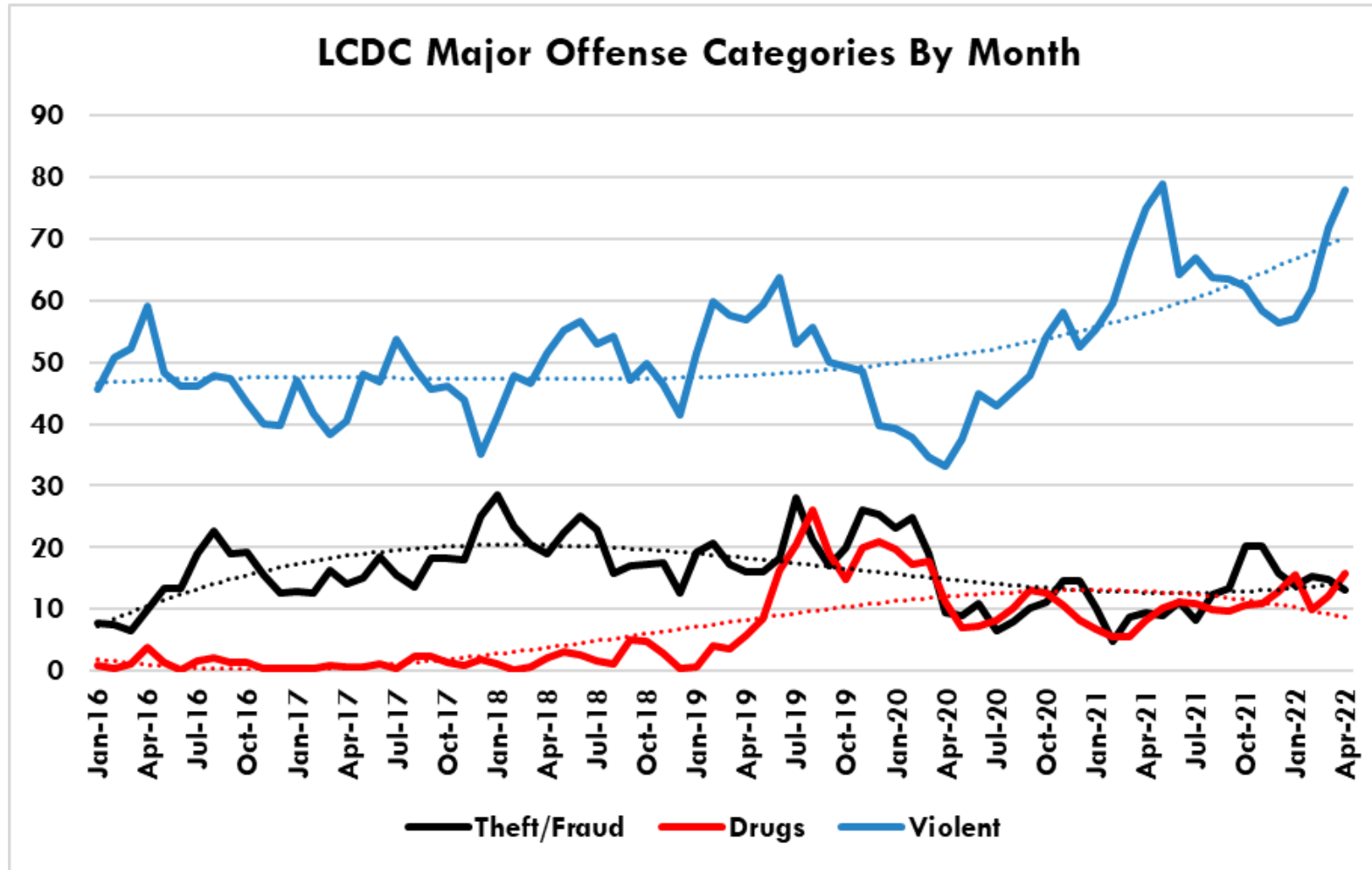
- Each charge for every person booked at the jail was analyzed to determine which charge was the most serious based on an algorithm that ranks every offense
- Table sorted by 2021 values
- Drug bookings increasing
- Violent charges increasing

LCDC ADP by Most Serious Offense

	2016	2017	2018	2019	2020	2021	2022
Violent	40.6%	36.1%	38.2%	34.6%	38.0%	50.6%	48.6%
Theft/Fraud	11.9%	13.4%	15.6%	13.2%	11.5%	9.4%	10.4%
Burglary	8.9%	8.3%	7.3%	9.3%	11.4%	9.1%	8.8%
Drugs	1.1%	0.9%	1.7%	8.6%	10.3%	7.4%	9.8%
Sex Offense	2.2%	3.8%	4.9%	4.0%	4.1%	5.2%	4.1%
Warrant	12.5%	13.1%	7.6%	8.4%	5.8%	5.2%	4.8%
Conditional Release Violation	3.2%	4.3%	6.1%	6.3%	4.0%	3.5%	4.8%
Weapons	2.6%	2.8%	4.1%	5.0%	6.0%	2.5%	1.9%
Offenses vs Government	6.0%	4.5%	3.5%	2.4%	2.5%	1.7%	0.3%
Hold	0.8%	1.2%	1.3%	1.9%	1.4%	1.4%	1.2%
Public Order	1.6%	1.7%	2.2%	0.9%	0.7%	1.2%	1.0%
Other	0.8%	1.9%	1.3%	2.1%	3.2%	1.0%	0.6%
Offenses vs People	1.0%	1.5%	1.1%	1.0%	0.7%	0.6%	0.6%
DUI	0.9%	0.5%	0.6%	0.4%	0.3%	0.4%	1.0%
Commitment	3.4%	2.3%	0.3%	0.0%	0.0%	0.4%	1.4%
Traffic	0.7%	1.5%	1.2%	0.4%	0.1%	0.2%	0.8%
Alcohol	0.1%	0.3%	0.3%	0.0%	0.0%	0.0%	0.0%
Charge No Longer Valid	1.7%	1.8%	2.6%	1.6%	0.0%	0.0%	0.0%

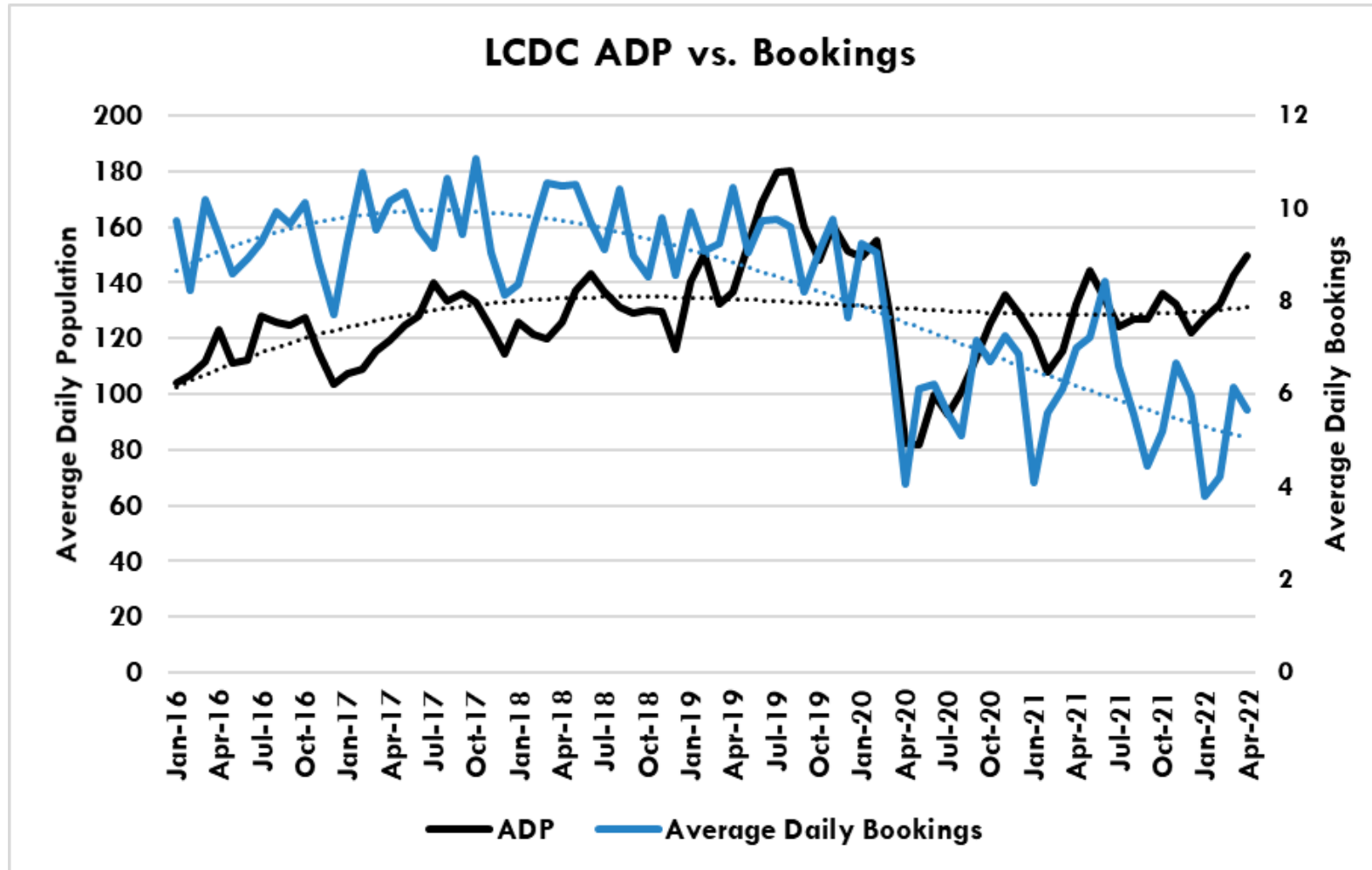
- Table sorted by 2021 values
- Due to the varying lengths of stay for offenses, the proportions observed in the booking numbers do not translate well into the jail's population
- Note how 'DUI' drops from 4th on the bookings list to 14th on the ADP list
- Inmates with a violent charge increasing with time

LCDC ADP by Most Serious Offense



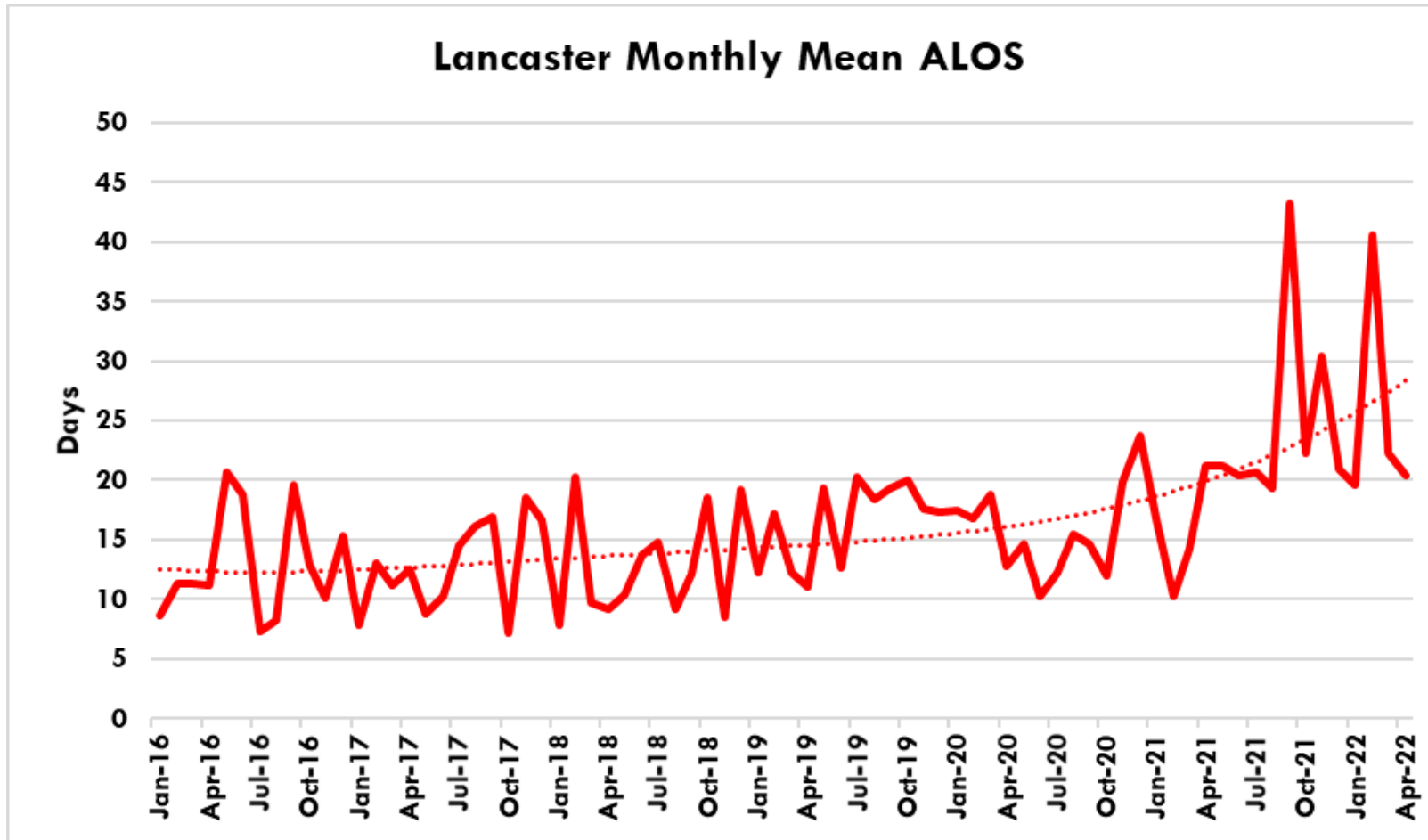
- While the number of inmates with a most serious Theft/Fraud or Drug charge has stayed stable since the pandemic, the number of inmates with a Violent charge has risen

LCDC ADP vs. Bookings



- When we compare the ADP trend vs. the bookings trend, we see a significant split for the last 14 months
- The rise in ADP is not due to a rise in bookings
- In fact, it appears the change began in early 2019

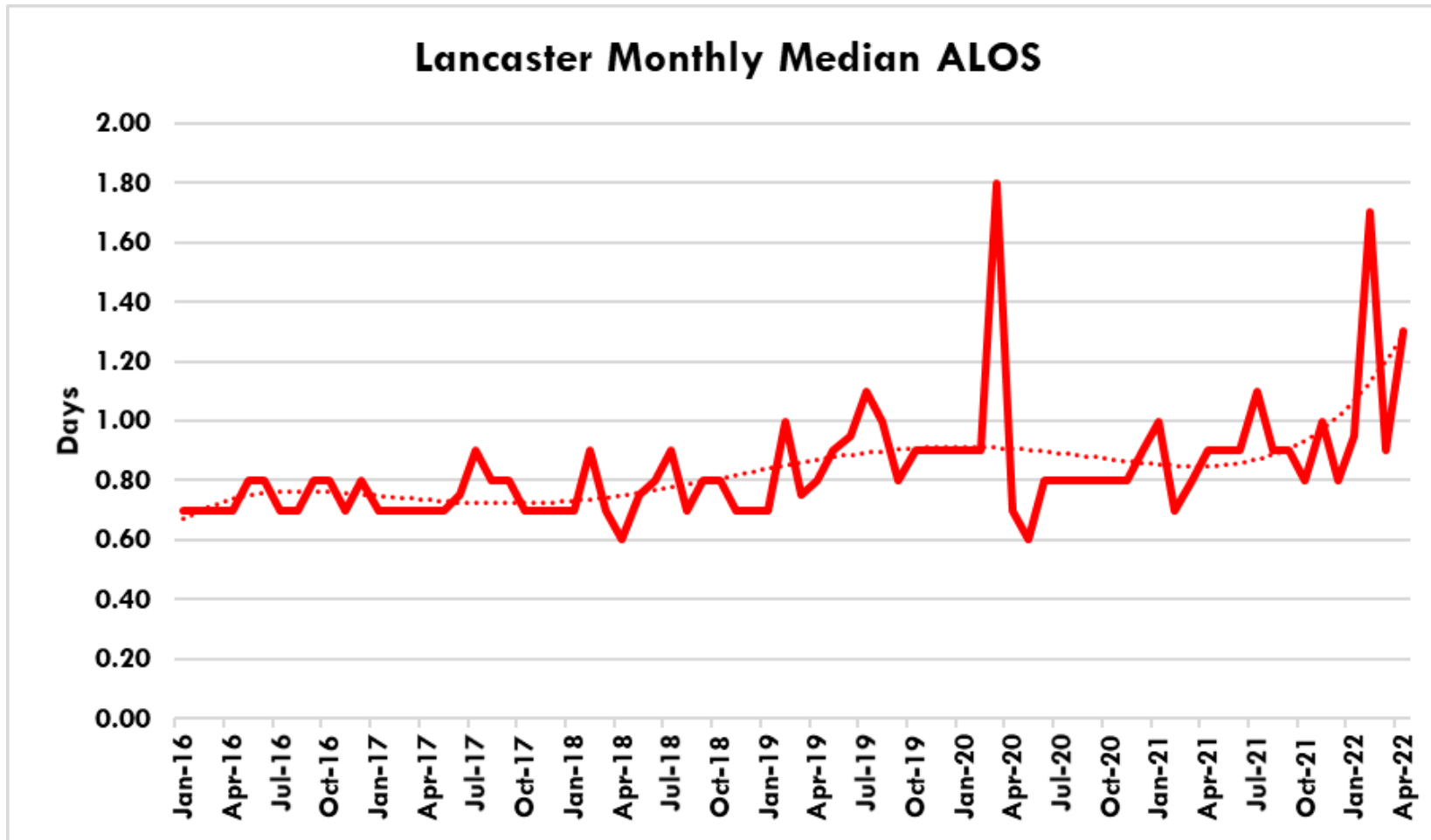
LCDC Average Length of Stay



- ALOS has been rising since 2019
- 2019 ALOS was 29% higher than 2018
- 2021 ALOS was 30% higher than in 2019
- 2022 YTD ALOS is 50% higher than 2019

	Female	Male	Total
2016	5.6	15.6	13.0
2017	5.2	15.3	12.7
2018	6.9	14.9	12.8
2019	9.0	19.5	16.5
2020	12.0	17.7	16.2
2021	10.1	25.5	21.5
2022	9.5	29.8	24.7

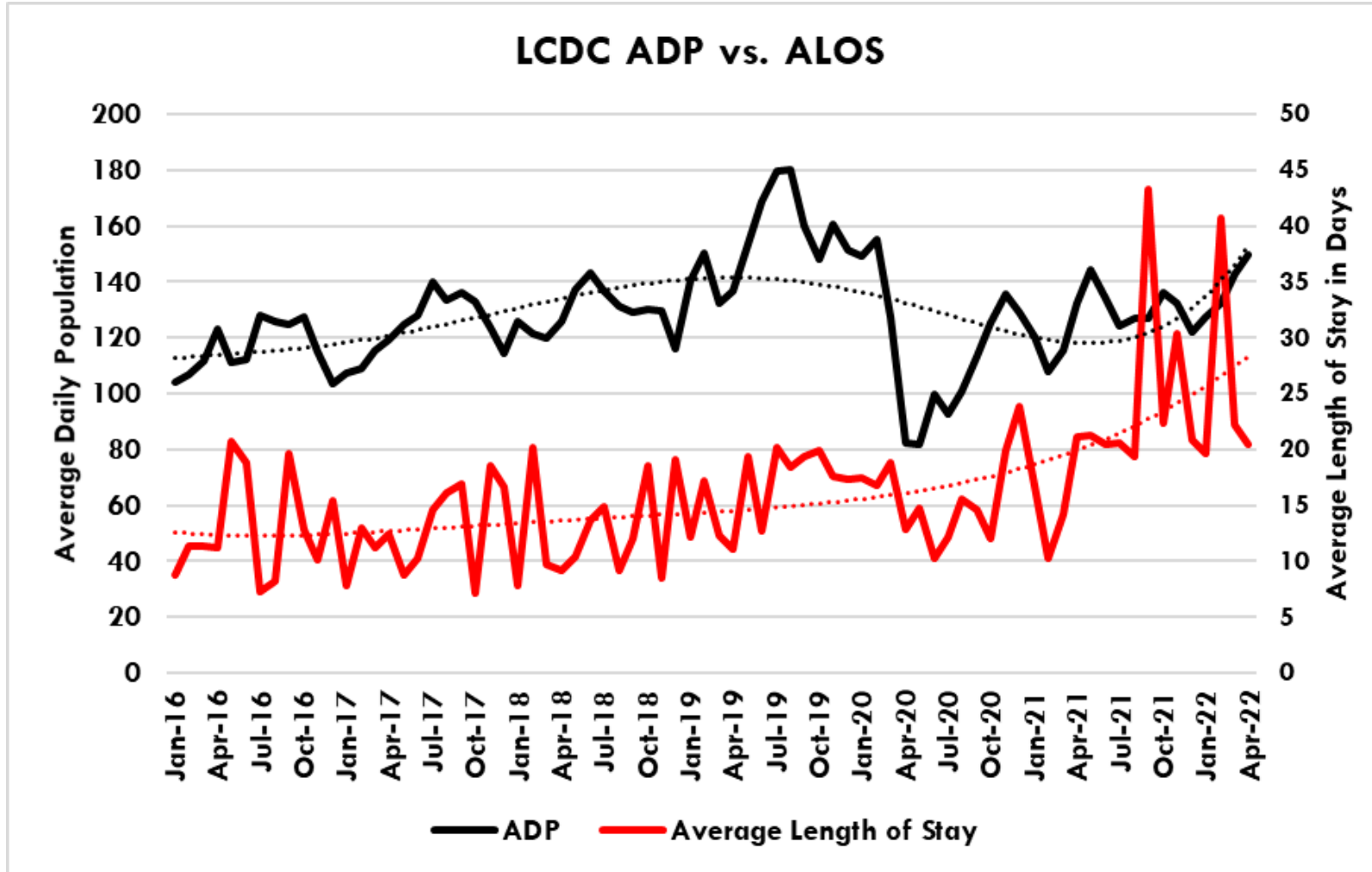
LCDC Average Length of Stay



- ALOS has been rising since 2019
- 2021 Median ALOS was identical to 2019
- 2022 YTD Median ALOS is 22% higher than 2019

	Female	Male	Total
2016	0.7	0.8	0.8
2017	0.6	0.8	0.7
2018	0.7	0.8	0.8
2019	0.8	0.9	0.9
2020	0.7	0.9	0.8
2021	0.7	1	0.9
2022	0.9	1.2	1.1

LCDC ADP vs. Average Length of Stay

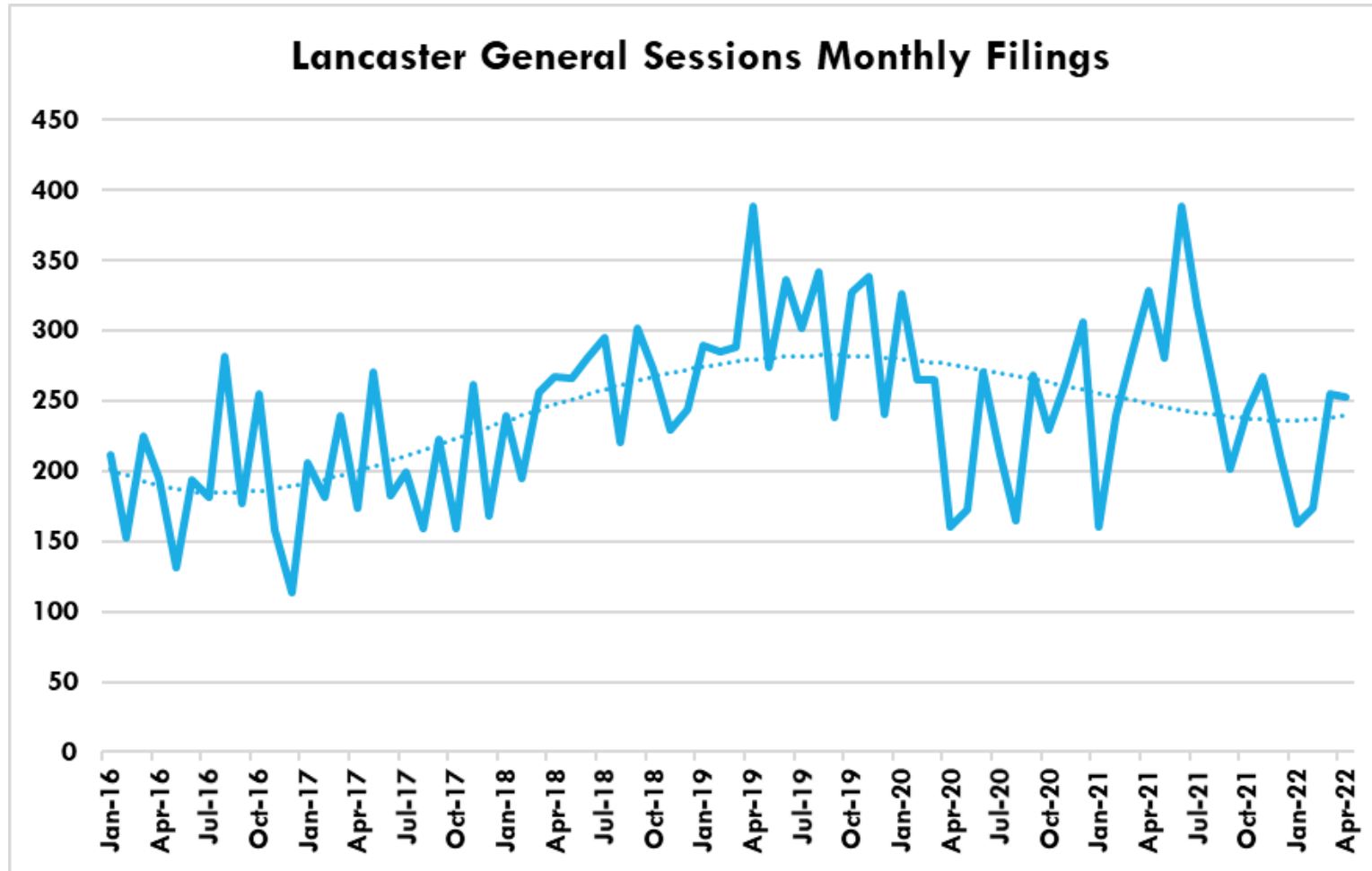


- ALOS is driving the jail's population
- Compared to 2018, the 2019 ADP increased 20%, led by a 29% increase in ALOS, and tempered by a 3% decrease in bookings
- For 2022, the ADP is up 8%, with ALOS up 15%, and a 19% decline in bookings
- If bookings had returned to 2019 levels in 2022, and capacity was no issue, the ADP YTD would be 109 inmates higher

Outline

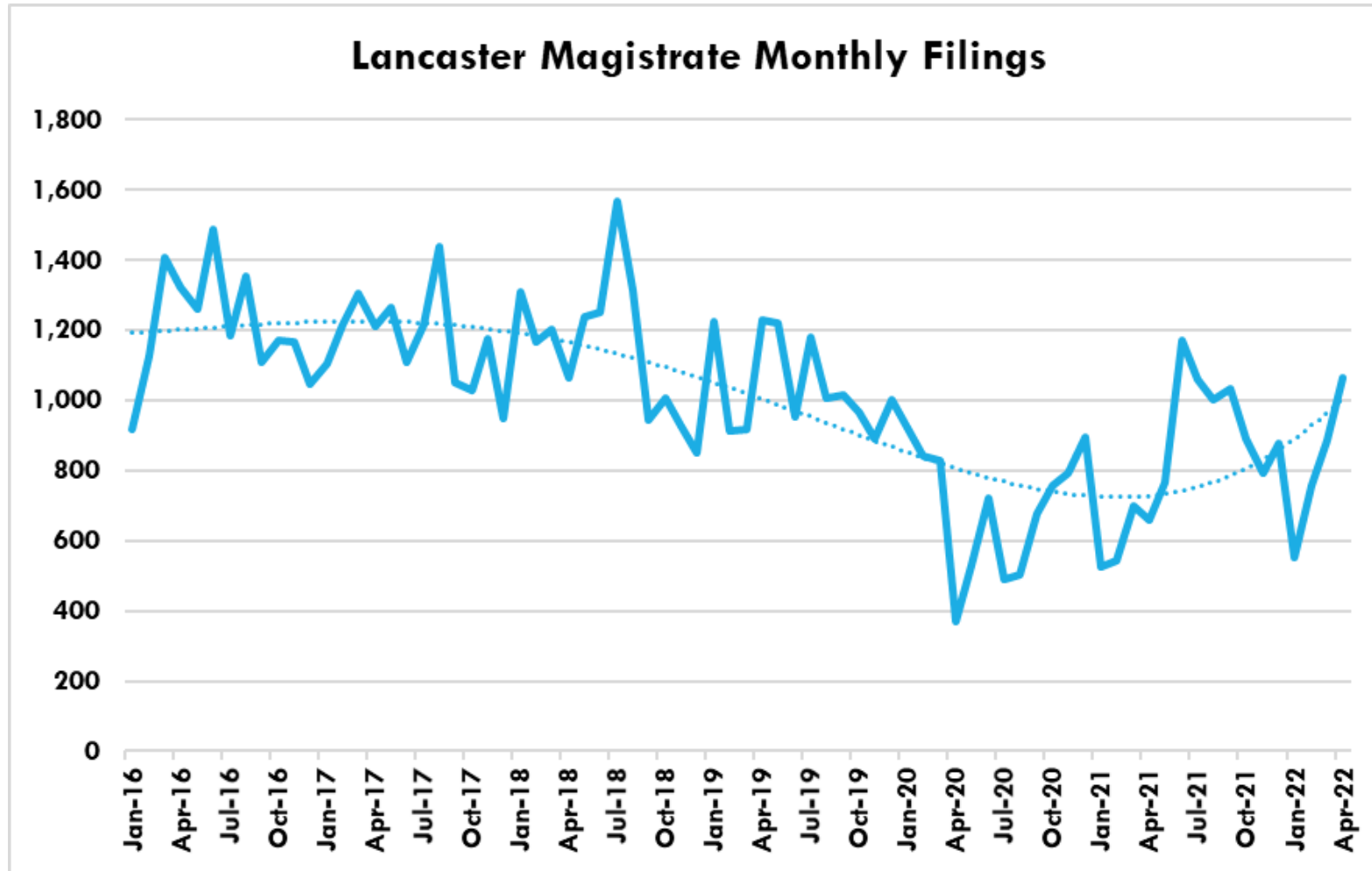
- Introduction
- **Lancaster County Detention Center Population**
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 - Average Daily Population, Bookings, & Average Length of Stay
 - **Criminal Court Case Processing**
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- Conclusions

Courts - Filings



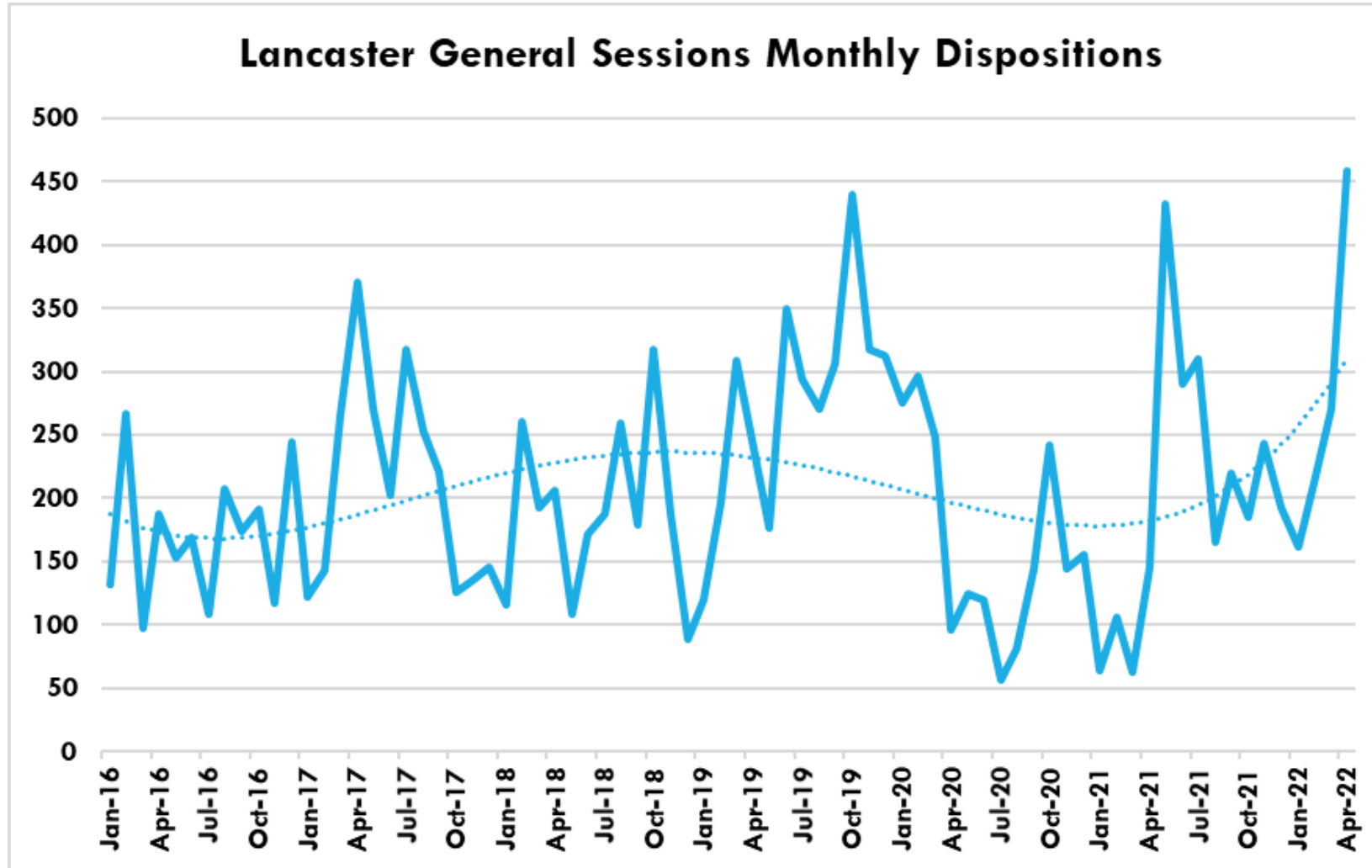
- 2021 General Sessions filings rebounded, passing the 2018 level, but still below the 2019 level
- We even see a peak number of filings in June 2021

Courts - Filings



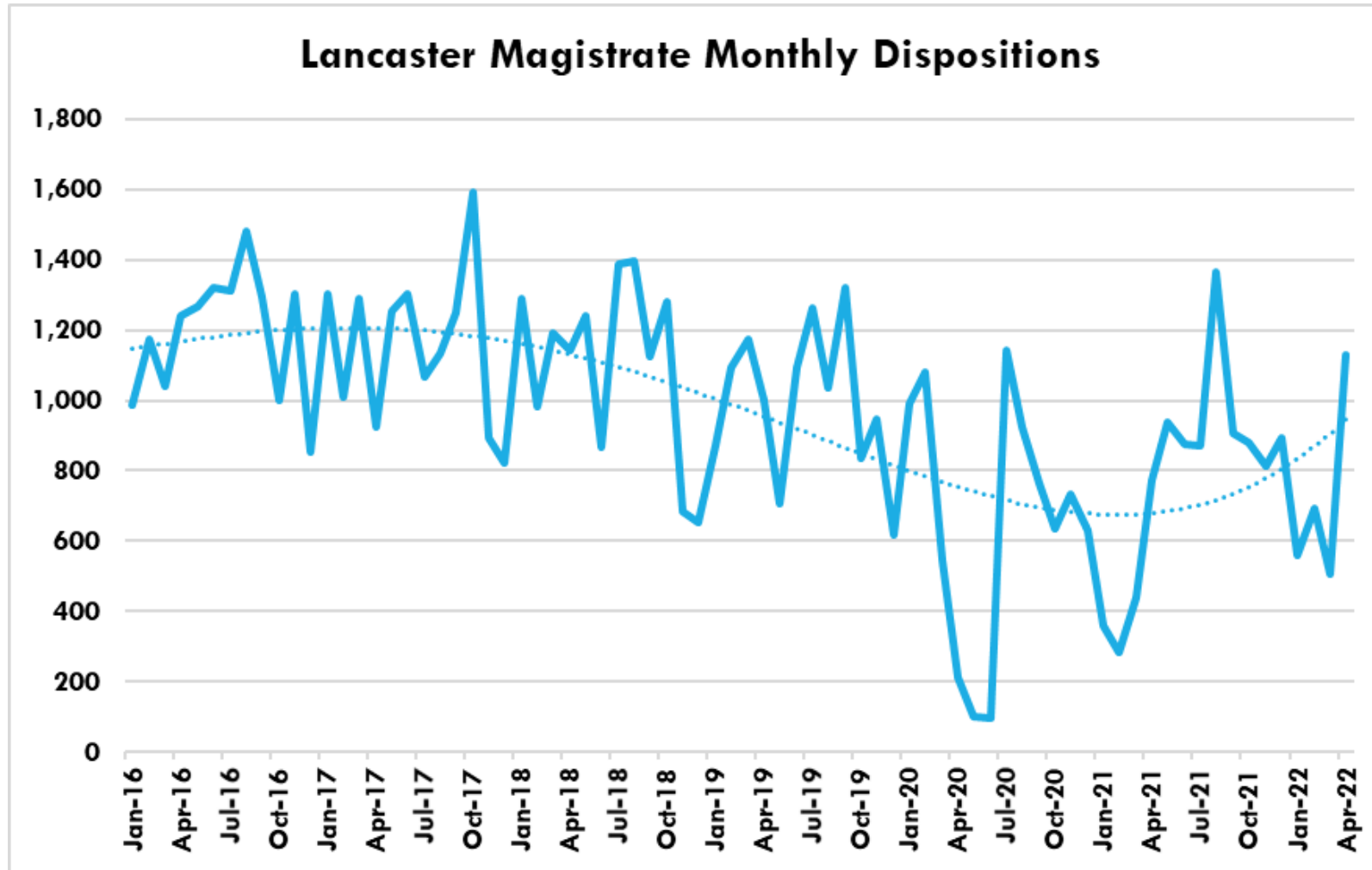
- Magistrate filings declined well before the pandemic began
- The number rebounded in 2021, but still significantly below the levels seen in 2019

Courts - Dispositions



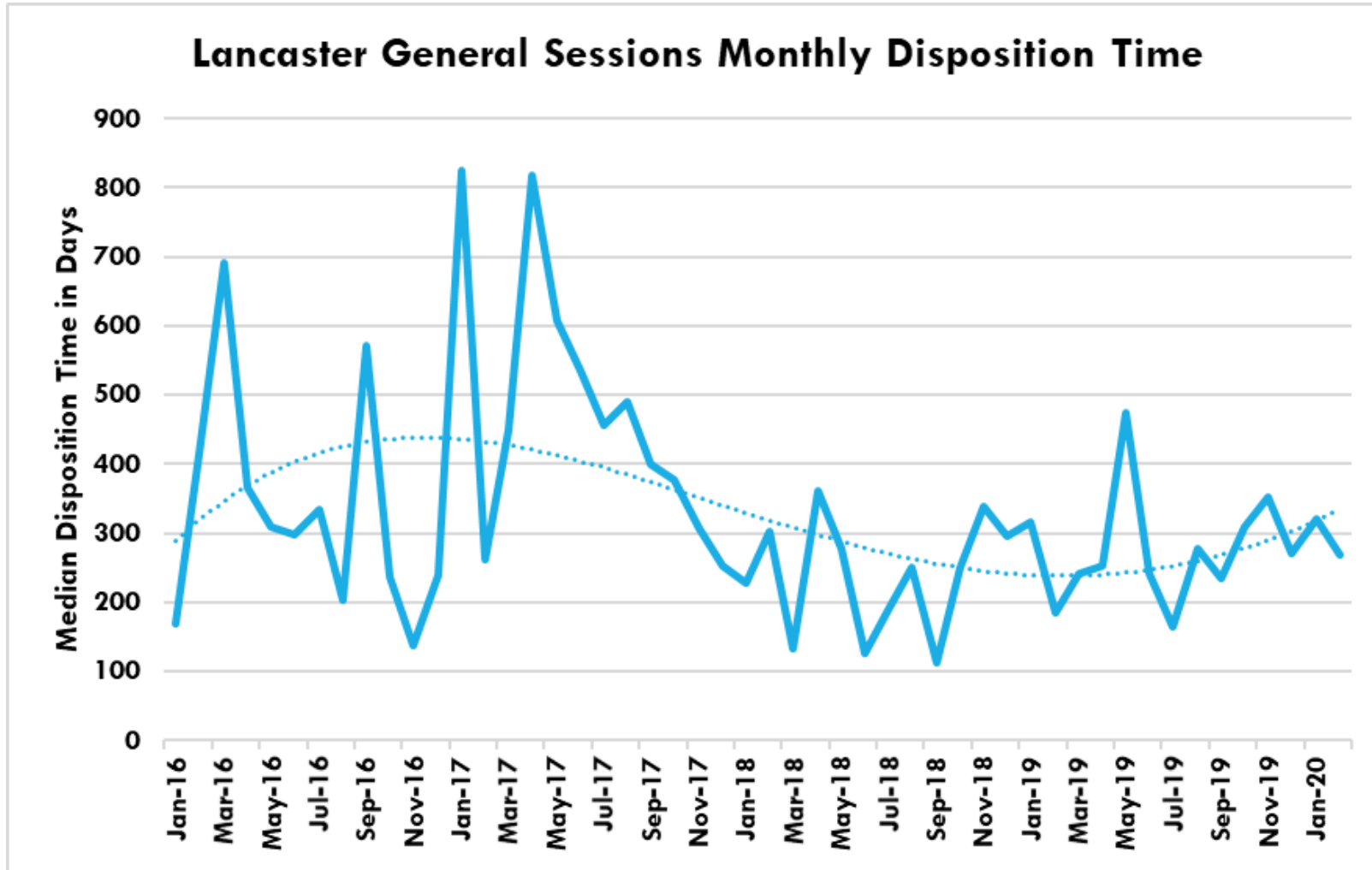
- Similar to the filings data, dispositions in General Sessions rebounded in 2021, passing the level of 2018, but still below the 2019 number
- Note the direction of our trendline, pointing to further increases

Courts - Dispositions



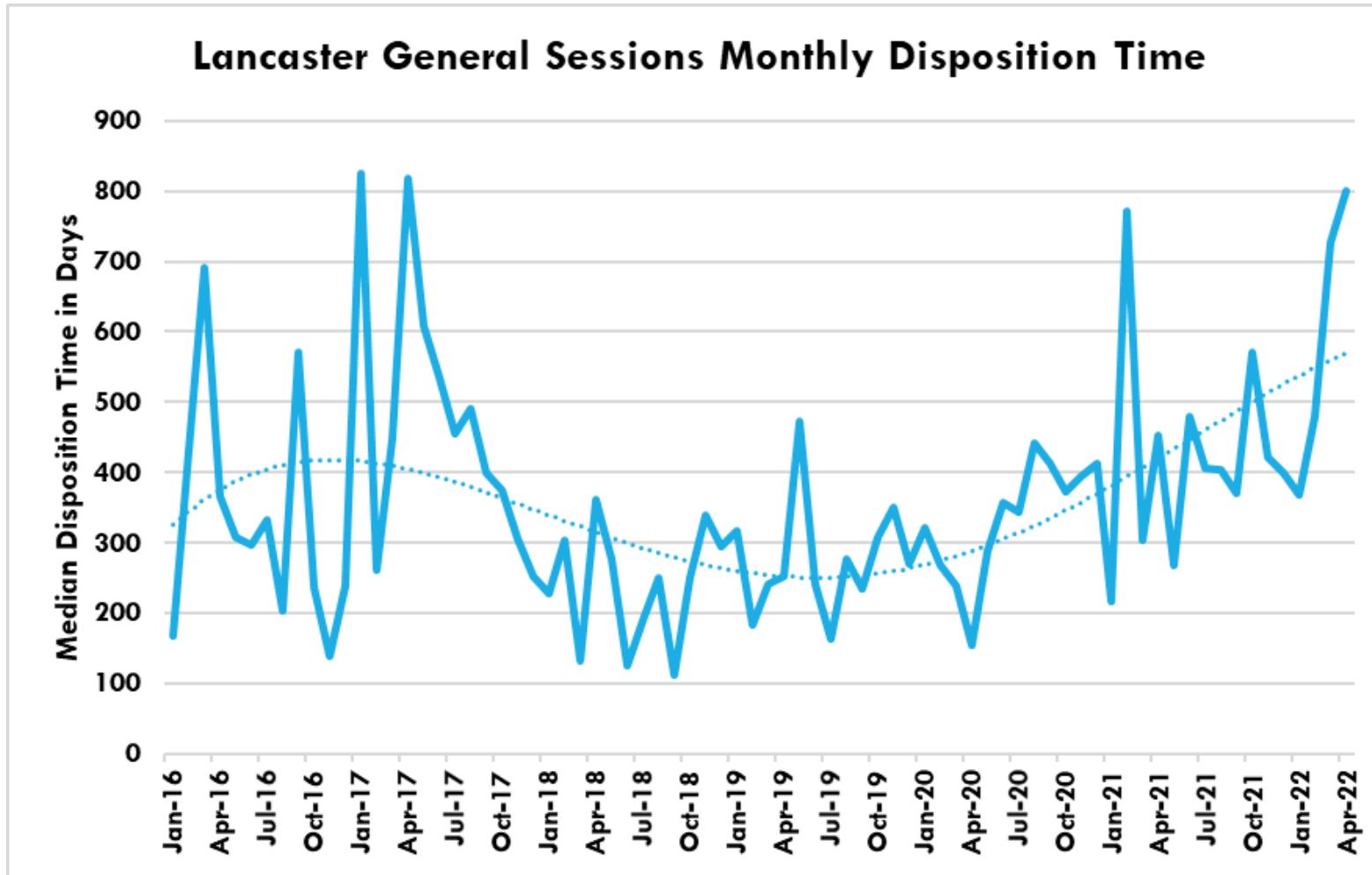
- Not surprisingly, dispositions for the Magistrate's Court are similar to the pattern for filings with a pre-pandemic decline, followed by a rebound that still has not returned to 2019 levels

Courts – Disposition Time (Pre-Pandemic)



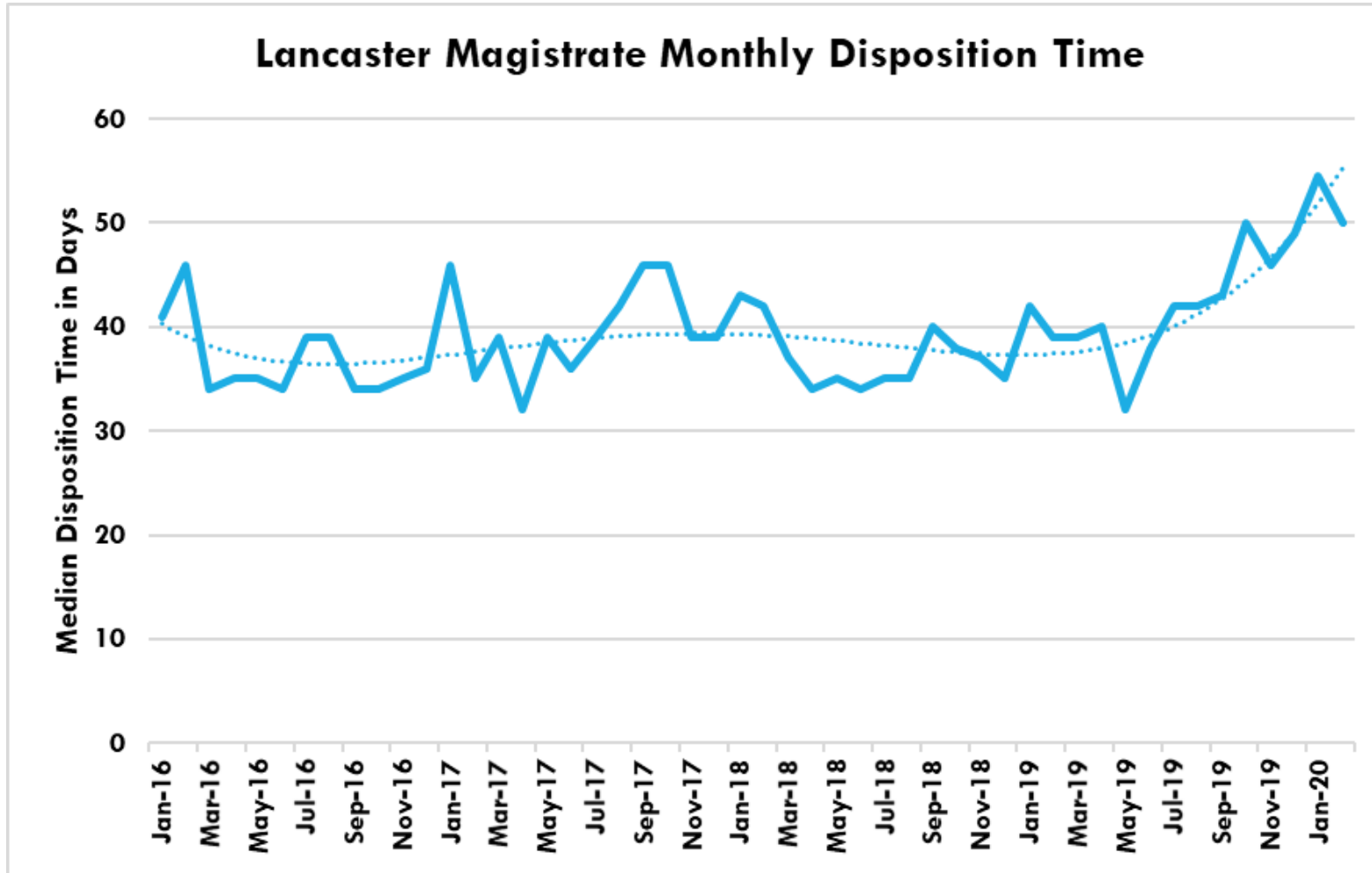
- Disposition time is a key driver of the jail's population because it impacts ALOS
- Although we calculate a median disposition time to try to minimize fluctuations in the trend, we still see significant fluctuations in 2016 & 2017
- The takeaway from this slide is we see case processing time beginning to climb prior to the pandemic

Courts – Disposition Time



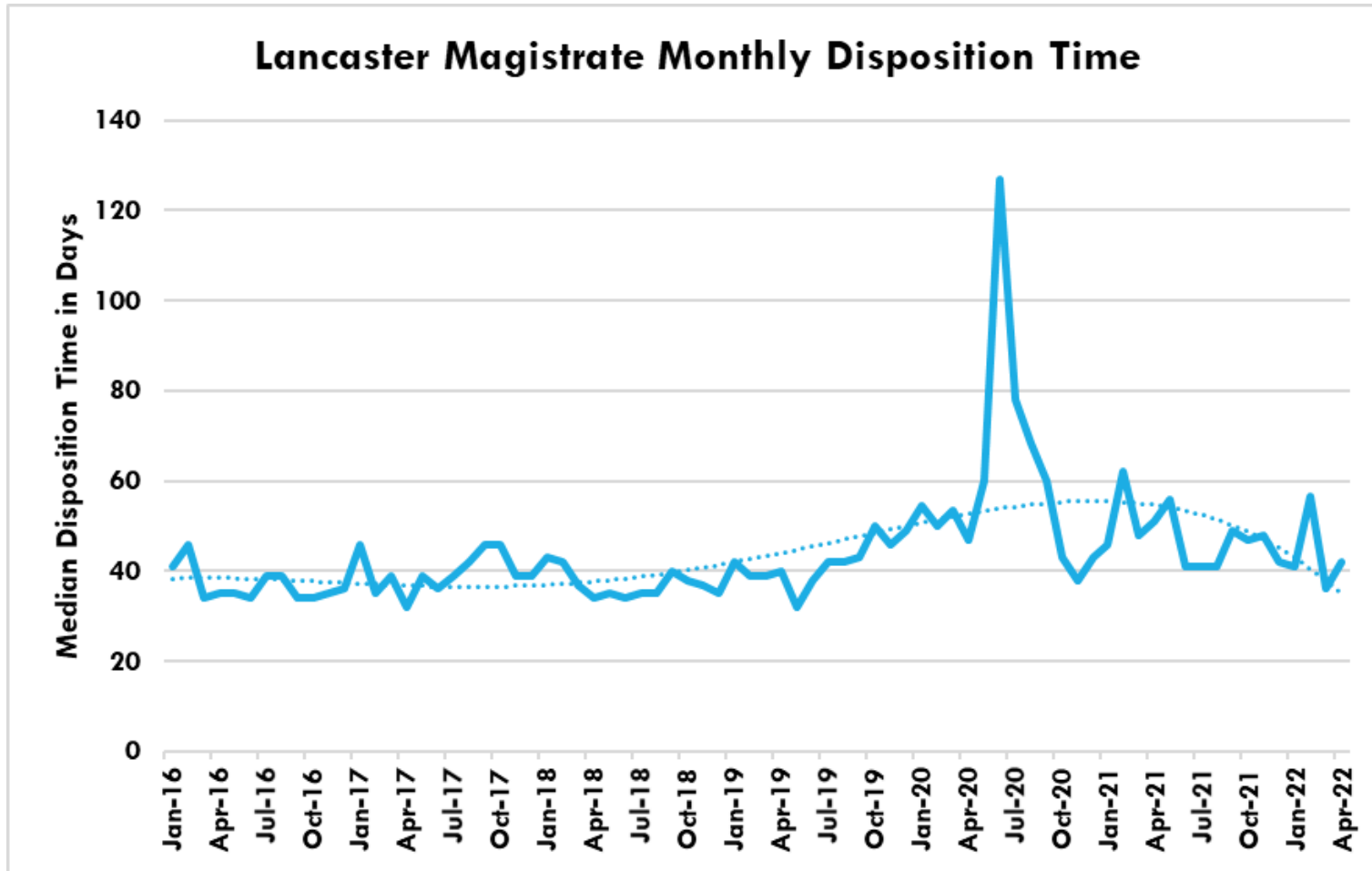
- Due to the effects of the pandemic, disposition time increased 42% from 2019 to 2021
- Note the rate of increase rises after the pandemic

Courts – Disposition Time (Pre-Pandemic)



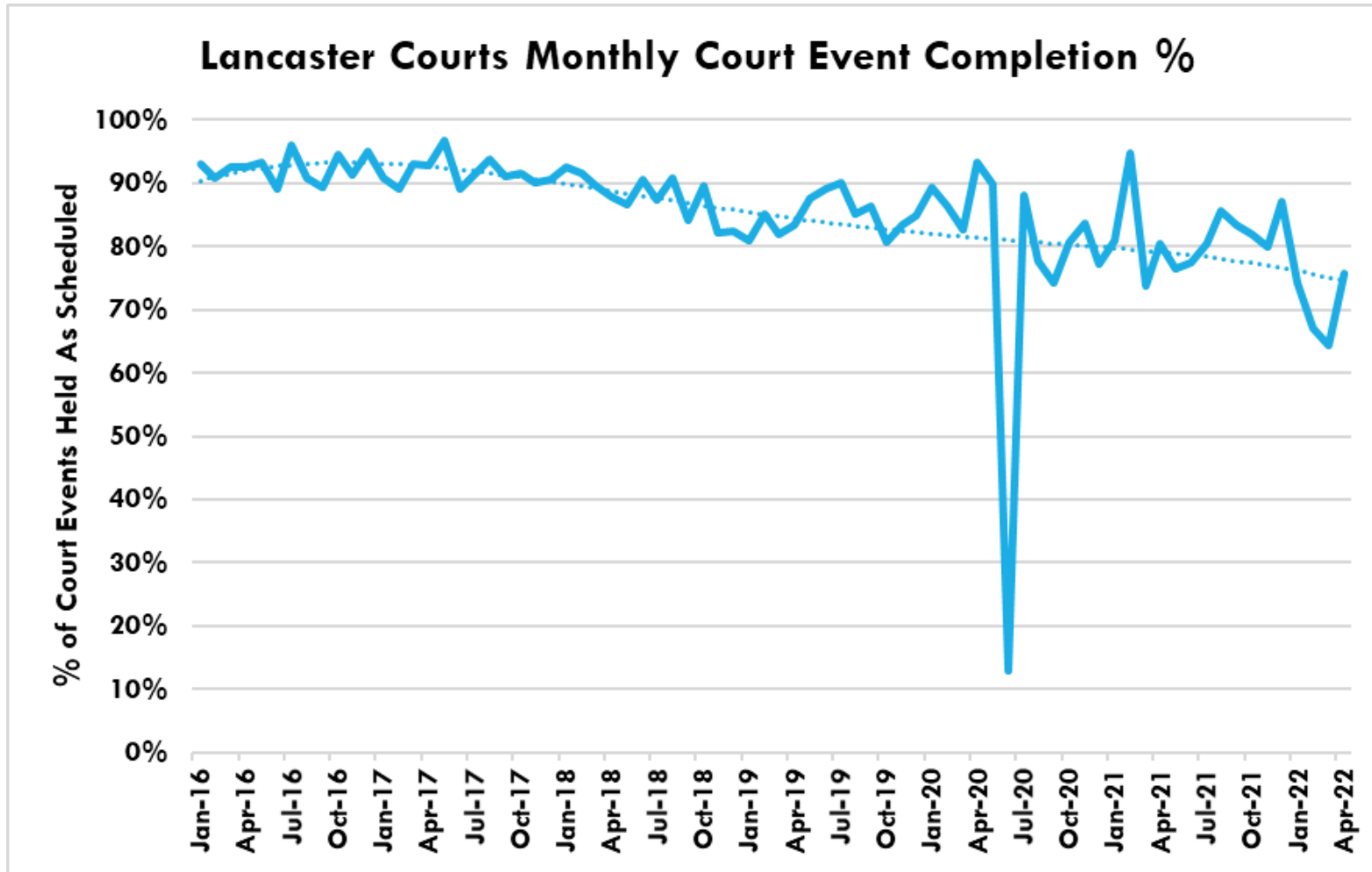
- Magistrate's Court case disposition time also rises before the pandemic
- This pattern is somewhat similar to both the General Sessions trend, as well as the jail's ALOS

Courts – Disposition Time



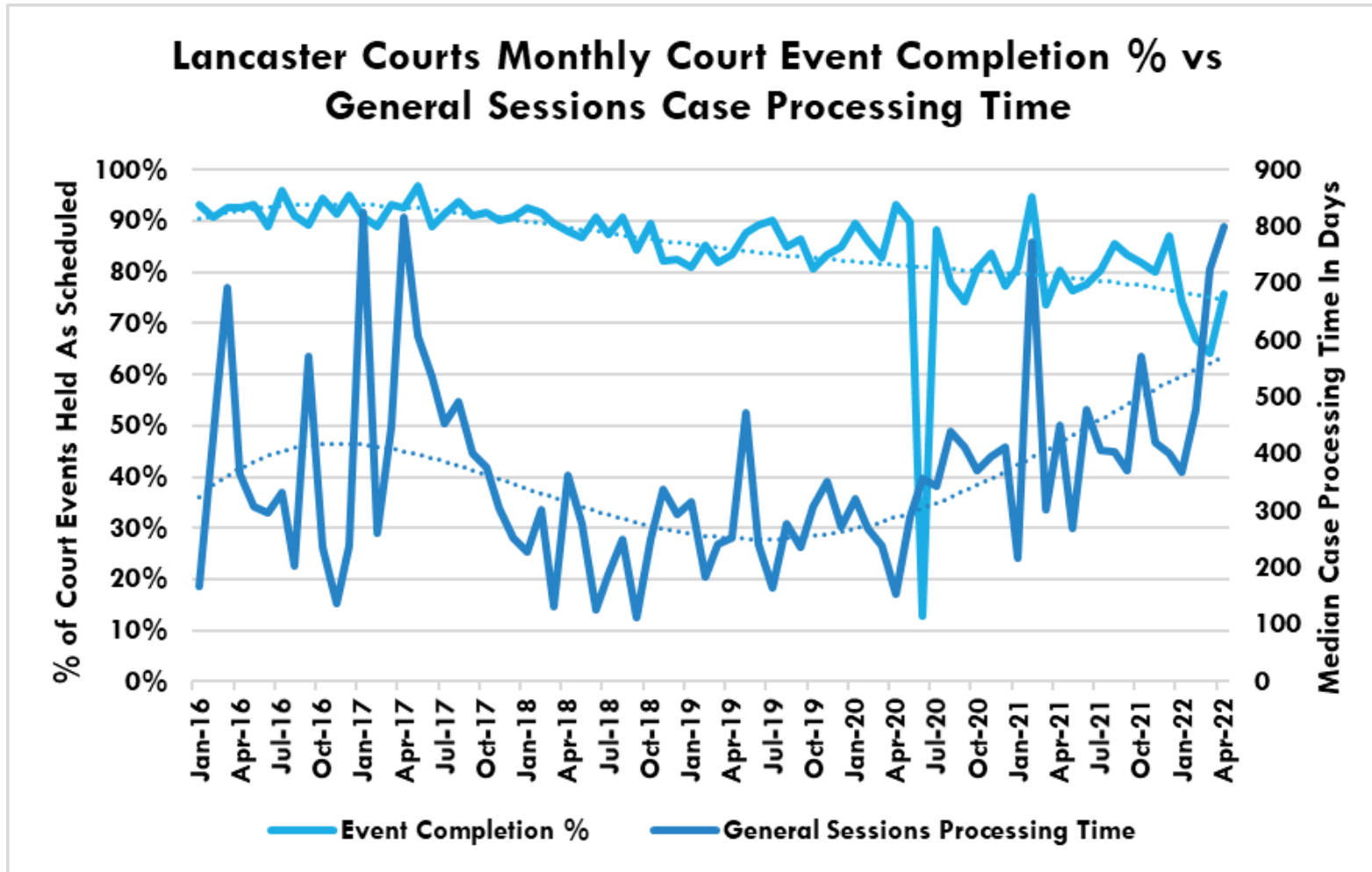
- The similarities with the other trends do not continue after the pandemic
- Case processing time fell in 2021, and so far in 2022 (through April), the number is now comparable to where it was in 2019

Courts - Continuances



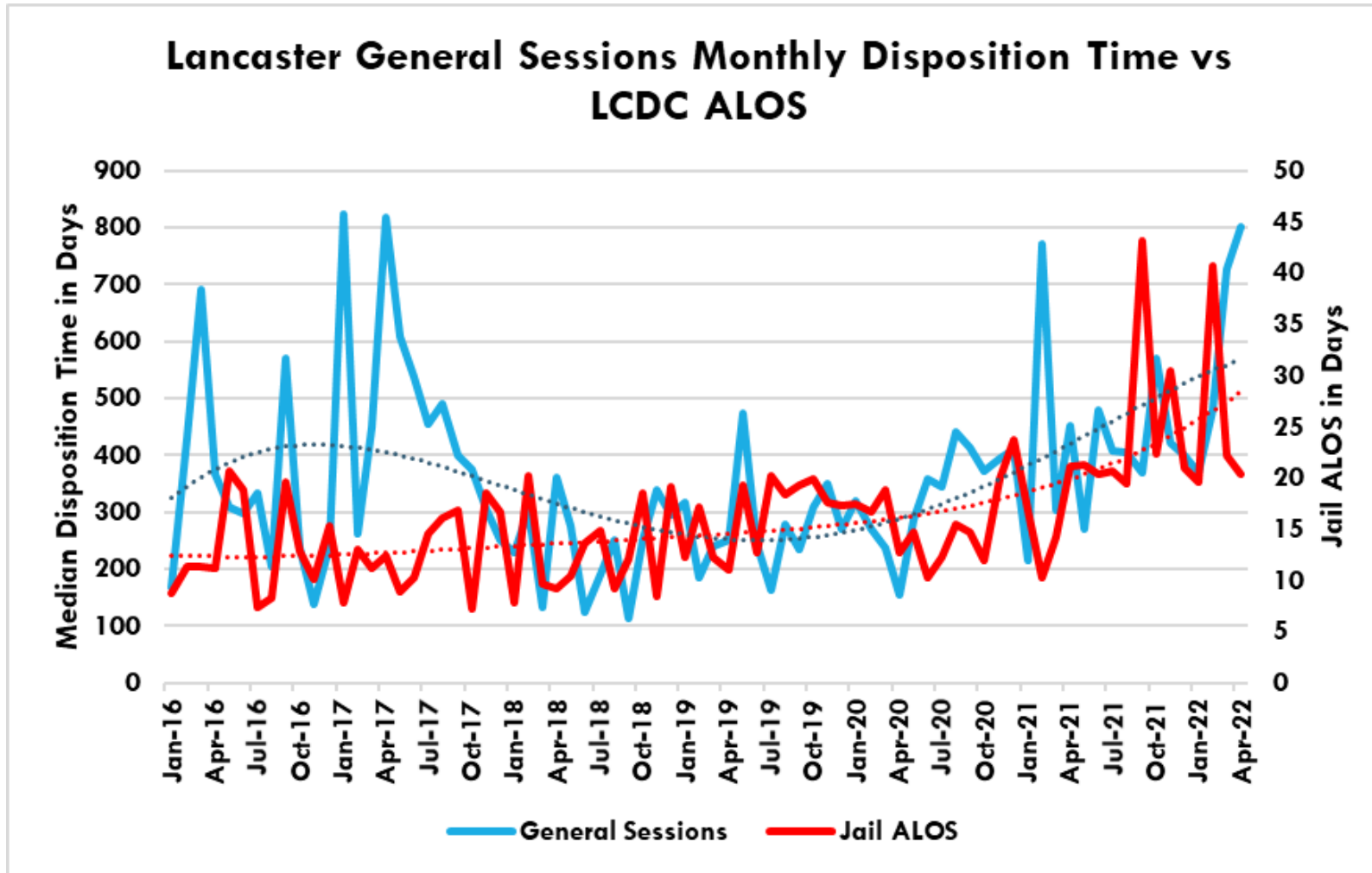
- Continuances are generally a very good predictor of case processing time
- In general, for Lancaster County, the proportion of events that are continued is comparatively small
- The rate at which court events were held began to decrease slightly in 2018, with the rate of decrease accelerating with the pandemic

Courts - Continuances



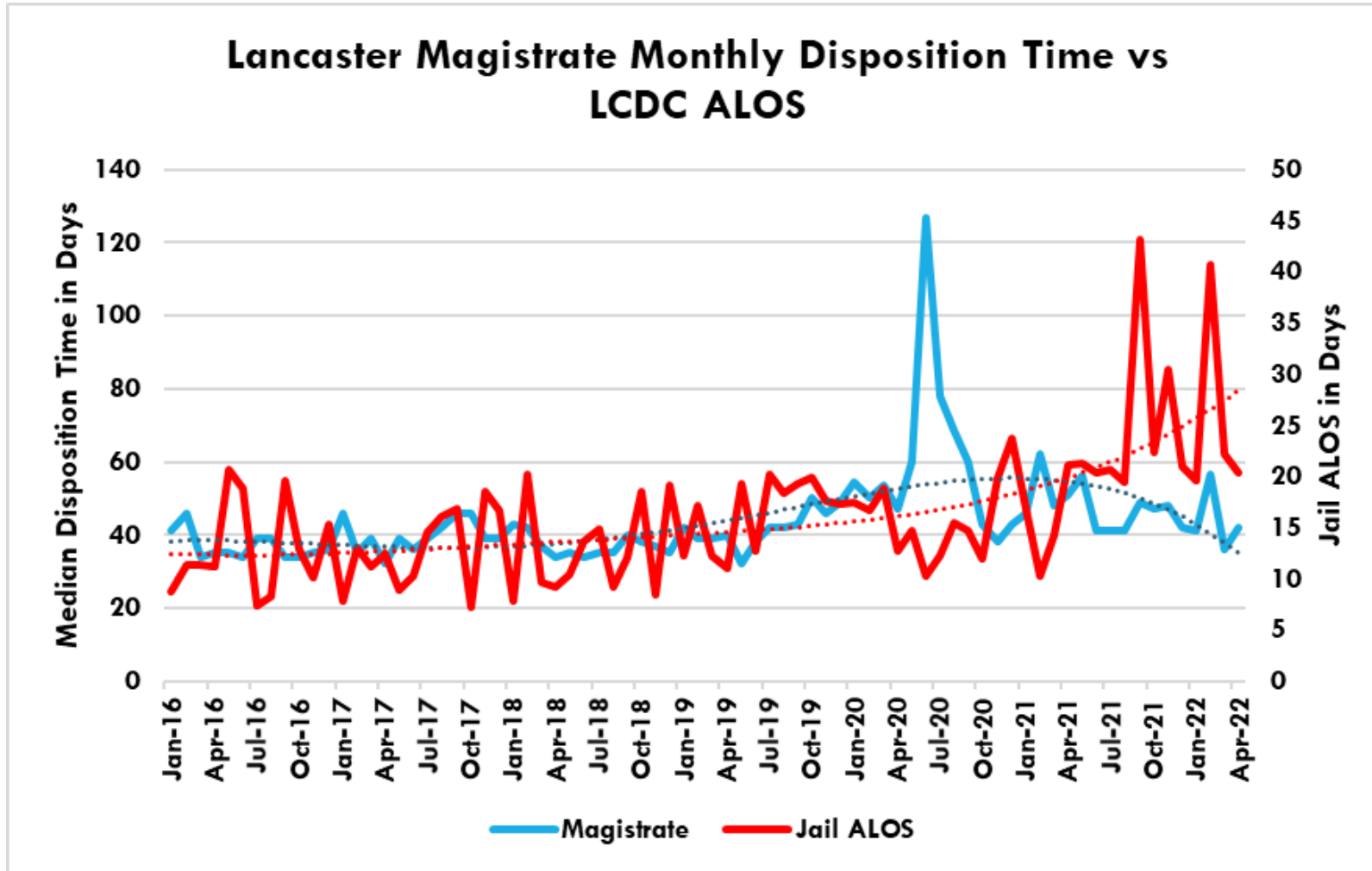
- Note that the General Sessions case processing time and the event completion rate are inversely related

Court Processing vs LCDC ALOS



- The jail's ALOS is fairly strongly correlated with case processing time, especially during the last year
- If case processing time returns to pre-pandemic levels, we would expect a positive impact on ALOS and, in turn, the jail's population

Court Processing vs LCDC ALOS



- Meanwhile, not surprisingly, the jail's ALOS does not appear to be as influenced by the Magistrate's Court

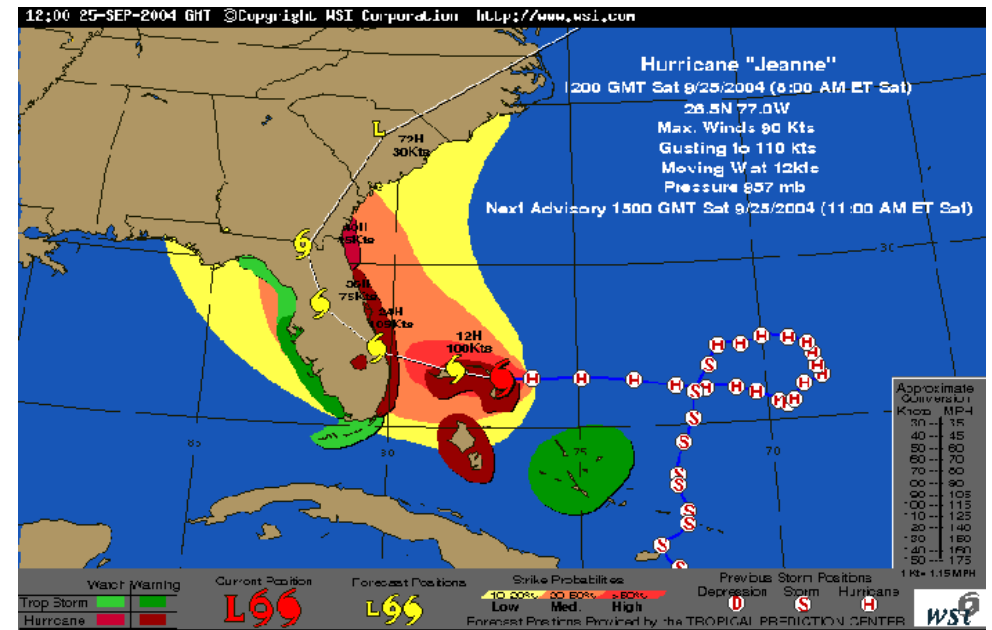
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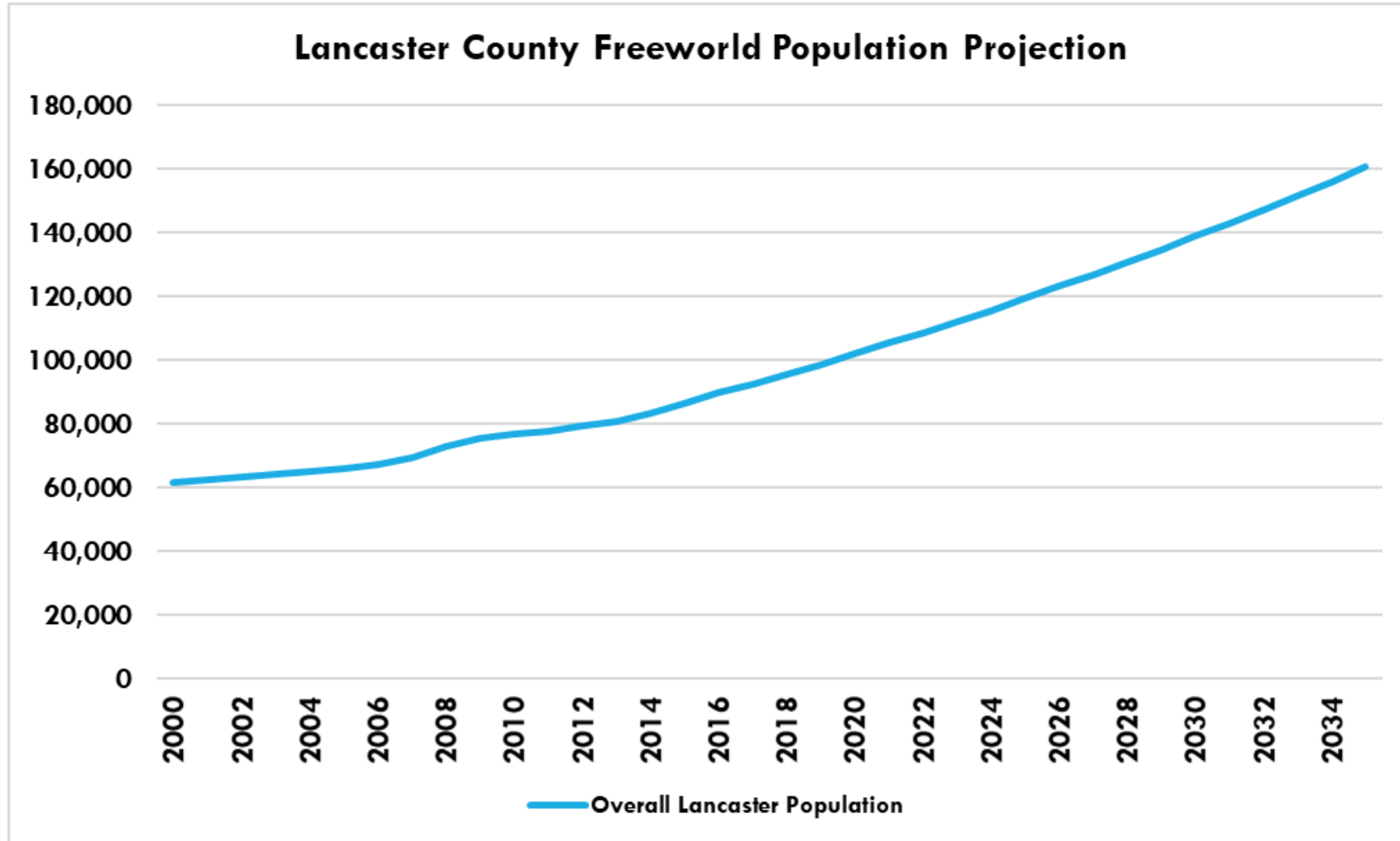
Lancaster County Detention Center Forecasts

Jail Population Forecasting

- All forecasts are built with the assumption that there are no changes or alterations to laws, practices, public policy, etc. when the forecast was produced
- As with weather forecasting, unforeseen events may impact accuracy

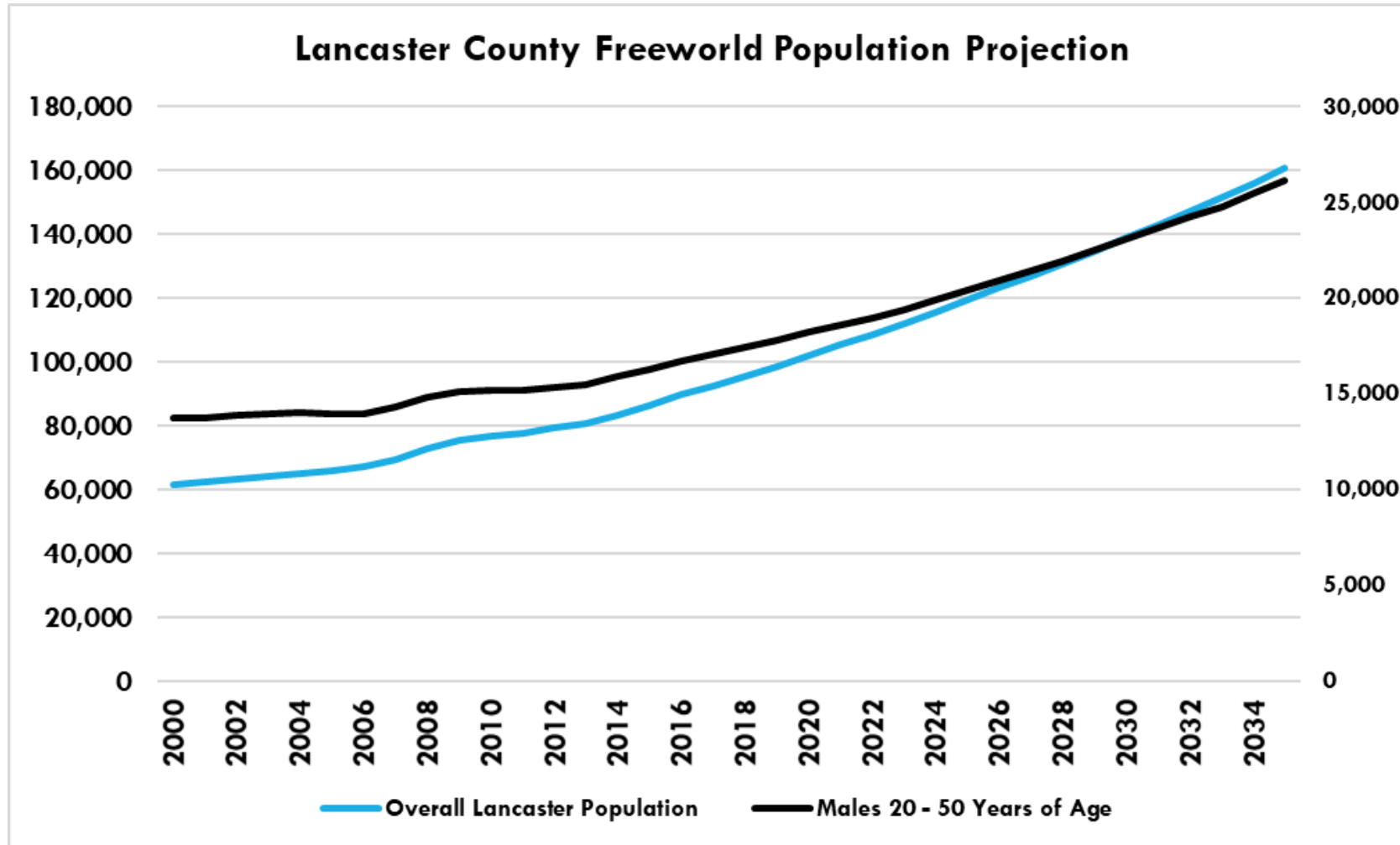


Lancaster County Population Growth



- One factor we have not covered yet is the expected growth of the county's overall population
- The total population is expected to grow by 57.4% between 2020 and 2035
- However, not all segments of the population come to the jail equally

Lancaster County Population Growth



- The total population is expected to grow by 57.4% between 2020 and 2035
- However, the cohort of males between the ages of 20 and 50 will grow more slowly, at 43%
- Recall that this group accounts for roughly 70% of the jail's population

Lancaster County Detention Center Forecasts

Jail Population Forecasting

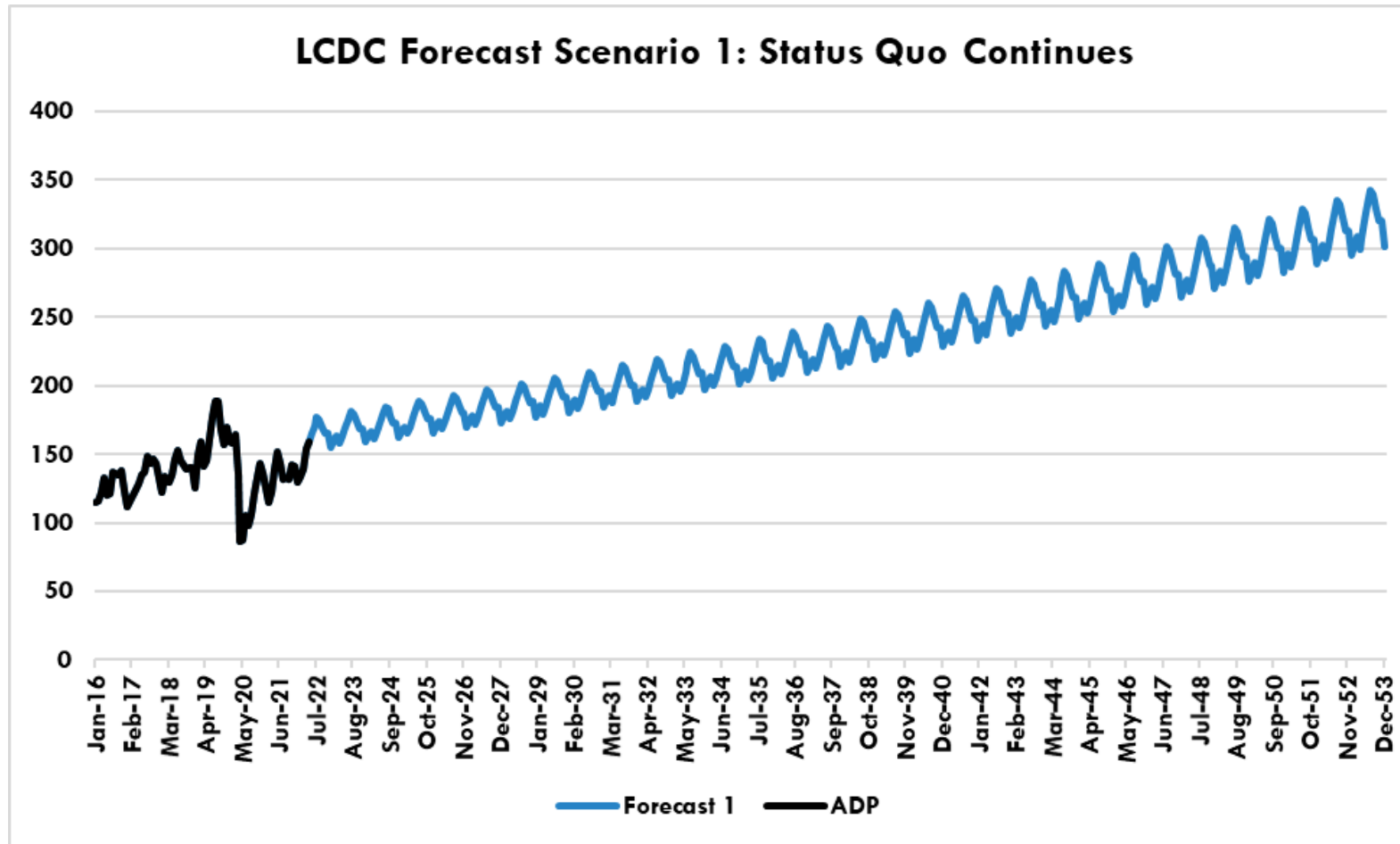
- In order to attempt to minimize the impact of surprise changes, forecasts were built using a time series modeling method called Autoregressive Integrated Moving Averages (ARIMA)
- The ARIMA process was used to develop multiple models which were then statistically simulated
- The best performing (diagnostically speaking) forecasts were then selected as the main forecasts

Lancaster County Detention Center Forecasts

4 Models of the Jail Population's Future

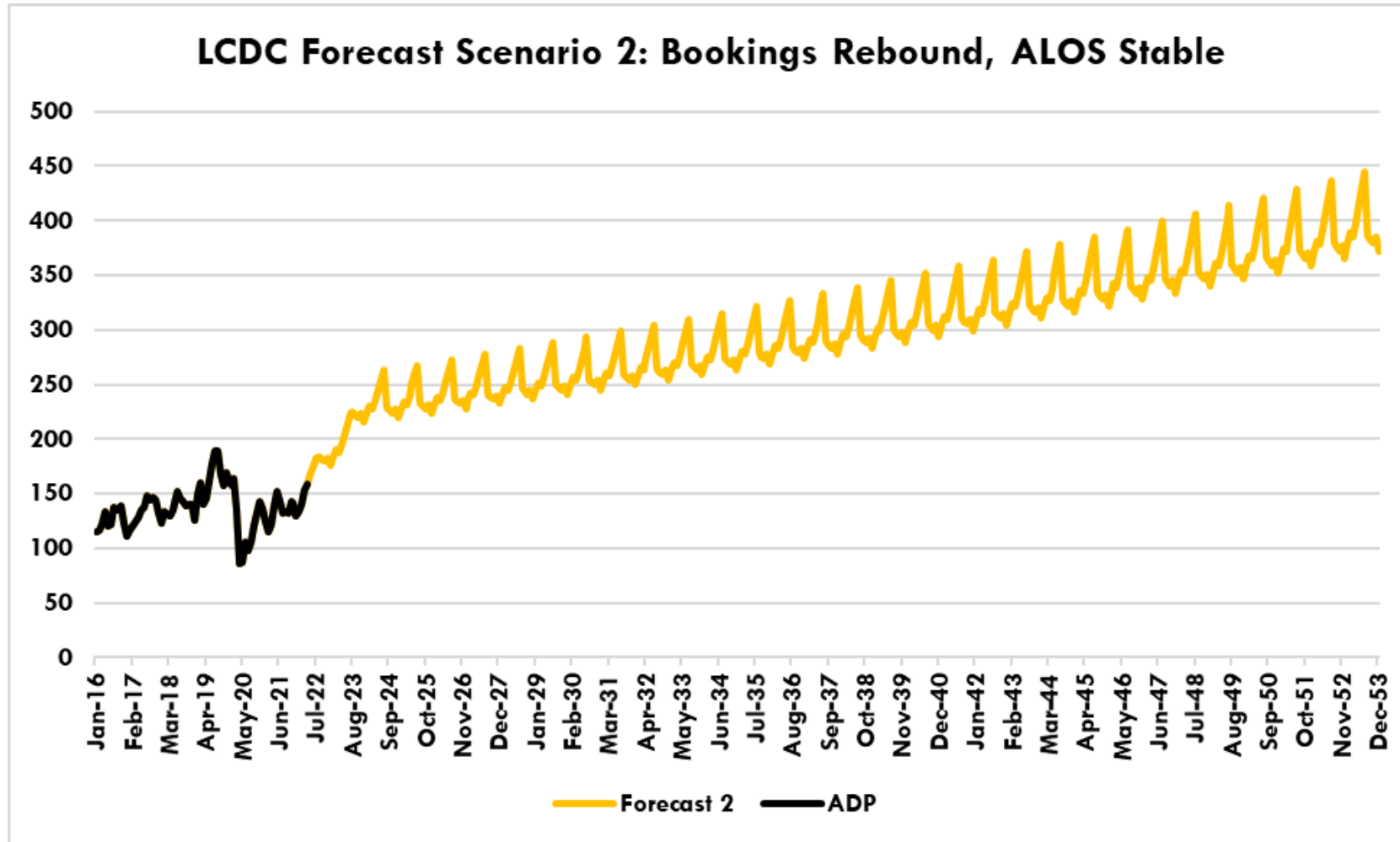
1. All current trends continue with no change (low bookings, high ALOS)
 2. Bookings rebound to 2018 levels, ALOS stays high
 3. Bookings stay at current levels, ALOS returns to 2019 levels
 4. Bookings rebound to 2018 levels, ALOS improves to 2019 levels
- Our models also use the projected (free-world) population growth for males between 20 and 49 years of age

LCDC Population Forecasts



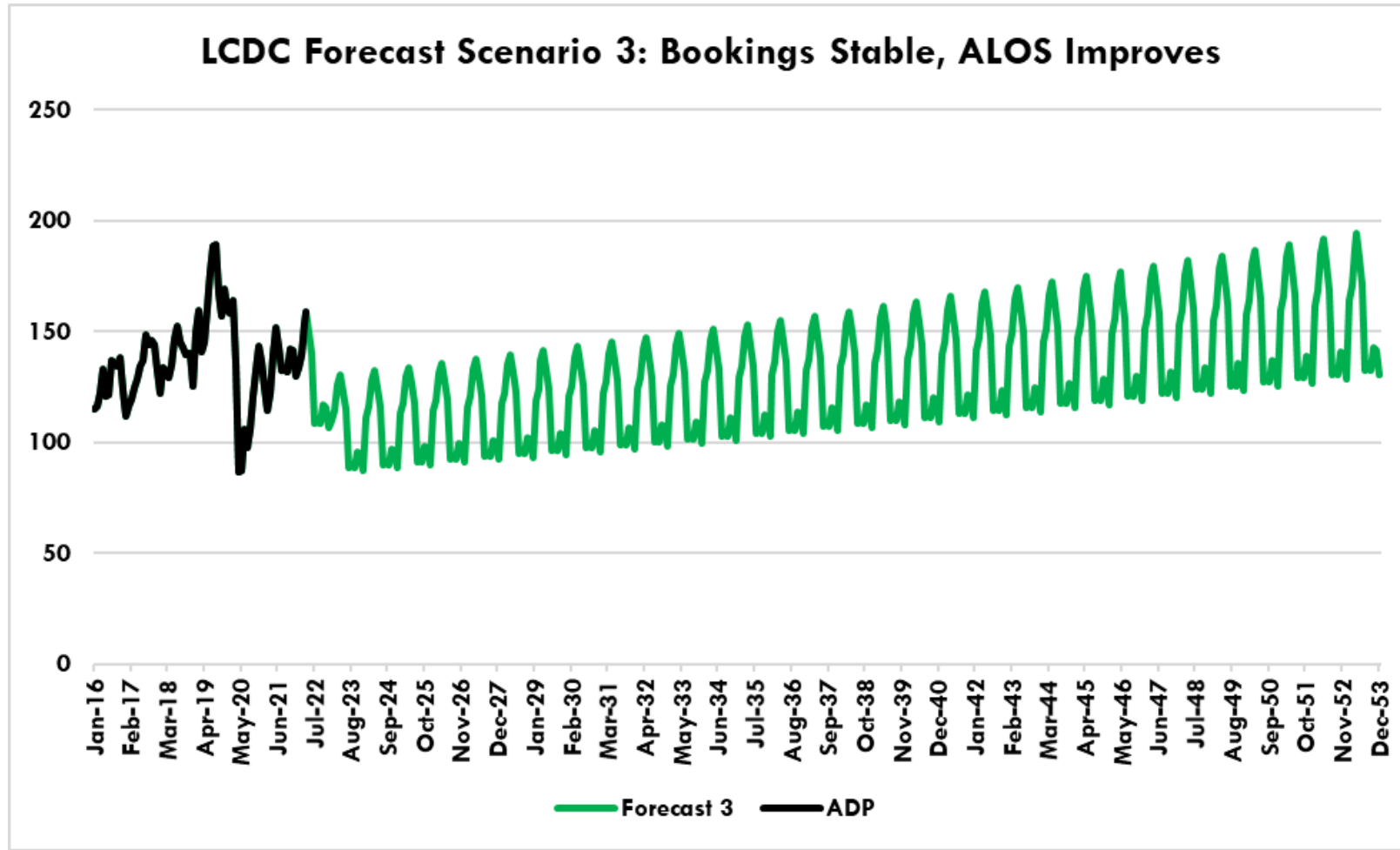
- This is Forecast 1: A continuation of the current trends
- Bookings stay at the current lower levels
- ALOS remains high
- The 2050 ADP is approximately 299

LCDC Population Forecasts



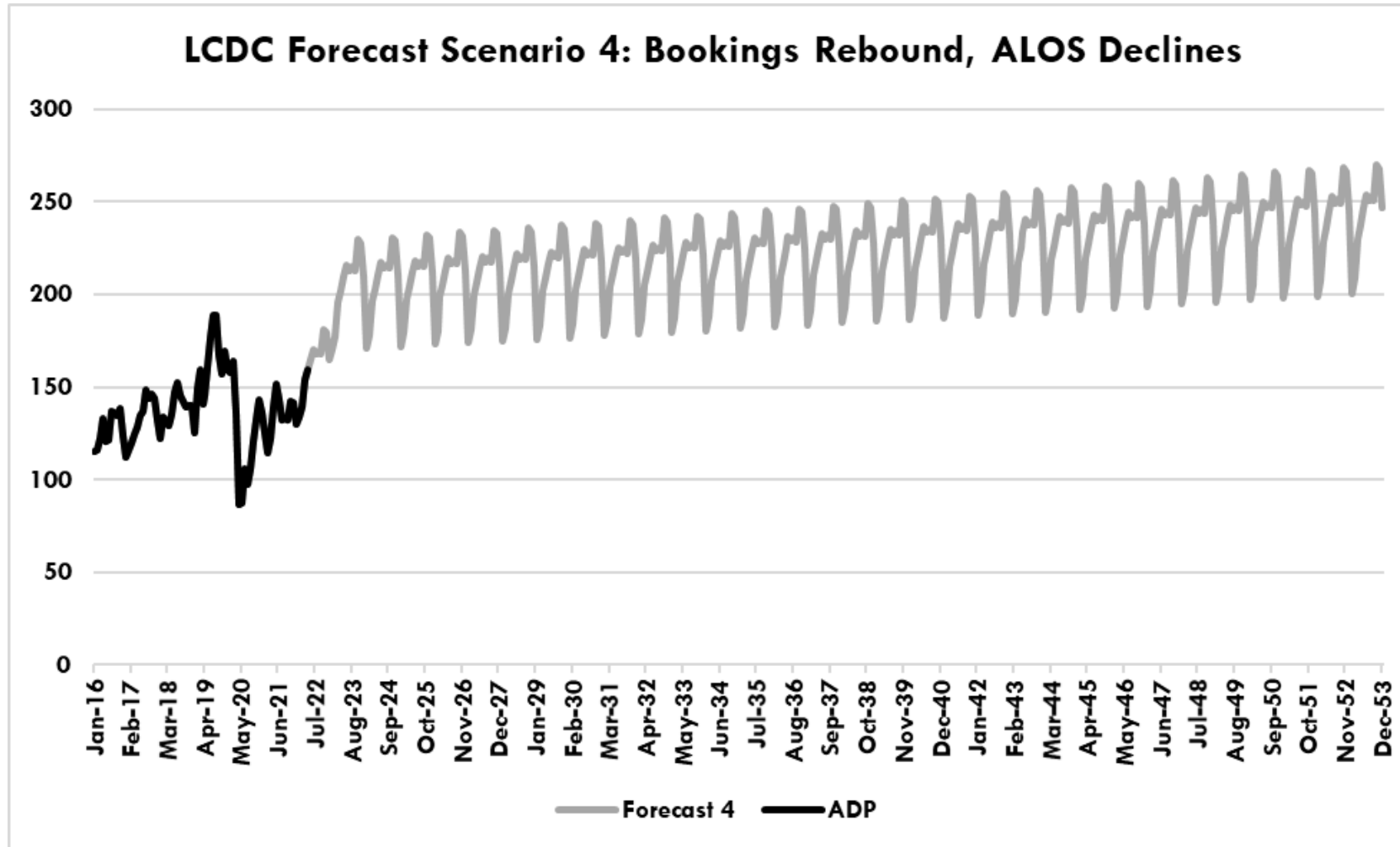
- This is Forecast 2: Bookings rebound to 2018 levels while ALOS remains the same
- This is close to a worst-case scenario, as the jail population would more than double the current population
- The 2050 ADP is 374

LCDC Population Forecasts



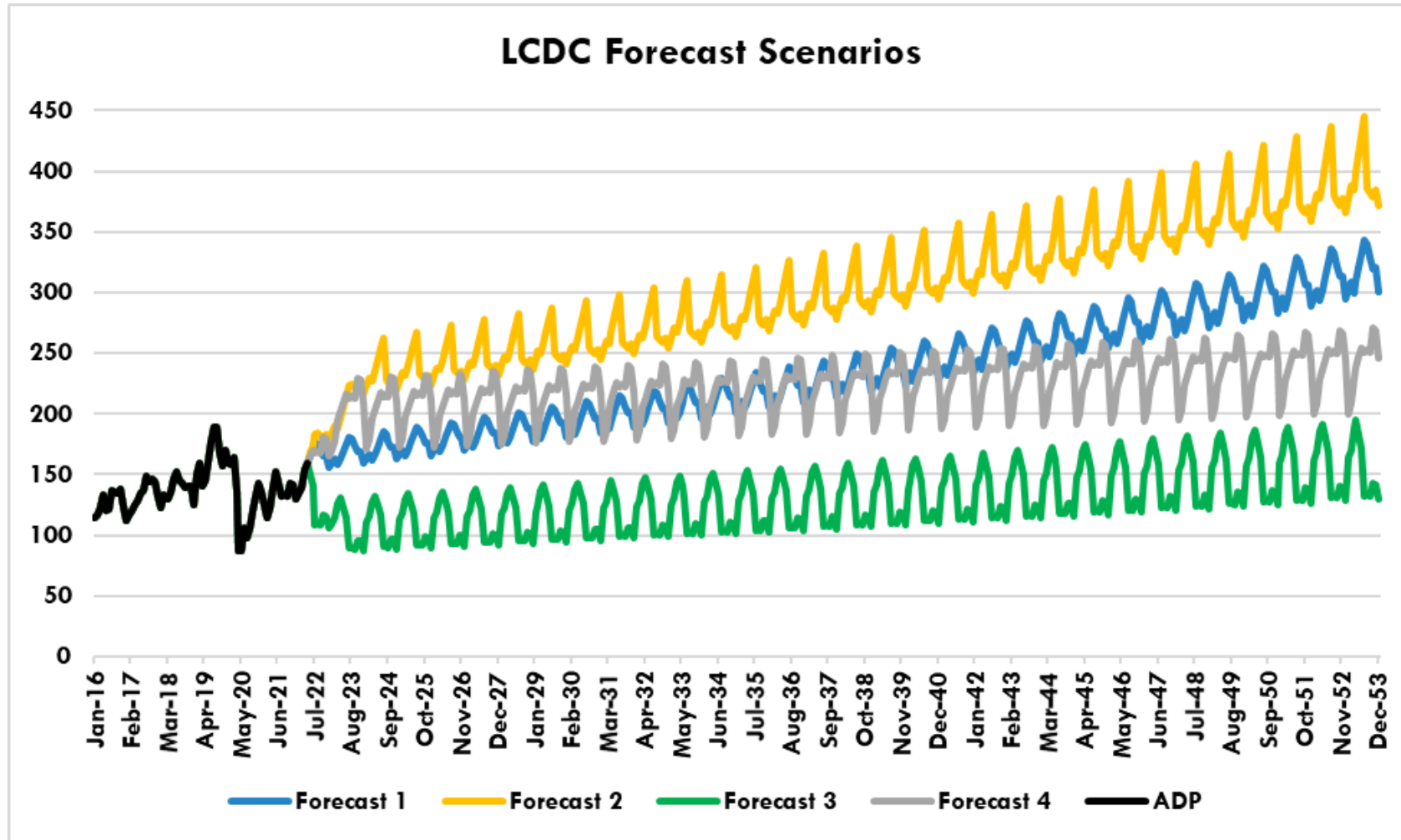
- This is Forecast 3: Bookings remain the same and ALOS improves to where it was in 2019
- This is a best-case scenario, as the jail population would shrink to where it was during the height of the pandemic
- From there, only slight growth would occur due to the expected growth in the number of males in Lancaster County
- Again, this assumes that the rate of bookings and ALOS (once adjusted) would remain stable in the future
- 2050 ADP = 151

LCDC Population Forecasts



- This is Forecast 4: Bookings return to 2018 levels (9.5 per day) and ALOS improves back to 2019 (from 24.7 days to 16.5 days)
- In other words, while bookings would increase, ALOS would improve
- Having a stable ALOS and bookings number after that change would translate into only slight future growth due to the expected increase in males in the county
- 2050 ADP = 239

LCDC Population Forecasts



- Forecast Summary
- One of the key unknowns in all 4 of these scenarios is the direction of the female population
- Our assumption is that the female population would rebound and follow the same trajectory it had when the pandemic hit

Lancaster County Detention Center Forecasts – Bed Need

Average Daily Population vs. Actual Beds Needed

- These forecasts do not reflect the projected size of a hypothetical facility for 2 key reasons:
 1. It is important to remember that these forecasts are an average daily population. Actual populations will fluctuate above and below that average number. Our calculation indicates a peaking factor of 60% for females and 22.9% for males is required.
 2. To operate a facility safely and securely, extra capacity must be available to keep populations separated from each other, such as co-defendants, known enemies, people of different classifications, etc. We need to estimate a 'classification factor' to determine the extra required capacity, but 10% is fairly common.

LCDC Population Forecasts: Bed Need

Year	Females				Males				Total Bed Need
	ADP	Peaking (60%)	Class. (10%)	Bed Need	ADP	Peaking (22.9%)	Class. (10%)	Bed Need	
2025	26.3	15.8	2.6	44.8	149.3	34.1	14.9	198.3	243.1
2030	29.3	17.6	2.9	49.8	166.0	38.0	16.6	220.6	270.4
2035	32.6	19.6	3.3	55.4	184.7	42.2	18.5	245.4	300.8
2040	36.2	21.7	3.6	61.6	205.4	47.0	20.5	272.9	334.5
2045	40.3	24.2	4.0	68.5	228.5	52.2	22.8	303.5	372.1
2050	44.8	26.9	4.5	76.2	254.1	58.1	25.4	337.6	413.8

- The peaking factor and classification factor are added to the calculated averages from the forecasts
- Thus, for Forecast 1 above, the 2050 ADP of 299 inmates (45 females + 254 males) translates into 414 beds that are needed to safely navigate more crowded periods as well as retain needed capacity in order to maintain safety and security

LCDC Population Forecasts: Bed Need

Year	Females				Males				Total Bed Need
	ADP	Peaking (60%)	Class. (10%)	Bed Need	ADP	Peaking (22.9%)	Class. (10%)	Bed Need	
2050 - Forecast 1	44.8	26.9	4.5	76.2	254.1	58.1	25.4	337.6	413.8
2050 - Forecast 2	56.1	33.7	5.6	95.4	318.2	72.7	31.8	422.8	518.1
2050 - Forecast 3	22.6	13.6	2.3	38.4	128.2	29.3	12.8	170.3	208.7
2050 - Forecast 4	35.9	21.5	3.6	61.0	203.2	46.5	20.3	270.0	331.0

- The bed need calculations for each of the four forecast scenarios is presented above
- Forecast 1 represents our best estimate of the future, assuming that no changes take place
- Of the various forecast scenarios, Forecasts 3 and 4 are clearly the best outcomes for the county
- These outcomes can be accomplished by reducing ALOS and doing that which is necessary to manage booking levels as appropriate
- Because ALOS is a function of criminal court case processing, the strategies for ALOS reduction should be focused on attempting to return the process to where it was before the pandemic

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Conclusions

- Our overall forecast guidance suggests that if present practices in all phases of the criminal justice system remain as they were in early Spring 2022, the required number of beds to operate a safe and secure facility will eclipse 400 in 28 years.
- Two key data challenges for this analysis:
 - We were unable to provide estimates of the mental health/special needs inmate population. This information is not tracked. Keeping a daily tabulation of such inmates would benefit the facility and the criminal justice system.
 - The facility custody classification data could likely benefit from an audit and/or long-term improvement plan to make the data more reliable and valid.
- It would be wise for the criminal justice system to examine the possible causes of enhanced jail ALOS and work to return that number to where it was 5 years ago.