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

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

June 10, 2024 | **6:00 PM** | **101 North Main Street, Lancaster, SC 29720**

LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration Building, 101 North Main Street, Lancaster, SC 29720

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Brian Carnes**
4. **Approval of the 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 of the meeting. Please use the same link above in order to submit input/comments for Public Hearings. *Please note that any handouts presented to Council or Council Boards and Commissions become an official part of the record and a copy is attached to the legal minutes for the meeting.]
6. **Special Presentations**

   a. Recognition of National Association of Counties Awards - Dennis Marstall / Brenda Thompson
7. **Consent Agenda**

   [Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]

   a. Approval of Minutes from the May 15, 2024, County Council Committee of the Whole Meeting

b. Approval of Minutes from the May 28, 2024, County Council Regular Meeting

8. <u>Non-Consent Agenda</u>

a. Resolution 1262-R2024 regarding Approval of the PEBA Request regarding Employee Definition

Resolution Title: A Resolution To Approve County Councilmember Coverage As A Part Of Lancaster County's Participation In The State Insurance Benefits Program ***- Dennis Marstall***

b. Public Hearing and 3rd Reading of Ordinance 2024-1896 regarding Amending the Unified Development Ordinance (UDO) related to the Removal of "Amusement, Indoor" and "Amusement, Outdoor" From the Use List for Light Industrial (LI) Districts

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapter 2, Section 5 Use Table, To Remove The Uses "Amusement, Indoor" And "Amusement, Outdoor" From The Permitted Use List For Light Industrial (LI) Districts, And To Invoke The Pending Ordinance Doctrine So That No Permit Shall Be Issued That Would Be In Conflict With The Proposed Zoning Changes As Set Forth Herein ***- Passed 4-3 at the March 11, 2024 County Council Meeting (Brian Carnes, Steve Harper, and Jose Luis Opposed). Passed 7-0 at the May 28, 2024 County Council Meeting. - Allison Hardin***

c. Public Hearing and 3rd Reading of Ordinance 2024-1907 regarding an Amendment to the Fiscal Year 2024 Budget Relating to the Purchase of a Bulldozer

Ordinance Title: An Ordinance To Amend Ordinance No. 2023-1849, Relating T o The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2023, And Ending June 30, 2024 (FY 2023-2024), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto. ***- Passed 6-0 at the May 13, 2024 County Council Meeting (Steve Harper Absent). Passed 7-0 at the May 28, 2024 County Council Meeting. - Sabrena Harris***

d. 3rd Reading of Ordinance 2024-1905 regarding Rezoning Property Located at 1540 Old Pardue Road from Low Density Residential (LDR) District to Rural Residential (RR) District (Applicant Peter Sites)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 46.883 Acres (TM# 0050-00-038.02), Which Is Located At 1540 Old Pardue Rd, From Low Density Residential (LDR) District To Rural Residential (RR) District ***- Planning Department Case Number: RZ-2024-0342. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Passed 5-0 at the May 13, 2024 County Council Meeting (Terry Graham Abstained and Steve Harper Absent). Passed 6-0 at the May 28, 2024 County Council Meeting (Terry Graham Abstained). - Allison Hardin***

e. 2nd Reading of Ordinance 2024-1908 Authorization of a Second Amendment to Fee Agreement for Project Tree and Project Tree Sponsor Affiliate

Ordinance Title: To Authorize And Approve The Execution And Delivery Of A Second Amendment To Fee Agreement By And Among Lancaster County, South Carolina, Project Tree And Project Tree Sponsor Affiliate; And To Provide For Other Matters Related Thereto. ***- Passed 7-0 at the May 28, 2024 County Council Meeting. - Amy Carnes***

f. Public Hearing and 1st Reading of Ordinance 2024-1913 regarding Rezoning Approximately 2.56 Acres of Property from Urban Residential (UR) District to Medium Density Residential (MDR) District (Applicant Carlos Sanchez)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.56 Acres (TM# 0006-00-072.04), Which Is Located At The Intersection Of Country Acres Dr And Reid Pointe Ave, From Urban Residential (UR) District To Medium Density Residential (MDR) District ***- Planning Department Case Number: RZ-2024-0584. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. - Allison Hardin***

g. Public Hearing and 1st Reading of Ordinance 2024-1914 regarding Rezoning Approximately 5.80

Acres of Property Located at 1743 Lynwood Drive from Medium Density Residential (MDR) District to General Business (GB) District (Applicant Courtney Lomax)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 5.819 Acres (TM# 0087G-0C-004.00), Which Is Located At 1743 Lynwood Dr, From Medium Density Residential (MDR) District To General Business (GB) District For The Purpose Of Opening A Day Care Center. ***- Planning Department Case Number: RZ-2024-0627. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. - Allison Hardin***

h. 2nd Reading of Ordinance 2024-1910 regarding Approval of the Fiscal Year 2024-2025 Budget

Ordinance Title: An Ordinance To Appropriate Funds And Approve A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2024 And Ending June 30, 2025 (FY 2024-25); To Set Millage Rates For The Levy Of Ad Valorem Taxes; To Approve A Schedule Of Taxes, Fees And Charges For FY 2024-25; And To Provide For Matters Related Thereto. ***- 1st Reading Postponed to the June 5, 2024 County Council Special Meeting. 1st Reading Passed 5-2 at the June 5, 2024 County Council Meeting (Allen Blackmon and Jose Luis Opposed). - Dennis Marstall / Sabrena Harris***

i. 2nd Reading of Ordinance 2024-1909 regarding Approval of the Amendment to the Capital Improvement Plan (CIP)

Ordinance Title: An Ordinance To Adopt The Revised Lancaster County Capital Improvement Plan Fiscal Year 2021-2022 Through 2030-2031 As Recommended By The Lancaster County Planning Commission. ***- Passed 6-1 at the May 28, 2024 County Council Meeting (Allen Blackmon Opposed). - Dennis Marstall / Jamie Privuznak***

j. 1st Reading of Ordinance 2024-1906 regarding a Proposed Transportation Sales Tax

Ordinance Title: An Ordinance To Levy And Impose A One Percent Sales And Use Tax, Subject To A Referendum, Within Lancaster County Pursuant To Section 4-37-30 Of The Code Of Laws Of South Carolina 1976, As Amended; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For Which Such Tax May Be Imposed; To Provide The Estimated Cost Of The Projects Funded From The Proceeds Of The Tax; To Provide For A County-Wide Referendum On The Imposition Of The Sales And Use Tax And The Issuance Of General Obligation Bonds And To Prescribe The Contents Of The Ballot Questions In The Referendum; To Provide For The Conduct Of The Referendum By The Board Of Elections And Voter Registration Of Lancaster County; To Provide For The Administration Of The Tax, If Approved; To Provide For The Payment Of The Tax, If Approved; And To Provide For Other Matters Relating Thereto. ***- Dennis Marstall / Jeff Catoe***

9. Discussion and Action Items

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

a. HOLD - 1st Reading of Ordinance 2024-1898 regarding Amending the Lancaster County Code Relating to Parliamentary Procedures / Rules of Procedure for Meetings

Ordinance Title: An Ordinance To Amend The Lancaster County Code, Relating To Parliamentary Procedures/Rules Of Procedure For Council Meetings, Including Committee Meetings, And All Boards And Commissions For Which County Council Appoints A Majority Of Members. ***- By a Vote of 6-0, 1st Reading Postponed (Allen Blackmon Absent). - Dennis Marstall / Ginny Merck-Dupont***

11. Executive Session

[motions from Members may follow]

a. Two Items:

1. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to the acquisition of property.

2. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to the EMS Headquarters bay.

12. Items Requiring a Vote Following Executive Session

13. 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://www.youtube.com/@LancasterCoSCGov/streams

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Dennis Marstall / Administration and Brenda Thompson / Communications and Marketing
Department: Administration
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:

Strategic Plan Focus Area Alignment:

Points to Consider:
Lancaster County submitted eight nominations for the 2024 National Association of Counties (NACo) Awards Program and received Achievement Awards for six of the nominations, including:

- Lancaster County Library Seed Program
- Student Mock County Council Meeting: Fostering Youth Civic Engagement
- Veterans Court with the Solicitor's Office
- Civics 101 community engagement program
- "Day in the Life" of a Sheriff's Office employee video
- Implementing GIS To Meet the Needs of a Growing County

This is the first time that the County has received six NACo Achievement Awards at one time.

Funding and Liability Factors:

Recommendation:

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Sherrie Simpson / Clerk to Council / Administration
Department: County Clerk
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Approve or amend the minutes from the May 15, 2024, County Council Committee of the Whole meeting.

Strategic Plan Focus Area Alignment:

Points to Consider:
The draft minutes from the May 15, 2024, County Council Committee of the Whole meeting are attached for Council's review and consideration.

Funding and Liability Factors:
There are no funding or liability factors regarding approval of minutes.

Recommendation:
Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 5-15-2024 Committee of the Whole Meeting	6/6/2024	Backup Material

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

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

May 15, 2024 | **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

MINUTES

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Council Members Present: Allen Blackmon, Brian Carnes *(who entered the meeting late at approximately 4:20 p.m. during Discussion and Action Item 6.b., Budget Review and Considerations Regarding ARPA funding and the County Administrator's Recommended 2025 Budget)*, Terry Graham, Steve Harper *(via Teams)*, Jose Luis, Charlene McGriff, Billy Mosteller.

Council Members Absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Stephany Snowden, Deputy County Administrator; Sabrena Harris, Chief Financial Officer; Jamie Privuznak, Budget Director; Allison Hardin, Development Services Director; Chief Greg Nicholson, Greater Indian Land Consolidated Fire Protection District; Sheriff Barry Faile, Lancaster County Sheriff's Office; Brian Fulk, Economic Development Director; Chris Clouden, Parks and Recreation Director; Robert Purser, 911 Communications Director; Scott Hernandez, Information Technology Director; Brenda Thompson, Marketing and Communications Director; Lisa Parker, Human Resources Director; Clay Catoe, EMS Director; Karla Deese, Coroner; various elected officials; various Department Heads; various employees; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News, Kershaw News Era, The Rock Hill Herald,* Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website within the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order - Vice-Chair Brian Carnes

In the absence of Vice-Chair Brian Carnes *(who was late entering the meeting due to traffic issues)* and since Chairman Harper was attending via Teams, Secretary Billy Mosteller called the County Council Committee of the Whole meeting to order at approximately 4:00 p.m.

Welcome and Recognition - Vice-Chair Brian Carnes

In the absence of Vice-Chair Brian Carnes *(who was late entering the meeting due to traffic issues)* and since Chairman Harper was attending via Teams, Secretary Billy Mosteller welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Charlene McGriff

Charlene McGriff led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of Agenda

Jose Luis moved to approve the agenda. Seconded by Charlene McGriff. A roll call vote was taken on the motion to approve the agenda and the agenda was approved by a vote of 6-0.; Absent: Carnes.

Citizens Comments

The following citizens signed up for and spoke during Citizen Comments: None.

The following citizens submitted electronic, written comments for Citizen Comments: None.

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Discussion and Action Items

Review of an Intergovernmental Agreement (IGA) for Parks Partner Agreement - Dennis Marstall

Dennis Marstall explained that a Parks Partner Agreement attached in the agenda packet, if Council agreed, would be a template for the Parks and Recreation Department facilities and programs. He further explained that each Agreement would have a specific addendum attached that was unique to that particular project. He noted that any Agreements would be reviewed on a yearly basis. Furthermore, he noted that the primary driver behind using the template was the need for an agreement between the County and the City so that the County could invest American Rescue Plan Act (ARPA) funds for repaving the parking lot at the Springdale Recreation Center. He explained that Springdale Park is owned by the City and that they have backed out of transferring that property to the County. Therefore, he noted that an agreement would be needed between the City and County in regards to the City maintaining the parking lot and the County maintaining the fields. Council and staff discussed defining reasonable notice and timely manner in the Parks Partner Agreement by adding in specific time frames.

Budget Review and Considerations Regarding ARPA funding and the County Administrator's Recommended 2025 Budget - Dennis Marstall

Dennis Marstall explained that staff would begin the budget review by providing an update on project funding from the American Rescue Plan Act (ARPA). Stephany Snowden provided this update via a one-page handout entitled "ARPA Funds" and via a separate power point presentation entitled "Fiscal Year 2025 County Administrator's Recommended Budget - Council Review and Deliberation." The handout is attached as Schedule A to the written minutes in the Clerk to Council's office and the separate power point is attached as Schedule B to the written minutes in the Clerk to Council's office. She provided an update on the completed projects and the pending/in process projects. Brian Carnes entered the meeting at approximately 4:20 p.m. and took over the duties as Chair of the meeting. Stephany Snowden then provided an update on the Coroner's Office upgrades that came in approximately $770,000 over budget and the steps that had been taken to reduce the costs for the project. Karla Deese explained that getting the Coroner's Office project off the ground had been a long and challenging process. She noted that they had tried to cut costs where they could but that it had been a challenge with the parking lot. Council and staff discussed whether to hold off on the Emergency Management storage facility project until the County could determine the exact overage amount for the Coroner's Office, that the

Coroner's Office project had $100,000 in contingency, that staff were told that the lot next door could not be purchased with ARPA funds and so that lot had already been sold, the amount of grading required for the project, and whether the County should take money from the Barnett building upfit and reallocate those funds to the Coroner's Office.

Jamie Privuznak provided an update on revenue projections, based on questions from the last budget workshop, via the separate power point presentation. She provided an update on revenue projections for ad-valorem taxes, vehicle taxes, and road improvement fees. Then she provided an update on the additional revenue received based on the revised revenue projections and the proposed uses for that additional revenue. Council and staff discussed using projection numbers versus actual numbers, whether the new proposed uses were inadvertently left out of the original budget, the need for an excel spreadsheet with additions and subtractions, the exact amount of requests for technology replacements, and the rezoning fees in the fiscal year 25 (FY25) proposed fee schedule. Council received a handout entitled "Administrator's Recommended Budget Responses (May 8, 2024) and that handout is attached as Schedule C to the written minutes in the Clerk to Council's office. Allison Hardin explained that the rezoning fees were split into 3 categories and that those categories were based on the Richland County fee schedule. Council and staff discussed that the largest fees should be for developers and should be increased but that fees should be reduced for individual property owners.

Sabrena Harris provided an update on the fund balance appropriations that are one-time expenditures via the separate power point presentation. Council requested a breakdown of everything in the budget that has been paid for three years in a row but that were not classified as reoccurring expenses. Council and staff discussed funding the Parks master plan. Sabrena Harris then provided an update on budget options for either a no millage increase or a 3.5 millage increase. Steve Harper left the meeting at approximately 5:15 p.m. Council and staff discussed possible employee salary adjustments, possible new positions, merit increases, whether to a fund Grant Coordinator position, whether to fund the Grant Writer position, whether to fund the Benefits Coordinator, whether to fund the Director of Fire Service, how many new Correction Officer positions are needed, the amount of the pay increase for current employees, whether to increase the budget millage, millage impact on constituents, the need for a revenue generation projection for a grant writer, and the need to upgrade existing positions to deputy director positions due to growth. Council requested to look at salaries for department heads and deputy directors. Sabrena Harris reviewed the annual impact of a one mil increase versus a 3.5 mil increase on various property values.

Jamie Privuznak provided an update on the Capital Improvement Plan (CIP) via the separate power point presentation. She explained the funding sources for CIP projects. She noted that the County was proposing a bond package to fund projects. Council and staff discussed the number of vehicles needed per year by the Sheriff's Office for replacement vehicles, debt service millage, whether to use a stabilized debt service fund, and the impact of increasing the budget millage.

Stephany Snowden provided an update on fire services, including fire capital, fire millage and the Indian Land Consolidated Fire needs via the separate power point presentation. She reviewed the Countywide calls for service. Council received a handout regarding brush related fires from 1-1-2019 to 12-31-2023 and that handout is attached as Schedule D to the written minutes in the Clerk to Council's office. Stephany Snowden reviewed the ten-year fire capital CIP, the revised budget for the Indian Land Consolidated Fire District FY 25 budget, and various scenarios for funding their budget by using either fire millage, increased rooftop fees, or a hybrid model that would use both millage and rooftop fees. Council and staff discussed commercial impacts, fee-in-lieu of tax (FILOT) impacts, whether to change the equivalent residential unit (ERU), and the possible hybrid option of both a millage and rooftop fee. Council requested a breakout of fee-in-lieu collections, commercial collections, and residential collections for the various scenarios. Dennis Marstall explained that the County had a three-year lock on fire millage once it was implemented and that a county-wide district would have to be created via Ordinance for fire millage and for which municipalities would have to opt in. He also noted that next year would be a reassessment year, which would affect millage changes.

Council and staff discussed rooftop fees, the budget for the Indian Land Consolidated Fire District, whether reassessment affects fire millage and debt service millage, employee compensation, holding millage down, budgets for fire departments, and the fire truck replacement schedule and funding for that replacement schedule. Council

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requested to receive the agenda packet on the Thursday before the Council meeting for the 1st Reading of the Budget.

Adjournment

Terry Graham moved to adjourn the Committee of the Whole meeting. Seconded by Charlene McGriff. The motion to adjourn Passed by a vote of 6-0.; Absent: Harper. There being no further business, the meeting adjourned at approximately 6:22 p.m.

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Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Lauren Hill / Deputy Clerk to Council / Administration
Department: County Clerk
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Approve or amend the minutes from the May 28, 2024, County Council regular meeting.

Strategic Plan Focus Area Alignment:

Points to Consider:
The draft minutes from the May 28, 2024, County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:
There are no funding or liability factors regarding approval of minutes.

Recommendation:
Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 5-28-2024 County Council Regular Meeting	6/7/2024	Backup Material

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

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

May 28, 2024 | **6:00 PM** | **101 North Main Street, Lancaster, SC 29720**

LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration Building, 101 North Main Street, Lancaster, SC 29720

MINUTES

DRAFT

Council Members Present: Allen Blackmon, Brian Carnes, Steve Harper, Billy Mosteller, Charlene McGriff, Terry Graham, and Jose Luis.

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Stephany Snowden, Deputy County Administrator; Allison Hardin, Development Services Director; Sabrena Harris, Chief Financial Officer; Jamie Privuznak, Budget Director; Brian Fulk, Economic Development Director; April Williams, Planning Director; Brenda Thompson, Marketing and Communications Director; Jeff Catoe, Public Services Director; Karla Deese, Coroner; Chris Clouden, Parks and Recreation Director; Clay Catoe, Emergency Medical Services Director; Darren Player, Fire Service/Emergency Management Director; Barry Faile, Sheriff; Brad Carnes, Assessor; Kelvin Alexander, Project Management; the press; various elected officials; various Department Heads; various employees; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News, Kershaw News Era, The Rock Hill Herald,* Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website within the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order Regular Meeting - Chairman Steve Harper

Chairman Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Billy Mosteller

Billy Mosteller led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Brian Carnes moved to approve the agenda. Seconded by Charlene McGriff. The motion Passed by a vote of 7-0.

Citizens Comments

The following citizens signed up for and spoke during Citizen Comments:

1. Bruce Cohen, Lancaster, SC spoke regarding taxes requested by County departments without any plans set in place.
2. Jean Doyle, Lancaster, SC spoke regarding growth issues in the Indian Land area of the County and plans for the proposed budget.
3. Brian Endres, Indian Land, SC spoke regarding budget request options for the Indian Land Consolidated Fire Protection District and requested a hybrid approach.

The following citizens submitted electronic, written comments for Citizen Comments, of which Council received a physical copy at their seats and which was acknowledged during the meeting by Sherrie Simpson, Clerk to Council:

1. Pete Butterfield, Lancaster, SC wrote in regarding the proposed budget and requested that no new taxes be implemented, and no taxes be increased. His comments are attached as Schedule A to the written minutes in the Clerk to Council's Office.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **6a.**, **6b.**, **6c.**, and **6d.** [which are the same as Item **a.**, **b.**, **c.**, and **d.** listed below]. Seconded by Charlene McGriff. Jose Luis made a motion to bifurcate item **6d.** to be handled separately. Seconded by Terry Graham. The motion to bifurcate item **6d.** Passed by a vote of 7-0. The motion to approve the Consent Agenda as amended Passed by a vote of 7-0.

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a. **Approval of Minutes from the May 8, 2024 County Council Budget Workshop**

b. **Approval of Minutes from the May 13, 2024 County Council Regular Meeting**

c. **3rd Reading of Ordinance 2024-1897 regarding Adding Property to the Edgewater II Improvement District**

Ordinance Title: An Ordinance To Add Certain Property To The Edgewater II Improvement District; And To Provide For Other Matters Relating Thereto - ***Passed 7-0 at the April 22, 2024 County Council Meeting. Passed 6-0 at the May 13, 2024 County Council Meeting (Steve Harper absent). - Dennis Marstall / Michael Seezen***

d. **2nd Reading of Ordinance 2024-1907 regarding an Amendment to the Fiscal Year 2024 Budget Relating to the Purchase of a Bulldozer**

Ordinance Title: An Ordinance To Amend Ordinance No. 2023-1849, Relating T o The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2023, And Ending June 30, 2024 (FY 2023-2024), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto. - ***Passed 6-0 at the May 13, 2024 County Council Meeting (Steve Harper Absent). - Sabrena Harris***

Billy Mosteller moved to approve the 2nd Reading of Ordinance 2024-1907. Seconded by Allen Blackmon. Jeff Catoe stated that the bulldozer to be purchased had 1,000 hours on it, and the purchase would come with a four-year warranty which covered the engine and service. Mr. Catoe noted that his staff had inspected the bulldozer to ensure that it would be a good purchase.

The 2nd Reading of Ordinance 2024-1907 Passed by a vote of 7-0.

Non-Consent Agenda

Resolution 1261-R2024 regarding an Inducement Resolution for Project Tree and Project Tree Sponsor Affiliate

Resolution Title: A Resolution To State The Commitment Of Lancaster County To Enter Into A Second Amendment To Fee Agreement With Project Tree And Project Tree Sponsor Affiliate; To Provide The General Terms Of The Second Amendment To Fee Agreement Including The Extension Of Special Source Revenue Credits; To Provide That This Resolution Is An Inducement Resolution For Purposes Of The Fee In Lieu Of Tax Simplification Act; And To State The Commitment Of Lancaster County To Place Property In A Multi-County Park.

Brian Carnes moved to approve Resolution 1261-R2024. Seconded by Charlene McGriff.

Allen Blackmon pointed out an error in the paragraph numbering in the Resolution draft. Mr. Blackmon made a motion to approve Resolution 1261-R2024 as long as the incorrect numbering was a scrivener's error. Seconded by Terry Graham. The motion Passed by a vote of 7-0.

Resolution 1261-R2024 as amended Passed by a vote of 7-0.

1st Reading of Ordinance 2024-1908 regarding Authorization of a Second Amendment to Fee Agreement for Project Tree and Project Tree Sponsor Affiliate

Ordinance Title: To Authorize And Approve The Execution And Delivery Of A Second Amendment To Fee Agreement By And Among Lancaster County, South Carolina, Project Tree And Project Tree Sponsor Affiliate; And To Provide For Other Matters Related Thereto.

Allen Blackmon moved to approve the 1st Reading of Ordinance 2024-1908. Seconded by Terry Graham.

Brian Fulk highlighted that Ordinance 2024-1908 was the companion Ordinance for Resolution 1261-R2024.

Allen Blackmon questioned what would happen if Project Tree and Project Tree Sponsor Affiliate did not hit their projected investment amount, and Brian Fulk stated that per the original document, the company would lose their Special Source Revenue Credit (SSRC) retrospectively and proactively, but assured Mr. Blackmon that he believed they would hit the projected number. Mr. Blackmon stated that the company should be held accountable if the numbers were not hit.

The 1st Reading of Ordinance 2024-1908 Passed by a vote of 7-0.

Public Hearing and 3rd Reading of Ordinance 2024-1893 regarding Amending the Unified Development Ordinance (UDO) related to Chapter 2 and Amending Nonmetallic Mineral Product Manufacturing from Permitted with Review to a Conditional Use

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapter 2 To Amend "Nonmetallic Mineral Product Manufacturing" From A Use Permitted With Review (PR) To A Conditional Use, And To Invoke The Pending Ordinance Doctrine So That No Permit Shall Be Issued That Would Be In Conflict With The Proposed Zoning Changes As Set Forth Herein.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2024-1893. Seconded by Terry Graham.

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Allison Hardin discussed the proposed separation requirements, setbacks from the Catawba River, and nuisance issues. Ms. Hardin also reviewed the proposed Compliance Agreement that applicants of an applicable manufacturing or processing plant permit would be required to sign.

Steve Harper opened the Public Hearing for Ordinance 2024-1893 at approximately 6:37 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 38 citizens, including staff members, in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:37 p.m.

There was no discussion from Council. The 3rd Reading of Ordinance 2024-1893 Passed by a vote of 7-0.

2nd Reading of Ordinance 2024-1896 regarding Amending the Unified Development Ordinance (UDO) related to the Removal of "Amusement, Indoor" and "Amusement, Outdoor" From the Use List for Light Industrial (LI) Districts

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapter 2, Section 5 Use Table, To Remove The Uses "Amusement, Indoor" And "Amusement, Outdoor" From The Permitted Use List For Light Industrial (LI) Districts, And To Invoke The Pending Ordinance Doctrine So That No Permit Shall Be Issued That Would Be In Conflict With The Proposed Zoning Changes As Set Forth Herein.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2024-1896. Seconded by Billy Mosteller.

Allison Hardin provided an overview of the text amendment via the County's PowerPoint presentation and highlighted that the Planning Commission recommended approval of the Ordinance at their May 21, 2024, meeting.

There was no discussion from Council. The 2nd Reading of Ordinance 2024-1896 Passed by a vote of 7-0.

2nd Reading of Ordinance 2024-1905 regarding Rezoning Property Located at 1540 Old Pardue Road from Low Density Residential (LDR) District to Rural Residential (RR) District (Applicant Peter Sites)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 46.883 Acres (TM# 0050-00-038.02), Which Is Located At 1540 Old Pardue Rd, From Low Density Residential (LDR) District To Rural Residential (RR) District.

At approximately 6:41 p.m., Terry Graham recused himself from the 2nd Reading of Ordinance 2024-1905 and stepped out of Council Chambers. A physical copy of Mr. Graham's Statement of Recusal is attached as Schedule B to the written minutes in the Clerk to Council's office.

Brian Carnes moved to approve the 2nd Reading of Ordinance 2024-1905. Seconded by Charlene McGriff.

Allison Hardin reviewed the County's PowerPoint presentation. Ms. Hardin noted that the current use was Low Density Residential (LDR), and the proposed zoning was consistent with the adjacent uses. The Planning Commission recommended unanimous approval at their meeting that was held on April 16, 2024.

The 2nd Reading of Ordinance 2024-1905 Passed by a vote of 6-0; Abstained: Terry Graham.

At approximately 6:44 p.m., Terry Graham reentered Council Chambers, and rejoined Council at the dias.

Allison Hardin introduced Lancaster County's new Planning Director, April Williams.

1st Reading of Ordinance 2024-1910 regarding Approval of the Fiscal Year 2024-2025 Budget

Ordinance Title: An Ordinance To Appropriate Funds And Approve A Detailed Budget For Lancaster County For

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The Fiscal Year Beginning July 1, 2024 And Ending June 30, 2025 (FY 2024-25); To Set Millage Rates For The Levy Of Ad Valorem Taxes; To Approve A Schedule Of Taxes, Fees And Charges For FY 2024-25; And To Provide For Matters Related Thereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2024-1910. Seconded by Terry Graham.

Dennis Marstall stated that the information to be presented was read at the May 8, 2024, Council meeting, and the Council members could review the line-item budget details in their notebooks. A physical copy of the notebook is attached as Schedule C to the written minutes in the Clerk to Council's office. Mr. Marstall stated that staff needed direction from Council in order to post for the required Public Hearing notice. Sabrena Harris reviewed the County's PowerPoint presentation. Ms. Harris reviewed the major budget factors and highlighted that $3.3M was identified in new revenue for the next fiscal year. Staff and Council reviewed the Fund Balance Appropriation line items. Charlene McGriff stated that she was not in favor of the County Council/Administration Merit Pool line item, and the Council members discussed their opinions on merit raises.

Billy Mosteller made a motion to remove the Merit Pool line item of $125,000. Seconded by Charlene McGriff. The amendment Passed by a vote of 4-3. Ayes: Allen Blackmon, Steve Harper, Billy Mosteller, Charlene McGriff. Nayes: Brian Carnes, Terry Graham, Jose Luis.

Allen Blackmon made a motion to remove the community survey line item of $40,000. Seconded by Jose Luis. There was no discussion from Council. The amendment Passed by a vote of 7-0.

Council and Staff discussed the Information Technology (IT) data room upgrade line item. Scott Hernandez stated that the department's office could not grow or expand, so separation walls and storage racks for equipment were needed to optimize the space. Mr. Hernandez stated that $50,000 would not be enough funding to cover the upgrades needed.

Allen Blackmon made a motion to remove $150,000 of the requested $250,000 from the data room upgrade line item. Seconded by Billy Mosteller. Council requested to see the data room in person to gain a better understanding of the space before making a budgetary decision. Allen Blackmon withdrew his motion.

Jose Luis made a motion to remove the Council contingency line item of $100,000. Seconded by Allen Blackmon. There was no discussion from Council. The amendment Passed by a vote of 6-1; Ayes: Blackmon, Carnes, Harper, Mosteller, Graham, Luis; Nayes: Charlene McGriff.

Billy Mosteller made a motion to purchase flock cameras for the Sheriff's Department using funds from the Fund Balance. Council and Staff discussed that funds for the flock cameras were already accounted for in the Operating Budget for the Sheriff's Department. There was no second for the motion, so the amendment died on the floor.

Council and Staff discussed the reclassification of the existing Road Maintenance position to Director of Facilities. Dennis Marstall stated that the reclassification of the position would help the County better address growth and facility needs within Lancaster County.

Billy Mosteller made a motion to remove the reclassification of the existing Road Maintenance position line item of $49,706. Seconded by Charlene McGriff. The amendment Passed by a vote of 7-0.

Council and Staff discussed the proposed Grant Writer and Grant Coordinator positions. Charlene McGriff was not in favor of the Grant Coordinator salary being higher than the Grant Writer. Ms. McGriff stated that she would prefer a Grant Writer position be created before a Grant Coordinator. Billy Mosteller was not in favor of the Grant Coordinator position and believed that the County should contract out a Grant Writer. Mr. Mosteller was also not in favor of the new Veterans Affairs Benefits Coordinator position and new Fire Rescue Director position. Charlene McGriff and Allen Blackmon did not agree with Mr. Mosteller's opposition of the Veterans Affairs Benefits Coordinator.

Charlene McGriff made a motion to remove the new Fire Rescue Director position. Seconded by Billy Mosteller.

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There was no discussion from Council. The amendment Passed by a vote of 7-0.

Charlene McGriff made a motion to remove the new Grant Coordinator position. Seconded by Terry Graham. There was no discussion from Council. The amendment Passed by a vote of 7-0.

Jose Luis made a motion to remove the new Grant Writer position. Seconded by Billy Mosteller. Council discussed contracting out a Grant Writer and requested that Staff provide a recommendation for the contract position at the 2nd Reading of Ordinance 2024-1910. The amendment Passed by a vote of 7-0.

Billy Mosteller made a motion to budget for two new Correction Officers. Seconded by Terry Graham. Steve Harper voiced concerned with the fact that the new Detention Center was still several years away from being completed. Sheriff Faile stated that the Department can making a couple hiring decisions each year. The amendment Passed by a vote of 7-0.

Sabrena Harris reviewed the position adjustments for Director level positions, as requested by Council, via the County's PowerPoint presentation. Council and Staff discussed an increase in Council's salary. Charlene McGriff made a motion to increase each Councilmember's salary by $2,000. There was no second. The motion died on the floor due to the lack of a second.

Jose Luis made a motion to reallocate the $7,000 Council member pay increase line item to the County's Risk Manager salary. Seconded by Allen Blackmon. Charlene McGriff was not in favor of the funds being reallocated because she did not want one Councilmember to speak for the entire group. The amendment Passed by a vote of 6-1; Ayes: Blackmon, Carnes, Harper, Mosteller, Graham, Luis; Nayes: McGriff.

Clay Catoe explained to Council that the Emergency Medical Services (EMS) Department had an Equipment Manager vacancy and proposed that the position be reclassified as a Deputy Director. The reclassification would require at least a $25,000 salary increase. Steve Harper requested that the accurate numbers for salary and benefits package for the proposed position be presented and voted on at the next Council meeting.

Sabrena reviewed the non-personnel budget requests via the County's PowerPoint presentation. Council and Staff discussed the Sheriff Department's mental health services line item. The mental health counselor is available for Sheriff's Office employees two days a week. Steve Harper requested that the mental health services be made available for other County emergency responder employees. Sheriff Faile stated that additional days per week could be arranged, but there would be an additional cost for the services. Council and Staff discussed the Information Technology (IT) Department increase requests. Jose Luis requested a list of items that were included in the requested $704,079.

Council and Staff discussed the Town of Kershaw pool agreement line item, and Jose Luis questioned if Council was obligated to allocate $40,000 to the Town of Kershaw. Dennis Marstall noted that Council had requested previously to have it included in the budget request. Several Councilmembers were not in favor of removing the line item, due to prior commitments that had been made. Jose Luis made a motion to remove the Town of Kershaw pool agreement line item. There was no second. The motion died on the floor due to the lack of a second.

Steve Harper highlighted the Lancaster County Council on Aging budget request and suggested that Council consider an increase to their budget due to the supportive services that they provide to Lancaster County residents. Mr. Harper asked that the other Councilmembers research the Council on Aging and review their services. Council and Staff discussed the Lancaster Area Ride Service (LARS) and requested that the County Attorney review the County's obligation.

Jamie Privuznak reviewed the Replacement Fund Highlights - Capital Improvement Fund (CIP) via the County's PowerPoint presentation. Ms. Privuznak stated that the purpose of the CIP was to replace vehicles and heavy equipment on an ongoing basis. It was noted that the current millage for the CIP was 5.3 mils, and Staff was proposing a 2 mil increase, and that the increase would be a set funding source for the Sheriff's Department replacement vehicles. Brian Carnes was in favor of adding the increase to the replacement fund, so that there

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would be a dedicated funding source for the replacement vehicles. Dennis Marstall stated that if Council was in favor of the proposed millage increase, the 2-mil increase would be the published millage rate for the Public Hearing notice.

At approximately 8:25 p.m., Council took a break from the meeting.

At approximately 8:40 p.m., Chairman Harper called the meeting back to order.

Sabrena Harris reviewed the Fiscal Year 25 Budget Summary and budget options via the County's PowerPoint presentation. Dennis Marstall stated that a millage increase needed to be decided upon for the Public Hearing advertisement. Allen Blackmon stated that he would prefer a no mil increase. Mr. Blackmon also noted that if a millage increase was required, it should be for something specific, and transparent for Lancaster County constituents. Council discussed the County's millage history. Billy Mosteller requested clarification on why the EMS Department's fuel and medical expense line item was cut, and clarification on the career ladder percentage for the Sheriff's Office.

Stephany Snowden reviewed a ten-year fire millage plan with Council, via the County's PowerPoint presentation. Dennis Marstall stated that if Council wished to create a countywide fire millage district, it would need to be done via ordinance, and municipalities in the County would have to opt in to charge the fire millage within their municipal boundaries. Council discussed a county wide millage versus a general obligation bond, the need for firefighters over apparatus south of Highway 5, the number of calls run from each fire station, the need to reinstate the seven-year fire apparatus rotation with general obligation bonds, and how fire apparatus general obligation bonds affected the County's debt capacity. Ms. Snowden stated that there was no change in the Van Wyck Fire District roof top fee for FY25. Ms. Snowden reviewed the revised Indian Land Consolidated Fire budget and millage options. Three options were reviewed: the implementation of 16-mils to remove the roof top fees, increasing the roof top fee to $180, or maintaining the current $150 roof top fee and implementing a 4-mil fire millage. Staff and Council discussed the hiring requests for next year, the staffing needs for Indian Land Consolidated Fire and the National Fire Protection Association (NFPA) standards.

Allen Blackmon made a motion to extend the Council meeting beyond 10:30 p.m. Seconded by Terry Graham. The motion Passed by a vote of 7-0.

Jose Luis made a motion to postpone the 1st Reading of Ordinance 2024-1910 to a special Council meeting to be called on June 5, 2024, at 2:00 p.m. Ginny Merck-Dupont clarified, for the record, that the postponement would be for the main motion as it stood with the amendments that had been made. Seconded by Allen Blackmon. There was no discussion from Council. The motion Passed by a vote of 7-0.

Public Hearing and 1st Reading of Ordinance 2024-1909 regarding Approval of the Amendment to the Capital Improvement Plan (CIP)

Ordinance Title: An Ordinance To Adopt The Revised Lancaster County Capital Improvement Plan Fiscal Year 2021-2022 Through 2030-2031 As Recommended By The Lancaster County Planning Commission.

Jose Luis moved to approve the 1st Reading of Ordinance 2024-1909. Seconded by Charlene McGriff.

Jamie Privuznak reviewed the Capital Improvement Plan (CIP) via the County's PowerPoint presentation. Council and staff reviewed the amended CIP information provided in their budget notebooks in the supplemental section.

Steve Harper opened the Public Hearing for Ordinance 2024-1909 at approximately 10:19 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 14 citizens, including staff members, in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Ordinance: None. Steve Harper closed the Public Hearing at approximately 10:20 p.m.

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The 1st Reading of Ordinance 2024-1909 Passed by a vote of 6-1; Ayes: Carnes, Harper, Mosteller, McGriff, Graham, Luis; Nayes: Blackmon.

1st Reading of Ordinance 2024-1911 regarding Amending the American Rescue Plan Act (ARPA) Funding for the Coroner's Office Building Expansion Project

Ordinance Title: An Ordinance To Amend The American Rescue Plan Act (ARPA) Funding For The Lancaster County Coroner's Office Building Expansion.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2024-1911. Seconded by Brian Carnes.

Stephany Snowden stated that the Coroner's Office upgrades came in over budget by approximately $770,000 and reviewed the pictures of the office via the County's PowerPoint presentation. Steve Harper voiced environmental concerns and noted that the building and substructure were not sound, and it would be cheaper to demolish the building than to upgrade it. Ms. Snowden explained that $150,000 from American Rescue Plan Act (ARPA) funds have been spent thus far in architectural fees. Mr. Harper was in favor of a building alternative and spending the funds that were originally allocated for the project. The architect for the project, Russ Angelo, addressed Council's concerns with the building, and highlighted that old buildings could be saved, and crawl space issues could be fixed. Council discussed the option of moving forward with the current building or building a new Coroner's Office and the liability concerns with the City of Lancaster. Kelvin Alexander noted that the funds needed to be allocated by the end of 2025, or the County would lose them. Steve Harper requested a legal opinion on the issuance of the building permit by the City of Lancaster when the County would be the organization to conduct the inspections. Karla Deese stated that the current Coroner's Office had significant drainage issues and the upgrade process had been challenging. Ms. Deese expressed that the department just needs a facility that was suitable for their needs, whether it be the current or new facility.

The 1st Reading of Ordinance 2024-1911 Failed by a vote of 0-7.

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Discussion and Action Items

Approval of Appointment to the Van Wyck Fire Protection District Fee Board

- Sheena Hinson to the Van Wyck Fire Protection District Fee Board as one of the four appointees to fill a four year term that would expire on 06/30/2027 (2nd Term)

Terry Graham moved to approve the appointment of Sheena Hinson to the Van Wyck Fire Protection District Fee Board. Seconded by Jose Luis.

There was no discussion from Council. The motion Passed by a vote of 7-0.

Announcement of Creation of Regional Park Ad Hoc Committee - Chairman Steve Harper

Steve Harper stated that in order to keep the Regional Park progress moving ahead and to keep County Council updated, he was appointing himself, Terry Graham and Charlene McGriff to the newly created Regional Park Ad Hoc Committee. Mr. Harper noted that the Committee would most likely meet every other month.

Status of items tabled, recommitted, deferred or held

a. HOLD - 1st Reading of Ordinance 2024-1898 regarding Amending the Lancaster County Code Relating to Parliamentary Procedures / Rules of Procedure for Meetings

Ordinance Title: An Ordinance To Amend The Lancaster County Code, Relating To Parliamentary Procedures/Rules Of Procedure For Council Meetings, Including Committee Meetings, And All Boards And Commissions For Which County Council Appoints A Majority Of Members. ***- By a Vote of 6-0, 1st Reading Postponed (Allen Blackmon Absent). - Dennis Marstall / Ginny Merck-Dupont***

b. HOLD - 1st Reading of Ordinance 2024-1906 regarding a Proposed Transportation Sales Tax

Ordinance Title: An Ordinance To Levy And Impose A One Percent Sales And Use Tax, Subject To A Referendum, Within Lancaster County Pursuant To Section 4-37-30 Of The Code Of Laws Of South Carolina 1976, As Amended; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For Which Such Tax May Be Imposed; To Provide The Estimated Cost Of The Projects Funded From The Proceeds Of The Tax; To Provide For A County-Wide Referendum On The Imposition Of The Sales And Use Tax And The Issuance Of General Obligation Bonds And To Prescribe The Contents Of The Ballot Questions In The Referendum; To Provide For The Conduct Of The Referendum By The Board Of Elections And Voter Registration Of Lancaster County; To Provide For The Administration Of The Tax, If Approved; To Provide For The Payment Of The Tax, If Approved; And To Provide For Other Matters Relating Thereto. ***- Dennis Marstall / Frannie Heizer***

There was no discussion regarding the status of any tabled, recommitted, deferred or held items.

Executive Session

One Item:

1. ***Discussion of personnel matters pursuant to South Carolina Code of Laws 30-4-70(a)(1) related to the County Administrator's Office.***

Steve Harper stated that he needed a motion to go into Executive Session to discuss personnel matters pursuant to South Carolina Code of Laws 30-4-70(a)(1) related to the County Administrator's Office. Brian Carnes stated that he so moved. Seconded by Charlene McGriff. The motion to go into Executive Session Passed by a vote of 7-0. At approximately 10:57 p.m., Council went into Executive Session.

Items Requiring a Vote Following Executive Session

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 11:48 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Allen Blackmon. The motion to come out of Executive Session Passed by a vote of 7-0.

Upon returning to open session, Sherrie Simpson stated that Council met in Executive Session in regard to one item: the discussion of personnel matters pursuant to South Carolina Code of Laws 30-4-70(a)(1) related to the County Administrator's Office. She stated that it was her understanding that no motions were made, and no votes were taken.

Adjournment

Charlene McGriff moved to adjourn the Council meeting. Seconded by Brian Carnes. The motion to adjourn Passed by a vote of 7-0.

There being no further business to discuss, the regular meeting of Council adjourned at approximately 11:49 p.m.

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Agenda Item Summary

Ordinance # / Resolution #: Resolution 1262-R2024 Councilmember Health Insurance Coverage Under PEBA
Contact Person / Sponsor: Dennis Marstall /Administration and Ginny Merck-Dupont / County Attorney
Department: Attorney
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Adopt resolution restating the County wants to provide health coverage for County Councilmembers under the PEBA health insurance benefits program.

Strategic Plan Focus Area Alignment:

Points to Consider:
The County has participated in the PEBA state benefits health plan since 1992, which includes health insurance coverage for County Councilmembers.

At the March 2024 PEBA Board meeting, the Board amended the definition of the term "employee" for the purposes of eligibility to participate in the state insurance benefits program. The amendment allows councils of participating counties and municipalities to exercise a one-time, irrevocable option to exclude their councilmembers from the definition of "employee."

This resolution reaffirms that Lancaster Councilmembers will continue to be eligible for health insurance coverage through the County under the PEBA system.

This action has to be taken by July 1, per the PEBA directive.

Funding and Liability Factors:

Recommendation:
Adopt the resolution maintaining health insurance eligibility for County Councilmembers.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1262-R2024	6/6/2024	Resolution
PEBA Addendum	6/6/2024	Backup Material
PEBA letter for Councilmember health ins coverage	6/7/2024	Backup Material

STATE OF SOUTH CAROLINA **RESOLUTION NO.: 1262 – R2024**

COUNTY OF LANCASTER

A RESOLUTION

TO APPROVE COUNTY COUNCILMEMBER COVERAGE AS A PART OF LANCASTER COUNTY'S PARTICIPATION IN THE STATE INSURANCE BENEFITS PROGRAM

Section 1. Findings and Determinations

The County Council finds and determines that:

(a) The State Insurance Benefits Program offered by the South Carolina Public Employee Benefit Authority (PEBA) has requested that Lancaster County make an election regarding the eligibility of elected members of the County Council to participate as active employees in the State Insurance Benefits Program; and
(b) Lancaster County, since participating in the State Insurance Benefits Program, has included County Councilmembers as active employees of the program; and
(c) Lancaster County elects to continue to consider Councilmembers as active employees of Lancaster County for the purposes of participation in the State Insurance Benefits Program; and
(d) The election made above is a material requirement for participation in the Program established by the PEBA Board of Directors and is irrevocable during the Employer's period of participation in the Program; and
(e) The election made above applies only to Councilmembers' participation in the Program, and does not affect Councilmembers' participation in the South Carolina Retirement Systems; and
(f) The election made above will not be effective until it is received in good order and approved by PEBA, and nothing in this election alters any other obligations Employer has to properly and timely administer insurance benefits under the Program for other Employees of the Employer in accordance with the requirements established by PEBA

Section 2. Authority to Act.

The County Administrator, County Human Resources Director and any other appropriate County official are each authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this resolution.

Section 3. **Conflicting Provisions.**

To the extent this resolution contains provisions that conflict with provisions contained elsewhere in other Lancaster County resolutions, policies, procedures and actions, the provisions contained in this resolution supersede all other provisions and this resolution is controlling.

Section 4. **Severability.**

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

Section 5. **Effective Date.**

This Resolution is effective upon its adoption.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

Attest:

_____
Sherrie Simpson, Clerk to Council

Approved as to form:

_____
Virginia L. Merck-Dupont, County Attorney

PEBA
SC Retirement Systems and State Health Plan

South Carolina Public Employee Benefit Authority
Serving those who serve South Carolina

Addendum to Employer Resolution for Participation in the State Insurance Benefits Program regarding County/Municipality Councilmember Coverage

Complete the form below and submit via mail or email to:

S.C. PEBA
Attn: Insurance Employer Audit
202 Arbor Lake Drive
Columbia, SC 29223

EmployerAudits@peba.sc.gov

As an addendum to the resolution entered into by the _____ (Employer) for
County/Municipality Name
Participation in the State Insurance Benefits Program, the _____ Council of
County/Town/City
_____ (Council) hereby makes the following election regarding the eligibility of
County/Municipality Name
elected members of the Council to participate as active employees in the State Insurance Benefits Program (Program) offered by the South Carolina Public Employee Benefit Authority (PEBA) pursuant to Section 1-11-703 et seq. of the 1976 Code of Laws:

Select one only.

☐ Members of the Council will be considered Active Employees of the Employer for the purposes of participation in the State Insurance Benefits Program *(only available if Councilmembers are paid and are eligible for participation in the South Carolina Retirement Systems)*; or

☐ Members of the Council will **not** be considered Active Employees of the Employer for the purposes of participation in the State Insurance Benefits Program.

In making this election, the Council hereby understands, acknowledges and agrees that:

1. The election made above is a material requirement for participation in the Program established by the PEBA Board of Directors and is irrevocable during the Employer's period of participation in the Program;
2. The election made above applies only to Councilmembers' participation in the Program, and does not affect Councilmembers' participation in the South Carolina Retirement Systems;
3. If the Council has elected to decline coverage, Councilmembers will not be considered Employees of the Employer, as that term is defined in the State Health Plan, for purposes of eligibility and participation in the Program, and will not be eligible for any benefit offered under the Program as an Active Employee by virtue of membership on the Council; service on the Council will not be taken into consideration for eligibility for retiree insurance coverage under

the Program; and the Council and Employer irrevocably waive and disclaim any rights the Employer or its Councilmembers may have regarding Councilmembers' benefits from the Program as a result of their service on the Council after the date of this election; and

4. The election made above will not be effective until it is received in good order and approved by PEBA, and nothing in this election alters any other obligations Employer has to properly and timely administer insurance benefits under the Program for other Employees of the Employer in accordance with the requirements established by PEBA.

IN WITNESS WHEREOF, we have hereunto set our hands and authority at the meeting of the

_____ Council of the _____
County/Town/City — County/Municipality Name

County of_____ , South Carolina, held at _____
County — Location

this_____day of _____ , 20 _____ .
Day — Month

Signatures of Council Members

A majority must sign.

_____ _____

_____ _____

_____ _____

_____ _____

Certification

I _____, _____ of the aforesaid Employer, hereby certify
Name — Title

that the aforesaid Council consists of_____duly elected members, and that as stated above,
Number

_____ members voted in favor of the above Addendum.
Number

IN WITNESS WHEREOF, I have hereunto set my hand and the authority of the aforesaid Employer.

_____ _____ _____
Signature — Date — Employer Group Number

Dear employer:

On March 6, 2024, the PEBA Board of Directors voted unanimously to amend the definition of "Employee" for the purposes of eligibility to participate in the state insurance benefits program. This amendment allows councils of participating counties and municipalities to exercise a one-time, irrevocable option to exclude their councilmembers from the definition of "Employee."

Councils of currently participating counties and municipalities must **submit an addendum to their participation resolution** to PEBA no later than July 1, 2024, indicating whether their councilmembers will remain eligible Employees in the state insurance benefits program or if they will be excluded.

If you have already submitted an addendum, you can disregard this email.

It is important to understand:

- This election applies to all members of the council and is irrevocable for the duration of the county or municipality's period of coverage in the state insurance benefits program.
- This election does not affect insurance eligibility for any other employees of the county or municipality other than councilmembers and does not apply to councilmembers' participation in the South Carolina Retirement Systems.
- If the council elects to exclude councilmembers from coverage, currently enrolled councilmembers will lose all coverage under the state insurance benefits program on the effective date of the addendum.
- Any loss of coverage due to this election is not a Qualifying Event under COBRA, and councilmembers who lose coverage will not be offered or eligible to enroll in COBRA coverage.

If you have questions about this addendum, email Insurance Operations at **EmployerAudits@peba.sc.gov**.

You must submit an addendum to PEBA via email at **EmployerAudits@peba.sc.gov** no later than July 1, 2024.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1896
Contact Person / Sponsor: A. Hardin / Planning
Department: Planning
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Consider proposed ordinance for use change to the Light Industrial Districts.

Planning Commission held a public hearing on 5/21/24 and unanimously recommended approval.

Strategic Plan Focus Area Alignment:

Points to Consider:
As discussed in previous Council meetings, there are uses currently allowed in the Light Industrial (LI) district list of permitted uses that are out of sync with the primary uses in LI districts. This ordinance seeks to remedy that.

Funding and Liability Factors:
Staff was not able to find any existing amusements that were currently in the LI zones and would be negatively impacted by the change.

(Note: Staff identified the Crow's Nest driving range on the initial map and list of amusement uses; Chairman Deese noted that the range has been closed. Staff updated the report by striking the use from the list but the identification point remains on the map.)

Recommendation:
Approve Ordinance 2024-1896.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1896, Amended	5/23/2024	Ordinance
Planning Commission Staff Report	5/22/2024	Ordinance
Notice of Public Hearing for Ordinance 2024-1896	5/30/2024	Public Hearing Notices

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1896**
COUNTY OF LANCASTER)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE ("UDO") CHAPTER 2, SECTION 5 USE TABLE, TO REMOVE THE USES "AMUSEMENT, INDOOR" AND "AMUSEMENT, OUTDOOR" FROM THE PERMITTED USE LIST FOR LIGHT INDUSTRIAL (LI) DISTRICTS, AND TO INVOKE THE PENDING ORDINANCE DOCTRINE SO THAT NO PERMIT SHALL BE ISSUED THAT WOULD BE IN CONFLICT WITH THE PROPOSED ZONING CHANGES AS SET FORTH HEREIN

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

Section 1. Findings and Determinations.

The Council of Lancaster County ("Council) finds and determines that:

(a) As part of the Constitutional police powers, states have the capacity to promote and maintain the health, safety, morals, and general welfare of the public they serve by regulating behaviors and enforcing order, and that restricting certain land uses from being in close proximity to each other is a proper use of that police power.
(b) In 1994, the State of South Carolina delegated the ability to restrict land uses (known as land use planning) to the counties and municipalities of the state via the laws recorded in the SC Code of Laws 6-29-310, et seq.
(c) Lancaster County has properly followed the procedures set forth in the Local Government Comprehensive Planning Enabling Act of 1994 to allow for land use regulation in the jurisdiction.
(d) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, and has retained a UDO consultant to assist in the full rewrite of the UDO.
(e) There has been an outpouring of concern regarding the safety of children and uses that draw children being located in the same zones where hazardous uses (such as those in the Light Industrial zone) may be located.
(f) In the interest in reducing the potential interface between uses that attract children and cause them to remain for extended time frames, and uses that may include landfills, junkyards, light industry, mining, heavy equipment repair, and shooting ranges, the Lancaster County Council wishes to remove certain uses from the list of permitted use for the Light Industrial (LI) zones.
(g) The Pending Ordinance Doctrine, as defined and applied by the South Carolina Supreme Court in the case of Sherman vs. Reavis 273 S.C. 542, 257 S.E.2d 735, and as adopted and applied by the state courts in other decisions, is hereby invoked to preclude issuance of any permits that are in conflict with the intended zoning changes in this ordinance.

(h) The text amendment is consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.

(i) Lancaster County Planning Commission held a public hearing at their May 21, 2024 meeting; there was no input from the public. The Planning Commission unanimously voted to recommend approval of the ordinance.

Section 2. Amendment of Ordinance 2016-1442 (Unified Development Ordinance)

Ordinance 2016-1442 (Unified Development Ordinance), is amended as follows:

CHAPTER 2, SECTION 2.5.3.D USE TABLE - COMMERCIAL/ENTERTAINMENT

–Remove "Amusements, Indoor" and "Amusements, Outdoor" from a Use ~~Permitted by Right (P)~~ in Light Industrial (LI) zones, making them a "use not listed" for the LI zones, as shown below:

Lancaster County Unified Development Ordinance – Use Table

DISTRICT STANDARDS
2.5 USES PERMITTED

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
D. COMMERCIAL/ ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	**P**	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	**CU**	-	-	-	-	-	-	-	5.5.1

P – Permitted by Right **PR** – Permitted with Review **CU** – Conditional Use Required **SE** – Special Exception Required

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

In addition, in furtherance of the above stated findings, County Council declares that the Pending Ordinance Doctrine is invoked and the directions to staff are effective upon first reading, and the ordinance of such direction shall be effective upon third reading and may only be revoked by a legislative act of equal dignity.

Section 5. Effective Date.

Per the Pending Ordinance Doctrine, this ordinance is in effect as of first reading, and is adopted into the Unified Development Ordinance effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: March 11, 2024
Second Reading: May 28, 2024
Public Hearing: June 10, 2024
Third Reading: June 10, 2024

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

PROPOSAL: Amend Unified Development Ordinance (UDO) to remove "Indoor Amusements" from 2.5 Use Table Sec 2.5.3.D.

APPLICABLE CHAPTER(S): Section 2.5

APPLICANT: Lancaster County

BACKGROUND:

During discussions surrounding the rezoning request for a day care/private school to be located in an industrial park (MacMillan Industrial Park), a Councilman pointed out that other uses that hosted children for multiple hours at a time were allowed in the zone. The Development Services Director thanked the Councilman for the observation and proposed that the Council pass an ordinance to repair the situation. The Council passed first reading of an ordinance to remove "amusement" uses from the Light Industrial (LI) zones and applied the pending ordinance doctrine. This has the effect of preventing any amusement uses from opening in an industrial zone prior to this ordinance being either approved or denied.

"Amusments" are not allowed in any other industrial zone, and the original reason how the uses ended up in the LI zones to begin with has not been found.

REQUEST: To amend the UDO Use Table at Section 2.5, removing "Amusements- Indoor" and "Amusements – Outdoor" from list of permitted uses in the LI (Light Industrial) district.

RELEVANT CODE CITATIONS:
Chapter 2, Section 2.5.D

Lancaster County Unified Development Ordinance – Use Table

DISTRICT STANDARDS
2.5 USES PERMITTED

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
D. COMMERCIAL/ ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.5.1

P – Permitted by Right **PR** – Permitted with Review **CU** – Conditional Use Required **SE** – Special Exception Required

Chapter 10 – Use Definitions

AMUSEMENTS, INDOOR Establishments that provide commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, and bowling alleys.

AMUSEMENTS, OUTDOOR Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; gocart facilities; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides.

THE PENDING ORDINANCE DOCTRINE

There is a policy in South Carolina known as the "pending ordinance doctrine" that allows local jurisdictions to essentially put an ordinance into effect after the first reading by the elected body, even though the ordinance wasn't officially adopted yet. It gives the local jurisdiction time to process the legislative steps for changing a law without the risk of an applicant slipping in a permit request for the thing the application is trying to change.

> *The pending ordinance doctrine was enacted by the South Carolina Supreme Court in a decision issued in 1979. In that decision, the Supreme Court held that a jurisdiction could properly refuse a building permit for a land use when such use was in direct violation to a pending and later enacted zoning ordinance. The Supreme Court held that in order for the pending ordinance doctrine to apply, the ordinance must be "pending" at the time of the permit application in order to be able to deny the permit.*
>
> *There are two conditions to applying the pending ordinance doctrine: the meeting has been properly notified (public notice has been made), and some official action is undertaken. The Court was vague in defining what official action must be undertaken, which has led to several jurisdictions enacting ordinances which adopt the pending ordinance doctrine outright and applying it to any rezoning. Other jurisdictions, which have not codified the pending ordinance outright, include pending ordinance doctrine verbiage in any ordinance(s) they may be considering relative to rezoning matters. This can be met by stating the intent to invoke the doctrine at first reading.*

STUDY

Staff searched through multiple resources to identify all amusements located in Lancaster County to determine if any were actually on property that is zoned for industrial use. Staff's research returned the following (those in shaded fields were in municipal jurisdictions):

Name	Address	Amusement Type	Zoning	MapID
High Seas Miniature Golf	10001 Charlotte Hwy	Outdoor active amusement (mini golf)	GB	1
Shamrock Bingo	1325 Hwy 9 Byp W	Indoor passive (bingo parlor)	CITY	2
Lancaster Bowling Center	1352 Reece Rd	Bowling, indoor games	NB	3
Time Out's	1649 Memorial Park Rd	Pool Hall (adult amusements)	GB	4
~~Crow's Nest at Arrowood~~	~~2081 Charlotte Hwy~~	~~Outdoor active (driving range)~~	~~CITY~~	~~5~~
Jumpin' Jax	2650 Charlotte Hwy	Indoor active amusement (trampoline park)	GB	6
Coates Billiards	504 Shop Rd, Kershaw	Pool Hall (adult amusements)	AR	7
Tumble-N-Roll	535 Hwy 9 Byp E	Indoor gymnastics	INS	8

Other uses reviewed but determined not to be categorized amusements included:

Name	Type	Name	Type
AJ State Park	State Park	Stone Theaters	Movie Theater
Buford Battleground	Battlefield	Native American Studies Center	Art Gallery
Lancaster Super Speedway	Racetrack	Lancaster & Chester Railway Museum	Museum
Crown Cinema	Movie Theater	Lancaster Cultural Arts Center	Art Gallery
Bob Doster Backstreet Studio	Art Gallery	Old Waxhaw Presbyterian Church	Historic Site
Springs House	Art Gallery	USCL Bundy Auditorium	Theater
Lancaster Historic Courthouse	Museum		

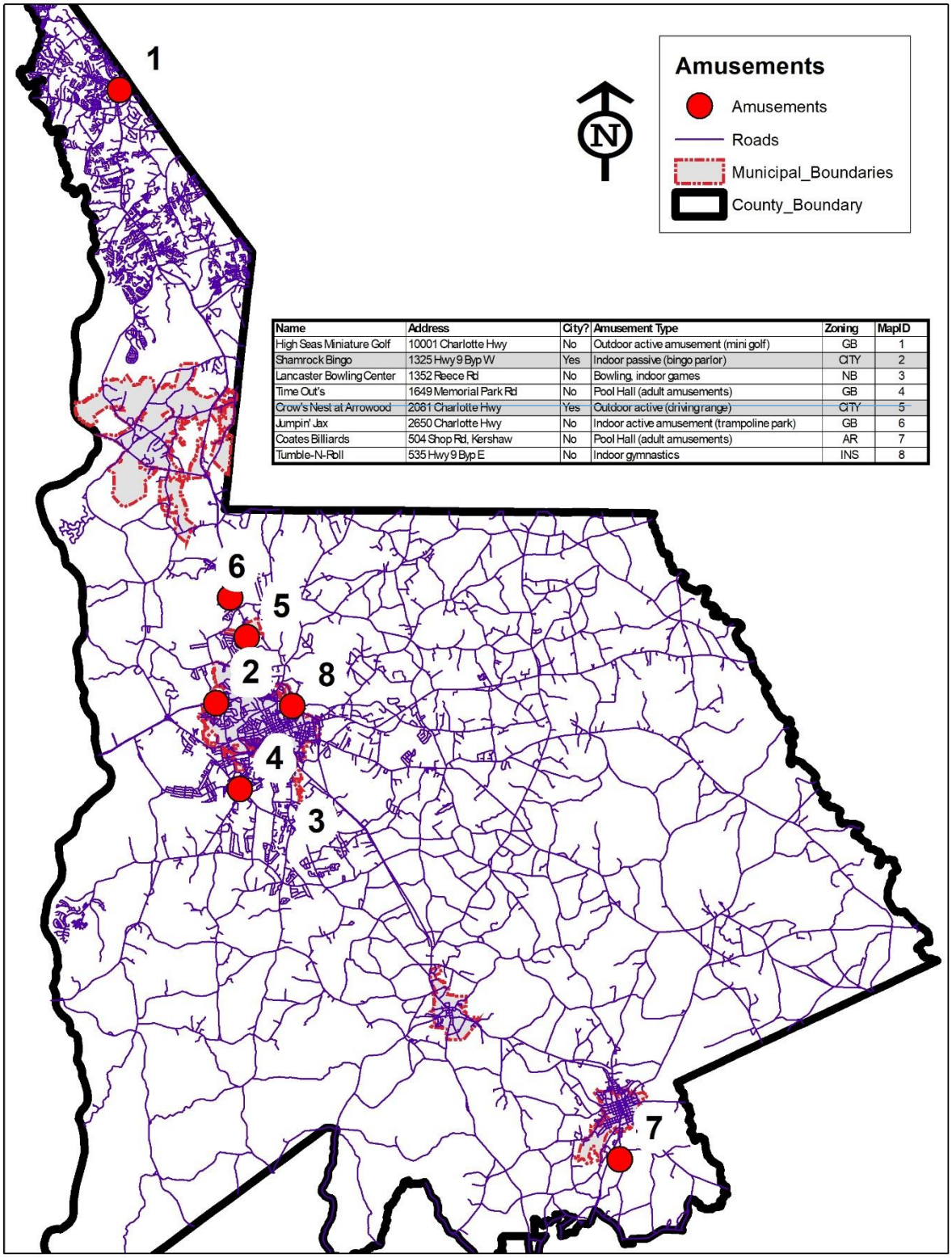
Existing amusement locations are shown on a map on the following page.

STAFF RECOMMENDATION:

Staff recommends approval.

STAFF CONTACT:
Allison Hardin, Development Services Director
ahardin@lancastersc.net

ATTACHMENTS:
1. Map
2. Ordinance 2024-1896



Name	Address	City?	Amusement Type	Zoning	MapID
High Seas Miniature Golf	10001 Charlotte Hwy	No	Outdoor active amusement (mini golf)	GB	1
Shamrock Bingo	1325 Hwy 9 Byp W	Yes	Indoor passive (bingo parlor)	CITY	2
Lancaster Bowling Center	1352 Reece Rd	No	Bowling, indoor games	NB	3
Time Out's	1649 Memorial Park Rd	No	Pool Hall (adult amusements)	GB	4
Crow's Nest at Arrowood	2061 Charlotte Hwy	Yes	Outdoor active (driving range)	CITY	5
Jumpin' Jax	2650 Charlotte Hwy	No	Indoor active amusement (trampoline park)	GB	6
Coates Billiards	504 Shop Rd, Kershaw	No	Pool Hall (adult amusements)	AR	7
Tumble-N-Roll	535 Hwy 9 Byp E	No	Indoor gymnastics	INS	8

The Lancaster News

980 N Woodland Drive
PO Box 640
Lancaster, SC 29721
803-283-1133

NOTICE OF PUBLIC HEARING

Lancaster County Council

A public hearing has been scheduled by the Lancaster County Council for Monday, June 10, 2024, at 6:00 p.m. in the Lancaster County Council Chambers, second floor, County Administration Building, 101 North Main Street, Lancaster, South Carolina, or at such other location in or around the complex posted at the main entrance. The purpose of the public hearing is to receive public comment on **Ordinance No. 2024-1896,** an ordinance titled, **"AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE ("UDO") CHAPTER 2, SECTION 5 USE TABLE, TO REMOVE THE USES "AMUSEMENT, INDOOR" AND "AMUSEMENT, OUTDOOR" FROM THE USE LIST FOR LIGHT INDUSTRIAL (LI) DISTRICTS, AND TO INVOKE THE PENDING ORDINANCE DOCTRINE SO THAT NO PERMIT SHALL BE ISSUED THAT WOULD BE IN CONFLICT WITH THE PROPOSED ZONING CHANGES AS SET FORTH HEREIN."** Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website homepage (https://www.mylancastersc.org/), by email to ssimpson@lancastersc.net, or by mail addressed to Clerk to Council at Post Office Box 1809, Lancaster, SC 29721 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on May 22nd 2024.

SWORN to before me this 22nd day of May, 2024

Ashley L Johnson

Notary Public for South Carolina

My Commission Expires: 01/20/2027

Ashley L Johnson NOTARY PUBLIC SOUTH CAROLINA

Newspaper Rep Signature Kristi Ross

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1907
Contact Person / Sponsor: Sabrena Harris / Finance Director
Department: Finance
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Amend the FY 2024 Budget for the following:

- Within the Road Maintenance and Solid Watse departmental budgets, transfer funds to cover the cost associated with the purchase of a used dozer to assist with heavy construction work.

Strategic Plan Focus Area Alignment:

Infrastructure
Meet the demands of the growth of the County without negatively impacting the quality of service.

Points to Consider:
Public Works has identified a need for a new bulldozer in the road maintenance department and has included a request for $260,000 in their FY25 capital budget.

Staff recently learned there is a used 2017 bulldozer available for $112,600 (including a trade-in credit of $17,400) that would meet the County Road needs and eliminate the need for a brand new dozer, thus saving the County money.

There is not enough money in the FY24 roads budget to cover the full price of this dozer, but funding can be freed up in the solid waste fund of public works to help support this purchase. However, the transfer amount is above the County Administrator's $20,000 threshold to transfer, thus this requires Council action.

This budget adjustment authorizes the transfer of $63,000 from the Solid Waste Management departmental budget to Road Maintenance.

This purchase will eliminate the need for a $260,000 capital request for a brand new dozer in next fiscal year and will support the work of Public Safety, Parks and Recreation, and other departments in need of heavy construction assistance.

Funding and Liability Factors:
The cost of the requested, used 2017 dozer is $112,600 (including a trade-in credit of $17,400), which is less than the requested FY25 funding for a new 2025 bulldozer costing approximately $260,000.

Recommendation:
Approve the Transfer Ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1907	5/16/2024	Ordinance
Public Hearing Notice for Ordinance 2024-1907	5/30/2024	Public Hearing Notices

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2024-1907

~~Indicates Matter Stricken~~
Indicates New Matter

AN ORDINANCE

TO AMEND ORDINANCE NO. 2023-1849, RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024 (FY 2023-2024), TO FURTHER PROVIDE FOR REVENUES AND EXPENDITURES DURING THE FISCAL YEAR; AND TO PROVIDE FOR MATTERS RELATED THERETO.

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

Section 1. Appropriations; Detailed Budget.

(a) Section 2 and Section 4. of Ordinance No. 2023-1849 are amended to read:

A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2023, and ending June 30, 2024 (FY 2023-2024):

APPROPRIATIONS	AMOUNT
Airport Fund	376,738
Capital Improvement Fund	3,901,970
Capital Project Sales Tax 2 Fund	16,500,000
County Debt Fund	4,511,750
County Transportation Committee Fund	19,379,024
Court Mandated Security Fund	2,088,988
E-911 Fund	1,623,052
General Fund	91,647,455
Hospitality Tax Fund	1,900,000
Indian Land Fire Protection District Fund	364,410
Local Accommodations Tax Fund	120,000
Pleasant Valley Fire Protection District Fund	416,186
Victims Services Fund	47,000
State Accommodations Tax Fund	224,250
Stormwater Fund	2,825,512
Van Wyck Fire Protection District Fund	155,520
Capital Project Sales Tax 3 Fund	29,001,500
Indian Land Consolidated Fire District	3,980,481

(b) The County Administrator is authorized to adjust the detailed operating budget for the County, as contained in the adopted FY 2023-2024 Annual Budget, as previously approved by Council via Ordinance No. 2023-1849, for the following items:

		Revenue	Expense
General Fund	Departmental Budget Transfer Equipment-Capitalized – Used Dozer Purchase		$63,000
General Fund	Departmental Budget Transfer Equipment-Capitalized		($63,000)

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, 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.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED, this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading:	May 13, 2024
Second Reading:	May 28, 2024
Public Hearing:	June 10, 2024
Third Reading:	June 10, 2024

Approved as to form:

_____
Virginia L. Merck-Dupont, County Attorney

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The Lancaster News

980 N Woodland Drive
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

Fiscal Year 2023-2024 LANCASTER COUNTY BUDGET

The County of Lancaster will hold a public hearing on **Monday, June 10, 2024,** at 6:00 pm in County Council Chambers, 2nd Floor, County Office Building, 101 North Main Street, Lancaster, SC, for the purpose of obtaining written and oral comments from the public concerning the adoption of an Ordinance amending the Fiscal Year 2023-2024 County Budget. Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website homepage (https://www.mylancastersc.org/), by email to ssimpson@lancastersc.net, or by mail addressed to Clerk to Council at Post Office Box 1809, Lancaster, SC 29721 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

ORDINANCE 2024-1907 TO AMEND ORDINANCE NO. 2023-1849

RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024 (FY 2023-2024), TO FURTHER PROVIDE FOR REVENUES AND EXPENDITURES DURING THE FISCAL YEAR; AND TO PROVIDE FOR MATTERS RELATED THERETO.

	Supplemental Revenue	Expense
General Fund – Departmental Budget Transfer to Equipment-Capitalized – Used Dozer Purchase		$63,000
General Fund – Departmental Budget Transfer from Equipment-Capitalized		($63,000)

At the time and place fixed for said public hearing, all interested persons who appear will be given an opportunity to express their views for or against this ordinance. Persons requiring special arrangements to attend this meeting due to a physical disability should contact the Administrator's office at 803-285-1565 at least 24 hours in advance of the meeting.

I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on May 22nd 2024.

SWORN to before me this 22nd day of May, 2024

Ashley L Johnson

Notary Public for South Carolina
My Commission Expires: 01/20/2027

Ashley L Johnson NOTARY PUBLIC SOUTH CAROLINA

Newspaper Rep Signature Kristi Ross

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1905 / Planning Case Number: RZ-2024-0342
Contact Person / Sponsor: M. Blaszyk / Planning Department
Department: Planning
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Rezone (TM # 0050-00-038.02) of 46.883 acres at 1540 Old Pardue Road (TM # 0050-00-038.02) from Low Density Residential (LDR) to Rural Residential (RR) district.

Strategic Plan Focus Area Alignment:

Quality Development
Diversity the local economy through targeted attraction of job producers and support businesses that are well-matched to the local workforce and economic needs.

Points to Consider:
Application by Peter Sites to rezone a parcel of 46.883 acres at 1540 Old Pardue Road (TM # 0050-00-038.02) from Low Density Residential (LDR) to Rural Residential (RR) district, in order to develop the site for agritourism and place 2 new residences on the parcel.

Lancaster County's Unified Development Ordinance defines Agritourism as “Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture such as agriculture cultural centers: hay rides, corn mazes, and petting zoos (farm animals only)

Parcel currently has access to water, there is no sewer in the area.

Proposed zoning is consistent with the adjacent use types and is consistent with the Comprehensive Plan

Funding and Liability Factors:
N/A

Recommendation:
The Planning Commission unanimously recommended approval during their April 16th regular meeting.

Staff also recommends approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1905	4/26/2024	Ordinance
Staff Report	4/10/2024	Exhibit
Application	4/2/2024	Exhibit
Location Map	4/2/2024	Exhibit
Recorded Deed	4/2/2024	Exhibit
Recorded Plat	4/2/2024	Exhibit
Agritourism Definition	4/10/2024	Exhibit

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1905**
COUNTY OF LANCASTER)

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY 46.883 ACRES (TM# 0050-00-038.02), WHICH IS LOCATED AT 1540 OLD PARDUE RD, FROM LOW DENSITY RESIDENTIAL (LDR) DISTRICT TO RURAL RESIDENTIAL (RR) DISTRICT

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Peter Sites applied to rezone a 46.883-acre parcel of real property (TM# 0050-00-038.02) owned by Peter and Madison Sites, being located at 1540 Old Pardue Rd, from Low Density Residential (LDR) to Rural Residential (RR) to use the property for residential and agritourism uses. The site is currently undeveloped.

(b) On April 16, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 6-0 vote, recommended approval of the rezoning request as presented.

(c) The Future Land Use Category of the subject property is Rural Living, which corresponds to the Community Type of Rural Living. The adopted Comprehensive Plan states that the Rural Living Community Type "*includes a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded "conservation subdivisions" whose aim is to preserve open landscape, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.*"

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Low Density Residential (LDR) to Rural Residential (RR), for the following property as identified by tax map numbers or other appropriate identifiers:

Portion of Tax Map No. (TM# 0050-00-038.02), located at 1540 Old Pardue Rd, Lancaster.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: May 13, 2024
Public Hearing: May 13, 2024
Second Reading: May 28, 2024
Third Reading: June 10, 2024

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

PROPOSAL:	Request to rezone 46.883 acres at
PROPERTY LOCATION:	1540 Old Pardue Road (TM# 0050-00-038.02)
CURRENT ZONING DISTRICT:	Low Density Residential (LDR) District
PROPOSED ZONING DISTRICT:	Rural Residential (RR)
APPLICANT:	Peter Sites
COUNCIL DISTRICT:	District 3 Billy Mosteller
STATUTORY NOTICES:	Sign posted 3/28/2024 Hearing notice published 3/30/2024 in The Lancaster News Mailed notices 3/28/2024 Posted agenda in lobby 4/09/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 46.883-acre property at 1540 Old Pardue Road. The intent is to place two homesteads on the parcel and use the remaining land for agriculture purposes. One of these uses includes developing the site for agrotourism, with farming-based attractions and activities.

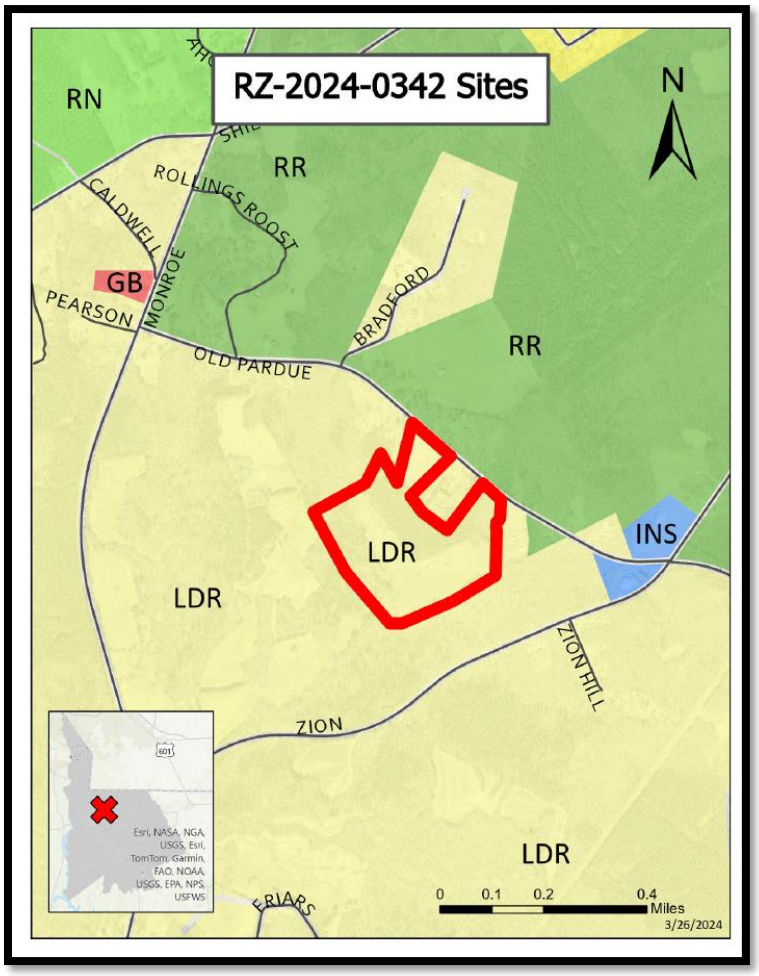
Site Information

The 46.883-acre property is currently a vacant undeveloped parcel.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by residential and agricultural uses and residential zoned properties. The nearest business zoning is ¾ mile away on Monroe Highway; there is an Institutional zoned property approximately ½ mile away at the intersection of Old Pardue and Zion Road.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	RR	Residential/Agricultural
South	Lancaster County	LDR	Residential/Agricultural
East	Lancaster County	RR; LDR	Residential/Agricultural
West	Lancaster County	LDR	Residential/Agricultural



Above is a location map of the site and surrounding area. The map also highlights the nearby RR zoned parcels.

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the LDR District. Pursuant to UDO Chapter 2.3, the LDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

Requested RR

UDO Chapter 2.3 describes the requested RR District as "… *established as a district where the principal use of the land is for large rural living tracts of property with an abundance of open space, agricultural lands, and a high degree of separation between buildings*."

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by the Rural Residential and Low-Density Residential Zoning Districts. The surrounding uses are primarily residential and agricultural in nature.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is Rural Living, which corresponds to the Community Type of Rural Living. The adopted Comprehensive Plan states that the Rural Living Community Type "*includes a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded "conservation subdivisions" whose aim is to preserve open landscape, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.*" The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

Rural Living: Land Use Considerations		
Cultivated Farmland	Single-Family Detached Home	Light Industrial (ancillary to farming)
Woodlands / Timber Harvesting	Smaller-lot Single Family and Town Homes	Church
Livestock / Arable	Mobile Home	Gas Station
Natural Area	Barns / Storage	Convenience Store / Hardware Store / Restaurant

The Rural Living Future Land Use Category starts at Highway 75 and extends to the south, throughout the County, outside of its municipalities. The Rural Living Future Land Use Category and Rural Community Type are intended to be Synonyms.

The requested RR District is consistent with the Rural Living Future Land Use Category and the Comprehensive Plan.

INFRASTRUCTURE CONSIDERATIONS

Public Utilities

The parcel has access to water, there is no sewer in the area.

Photos of Subject Area:



Aerial view of subject property



Facing subject parcel off Old Pardue Road

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 46.883 acres 1540 Old Pardue Road (TM# 0050-00-038.02) from Low Density Residential (LDR) District to Rural Residential (RR) District, pursuant to the following findings of fact

1. That the subject project consists of the following parcel: TM# 0050-00-038.02
2. That the subject property is currently zoned LDR District and proposed to be rezoned RR District;
3. That the subject property has a Future Land Use designation of Rural Living, and a Community Type of Rural Living; and
4. That the proposed RR District is similar in consistency with the surrounding area which is comprised of RR and LDR Districts.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. Lancaster County Agrotourism definition

STAFF CONTACT:

Matthew Blaszyk
Planner
mblaszyk@lancastersc.net
803-416-9380

Lancaster County
South Carolina

Planning Department
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lancastercountysc.net
www.mylancastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 1540 Old Pardue Road, Lancaster, SC

City Lancaster State SC Zip 29720 Tax Parcel ID 0050-00-038.02

Current Zoning LDR Current Use Undeveloped/Agricultural Use

Proposed Zoning RR Total Acres 46.883

Project Description Our intention is to place two homesteads on the property and to use the remaining land for agricultural purposes. We would pursue small farm agricultural endeavors like harvesting hay, growing small plot organic produce, fresh eggs, and agritourism.

Surrounding Property Description All property in the immediate area is currently zoned RR and LDR

CONTACT INFORMATION

Applicant Name Peter Sites

Address 7974 Joshua Tree Lane

City Jacksonville State FL Zip 32256 Phone (904) 612-0186

Fax N/A Email psites@its.jnj.com

Property Owner Name Peter Sites

Address 7974 Joshua Tree Lane

City Jacksonville State FL Zip 32256 Phone (904) 612-0186

Fax N/A Email psites@its.jnj.com

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant — Date: FEB 19 2024

Property Owner(s) — Date: FEB 19 2024

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. **Submit Application**

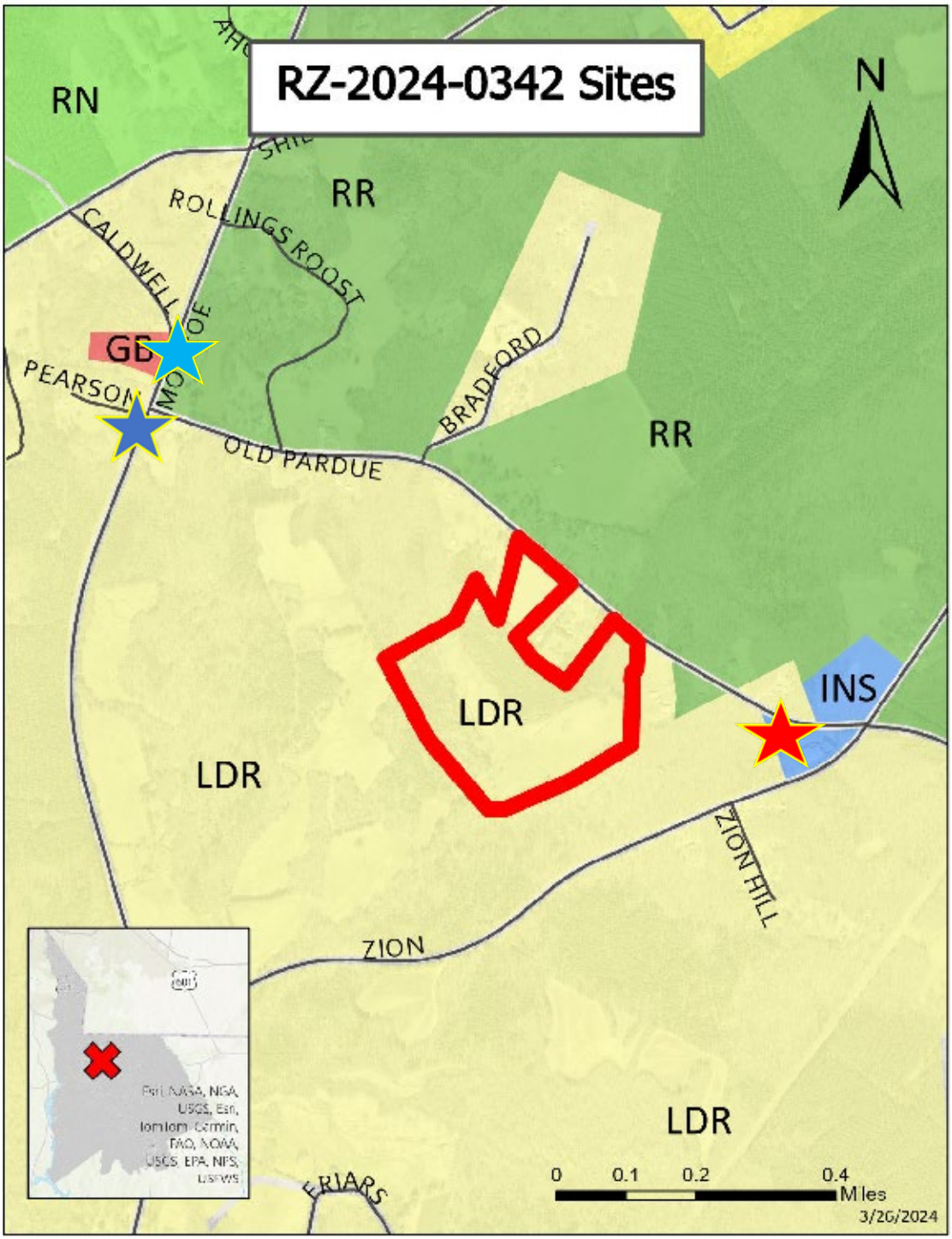
- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel $435.00
- Rezoning Application Fee – multi parcel $610.00

2. **Planning Commission**

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. **County Council**

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.



Lancaster County
South Carolina

Proposal:
Rezoning: LDR to RR

Subject Property

Intersection Monroe Hwy & Old Pardue

Zion United Methodist Church

Shiloh-Zion VFD

RECORDED THIS 1st DAY
OF FEBRUARY, 2024
IN BOOK 00 PAGE 00

Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
0050 00 038 02

This deed was prepared by:
Bolling & Ghannam, PLLC
7401 Carmel Executive Park Dr, Ste 111
Charlotte, NC 28226

LANCASTER COUNTY, SC	
2024001135	DEED
RECORDING FEES	$15.00
STATE TAX	$1157.00
COUNTY TAX	$489.50
PRESENTED & RECORDED	
02-01-2024	10:24:32 AM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: STEPHANIE KNIGHT	
BK:DEED 1753 PG:203-206	

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

TITLE TO REAL ESTATE
GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT Linda H. Pardue, Betty P. Crook, and James Bryan Walters (hereinafter whether singular or plural referred to as the "Grantor"), in the State aforesaid, for and in consideration of FOUR HUNDRED FORTY FIVE THOUSAND AND 00/100 **DOLLARS ($445,000.00)** to the grantor paid by Peter Sites and Madison Sites**, (hereinafter whether singular of plural the "Grantee"),** has granted, bargained, sold and released, and by these presents does grant, bargain, sell, and release unto the said Grantee, as **joint tenants with rights of survivorship, and not as tenants in common,** in fee simple, the following described property, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

Grantees address: **7974 Joshua Tree Ln**
Jacksonville, FL 32256

Property Address: 0000 Old Pardue Rd
Lancaster, SC 29720

This conveyance is subject to all easements, conditions, and restrictions of record.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Premises belonging or in any wise incident or appertaining thereto.

TO HAVE AND TO HOLD all and singular the Premises unto the before mentioned, and upon the death of either of them, to the survivor thereof, their respective heirs and assigns:

And the Grantor does hereby bind herself and her successors, and assigns, and other lawful representatives, to warrant and forever defend all and singular the Premises unto the Grantees and the Grantees' heirs, successors and assigns, against the Grantor and against the Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the Hand and Seal of the Grantor this 30 day of January, 2024.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Linda H. Pardue (SEAL)
Linda H. Pardue

Betty P Crook (SEAL)
Betty P. Crook

James Bryan Walters (SEAL)
James Bryan Walters

Witness (Notary)

Witness

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Sarah Ghannam, Notary Public, do hereby certify that Linda H. Pardue, Betty P. Crook, **and James Bryan Walters** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and official seal this 30 day of January, 2024.

Official Signature of Notary

SARAH GHANNAM
Notary Public
Mecklenburg
County
My Comm. Exp.
06-21-2026
NORTH CAROLINA

EXHIBIT A

All that certain piece, parcel or tract of land, lying, being and situate in Gills Creek Township, Lancaster County, South Carolina, containing 46.883 acres, more or less.

BEING that certain 47.225 acre tract shown and described on Plat of Boundary Survey dated January 15, 2024, entitled 'PLAT OF BOUNDARY SURVEY FOR PETER W. SITES AND MADISON M. SITES' and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina as Plat Book 2024, Page 46.

LESS AND EXCEPT therefrom the following: 0.342 acres BEGINNING at an existing no. 4 rebar, said point being in the line of Charlotte P. Saucier AKA Charlotte Nycol Saucier, now or formerly; thence S50-45-55E 172.19 feet to an existing 1" iron pipe; thence S34-59-57W 112.17 feet to an existing 4" axle; thence N33-50-26W 193.62 feet; thence N44-07-53E 55.69 feet to beginning.

DERIVATION: This being the same property conveyed unto James Bryan Walters by deed from James Bryan Walters, Personal Representative of the Estate of Ellen Pardue Walters #2021ES2900769 recorded with Lancaster County Register of Deeds on 12/21/2023 in Book 1742, Page 19.

TMS #: 0050-00-038.02

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER) AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred is located at 0000 Old Pardue Rd, Lancaster, SC 29720 bearing Lancaster County Tax Map Number 0050-00-038.02, was transferred by Linda H. Pardue, Betty P. Crook, and James Bryan Walters to Peter Sites and Madison Sites on the 30th day of January, 2024.

3. Check one of the following: The deed is
   a. x subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
   b. ____subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   c. ____exempt from the deed recording fee because (see information section of affidavit): _____ (If exempt, please skip items 4- 7 and go to item 8 of this affidavit.)

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (see information section of this affidavit):
   a. _x_ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of 445,000.00.
   b. ___ The fee is computed on the fair market value of the realty which is _____.
   c. ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes __ or No _x__ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "yes" the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

a.	Place the amount listed in item 4 above here:	$445,000.00
b.	Place the amount listed in item 5 above here: (If no amount is listed, place zero here)	$0.00
c.	Subtract line 6(b) from line 6(a) and place result here:	$445,000.00

7. The deed recording fee due is based on the amount listed on line 6(c) above and the deed recording fee due is: 1,646.50

8. As required by Code Section 12-24-70, I state that I am responsible person who was connected with the transaction: Grantor

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

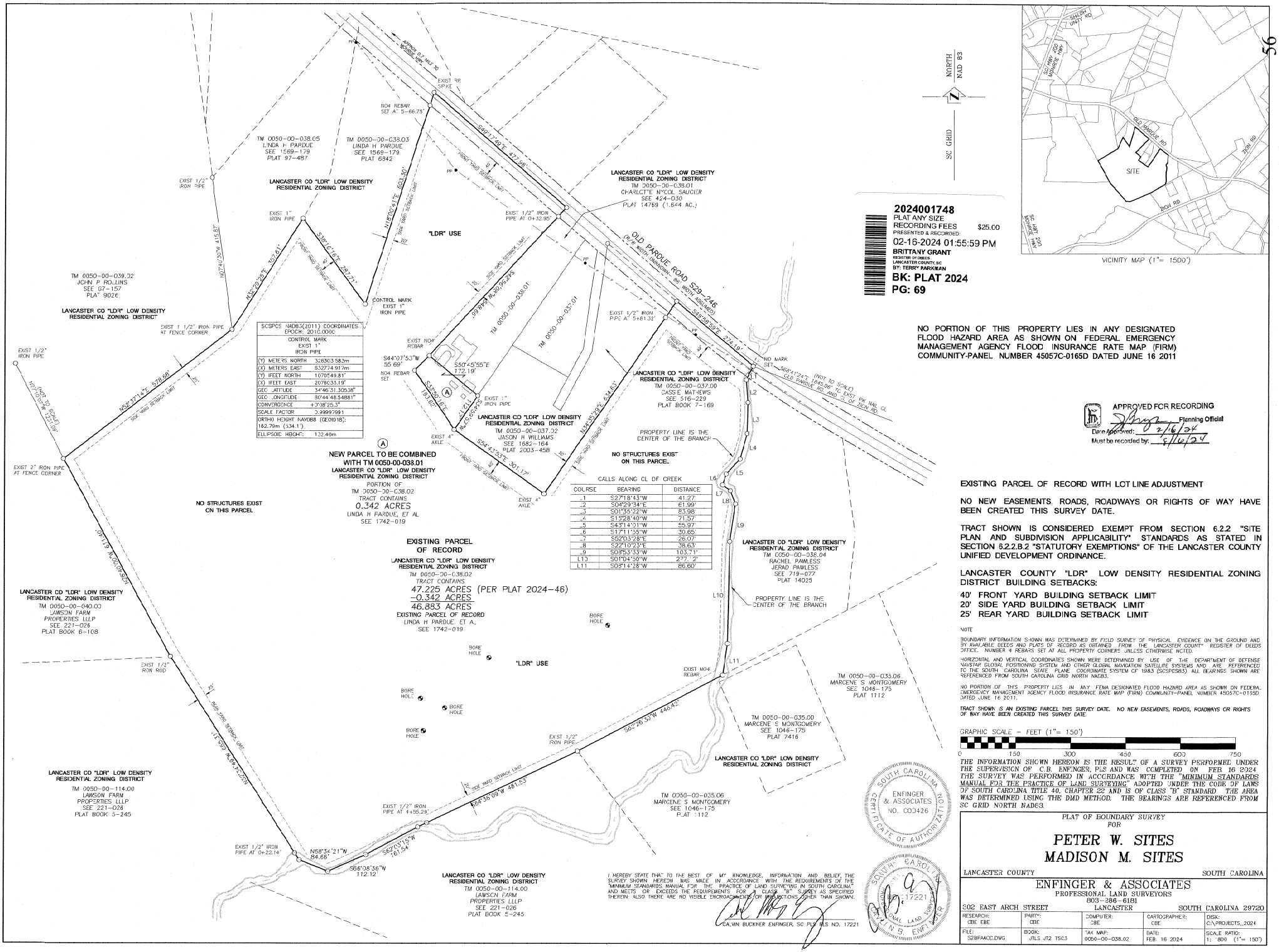
SWORN to before me this 30 day of January, 2024.

Notary Public for NC
My Commission Expires: 6/21/26

SARAH GHANNAM
Notary Public
Mecklenburg
County
My Comm. Exp.
06-21-2026
NORTH CAROLINA

Responsible Person Connected with the Transaction

Betty P Crook
Grantor


NORTH
NAD 83
SC GRID
SITE
VICINITY MAP (1"= 1500')
OLD PARDUE ROAD S29-246
(80' R/W WIDTH, UNKNOWN)
TM 0050-00-038.05
LINDA H PARDUE
SEE 1569-179
PLAT 97-487
TM 0050-00-038.03
LINDA H PARDUE
SEE 1569-179
PLAT 6842
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-038.01
CHARLOTTE NICOL SAUCIER
SEE 424-030
PLAT 14769 (1.844 AC.)
"LDR" USE
TM 0050-00-039.02
JOHN P ROLLINS
SEE 67-157
PLAT 9026
SCSPCS NAD83(2011) COORDINATES
EPOCH: 2010.0000
CONTROL MARK
EXIST 1" IRON PIPE
(Y) METERS NORTH 326303.583m
(X) METERS EAST 832774.917m
(Y) IFEET NORTH 1070549.81'
(X) IFEET EAST 2078633.19'
GEO LATITUDE 34°46'31.30538"
GEO LONGITUDE 80°44'48.54881"
CONVERGENCE +1°08'25.3"
SCALE FACTOR 0.99997991
ORTHO HEIGHT NAVD88 (GEOID18): 162.79m (534.1')
ELLIPSOID HEIGHT: 132.40m
NEW PARCEL TO BE COMBINED WITH TM 0050-00-038.01
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
PORTION OF
TM 0050-00-038.02
TRACT CONTAINS
0.342 ACRES
LINDA H PARDUE, ET AL
SEE 1742-019
NO STRUCTURES EXIST ON THIS PARCEL
EXISTING PARCEL OF RECORD
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-038.02
TRACT CONTAINS
47.225 ACRES (PER PLAT 2024-46)
-0.342 ACRES
46.883 ACRES
EXISTING PARCEL OF RECORD
LINDA H PARDUE, ET AL
SEE 1742-019
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-037.00
CASSIE MATHEWS
SEE 516-229
PLAT BOOK 7-169
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-037.02
JASON H WILLIAMS
SEE 1682-164
PLAT 2005-458
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-036.04
RACHEL PAWLESS
JERAD PAWLESS
SEE 719-077
PLAT 14025
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-040.00
LAWSON FARM PROPERTIES LLLP
SEE 221-026
PLAT BOOK 6-108
LANCASTER CO "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT
TM 0050-00-114.00
LAWSON FARM PROPERTIES LLLP
SEE 221-026
PLAT BOOK 5-245
TM 0050-00-033.06
MARCENE S MONTGOMERY
SEE 1046-175
PLAT 1112
TM 0050-00-035.00
MARCENE S MONTGOMERY
SEE 1046-175
PLAT 7416
TM 0050-00-035.06
MARCENE S MONTGOMERY
SEE 1046-175
PLAT 112
PROPERTY LINE IS THE CENTER OF THE BRANCH
NO STRUCTURES EXIST ON THIS PARCEL.
CALLS ALONG CL OF CREEK
COURSE BEARING DISTANCE
_1 S27°18'43"W 41.27'
_2 S04°29'34"E 61.99'
_3 S01°35'22"W 83.98'
_4 S15°28'40"W 71.57'
_5 S43°14'01"W 55.97'
_6 S17°11'55"W 30.65'
_7 S52°03'38"E 26.07'
_8 S22°10'23"E 38.63'
_9 S03°53'33"W 103.71'
L10 S01°04'50"W 277.2'
L11 S03°14'28"W 86.60'
EXIST 1/2" IRON PIPE
EXIST 1" IRON PIPE
EXIST 2" IRON PIPE AT FENCE CORNER
EXIST 1/2" IRON PIPE AT FENCE CORNER
EXIST NO4 REBAR
NO4 REBAR SET A" 5-66.75'
EXIST 4" AXLE
EXIST 1/2" IRON PIPE AT 0+32.95'
EXIST 1/2" IRON PIPE A" 5+81.32'
NO MARK SET
EXIST 1/2" IRON ROD
EXIST 1/2" IRON PIPE AT 4+55.29'
EXIST 1/2" IRON PIPE AT 0+22.14'
CONTROL MARK EXIST 1" IRON PIPE
BORE HOLE
S42°17'49"E 407.58'
N18°04'41"E 602.30'
S35°16'16"E 287.21'
N32°29'23"E 307.61'
N52°27'14"E 578.68'
N12°10'29"W 225.09'
N01°19'40"W 400.80'
N58°34'21"W 84.66'
S62°01'15"W 161.54'
S66°08'36"W 112.12
S62°26'53"W 440.42'
N64°35'09"W 481.53'
S44°07'53"W 55.69'
S50°45'55"E 172.19'
S33°00'16"E 193.62'
N45°55'45"E 117.17'
S39°43'53"E 301.17'
N34°35'29"E 534.63'
S69°41'24"E 185.06'
NO NOT TO SCALE
NO PORTION OF THIS PROPERTY LIES IN ANY DESIGNATED FLOOD HAZARD AREA AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 45057C-0165D DATED JUNE 16 2011
2024001748
PLAT ANY SIZE
RECORDING FEES $25.00
PRESENTED & RECORDED:
02-16-2024 01:55:59 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: TERRY PARKMAN
BK: PLAT 2024
PG: 69
APPROVED FOR RECORDING
Planning Official
Date Approved: 2/16/24
Must be recorded by: 5/16/24
EXISTING PARCEL OF RECORD WITH LOT LINE ADJUSTMENT
NO NEW EASEMENTS, ROADS, ROADWAYS OR RIGHTS OF WAY HAVE BEEN CREATED THIS SURVEY DATE.
TRACT SHOWN IS CONSIDERED EXEMPT FROM SECTION 6.2.2 "SITE PLAN AND SUBDIVISION APPLICABILITY" STANDARDS AS STATED IN SECTION 6.2.2.B.2 "STATUTORY EXEMPTIONS" OF THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
LANCASTER COUNTY "LDR" LOW DENSITY RESIDENTIAL ZONING DISTRICT BUILDING SETBACKS:
40' FRONT YARD BUILDING SETBACK LIMIT
20' SIDE YARD BUILDING SETBACK LIMIT
25' REAR YARD BUILDING SETBACK LIMIT
NOTE
BOUNDARY INFORMATION SHOWN WAS DETERMINED BY FIELD SURVEY OF PHYSICAL EVIDENCE ON THE GROUND AND BY AVAILABLE DEEDS AND PLATS OF RECORD AS OBTAINED FROM THE LANCASTER COUNTY REGISTER OF DEEDS OFFICE. NUMBER 4 REBARS SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
HORIZONTAL AND VERTICAL COORDINATES SHOWN WERE DETERMINED BY USE OF THE DEPARTMENT OF DEFENSE NAVSTAR GLOBAL POSITIONING SYSTEM AND OTHER GLOBAL NAVIGATION SATELLITE SYSTEMS AND ARE REFERENCED TO THE SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM OF 1983 (SCSPCS83). ALL BEARINGS SHOWN ARE REFERENCED FROM SOUTH CAROLINA GRID NORTH NAD83.
NO PORTION OF THIS PROPERTY LIES IN ANY FEMA DESIGNATED FLOOD HAZARD AREA AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 45057C-0155D DATED JUNE 16 2011.
TRACT SHOWN IS AN EXISTING PARCEL THIS SURVEY DATE. NO NEW EASEMENTS, ROADS, ROADWAYS OR RIGHTS OF WAY HAVE BEEN CREATED THIS SURVEY DATE.
GRAPHIC SCALE - FEET (1"= 150')
0 150 300 450 600 750
THE INFORMATION SHOWN HEREON IS THE RESULT OF A SURVEY PERFORMED UNDER THE SUPERVISION OF C.B. ENFINGER, PLS AND WAS COMPLETED ON FEB. 16 2024. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE "MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING" ADOPTED UNDER THE CODE OF LAWS OF SOUTH CAROLINA TITLE 40, CHAPTER 22 AND IS OF CLASS "B" STANDARD. THE AREA WAS DETERMINED USING THE DMD METHOD. THE BEARINGS ARE REFERENCED FROM SC GRID NORTH NAD83.
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE "MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA" AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
CALVIN BUCKNER ENFINGER, SC PLS #LS NO. 17221
SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION ENFINGER & ASSOCIATES NO. COA426
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR 17221 CALVIN S. ENFINGER
PLAT OF BOUNDARY SURVEY FOR
PETER W. SITES
MADISON M. SITES
LANCASTER COUNTY SOUTH CAROLINA
ENFINGER & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
803-286-6181
502 EAST ARCH STREET LANCASTER SOUTH CAROLINA 29720
RESEARCH: CBE EBE
PARTY: CBE
COMPUTER: CBE
CARTOGRAPHER: CBE
DISK: C:\PROJECTS_2024
FILE: S2BFACCC.DWG
BOOK: JTLS JT2 TSC3
TAX MAP: 0050-00-038.02
DATE: FEB. 16 2024
SCALE RATIO: 1: 1800 (1"= 150')

limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, seasonal packing sheds, etc.

AGRITOURISM Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture such as agriculture cultural centers; hay rides, corn mazes, and petting zoos (farm animals only).

AIRSTRIP/AIRPORT A surface used for take-off and landing of aircraft and the buildings,

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1908 Second Amendment to Fee Agreement- Project Tree
Contact Person / Sponsor: Amy Carnes / Economic Development
Department: Economic Development
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Approve an additional investment of $9,000,000 while authorizing a corresponding Special Source Revenue Credit with the following timeline. After the current SSRC of 40% has expired on 1-15-2028, an additional SSRC of 25% will be applied through the FILOT payment due by 1-15-2033.

Strategic Plan Focus Area Alignment:

Quality Development
Diversity the local economy through targeted attraction of job producers and support businesses that are well-matched to the local workforce and economic needs.

Points to Consider:
Project Tree is an existing company in Lancaster County. Part of a group that has been operating for nearly 100 years, it has operated in the County for over two decades and has consistently participated in philanthropic missions in Lancaster County. The company manufactures geo-membranes made from a diversity of proprietary polymer Chemistry formulas powered through state-of-the-art polymer extrusion equipment.

The additional investment in equipment will keep them competitive in their respective market.

Funding and Liability Factors:
Extension of Fee Agreement due to new investment.

Recommendation:
Staff recommends to proceed with three readings and conclude with Public Hearing and approval of this Economic Development Incentive second amendment request.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1908 - Second Amendment to Fee Agreement Project Tree	6/6/2024	Ordinance
Exhibit A - Second Amendment to Fee Agreement- Project Tree & Project Tree Affiliate	6/6/2024	Exhibit
First Amendment to Fee Agreement 2-12-24	6/6/2024	Backup Material
Fee Agreement 12-14-2020	6/6/2024	Backup Material

STATE OF SOUTH CAROLINA)
) **ORDINANCE 2024-1908**
COUNTY OF LANCASTER)

TO AUTHORIZE AND APPROVE THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO FEE AGREEMENT BY AND AMONG LANCASTER COUNTY, SOUTH CAROLINA, PROJECT TREE AND PROJECT TREE SPONSOR AFFILIATE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

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

Section 1. Findings and Determinations

The Lancaster County Council finds that:

(a) Lancaster County, South Carolina (the "County") acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), and specifically Title 12, Chapter 44 of the Code (the "Fee in Lieu of Tax Simplification Act" or "FILOT Act"), to enter into agreements with business and industry, to offer certain privileges, benefits, and incentives as inducements for economic development within the County whereby the industry would pay fees in lieu of *ad valorem* taxes ("FILOT Payments") with respect to qualified business and industrial projects, through all such powers the industrial development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain and expand in the State and thus utilize and employ the workforce, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally; and

(b) The County, acting by and through its Council, is authorized and empowered to establish, in conjunction with one or more other counties, multicounty parks (each, an "MCP") pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina, and Sections 4-1-170, 4-1-172, and 4-1-175 of the Code, as amended (the "MCP Act") to further the investment of capital and the creation of jobs in the County, and to facilitate the provision of special source revenue credits; and

(c) Section 12-44-70 of the FILOT Act, Section 4-1-175 of the MCP Act and Section 4-29-68 of the Code authorizes the Council to provide special source revenue credits ("SSRCs") that are applied against FILOT Payments made pursuant to the FILOT Act and MCP Act to reimburse a project for the costs of designing, acquiring, constructing, improving, or expanding, among other things, (*i*) infrastructure serving the project, or (*ii*) improved or unimproved real estate and personal property, including machinery and equipment, used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County; and

(d) Project Tree and Project Tree Sponsor Affiliate (collectively, the "Companies"), are party to that certain Fee Agreement, dated as of December 14, 2020, by and among the Companies and the County, as (i) subsequently assigned to Project Tree Sponsor Affiliate by that certain Assignment of Fee Agreement and Special Source Revenue Credit Agreement dated as of December 30, 2022, pursuant to which the Companies committed to making investment in real and personal property located in the County (the "Project"), and (ii) subsequently amended by that First Amendment to the Fee Agreement dated as of

February 12, 2024 (the foregoing Fee Agreement as assigned and amended is referred to herein as the "Fee Agreement"); and

(e) The Companies and the County desire to amend the Fee Agreement to account for additional investment for the purpose of expanding the Project and, in conjunction therewith, adjust the approved SSRCs, pursuant to the terms and conditions of a Second Amendment to Fee Agreement by and among the Companies and the County, attached to this ordinance as Exhibit A (the "Second Amendment"); and

(f) It is the purpose of this ordinance to effectuate the approval of the Second Amendment.

Section 2. Statutory Findings

Council makes the following additional findings:

(a) The Project will constitute a "project" as referred to and defined in the FILOT Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the FILOT Act.

(b) The Project and the FILOT Payments are beneficial to the County, and the County has evaluated the Project based on all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made.

(c) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.

(d) The Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

(e) The purposes to be accomplished by the Project, *i.e.*, economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes.

(f) The inducement of the location of the Project within the County and State is of paramount importance.

(g) The benefits of the Project to the public will be greater than the costs to the public.

Section 3. Approval of Second Amendment

The form, terms, and provisions of the Second Amendment (the "Second Amendment"), attached hereto as Exhibit A, are approved, and all the terms, provisions, and conditions thereof are incorporated herein by reference as if the Second Amendment were set out in this ordinance in its entirety. The Council Chair and Council Secretary are authorized, empowered, and directed to execute and acknowledge the Second Amendment in the name of and on behalf of the County, and thereupon to cause the Second Amendment to be delivered to the Company. The Second Amendment is to be in substantially the form as attached to this ordinance and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, such officer's execution thereof to constitute conclusive evidence of such official's

approval of any and all changes or revisions therein from the form of the Second Amendment attached to this ordinance.

Section 4. Economic Development Fund

(A) Council finds that (i) by passage of Ordinance No. 2014-1260, Council created an Economic Development Fund with the intent to make monies available to the fund from new revenues to the County derived from new and expanded businesses and industry, and (ii) the ability to make monies available to the Economic Development Fund can be difficult because of complexities and legalities application to fee-in-lieu of tax arrangements and multi-county parks.

(B) It is the intent of Council, in the annual County budget, to appropriate monies to the Economic Development Fund based on the new revenue that the County received pursuant to the Fee Agreement. Specifically, it is Council's intent to appropriate from the General Fund of the County an amount based on the following formula: Seven percent (7%) times the amount of money received pursuant to the Fee Agreement by the County after distribution to other taxing entities in the most recently completed tax year.

Section 5. Authority to Act

The Council Chair, Council Secretary, Clerk to County, County Administrator, County Attorney and all other appropriate officials of the County are (and each acting individually is) hereby authorized, empowered, and directed to take such actions and to execute such agreements, certificates, or other documents as may be necessary to effectuate the purposes of this ordinance, and the performance of all obligations of the County under and pursuant to the Second Amendment.

Section 6. Severability

If a section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portion is deemed a separate, distinct, and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. Conflicting Provisions

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

Section 8. Effective Date

This ordinance is effective upon third reading.

[Signatures follow on next page]

AND IT IS SO ORDAINED

Dated this ____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: May 28, 2024
Second Reading: June 10, 2024
Third Reading: June 24, 2024

Public Hearing: June 24, 2024

Approved as to form:

_____
Ginny L. Merck-Dupont, County Attorney

<u>Exhibit A</u> to Ordinance 2024-1908

SECOND AMENDMENT

See attached.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

SECOND AMENDMENT TO THE FEE AGREEMENT

This SECOND AMENDMENT TO THE FEE AGREEMENT (the "Second Amendment") is made and entered into as of _____, 2024, by and among LANCASTER COUNTY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina ("County"), PROJECT TREE, a _____ Corporation ("Sponsor"), and PROJECT TREE SPONSOR AFFILIATE, a _____ limited liability company ("Sponsor Affiliate") (Sponsor and Sponsor Affiliate are collectively referred to herein as the "Companies").

RECITALS

WHEREAS, pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "Act"), the County, Sponsor and Sponsor Affiliate, a _____ limited liability company, entered into a Fee Agreement dated as of December 14, 2020 (the "Original Fee Agreement"), for the purpose of, among other things, providing incentives in the form of a fee in lieu of tax arrangement and special source credits in connection with the "Project," as defined in the Fee Agreement;

WHEREAS, pursuant to the Act and Sections 4-1-175, 4-29-68, and 12-44-70 of the Code of Laws of South Carolina 1976, as amended (the "SSRC Act"), the County is authorized to provide infrastructure improvement credits or special source revenue credits ("SSRCs") to the Sponsor for the purpose of paying the cost of designing, acquiring, constructing, improving, or expanding certain qualifying infrastructure;

WHEREAS, Sponsor assigned its interest in the Fee Agreement to Sponsor Affiliate, a limited liability company, by that certain Assignment and Assumption of Fee Agreement and Special Source Revenue Credit Agreement dated as of December 29, 2020; and

WHEREAS, said Sponsor Affiliate assigned its interest in the Fee Agreement to Sponsor Affiliate by that certain Assignment of Fee Agreement and Special Source Revenue Credit Agreement dated as of December 30, 2022; and

WHEREAS, the County, Sponsor, and Sponsor Affiliate entered into that certain First Amendment to the Fee Agreement dated February 12, 2024 (the "First Amendment"), which amended certain provisions of the Original Fee Agreement related to SSRCs and Full-Time Jobs (the Original Fee Agreement as amended by the First Amendment is referred to as the "Fee Agreement" hereunder)

WHEREAS, the County, pursuant to the SSRC Act, has previously provided SSRCs to the Sponsor in the Fee Agreement; and

WHEREAS, the Sponsor desires to make an additional investment for the purposes of expanding the Project (the "Expansion") and, in conjunction therewith, make additional adjustments to the SSRCs under the Fee Agreement; and

WHEREAS, in consideration of the Sponsor's continued and additional investment at the Project, the County and the Companies desire to amend the Fee Agreement so as to adjust the previously approved SSRCs.

SECOND AMENDMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the Companies agree:

Section 1. *Incorporation of Recitals.* The above recitals are incorporated into this Second Amendment as if the recitals were set out in this Second Amendment in their entirety.

Section 2. *Recitals*. The second WHEREAS clause in the Recitals is amended to read:

"*WHEREAS, Sponsor proposes to expand certain of its business operations in the County in a facility constructed by Sponsor Affiliate and leased to Sponsor, as such facility may be subsequently expanded from time to time (as may be expanded, the "Project");*"

Section 3. *Statutorily Required Recapitulation*. Section 1.01(b)(7)(c) of the Fee Agreement is amended to read:

"*Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to: (i) fifty-eight percent (58%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payments due without penalty by January 15, 2022 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2024; (ii) forty percent (40%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2025 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2028; and (iii) twenty-five percent (25%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2029 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2033.*"

Section 4. *Investment by Company in Project.* Section 4.01(b) of the Fee Agreement is amended to read:

"*For the Project, Sponsor agrees and commits to the following aggregate Jobs Commitment: the creation and maintenance of the number of Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, at the following employment levels and in the designated timeframes:*

(1) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than sixty-two (62) in calendar year 2020 through calendar year 2022, and

(2) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than forty (40) in calendar year 2023 through calendar year 2031."

Section 5. *Payments in Lieu of Ad Valorem Taxes*.

(a) Section 5.01(d) of the Fee Agreement is amended to read:

"*Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to:*

(i) fifty-eight percent (58%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payments due without penalty by January 15, 2022 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2024;

(ii) forty percent (40%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2025 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2028; and

(iii) twenty-five percent (25%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2029 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2033.

Company agrees to maintain a membership in the Lancaster County Chamber of Commerce in any year in which it receives a Special Source Revenue Credit pursuant to this Section 5.01(d). At no time shall the aggregate Special Source Revenue Credits provided pursuant to this Section 5.01(d) exceed the aggregate cost of Infrastructure Improvements incurred by Sponsor and any other Co-Investors. The Special Source Revenue Credit provided in this Section 5.01(d) applies only to the Economic Development Property and does not apply to the Non-Qualifying Property or to any other property."

(b) Section 5.01(j) of the Fee Agreement is amended to read:

"*Notwithstanding any other provision of this Agreement, the Special Source Revenue Credits provided in Section 5.01(d) above are not applicable in any year immediately following a year in which the Company has failed to maintain the Jobs Commitment in Section 4.01(b) above.*

In addition, the twenty-five percent (25%) Special Source Revenue Credit set forth in Section 5.01(d)(iii) above to be provided with respect to the Negotiated FILOT Payments due without penalty by January 15, 2029 through January 15, 2033:

(a) shall not be provided in the event the Sponsor, collectively with Sponsor Affiliate and any other Co-Investors, does not invest at least nine million dollars ($9,000,000) in Economic Development Property by the end of the Investment Period; and

(b) shall not be provided with respect to any year immediately following a year in which the Sponsor, collectively with Sponsor Affiliate and any other Co-Investors, has failed to maintain an investment of at least nine million dollars ($9,000,000), without regard to depreciation, in Economic Development Property."

Section 6. *Payment of Expenses.* Upon submission by the County of appropriate documentation of the expenditure, the Sponsor agrees to reimburse the County, not later than sixty (60) days following such submission, for the County's reasonable unreimbursed actual costs incurred related to this Second Amendment. The cost reimbursement is limited to County payments to third-party vendors, including, but not limited to, payments for attorney's fees.

Section 7. *Representations and Warranties; Confirmation.*

(A) Sponsor represents and warrants, as the basis for the undertakings on its part contained in this Second Amendment, that it (*i*) is a corporation organized and existing and in good standing under the laws of _____, (*ii*) is authorized to do business in South Carolina, (*iii*) has all requisite power to enter into this Second Amendment, and (*iv*) by proper action has been duly authorized to execute and deliver this Second Amendment.

(B) Sponsor Affiliate represents and warrants, as the basis for the undertakings on its part contained in this Second Amendment, that it (*i*) is a limited liability company organized and existing and in good standing under the laws of _____, (*ii*) is authorized to do business in South Carolina, (*iii*) has all requisite power to enter into this Second Amendment, and (*iv*) by proper action has been duly authorized to execute and deliver this Second Amendment.

(C) County represents and warrants, as the basis for the undertakings on its part contained in this Second Amendment, that it (*i*) is a body politic and corporate and a political subdivision of the State of South Carolina, (*ii*) is authorized by the Act and SSRC Act to enter into this Second Amendment, (*iii*) has approved this Second Amendment in accordance with the procedural requirements of the Act, the SSRC Act and any other applicable state law, and (*iv*) has authorized its officials to execute and deliver this Second Amendment.

(D) County, Sponsor, and Sponsor Affiliate acknowledge and confirm that (i) the Expansion, including any Equipment, improvements or other assets that constitutes Economic Development Property, is and shall be considered as part of the Project, and (ii) that all investments made by Sponsor, Sponsor, Affiliate, or any other Co-Investor in Economic Developer Property related to the Expansion during the Investment Period shall be included in any determination of whether Sponsor has fulfilled its commitment made in Section 4.01(a) to invest in the Project.

Section 9. *Multiple Counterparts.* This Second Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

Section 10. *Fee Agreement.* Except as specifically provided in this Second Amendment, the Fee Agreement shall remain unchanged and in full force and effect.

SIGNATURE PAGES FOLLOW ON NEXT PAGE.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Second Amendment to be effective as of the date first written above.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

[SEAL]

ATTEST:

_____
Sherrie Simpson, Clerk to Council

COMPANIES SIGNATURES FOLLOW ON NEXT PAGE.

PROJECT TREE,
a _____ corporation

By: _____

Name: _____

Title: _____

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

PROJECT TREE SPONSOR AFFILIATE,
a _____ limited liability company

By: _____

Name: _____

Title: _____

FIRST AMENDMENT TO THE FEE AGREEMENT

This FIRST AMENDMENT TO THE FEE AGREEMENT (the "First Amendment") is made and entered into as of February __, 2024, by and among LANCASTER COUNTY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina ("County"), [redacted] Corporation ("Sponsor"), and [redacted] company ("Sponsor Affiliate") (Sponsor and Sponsor Affiliate are collectively referred to herein as the "Companies").

RECITALS

WHEREAS, pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "Act"), the County, Sponsor and [redacted] company, entered into a Fee Agreement dated as of December 14, 2020 (the "Fee Agreement"), for the purpose of, among other things, providing incentives in the form of a fee in lieu of tax arrangement and special source credits in connection with the "Project," as defined in the Fee Agreement;

WHEREAS, pursuant to the Act and Sections 4-1-175, 4-29-68, and 12-44-70 of the Code of Laws of South Carolina 1976, as amended (the "SSRC Act"), the County is authorized to provide infrastructure improvement credits or special source revenue credits ("SSRCs") to the Sponsor for the purpose of paying the cost of designing, acquiring, constructing, improving, or expanding certain qualifying infrastructure;

WHEREAS, [redacted] assigned its interest in the Fee Agreement to [redacted], a [redacted] company, by that certain Assignment and Assumption of Fee Agreement and Special Source Revenue Credit Agreement dated as of December 29, 2020; and

WHEREAS, [redacted] assigned its interest in the Fee Agreement to Sponsor Affiliate by that certain Assignment of Fee Agreement and Special Source Revenue Credit Agreement dated as of December 30, 2022; and

WHEREAS, the County, pursuant to the SSRC Act, has previously provided SSRCs to the Sponsor in the Fee Agreement; and

WHEREAS, pursuant to Section 4.01(b) of the Fee Agreement, the Sponsor agreed to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of: (i) not less than sixty-three (63) in calendar year 2020 through calendar year 2022; and (ii) not less than sixty-eight (68) in calendar year 2023 through calendar year 2026, but the Sponsor for various reasons, including, the COVID pandemic and other reasons outside the Company's control, did not create the requisite average number of Full-Time Jobs in calendar year 2020 through calendar year 2022, and does not anticipate creating the requisite average number of Full-Time Jobs in calendar year 2023 through calendar year 2026; and

WHEREAS, in consideration of the Sponsor's continued investment at the Project, the County and the Companies desire to amend the Fee Agreement so as to adjust the stated Jobs Commitment and previously approved SSRCs.

FIRST AMENDMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the Companies agree:

Section 1. *Incorporation of Recitals.* The above recitals are incorporated into this First Amendment as if the recitals were set out in this First Amendment in their entirety.

Section 2. *Statutorily Required Recapitulation.* Section 1.01(b)(7)(c) of the Fee Agreement is amended to read:

> "Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to: (i) fifty-eight percent (58%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payments due without penalty by January 15, 2022 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2024; and (ii) forty percent (40%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2025 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2028;"

Section 3. *Investment by Company in Project.* Section 4.01(b) of the Fee Agreement is amended to read:

> "For the Project, Sponsor agrees and commits to the following aggregate Jobs Commitment: the creation and maintenance of the number of Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, at the following employment levels and in the designated timeframes:
>
> (1) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than sixty-two (62) in calendar year 2020 through calendar year 2022, and
>
> (2) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than forty (40) in calendar year 2023 through calendar year 2026."

Section 4. *Payments in Lieu of Ad Valorem Taxes.*

(a) Section 5.01(d) of the Fee Agreement is amended to read:

> "Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to: (i) fifty-eight percent (58%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payments due without penalty by January 15, 2022 and ending not later than the Negotiated FILOT Payment due without penalty by January 15, 2024; and (ii) forty percent (40%) of the Negotiated FILOT Payments beginning not later than the Negotiated FILOT Payment due without penalty by January 15, 2025 and ending not later than the Negotiated FILOT Payment due without

penalty by January 15, 2028. Company agrees to maintain a membership in the Lancaster County Chamber of Commerce in any year in which it receives a Special Source Revenue Credit pursuant to this Section 5.01(d). At no time shall the aggregate Special Source Revenue Credits provided pursuant to this Section 5.01(d) exceed the aggregate cost of Infrastructure Improvements incurred by Sponsor and any other Co-Investors. The Special Source Revenue Credit provided in this Section 5.01(d) applies only to the Economic Development Property and does not apply to the Non-Qualifying Property or to any other property."

(b) Section 5.01(j) of the Fee Agreement is amended to read:

"Notwithstanding any other provision of this Agreement, the Special Source Revenue Credits provided in Section 5.01(d) above are not applicable in any year immediately following a year in which the Company has failed to maintain the Jobs Commitment in Section 4.01(b) above."

Section 5. *Payment of Expenses.* Upon submission by the County of appropriate documentation of the expenditure, the Sponsor agrees to reimburse the County, not later than sixty (60) days following such submission, for the County's reasonable unreimbursed actual costs incurred related to this First Amendment. The cost reimbursement is limited to County payments to third-party vendors, including, but not limited to, payments for attorney's fees.

Section 6. *Representations and Warranties.* (A) Sponsor represents and warrants, as the basis for the undertakings on its part contained in this First Amendment, that it (*i*) is a corporation organized and existing and in good standing under the laws [redacted] (*ii*) is authorized to do business in South Carolina, (*iii*) has all requisite power to enter into this First Amendment, and (*iv*) by proper action has been duly authorized to execute and deliver this First Amendment.

(B) Sponsor Affiliate represents and warrants, as the basis for the undertakings on its part contained in this First Amendment, that it (*i*) is a limited liability company organized and existing and in good standing under the laws [redacted], (*ii*) is authorized to do business in South Carolina, (*iii*) has all requisite power to enter into this First Amendment, and (*iv*) by proper action has been duly authorized to execute and deliver this First Amendment.

(C) County represents and warrants, as the basis for the undertakings on its part contained in this First Amendment, that it (*i*) is a body politic and corporate and a political subdivision of the State of South Carolina, (*ii*) is authorized by the Act and SSRC Act to enter into this First Amendment, (*iii*) has approved this First Amendment in accordance with the procedural requirements of the Act, the SSRC Act and any other applicable state law, and (*iv*) has authorized its officials to execute and deliver this First Amendment.

Section 7. *Multiple Counterparts.* This First Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

Section 8. *Fee Agreement.* Except as specifically provided in this First Amendment, the Fee Agreement shall remain unchanged and in full force and effect.

SIGNATURE PAGES FOLLOW ON NEXT PAGE.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this First Amendment to be effective as of the date first written above.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

[SEAL]

ATTEST:

Sherrie Simpson, Clerk to Council

COMPANIES SIGNATURES FOLLOW ON NEXT PAGE.

FEE AGREEMENT

by and among

LANCASTER COUNTY, SOUTH CAROLINA,

[redacted]

and

[redacted]

Dated as of December 14, 2020

EXECUTION VERSION

FEE AGREEMENT

This FEE AGREEMENT (this "Agreement") is dated as of December 14, 2020, by and among LANCASTER COUNTY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"); [redacted] ("Sponsor"), a [redacted] limited liability company, and [redacted] ("Sponsor Affiliate"), a [redacted] corporation (collectively, Sponsor and Sponsor Affiliate are referred to as the "Companies").

RECITALS

WHEREAS, the County, acting by and through its County Council, is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the "Act") of the Code of Laws of South Carolina 1976, as amended (the "Code") and Sections 4-1-170, 4-1-172, and 4-1-175 of the Code and Article VIII, Section 13(D) of the South Carolina Constitution (the "Multi-County Park Act"): (*i*) to enter into agreements with certain entities to construct, operate, maintain, and improve industrial and commercial properties through which the economic development of South Carolina will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in South Carolina and thus utilize and employ South Carolina's workforce, agricultural products, and natural resources; (*ii*) to covenant with such entities to accept certain payments in lieu of *ad valorem* taxes with respect to the project (a "Fee-in-Lieu of Tax" or "FILOT"); and (*iii*) to maintain, create or expand, in conjunction with one or more other counties, multi-county business or industrial park;

WHEREAS, Sponsor proposes to expand certain of its business operations in the County in a facility constructed by Sponsor Affiliate and leased to Sponsor (the "Project");

WHEREAS, Sponsor anticipates that the Project will result in the creation of at least five (5) new, full-time jobs and an investment of at least $4,000,000 in the County;

WHEREAS, the County Council approved on [redacted] (the "Inducement Resolution") to identify, reflect and induce the Project under the Act and to state the commitment of the County to, among other things, enter into this Agreement;

WHEREAS, as a result of the Companies locating the Project in the County, the Companies requested that the County complete the FILOT arrangement referred to in the Inducement Resolution by entering into this Agreement with the Companies pursuant to the Act, and the Companies elect to enter into the FILOT arrangement with the County in an effort to implement the terms of the Project and allow the Companies to make FILOT payments pursuant to the Act;

WHEREAS, for the Project, the parties have determined, based on information provided by Sponsor, that Sponsor is a "Sponsor," Sponsor Affiliate is a "Sponsor Affiliate," and that some or all of the Project constitutes "Economic Development Property," all within the meaning of the Act; and

WHEREAS, for the purposes set forth above, the County has determined that it is in the best interests of the County to enter into this Agreement with the Companies, subject to the terms and conditions herein set forth.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, and the sum of $1.00 in hand, duly paid by the Companies to the County, the receipt and sufficiency of which are hereby acknowledged, the County and the Companies agree as follows:

ARTICLE I

DEFINITIONS AND RECAPITULATION

Section 1.01. Statutorily Required Recapitulation.

(a) Pursuant to Section 12-44-55(B) of the Act, the County and the Company agree to waive the recapitulation requirements of Section 12-44-55 of the Act. Subsection (b) of this section is inserted for convenience only and does not constitute a part of this Agreement or a summary compliant with Section 12-44-55 of the Act.

(b) Summary of Agreement.

1. Legal name of each initial party to this Agreement:

LANCASTER COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina
[redacted] a Delaware limited liability company
[redacted] a [redacted] corporation

2. County, street address, parcel number or other location identifier of the Project and property to be subject to this Agreement:

Lancaster County, South Carolina
[redacted]
Parcel Identification [redacted]

3. Minimum investment agreed upon: $2,500,000.

4. Length and term of this Agreement: Twenty (20) years for each annual increment of investment in the Project during the Investment Period.

5. Assessment ratio applicable for each year of this Agreement: 6%, except as otherwise provided in the Agreement.

6. Millage rate applicable for each year of this Agreement: 338.15 mills, except as otherwise provided in the Agreement.

7. Statements

(a) The Project is to be located in a multi-county park;
(b) Disposal of property subject to payments-in-lieu-of-taxes is allowed;

(c) Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to fifty-eight percent (58%) of Negotiated FILOT Payments for seven (7) consecutive years beginning not later than with the Negotiated FILOT Payment due without penalty by January 15, 2022 and ending not later than with the Negotiated FILOT Payment due without penalty by January 15, 2028;

(d) Payment will not be modified using a net present value calculation; and

(e) Replacement property provisions will apply.

Section 1.02. Definitions. In addition to the words and terms elsewhere defined in this Agreement, the following words and terms as used herein and in the recitals hereto shall have the following meanings, unless the context or use indicates another or different meaning or intent.

"*Act*" or "*Simplified FILOT Act*" shall mean Title 12, Chapter 44 of the Code, as amended through the date hereof.

"*Administration Expense*" shall mean the reasonable and necessary out-of-pocket expenses, including attorneys' fees, incurred by the County with respect to: (*i*) the preparation, review, approval and execution of this Agreement, (*ii*) the preparation, review, approval and execution of other documents related to this Agreement and any multi-county park documents; and (*iii*) the fulfillment of its obligations under this Agreement and any multi-county park documents, and in the implementation and administration of the terms and provisions of the documents after the date of execution thereof.

"*Affiliate*" shall mean any Person directly or indirectly controlling, controlled by, or under common control with such other Person. For purposes of this definition, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the Person, whether through the ownership of voting securities, by contract, or otherwise.

"*Agreement*" shall mean this Fee Agreement by and among the County, Sponsor, and Sponsor Affiliate, as originally executed and from time to time supplemented or amended as permitted herein, and dated as of December 14, 2020.

"*Co-Investor*" shall mean the Companies, any other Sponsor or Sponsor Affiliate within the meaning of Sections 12-44-30(19) and (20) of the Act, any Affiliate of the Sponsor or Sponsor Affiliate or of any other Sponsor or Sponsor Affiliate, any developer in a build-to-suit arrangement or other leasing arrangement with respect to the Project, any lessor of equipment or other property comprising a part of the Project, and any financing entity or other third party investing in, or providing funds for, the Project. Sponsor, so long as it is a tenant of Sponsor Affiliate, and thereafter, Sponsor Affiliate shall notify the County in writing of the identity of any other Sponsor, Sponsor Affiliate or other Co-Investor and shall, to the extent Sponsor or Sponsor Affiliate, as applicable, and any such other Sponsor, Sponsor Affiliate, or other Co-Investor intend to extend the benefits of the FILOT to property owned by any such Sponsor, Sponsor Affiliate, or other Co-Investor pursuant to Section 5.01 hereof, comply with any additional notice requirements, or other

applicable provisions, of this Agreement and the Act. As of the original execution and delivery of this Agreement, the Companies are the only Co-Investors.

"*Code*" shall mean the Code of Laws of South Carolina 1976, as amended through the date hereof, unless the context clearly requires otherwise.

"*Companies*" shall mean, collectively, Sponsor and Sponsor Affiliate, and their successors and assigns.

"*Confidential Information*" shall have the meaning set forth in Section 4.02(d) hereof.

"*County*" shall mean Lancaster County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, and its successors and assigns.

"*County Council*" shall mean the governing body of the County and its successors.

"*Department of Revenue*" shall mean the South Carolina Department of Revenue.

"*Economic Development Property*" shall mean each item of real and tangible personal property comprising the Project, except Non-Qualifying Property, within the meaning of that term as defined and used in Sections 12-44-30(6) and 12-44-40(C) of the Code.

"*Equipment*" shall mean all machinery, equipment, furnishings, and other personal property acquired by Sponsor and Sponsor Affiliate and installed as part of the Project during the Investment Period in accordance with this Agreement.

"*Event of Default*" shall mean an Event of Default as defined in Section 11.01 hereof.

"*Existing Property*" shall mean property proscribed from becoming Economic Development Property pursuant to Section 12-44-110 of the Code, including, without limitation, property which has been subject to *ad valorem* taxes in the State prior to the execution and delivery of this Agreement and property included in the Project as part of the repair, alteration, or modification of such previously taxed property; *provided, however,* that Existing Property shall not include: (a) the Land (excluding existing improvements on the Land); (b) property acquired or constructed by Sponsor and Sponsor Affiliate during the Investment Period which has not been placed in service in this State prior to the Investment Period notwithstanding that *ad valorem* taxes have heretofore been paid with respect to such property; or (c) modifications which constitute an expansion of Existing Property.

"*FILOT*" shall mean the fee-in-lieu of taxes which the Companies are obligated to pay to the County pursuant to Section 5.01 hereof.

"*FILOT Payments*" shall mean the payments to be made by Sponsor and Sponsor Affiliate or any other Co-Investor with respect to its respective portion of the Project, whether made as Negotiated FILOT Payments pursuant to Section 5.01(b)(ii) hereof or as payments in lieu of *ad valorem* taxes made pursuant to Section 5.01(b)(i) hereof.

"*Full-Time Job*" means a full-time job (*i.e.*, at least thirty (30) hours per week), with health care benefits. Jobs relocated from other states to the Project shall be counted as Full-Time Jobs if the relocated job meets the Wage Requirement. All persons filling the Full-Time Job positions must be authorized pursuant to state and federal law to be employed in the United States and not less than ninety percent (90%) of the persons filling the Full-Time Job positions must be U.S. citizens.

"*Infrastructure Improvements*" shall mean, pursuant to Section 4-29-68(A)(2) of the Code, Sponsor's, Sponsor Affiliate's or any other Co-Investor's, costs of designing, acquiring, constructing, improving or expanding (a) the infrastructure serving the Project, or (b) improved or unimproved real estate and personal property including machinery and equipment used in the operation of the Project, or (c) other qualifying investments under Section 12-44-70 of the Code and Section 4-1-175 of the Code serving the Project.

"*Investment Period*" shall mean the period beginning with the first day that Economic Development Property is purchased or acquired and ending on the date that is five (5) years from the end of the Property Tax Year in which the initial Economic Development Property comprising all or a portion of the Project is placed in service, unless extended by agreement of the Companies and the County pursuant to Section 12-44-30(13) of the Code.

"*Jobs Commitment*" shall mean the commitment of Sponsor to create jobs with respect to the Project as set forth in Section 4.01(b) of this Agreement.

"*Land*" shall mean the real estate upon which the Project is to be located. More specifically, the real estate located [redacted] identified with Parcel Identification [redacted], with a physical address of [redacted], and consisting of approximately [redacted] acres. Additional real estate may be included by amendment as provided in the Section 12.12 of this Agreement.

"*Multi-County Park*" means, initially, with respect to the Land, the multi-county park established pursuant to the Amended and Restated Master Multi-County Park Agreement between Chesterfield County, South Carolina and Lancaster County, South Carolina, Amended and Restated as of November 9, 2015, and thereafter any Park which hereafter includes the Land and which is designated by the County as such pursuant to any Park agreement which replaces or succeeds the Amended and Restated Master Multi-County Park Agreement between Chesterfield County, South Carolina and Lancaster County, South Carolina, Amended and Restated as of November 9, 2015.

"*Multi-County Park Act*" shall mean Sections 4-1-170, 4-1-172, and 4-1-175 of the Code and Article VIII, Section 13(D) of the South Carolina Constitution, as amended through the date hereof.

"*Negotiated FILOT*" shall have the meaning set forth in Section 5.01(b)(ii) hereof.

"*Negotiated FILOT Payment*" shall mean the FILOT due pursuant to Section 5.01(b) hereof with respect to that portion of the Project consisting of Economic Development Property.

"*Non-Qualifying Property*" shall mean that portion of the Project consisting of: (*i*) property as to which the Companies incurred expenditures prior to the Investment Period or, except as to Replacement Property, after the end of the Investment Period; (*ii*) Existing Property; and (*iii*) any Released Property or other property which fails or ceases to qualify for Negotiated FILOT Payments, including without limitation property as to which the Companies have terminated the Negotiated FILOT pursuant to Section 4.03(iii) hereof.

"*Person*" shall mean and include any individual, association, unincorporated organization, corporation, partnership, limited liability company, joint venture, or government or agency or political subdivision thereof.

"*Project*" shall mean the Project, as defined in the recitals above, and shall include the Land, the buildings and other improvements on the Land to the extent placed thereon by or on behalf of the Sponsor, Sponsor Affiliate or any other Co-Investor, including water, sewer treatment and disposal facilities, and other machinery, apparatus, equipment, office facilities, and furnishings which are necessary, suitable, or useful, including Equipment, and any Replacement Property.

"*Property Tax Year*" shall mean the annual period which is equal to the fiscal year of the Sponsor, Sponsor Affiliate, or any applicable other Co-Investor, as the case may be.

"*Released Property*" shall mean any portion of the Project removed, scrapped, traded in, sold, or otherwise disposed of pursuant to Section 4.03 hereof, any portion of the Project stolen, damaged, destroyed, or taken by condemnation or eminent domain proceedings as described in Article VII hereof, and any infrastructure which Sponsor, Sponsor Affiliate, or any other Co-Investor dedicates to the public use (within the meaning of that phrase as used in Section 12-6-3420(C) of the Code).

"*Replacement Property*" shall mean all property installed in or on the Land in substitution of, or as replacement for, any portion of the Project, but only to the extent that such property may be included in the calculation of the Negotiated FILOT pursuant to Section 5.01(g) hereof and Section 12-44-60 of the Code.

"*Special Source Revenue Credits*" shall mean the Special Source Revenue Credits described in Section 5.01(d) hereof.

"*Sponsor Affiliate*" shall mean [redacted] corporation, its successors and assigns, and any other Person who agrees to be bound by the terms and provisions of this Agreement and is approved by the County in writing pursuant to the provisions of Section 8.04 of this Agreement.

"*State*" shall mean the State of South Carolina.

"*Term*" shall mean the term of this Agreement, as set forth in Section 10.01 hereof.

"*Transfer Provisions*" shall mean the provisions of Section 12-44-120 of the Code, as amended through the date hereof.

"*Wage Requirement*" means, for all periods ending on or before December 31, 2023, an hourly wage rate not less than $14.00, and for all periods ending after December 31, 2023, an hourly wage rate not less than $14.86.

Section 1.03. Singular and Plural Words; References to Agreement. Except where the context otherwise requires, (*i*) words importing the singular number shall include the plural number and *vice versa*, and (*ii*) the words "hereof", "herein", "hereunder", and other words of similar import refer to this Agreement as a whole.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.01. Representations and Warranties by County. The County represents and warrants that: (*i*) it is a body politic and corporate and a political subdivision of the State; (*ii*) it is authorized by the Act to enter into this Agreement; (*iii*) it has approved this Agreement in accordance with the procedural requirements of the Act and any other applicable state law; and (*iv*) it has authorized its officials to execute and deliver this Agreement.

Section 2.02. Representations and Warranties by Sponsor. Sponsor makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) Sponsor is a limited liability company, validly existing and in good standing under the laws of [redacted] and authorized to do business in the State; has all requisite power to enter into this Agreement; and by proper action has been duly authorized to execute and deliver this Agreement.

(b) The agreement with the County with respect to the FILOT has been instrumental in inducing Sponsor to locate its portion of the Project within the County and the State.

(c) Except as otherwise disclosed to the County, no actions, suits, proceedings, inquiries, or investigations known to the undersigned representatives of Sponsor is pending or threatened against or affecting Sponsor in any court or before any governmental authority or arbitration board or tribunal, which could materially adversely affect the transactions contemplated by this Agreement or which could, in any way, adversely affect the validity or enforceability of this Agreement.

(d) For the Project, Sponsor shall use commercially reasonable efforts to invest, collectively with Sponsor Affiliate and any other Co-Investors, at least two million five hundred thousand dollars ($2,500,000) in Economic Development Property by the end of the Investment Period. Investments made by Sponsor Affiliate and any other Co-Investors in Economic Development Property shall be included in the determination whether Sponsor has fulfilled its commitment made in this item to invest in the Project.

(e) The income tax year of Sponsor, and accordingly the Property Tax Year with respect to Sponsor, for federal income tax purposes is a 52/53 week fiscal year ending December 31.

(f) Sponsor intends to operate the Project for the purpose of manufacturing. Sponsor had determined that the "Project" is a "project" under the Act and that some or all of the Project constitutes "economic development property" within the meaning of the Act.

Section 2.03. Representations and Warranties by Sponsor Affiliate. Sponsor Affiliate makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) Sponsor Affiliate is a corporation, validly existing and in good standing under the laws of [redacted] and authorized to do business in the State; has all requisite power to enter into this Agreement; and by proper action has been duly authorized to execute and deliver this Agreement.

(b) The agreement with the County with respect to the FILOT has been instrumental in inducing Sponsor Affiliate to locate its portion of the Project within the County and the State.

(c) Except as otherwise disclosed to the County, no actions, suits, proceedings, inquiries, or investigations known to the undersigned representatives of Sponsor Affiliate are pending or threatened against or affecting Sponsor Affiliate in any court or before any governmental authority or arbitration board or tribunal, which could materially adversely affect the transactions contemplated by this Agreement or which could, in any way, adversely affect the validity or enforceability of this Agreement.

(d) For the Project, Sponsor Affiliate shall use commercially reasonable efforts to invest, collectively with any other Co-Investors, such amounts as required under the lease agreement it has entered into with the Sponsor, but in no event less than two million five hundred thousand dollars ($2,500,000). Investments made by Sponsor and any other Co-Investors in Economic Development Property shall be included in the determination whether Sponsor Affiliate has fulfilled its commitment made in this item to invest in the Project.

(e) The income tax year of Sponsor Affiliate, and accordingly the Property Tax Year with respect to Sponsor Affiliate, for federal income tax purposes is a 52/53 week fiscal year ending September 30.

ARTICLE III

UNDERTAKINGS OF THE COUNTY

Section 3.01. Agreement to Accept FILOT Payments. The County hereby agrees to accept FILOT Payments made by the Companies and any other Co-Investor in accordance with Section 5.01 hereof in lieu of *ad valorem* taxes with respect to the Project until this Agreement expires or is sooner terminated.

Section 3.02. No Warranties by County. The Companies acknowledge that the County has made no warranties or representations, either express or implied, as to the condition or state of the Project or as to the design or capabilities of the Project or that it will be suitable for the Companies' purposes or needs. No representation of the County is hereby made with regard to

compliance by the Project or any Person with laws regulating: (*i*) the construction or acquisition of the Project; (*ii*) environmental matters pertaining to the Project; (*iii*) the offer or sale of any securities; or (*iv*) the marketability of title to any property.

Section 3.03. Invalidity. The parties acknowledge that the intent of this Agreement is to afford the Companies and any other Co-Investors the benefits of the Negotiated FILOT Payments in consideration of the Companies' decision to locate the Project within the County and that this Agreement has been entered into in reliance upon the enactment of the Simplified FILOT Act. In the event that, for any reason, the Act and/or the Negotiated FILOT or any portion thereof is, by a court of competent jurisdiction following allowable appeals, declared invalid or unenforceable in whole or in part, or the portion of the Project consisting of Economic Development Property is deemed not to be eligible for a Negotiated FILOT pursuant to the Act in whole or in part, the Companies and the County express their intentions that such payments be reformed so as to afford the Companies and any other Co-Investors benefits commensurate with those intended under this Agreement as then permitted by law, including without limitation any benefits afforded under the Code, to the extent allowed by law. Absent the legal authorization to effect such reformation, the Companies and the County agree that there shall be due hereunder, with respect to the portion of the Economic Development Property affected by such circumstances, *ad valorem* taxes and that, to the extent permitted by law, the Companies and any other Co-Investors shall be entitled: (1) to enjoy the five-year exemption from *ad valorem* taxes (or fees in lieu of taxes) provided by Article X, Section 3 of the Constitution of the State, and any other exemption allowed by law; (2) to enjoy all allowable depreciation; and (3) to receive other tax credits which would be due if the Companies and any other Co-Investors were obligated to pay *ad valorem* taxes hereunder. To the extent that under such circumstances the Negotiated FILOT Payments hereunder are required by law to be subject to retroactive adjustment, then there shall be due and payable by each of the Companies or any other Co-Investor to the County with respect to the portion of the Economic Development Property in question an amount equal to the difference between the Negotiated FILOT Payments theretofore actually paid and the amount which the Company would have paid as *ad valorem* taxes, including all exemptions, credits, and depreciation for which the Company would have otherwise been eligible if it were obligated to pay *ad valorem* taxes, together with, but only if required by law, interest on such deficiency as provided in Section 12-54-25(D) of the Code. The Companies agree that if this Agreement is reformed as provided in this Section or if retroactive adjustments are made, then under no circumstances shall the County be required to refund or pay any monies to the Companies or any other Co-Investor.

In addition to and notwithstanding the foregoing paragraph, the County shall not be obligated to perform any of its obligations or promises under this Section 3.03 unless the Sponsor, Sponsor Affiliate, or any other Co-Investor, as applicable, has otherwise complied with or provided satisfactory evidence to the County that it intends to comply with its obligations and responsibilities under this Agreement.

Section 3.04. Multi-County Park Status. The County agrees to use its best efforts to maintain the Land in the Multi-County Park until the date this Agreement is terminated. If it becomes necessary to remove the Land from the Multi-County Park prior to the termination of this Agreement, the County agrees to use its best efforts to place the Land in another multi-county park established pursuant to the Multi-County Park Act and to maintain the multi-county park

designation until the date this Agreement is terminated. The parties acknowledge and agree that the County's agreement to place and maintain the Land in a multi-county park may be subject to the exercise of discretion by a governmental entity other than the County and the exercise of that discretion is not controlled by the County.

ARTICLE IV

INVESTMENT BY COMPANY IN PROJECT; MAINTENANCE AND MODIFICATION OF PROJECT

Section 4.01. Investment by Company in Project.

(a) For the Project, Sponsor agrees and commits to invest at least two million five hundred thousand dollars ($2,500,000) in Economic Development Property by the end of the Investment Period. The investment amount shall not include any amount paid by Sponsor, Sponsor Affiliate or any other Co-Investor for real estate improvements on the Land existing as of the date of this Agreement. Investments made by Sponsor, Sponsor Affiliate, and any other Co-Investor in Economic Development Property shall be included in any determination of whether Sponsor has fulfilled its commitment made in this Section 4.01(a) to invest in the Project.

(b) For the Project, together with any Sponsor Affiliates, Sponsor agrees and commits to the following aggregate Jobs Commitment: the creation and maintenance of the number of Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, at the following employment levels and in the designated timeframes:

(1) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than sixty-three (63) in calendar year 2020 through calendar year 2022, and

(2) to have employed in Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, an average of not less than sixty-eight (68) in calendar year 2023 through calendar year 2026.

The number of Full-Time Jobs shall be based on the average number of Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, for each month during the year.

Section 4.02. Reporting and Filing.

(a) The Companies agree to provide a copy of Form PT-443 filed with the Department of Revenue no later than thirty (30) days after execution and delivery of this Agreement to the Auditor, Treasurer and Assessor of the County and any multi-county park partner county and the Economic Development Director of the County. Each year during the term of this Agreement, the Company shall deliver to the Auditor, Treasurer and Assessor of the County and any multi-county park partner county and the Economic Development Director of the County a copy of its most recent annual filings made with the Department of Revenue with respect to the Project, no later than thirty (30) days following delivery thereof to the Department of Revenue.

(b) (1) Sponsor agrees, as soon as reasonably practicable following the end of each tax year of the Sponsor, to submit to the County Economic Development Director a certification on Sponsor letterhead listing the amount of capital investment and aggregate Full-Time Jobs maintained by the Company at the end of such tax year.

(2) For purposes of determining compliance with the Jobs Commitment, Sponsor agrees to provide to the County Economic Development Director, by January 30 of each year, a copy of all of Sponsors' filings with the State (if required to file by the State) for the preceding calendar year including: (*i*) reports submitted to the South Carolina Coordinating Council for Economic Development with respect to any Job Development Credits awarded in connection with the Project; (*ii*) Department of Revenue Form SC SCH. TC 4 (New Jobs Credit); and (*iii*) South Carolina Department of Employment and Workforce quarterly contribution and wage reports (such as Form UCE 120). Sponsor agrees to redact any personally identifying information and proprietary and confidential information prior to submitting any form to the County Economic Development Director. In lieu of providing any of the forms specifically identified in this subsection, Sponsor and the County Economic Development Director may agree on an alternative method for Sponsor to demonstrate compliance with the Jobs Commitment.

(c) (1) Sponsor and Sponsor Affiliate agree to maintain such books and records with respect to the Project as will permit the identification of those portions of the Project placed in service in each Property Tax Year during the Investment Period, the amount of investment with respect thereto and its computations of all FILOT Payments made hereunder and will comply with all reporting requirements of the State and the County applicable to property subject to FILOT Payments under the Act and this Agreement, including the reports described in subsection (a) and (b) of this section.

(2) Sponsor and Sponsor Affiliate agree that the County and its authorized agents have the right at all reasonable times and upon prior reasonable notice to enter upon and examine and inspect the Project and to have access to and examine and inspect all of the Sponsor's and Sponsor Affiliate's books and records pertaining to the Project. The right of examination and inspection shall be exercised only upon reasonable and necessary terms and conditions prescribed by Sponsor or Sponsor Affiliate, as applicable, to protect such company's confidentiality and proprietary rights. Any such entrance upon and examination and inspection of the Project shall be at the County's expense.

(d) The County acknowledges and understands that Sponsor and Sponsor Affiliate may have and maintain at the Project certain confidential and proprietary information, including, but not limited to, trade secrets, financial, sales or other information concerning either Sponsor's or Sponsor Affiliate's operations and processes ("Confidential Information") and that any disclosure of the Confidential Information could result in substantial harm to Sponsor or Sponsor Affiliate and could have a significant detrimental impact on either company's employees and also upon the County. Except as required by law, including, without limitation, court orders, the County agrees to use its best reasonable efforts to keep confidential, and to cause employees, agents and representatives of the County to keep confidential, the Confidential Information which may be obtained from Sponsor and Sponsor Affiliate, its agents or representatives, when the Confidential Information is clearly marked and identified as Confidential Information and known to the County

to be Confidential Information. The County shall not knowingly and willfully disclose and shall cause all employees, agents and representatives of the County not to knowingly and willfully disclose the marked and identified Confidential Information to any person or entity other than in accordance with the terms of this Agreement. If a demand is made for the release, under color of law, to a third party of any Confidential Information, the County shall notify Sponsor and Sponsor Affiliate and give the Companies the opportunity to contest the release.

Section 4.03 Modification of Project.

As long as no Event of Default exists hereunder, Sponsor, Sponsor Affiliate, and any other Co-Investor shall have the right at any time and from time to time during the Term hereof to undertake any of the following:

(i) Sponsor, Sponsor Affiliate, and any other Co-Investor may, at its own expense, add to the Project any real and personal property as such Person in its discretion deems useful or desirable.

(ii) In any instance where Sponsor, Sponsor Affiliate, or any other Co-Investor, in its discretion, determines that any items included in the Project have become inadequate, obsolete, worn out, unsuitable, undesirable, or unnecessary for operations at the Project, then such company or such other Co-Investor may remove such items or portions from the Project and sell, trade in, exchange, or otherwise dispose of them (as a whole or in part) without the consent of the County, as such may be permitted under the Simplified FILOT Act.

(iii) Sponsor, Sponsor Affiliate and any other Co-Investor may, at any time in its discretion by written notice to the County, remove any real or personal property from the Negotiated FILOT set forth in this Agreement, and thereafter such property will be considered Non-Qualifying Property and will be subject to FILOT Payments as set forth in Section 5.01(b)(i) hereof.

ARTICLE V

PAYMENTS IN LIEU OF TAXES

Section 5.01. Payments in Lieu of *Ad Valorem* Taxes.

(a) In accordance with the Act, the parties hereby agree that, during the Term of the Agreement, the Sponsor, Sponsor Affiliate, and any other Co-investor shall pay annually, with respect to its portion of the Project, a FILOT in the amount calculated as set forth in this Section, to be collected and enforced in accordance with Section 12-44-90 of the Act.

(b) The FILOT Payment due with respect to each Property Tax Year shall equal:

(i) With respect to any portion of the Project consisting of undeveloped land, land under development, other property not yet placed in service or Non-Qualifying Property, if any, as long as such property is located in the Multi-County Park, a payment equal to the *ad valorem* taxes that would otherwise be due on such Non-Qualifying Property if it were taxable

giving effect to all credits, exemptions, depreciation, rebates and abatement that would be available if such Non-Qualifying Property were taxable; and

(ii) With respect to those portions of the Project consisting of Economic Development Property, for each of the twenty (20) consecutive years following the year in which such portion of the Project is placed in service, a payment calculated each year as set forth in paragraphs (c) and (d) of this Section 5.01 (a "Negotiated FILOT").

(c) The Negotiated FILOT Payments shall be calculated with respect to each Property Tax Year based on: (1) the fair market value (determined in accordance with Section 12-44-50(A)(1)(c) of the Code) of the improvements to real property and Equipment included within the Project theretofore placed in service (less, for Equipment, depreciation allowable for property tax purposes as provided in Section 12-44-50(A)(1)(c) of the Code), (2) a fixed millage rate equal to 338.15 mills, for the Term, and (3) an assessment ratio of six percent (6%). All such calculations shall take into account all deductions for depreciation or diminution in value allowed by the Code or by the tax laws generally, as well as tax exemptions which would have been applicable if such property were subject to *ad valorem* taxes, except the exemption allowed pursuant to Section 3(g) of Article X of the South Carolina Constitution and the exemptions allowed pursuant to Sections 12-37-220(B)(32) and (34) of the Code.

(d) Special Source Revenue Credits shall be provided for the Economic Development Property in amounts equal to fifty-eight percent (58%) of Negotiated FILOT Payments for seven (7) consecutive years beginning not later than with the Negotiated FILOT Payment due without penalty by January 15, 2022 and ending not later than with the Negotiated FILOT Payment due without penalty by January 15, 2028. Company agrees to maintain a membership in the Lancaster County Chamber of Commerce in any year in which it receives a Special Source Revenue Credit pursuant to this Section 5.01(d). At no time shall the aggregate Special Source Revenue Credits provided pursuant to this Section 5.01(d) exceed the aggregate cost of Infrastructure Improvements incurred by Sponsor, Sponsor Affiliate and any other Co-Investors. The Special Source Revenue Credit provided in this Section 5.01(d) applies only to the Economic Development Property and does not apply to the Non-Qualifying Property or to any other property.

(e) The FILOT Payments are to be recalculated:

(i) to reduce such payments in the event Sponsor, Sponsor Affiliate, or any other Co-Investor disposes of any part of the Project within the meaning of Section 12-44-50(B) of the Code and as provided in Section 4.03 hereof, by the amount applicable to the Released Property;

(ii) to increase such payments, based on the methodology set forth in Section 5.01(c) hereof, in the event Sponsor, Sponsor Affiliate, or any other Co-Investor adds property (other than Replacement Property) to the Project; or

(iii) to adjust such payments if Sponsor, Sponsor Affiliate, or any other Co-Investor elects to convert any portion of the Project from the Negotiated FILOT to the FILOT required by Section 5.01(b)(i) above, as permitted by Section 4.03(iii).

(f) To the extent permitted by law, because the FILOT Payments agreed to herein are intended to be paid by the Sponsor, Sponsor Affiliate, and any other Co-Investor to the County in lieu of taxes, it is agreed that said FILOT Payments shall not, as to any year, be in any amount greater than what would otherwise be payable by the Sponsor, Sponsor Affiliate, and any other Co-Investor to the County in property taxes if the Sponsor, Sponsor Affiliate, and any other Co-Investor had not entered into a fee-in-lieu of taxes arrangement with the County (except it is not intended that said FILOT Payments would necessarily be less than such property taxes to the extent that the exceptions allowed pursuant to Section 3(g) of Article X of the South Carolina Constitution and the exemptions allowed pursuant to Sections 12-37-220(B)(32) and (34) of the Code would otherwise apply).

(g) Upon the installation of any Replacement Property by Sponsor, Sponsor Affiliate or any other Co-Investors for any portion of the Project removed under Section 4.03 hereof and sold, scrapped, or disposed of by the respective company, such Replacement Property shall become subject to Negotiated FILOT Payments to the fullest extent allowed by law, subject to the following rules:

(i) Replacement Property does not have to serve the same function as the Economic Development Property it is replacing. Replacement Property is deemed to replace the oldest property subject to the FILOT, whether real or personal, which is disposed of in the same Property Tax Year as the Replacement Property is placed in service. Replacement Property qualifies for Negotiated FILOT Payments up to the original income tax basis of the Economic Development Property which it is replacing. More than one piece of property can replace a single piece of property. To the extent that the income tax basis of the Replacement Property exceeds the original income tax basis of the Economic Development Property which it is replacing, the excess amount is subject to payments equal to the *ad valorem* taxes which would have been paid on such property but for this Agreement. Replacement property is entitled to the FILOT Payment for the period of time remaining on the FILOT period for the property which it is replacing.

(ii) The new Replacement Property which qualifies for the Negotiated FILOT Payment shall be recorded using its income tax basis, and the Negotiated FILOT Payment shall be calculated using the millage rate and assessment ratio provided on the original property subject to the FILOT Payment.

(h) In the event that the Act or the FILOT or any portion thereof, are declared, by a court of competent jurisdiction following allowable appeals, invalid or unenforceable, in whole or in part, for any reason, the Companies and the County express their intentions that such payments be reformed so as to afford the Companies the maximum benefit then permitted by law, including, without limitation, the benefits afforded under Section 12-44-50 of the Code and, specifically, that the Companies may, at the Companies' expense, exercise the rights granted by Section 12-44-160 of the Code. If the Project is deemed not to be eligible for a Negotiated FILOT pursuant to the Act in whole or in part, the Companies and the County agree that the Companies shall pay an alternate fee-in-lieu of tax calculated in the manner set forth in Section 5.01(b)(i) hereof. In such event, the Companies shall be entitled, to the extent permitted by law: (1) to enjoy the five-year exemption from *ad valorem* taxes (or fees in lieu of taxes) provided by Section 3(g) of Article X of the South Carolina Constitution, and any other exemptions or credits allowed by law; and (2) to

enjoy all allowable depreciation. The Companies agree that if the FILOT Payments or this Agreement are reformed pursuant to this subsection (h), that under no circumstance shall the County be required to refund or pay any monies to the Companies.

(i) For the Project, this Agreement is automatically terminated in the event that the investment in the Project in land, buildings, and personal property, including machinery and equipment, does not meet or exceed the level set in Section 2.02(d) above by the end of the Investment Period. If terminated pursuant to this subsection (i), the Negotiated FILOT Payments shall revert retroactively to payments equivalent to what the *ad valorem* taxes would have been with respect to the Economic Development Property absent this Agreement. At the time of termination, the Companies and any other Co-Investors shall pay to the County an additional fee equal to the difference between the total amount of property taxes that would have been paid by the Companies and any other Co-Investors had the Economic Development Property been taxable, taking into account exemptions from property taxes and depreciation that would have been available to the Companies and any other Co-Investors, and the total amount of Negotiated Fee Payments actually made by the Companies and any other Co-Investors. This additional amount is subject to interest as provided in Section 12-54-25. The Companies agree if the Negotiated FILOT Payments revert to payments equivalent to what the *ad valorem* taxes would be pursuant to this subsection (i), that under no circumstance shall the County be required to refund or pay any monies to the Companies and any other Co-Investors.

(j) Notwithstanding any other provision of this Agreement, (i) with respect to calendar year 2020 through calendar year 2022, the Special Source Revenue Credits provided in Section 5.01(d) above are not applicable in any year immediately following a year in which the Company has failed to maintain an average of at least sixty-three (63) Full-Time Jobs, and (ii) with respect to calendar year 2023 through calendar year 2026, the Special Source Revenue Credits provided in Section 5.01(d) above are not applicable in any year immediately following a year in which the Company has failed to maintain an average of at least sixty-four (64) Full-Time Jobs. The Companies agree that the Special Source Revenue Credits for a year that is calendar year 2023 or later shall be reduced to the extent that Sponsor fails to meet the Jobs Commitment but has maintained an average of not less than sixty-four (64) Full-Time Jobs. Specifically, in any year that is calendar year 2023 or later in which Sponsor fails to meet the Jobs Commitment, the Special Source Revenue Credits shall be reduced in the same proportion as the ratio of (i) the number of Full-Time Jobs maintained above sixty-three (63) to (ii) five (5). For example, if for the calendar year 2024, the Jobs Commitment is to have not less than an average of sixty-eight (68), but the Company employed an average of sixty-six (66), which is only three (3) more than sixty-three (63), then the Special Source Revenue Credits would be set at 60% (3 divided by 5 equals 60%) of 58% which results in Special Source Revenue Credits of 34.8% (60% times 58% equals 34.8%). In any year in which the Companies must pay an additional fee as required in Section 5.01(k) below, the Companies and any other Co-Investor are ineligible for the Special Source Revenue Credits provided for in Section 5.01(d).

(k) In any year after December 31, 2020 in which the Company fails to have employed an average of at least ten (10) individuals in full-time jobs (*i.e.*, each at least thirty (30) hours per week and all with health care benefits), the Companies and any other Co-Investor shall pay to the County an additional fee equal to the difference between the Negotiated FILOT Payments made

by the Companies and any other Co-Investor and the FILOT Payment that would be due for the Economic Development Property if calculated, notwithstanding the provisions of Section 5.01(c) above, using the then current millage rate and the assessment ratios that would be applicable to the Economic Development Property if it were subject to *ad valorem* taxes (the "Hypothetical FILOT Payment").

As an example of the calculation set forth in this subsection (k), and by way of example only, assume Economic Development Property is first placed in service with respect to the Project in 2021, and that in the tax year ending December 31, 2024, that the maintained number of Full-Time Jobs was 8, that the millage rate applicable for tax bills to be sent in the following year is 375, and all of the Economic Development Property would have a 10.5% assessment ratio applied if such property were subject to *ad valorem* taxation, then, the Hypothetical FILOT Payment would be computed using the millage rate of 375 (instead of 338.15) and the 10.5% assessment ratio for the Economic Development Property instead of 6%.

(l) Unless otherwise provided by the Act, any amounts due to the County under this Section 5.01 by virtue of the application of subsections (h) through (k) above shall be paid within one hundred twenty (120) days, following written notice thereof from the County to the applicable company or any other Co-Investor.

(m) Notwithstanding any other provision of this Agreement, the Companies acknowledge and agree that County's obligation to provide the FILOT incentive and the Special Source Revenue Credits ends, and this Agreement is terminated, if the Sponsor ceases operations. For purposes of this Section 5.01(m), "**cease operations**" means permanent closure of the facility. The Companies agree that if this Agreement is terminated pursuant to this Section 5.01(m), that under no circumstance shall the County be required to refund or pay any monies to the Companies and any other Co-Investor.

ARTICLE VI

PAYMENTS BY COMPANIES

Section 6.01. Defaulted Payments. In the event Sponsor or Sponsor Affiliate should fail to make any of the payments required under this Agreement, the item or installment so in default shall continue as an obligation of Sponsor or Sponsor Affiliate, as applicable, until the amount in default shall have been fully paid. The Companies agree that the collection and enforcement of the defaulted payment shall be as provided in Section 12-44-90 of the Code.

ARTICLE VII

CASUALTY AND CONDEMNATION

Section 7.01. Adjustments in the Event of Damage and Destruction or Condemnation. In the event that the Project or any portion thereof is damaged or destroyed, lost or stolen, or the subject of condemnation proceedings, Sponsor and Sponsor Affiliate, as applicable and in its sole discretion, may determine whether or not to repair or replace the same. The parties hereto agree that if Sponsor or Sponsor Affiliate decides not to repair or replace all or any portion

of the Project pursuant to this Section 7.01, the FILOT required pursuant to Section 5.01 hereof shall be abated in the same manner and in the same proportion as if *ad valorem* taxes were payable with respect to the Project.

ARTICLE VIII

PARTICULAR COVENANTS AND AGREEMENTS

Section 8.01. Use of Project for Lawful Activities. During the Term of this Agreement, the Companies shall use the Project for the purposes identified in Section 2.02(f) of this Agreement and for any lawful purpose that is authorized pursuant to the Act.

Section 8.02. Assignment. The County agrees that, to the maximum extent allowable under the Act, Sponsor, Sponsor Affiliate and any other Co-Investor may assign (including, without limitation, absolute, collateral, and other assignments) all or a part of its rights or obligations under this Agreement, and any lease agreement, lease purchase agreement, or fee agreement, as the case may be, or any other agreement related hereto or thereto, or transfer any and all assets of the respective company, to one or more Related Entities (as defined in Section 9.01 below) without adversely affecting the benefits of the respective company or its assignees pursuant to any such agreement or the Act. Each company shall provide the County and the Department of Revenue with notice of any such assignment, transfer, or investment in accordance with the Act and this Agreement, and the County agrees, upon the request of the respective company, to take all further action necessary to implement such assignment, transfer, or investment in accordance with the provisions of the Act and this Agreement. To the extent that the Act may require the consent, approval or ratification of or by the County for the assignment of this Agreement, in whole or in part, the County agrees to provide its consent, approval or ratification by passage of a resolution of County Council and its consent, approval or ratification shall not be unreasonably withheld.

Section 8.03. Indemnification. Sponsor and Sponsor Affiliate each release the County, including the members of the governing body of the County, and the employees, officers, attorneys and agents of the County (herein collectively referred to as the "Indemnified Parties") from, agree that the Indemnified Parties shall not be liable for, and agree to hold the Indemnified Parties harmless against, any loss or damage to property or any injury to or death of any person that may be occasioned by any cause whatsoever pertaining to this Agreement, the Project or the use thereof, except for that occasioned by grossly negligent or intentional acts of an Indemnified Party. Sponsor and Sponsor each further agree to indemnify and save harmless Indemnified Parties against and from any and all costs, liabilities, expenses, and claims arising from any breach or default on the part of the Sponsor or Sponsor Affiliate in the performance of any covenant or agreement on the part of the Sponsor or Sponsor Affiliate to be performed pursuant to the terms of this Agreement or arising from any act or negligence of, or negligent failure to act where there is a duty to do so by the Sponsor or Sponsor Affiliate, or any of its agents, attorneys, contractors, servants, employees, or licensees, and from and against all cost, liability, and expenses incurred in or in connection with any such claim or action or proceeding brought thereon.

All covenants, stipulations, promises, agreements, and obligations of the County contained herein shall be deemed to be covenants, stipulations, promises, agreements, and obligations of the County and not of any member of the County Council or any officer, agent, attorney, servant, or employee of the County in his or her individual capacity, and, no recourse shall be had for the payment of any moneys hereunder or the performance of any of the covenants and agreements of the County herein contained or for any claims based thereon against any member of the governing body of the County or any officer, attorney, agent, servant, or employee of the County.

Notwithstanding the fact that it is the intention of the Indemnified Parties hereto that none of them shall incur any pecuniary liability by reason of the terms of this Agreement, any related agreements or the undertakings required of the County hereunder by reason of the performance of any act requested of the County by Sponsor or Sponsor Affiliate, including all claims, liabilities, or losses arising in connection with the violation of any statutes or regulations pertaining to the foregoing, nevertheless, if any Indemnified Party shall incur any such pecuniary liability, then in such event Sponsor and Sponsor Affiliate shall indemnify and hold them harmless against all claims by or on behalf of any Person, firm, or corporation or other legal entity arising out of the same and all costs and expenses incurred in connection with any such claim or in connection with any action or proceeding brought thereon, *provided, however,* that nothing herein shall absolve the Indemnified Parties from, or entitle the Indemnified Parties to indemnification from, any obligation such Indemnified Party has specifically agreed to undertake (including, without limitation, the obligation to place and maintain the Land within a multi-county park). If any action, suit, or proceeding is brought against any Indemnified Party to which such Indemnified Party is entitled to indemnification, such Indemnified Party shall promptly notify the Companies, and Sponsor and Sponsor Affiliate shall have the right and duty to assume, and shall assume, the defense thereof, at its expense, with full power to litigate, compromise, or settle the same in its sole discretion; *provided,* that the Companies shall obtain the prior written consent of the County to settle any such claim unless such claim is for monetary damages for which the Companies have the ability to, and does, pay. Notwithstanding the foregoing, if the Indemnified Party is the County, in the event the County reasonably believes there are defenses available to it that are not being pursued or that the counsel engaged by the Companies reasonably determines that a conflict of interest exists between the County and the Companies, the County may, in its sole discretion, hire independent counsel to pursue its own defense, and the Companies shall be liable for the reasonable cost of such counsel.

The indemnity specified in this Section 8.03 shall be in addition to any heretofore extended by the Companies to any Indemnified Party and shall survive the termination of this Agreement with respect to liability arising out of any event or act occurring prior to such termination.

Section 8.04. Sponsor and Sponsor Affiliates. Sponsor may designate from time to time other Sponsors or Sponsor Affiliates pursuant to the provisions of Sections 12-44-30(19) or (20), respectively, and Section 12-44-130 of the Simplified FILOT Act, which Sponsors or Sponsor Affiliates shall be Persons who join with the Companies and any other Co-Investor and make investments with respect to the Project, or who participate in the financing of such investments, who agree to be bound by the terms and provisions of this Agreement and who shall be Affiliates of Sponsor, Sponsor Affiliate or other Sponsors or Sponsor Affiliates, or other Persons described in Section 8.02 hereof. All other Sponsors or Sponsor Affiliates who otherwise

meet the requirements of Section 12-44-30(19) or (20) and Section 12-44-130 of the Simplified FILOT Act must be approved by passage of a resolution of County Council. To the extent that the aggregate investment in the Project by the end of the Investment Period by all Sponsors, Sponsor Affiliates and any other Co-Investors exceeds $5,000,000, to the extent permitted by Section 12-44-30(19) of the Simplified FILOT Act, all investment by such Sponsors, Sponsor Affiliates, and any other Co-Investors during the Investment Period shall qualify for the FILOT pursuant to Section 5.01 of this Agreement (subject to the other conditions set forth therein) regardless of whether each such entity invested amounts equal to the minimum investment requirement set forth in the Simplified FILOT Act. Sponsors shall provide the County and the Department of Revenue with written notice of any other Sponsor or Sponsor Affiliate designated pursuant to this Section 8.04 within ninety (90) days after the end of the calendar year during which any such Sponsor or Sponsor Affiliate has placed in service property to be used in connection with the Project and subject to the Negotiated FILOT Payment, all in accordance with Section 12-44-130(B) of the Simplified FILOT Act. The parties agree that, if any Sponsor or Sponsor Affiliate does not become or ceases to remain party to this Agreement, the Agreement shall continue to remain in effect with respect to any remaining Sponsors or Sponsor Affiliates.

ARTICLE IX

FINANCING ARRANGEMENTS; CONVEYANCES; ASSIGNMENTS

Section 9.01. Conveyance of Liens and Interests; Assignment. Sponsor, Sponsor Affiliate and any other Co-Investor may at any time: (a) transfer all or any of its rights and interests hereunder or with respect to the Project to any Person; or (b) enter into any lending, financing, security, or similar arrangement or succession of such arrangements with any financing entity with respect to the Agreement or the Project, including without limitation any sale, leaseback, or other financing lease arrangement; *provided*, that, in connection with any of the foregoing transfers: (*i*) except in connection with any transfer to an Affiliate of Sponsor, Sponsor Affiliate, or any other Co-Investor (collectively, the "Related Entities"), or transfers pursuant to clause (b) above (as to which such transfers the County hereby consents), Sponsor, Sponsor Affiliate, or any other Co-Investor shall first obtain the prior written consent or subsequent ratification of the County, as evidenced by passage of a resolution by County Council which shall not be unreasonably withheld, conditioned or delayed; (*ii*) except where a financing entity, which is the income tax owner of all or part of the Project, is the transferee pursuant to clause (b) above and such transferee or financing entity assumes in writing the obligations of the respective company hereunder, or where the County consents in writing, no such transfer shall affect or reduce any of the obligations of the respective company hereunder, but all obligations of the company hereunder shall continue in full force and effect as the obligations of a principal and not of a guarantor or surety; (*iii*) Sponsor, Sponsor Affiliate, and any other Co-Investor, transferee, or financing entity shall, within 60 days thereof, furnish or cause to be furnished to the County and the Department of Revenue a true and complete copy of any such transfer agreement; and (*iv*) the Sponsor, Sponsor Affiliate, or any other Co-Investor and the transferee shall comply with all other requirements of the Transfer Provisions.

Sponsor and Sponsor Affiliate acknowledge that a transfer of an interest under this Agreement or in the Project may cause the Project to become ineligible for a Negotiated FILOT

Payment or result in penalties under the Act absent compliance by the applicable company with the Transfer Provisions.

Section 9.02. Relative Rights of County and Financing Entities as Secured Parties. The parties acknowledge the application of the provisions of Section 12-44-90 of the Act, and that the County's right to receive FILOT Payments hereunder shall be the same as its rights conferred under Title 12, Chapter 49 and 54, among others, of the Code relating to the collection and enforcement of *ad valorem* property taxes. The County's rights under this Agreement, except for its rights to receive FILOT Payments, shall be subordinate to the rights of any secured party or parties under any financing arrangements undertaken by the Company with respect to the Project pursuant to Section 9.01 hereof, such subordination to be effective without any additional action on the part of the County; *provided, however,* that the County hereby agrees, at the Company's expense, to execute such agreements, documents, and instruments as may be reasonably required by such secured party or parties to effectuate or document such subordination.

ARTICLE X

TERM; TERMINATION

Section 10.01. Term. Unless sooner terminated pursuant to the terms and provisions herein contained, this Agreement shall be and remain in full force and effect for a term commencing on the date set forth above, and ending at midnight on the last day of the Property Tax Year in which the last Negotiated FILOT Payment is due hereunder. This Agreement has a term of twenty (20) years, as calculated pursuant to the respective dates when the relevant portions of the Project are placed in service. The County's rights to receive indemnification and payment of Administration Expenses pursuant hereto shall survive the expiration or termination of this Agreement.

Section 10.02. Termination. The parties may agree to terminate this Agreement at any time, or the Sponsor may, at its option, terminate this Agreement at any time upon providing the County thirty (30) days' notice of such termination, in which event the Project shall be subject to *ad valorem* taxes from the date of termination. The County's rights to receive indemnification and payment of Administration Expenses pursuant hereto shall survive the expiration or termination of this Agreement pursuant to this Section 10.02.

ARTICLE XI

EVENTS OF DEFAULT AND REMEDIES

Section 11.01. Events of Default by Companies.

(a) Any one or more of the following events (herein called an "Event of Default", or collectively "Events of Default") shall constitute an Event of Default, but solely with respect to the defaulting company (the "Defaulting Company"):

(1) if default shall be made by the Defaulting Company in the due and punctual payment of any FILOT Payments, indemnification payments, or Administration Expenses, which

default shall not have been cured within (thirty) 30 days following receipt of written notice thereof from the County; or

(2) if default shall be made by the Defaulting Company in the due performance of or compliance with any of the terms hereof, including payment, other than those referred to in the foregoing paragraph (1), and such default shall continue for ninety (90) days after the County shall have given the Defaulting Company written notice of such default, *provided,* the Defaulting Company shall have such longer period of time as necessary to cure such default if the Defaulting Company proceeds promptly to cure such default and thereafter to prosecute the curing of such default with due diligence; and *provided, further,* that no Event of Default shall exist under this paragraph (2) during any period when there is pending, before any judicial or administrative tribunal having jurisdiction, any proceeding in which the Defaulting Company has contested the occurrence of such default.

(b) The failure of the Companies to meet the Jobs Commitment set forth herein shall not be deemed to be an Event of Default under this Agreement.

Section 11.02. Remedies on Event of Default by a Company. Upon the occurrence of any Event of Default, the County may exercise any of the following remedies, any of which may be exercised at any time during the periods permitted under the following clauses:

(a) terminate this Agreement with respect to the Defaulting Company by delivery of written notice to the Defaulting Company not less than thirty (30) days prior to the termination date specified therein;

(b) have access to and inspect, examine, and make copies of the books, records, and accounts of the Company pursuant to Section 4.02(c); or

(c) take whatever action at law or in equity as may appear necessary or desirable to collect the amounts then due and thereafter to become due or to enforce observance or performance of any covenant, condition, or agreement of the Defaulting Company under this Agreement.

Section 11.03. Default by County. Upon the default of the County in the performance of any of its obligations hereunder, each company may take whatever action at law or in equity as may appear necessary or desirable to enforce its rights under this Agreement, including without limitation, a suit for mandamus or specific performance.

ARTICLE XII

MISCELLANEOUS

Section 12.01. Rights and Remedies Cumulative. Each right, power, and remedy of the County or of Sponsor, Sponsor Affiliate, or any other Co-Investor provided for in this Agreement shall be cumulative and concurrent and shall be in addition to every other right, power or remedy provided for in this Agreement or now or hereafter existing at law or in equity, in any jurisdiction where such rights, powers and remedies are sought to be enforced; and the exercise by the County or by the Sponsor, Sponsor Affiliate, or any other Co-Investor of any one or more of

the rights, powers or remedies provided for in this Agreement or now or hereafter existing at law or in equity or by statute or otherwise shall not preclude the simultaneous or later exercise by the County or by the Sponsor, Sponsor Affiliate, or any other Co-Investor of any or all such other rights, powers or remedies.

Section 12.02. Successors and Assigns. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns as permitted hereunder.

Section 12.03. Intentionally Omitted.

Section 12.04. Administration Expenses.

(a) Sponsor, for so long as it is a tenant of Sponsor Affiliate, and thereafter, Sponsor Affiliate, agrees to reimburse the County from time to time for its Administration Expenses promptly upon written request therefore, but in no event later than thirty (30) days after receiving the written request from the County. The written request shall include a description of the nature of the Administration Expenses. The Administration Expenses reimbursable to the County pursuant to this Section 12.04(a) for the initial drafting and negotiation of this Agreement and any related documents shall not exceed seven thousand five hundred dollars ($7500.00), which shall be paid by Sponsor.

(b) Sponsor, for so long as it is a tenant of Sponsor Affiliate, and thereafter, Sponsor Affiliate, agrees to reimburse the County for expenses incurred by the County for accountants and similar experts used by the County in the computation, preparation and verification of the annual FILOT Payments and any special source revenue credits, *provided, however*, the maximum annual reimbursement pursuant to this subsection is capped at five hundred and no/100 dollars ($500.00), which shall be paid by Sponsor for so long as it is a tenant of the Sponsor Affiliate, and thereafter, by Sponsor Affiliate.

Section 12.05. Rules of Construction. The County and the Companies acknowledge and agree that each has been represented by legal counsel of its choice throughout the negotiation and drafting of this Agreement, that each has participated in the drafting hereof and that this Agreement will not be construed in favor of or against either party solely on the basis of such party's drafting or participation in the drafting of any portion of this Agreement.

Section 12.06. Notices; Demands; Requests. All notices, demands and requests to be given or made hereunder to or by the County or the Companies shall be in writing and shall be deemed to be properly given or made if sent by United States first class mail, postage prepaid or via facsimile or other commonly-used electronic transmission or reputable courier service, addressed as follows or to such other persons and places as may be designated in writing by such party.

(a) As to the County:

County of Lancaster, South Carolina
ATTN. Steve Willis, County Administrator

101 N. Main St. (29720)
P.O. Box 1809 (29721-1809)
Lancaster, South Carolina
Phone: (803) 416-9300
Email: swillis@lancastercountysc.net

With a copy to (which shall not constitute notice):

Mr. Jamie Gilbert
Economic Development Director, Lancaster County
P.O. Box 1809
Lancaster, South Carolina 29721
Phone: (803) 286-3633
Fax: (803) 416-9497
Email: jgilbert@lancastercountysc.net

(b) As to the Sponsors / Sponsor Affiliates:

[redacted]

[redacted]

With a copy, in each case, to (which shall not constitute notice):

Womble Bond Dickinson (US) LLP
Attention: Stephanie Few
5 Exchange Street
Charleston,SC 29401
Phone: 843-720-4621
Email: stephanie.few@wbd-us.com

Section 12.07. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State.

Section 12.08. Entire Understanding. This Agreement expresses the entire understanding and all agreements of the parties hereto with each other, and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not

expressly set forth in this Agreement or in certificates delivered in connection with the execution and delivery hereof.

Section 12.09. Severability. In the event that any clause or provision of this Agreement shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 12.10. Headings; References. The headings of the Agreement are for convenience of reference only and shall not define or limit the provisions hereof or affect the meaning or interpretation hereof. All references in this Agreement to particular articles or sections or paragraphs of this Agreement are references to the designated articles or sections or paragraphs of this Agreement.

Section 12.11. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute one and the same instrument.

Section 12.12. Amendments. Subject to the limitations set forth in the Act, this Agreement may be amended, or the rights and interest of the parties hereunder surrendered, only by a writing signed by all parties.

Section 12.13. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

Section 12.14. Force Majeure. The Companies and any other Co-Investor shall not be responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, labor shortages, fire, floods, inability to obtain materials, conditions arising from government orders or regulations, war or national emergency, acts of God, and any other cause, similar or dissimilar, beyond the company's reasonable control.

SIGNATURE PAGES FOLLOWS.

IN WITNESS THEREOF, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and behalf by the Council Chair and Council Secretary and to be attested by the Clerk to Council; and the Companies have caused this Fee Agreement to be executed by its duly authorized officers, all as of the day and year first above written.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

COMPANIES SIGNATURES FOLLOW ON NEXT PAGE.

[redacted]
a [redacted] limited liability company

[redacted]

[redacted],
a [redacted] corporation

[redacted]

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Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1913 / Planning Case Number: RZ-2024-0584
Contact Person / Sponsor: M. Blaszyk / Planning Department
Department: Planning
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Application by Carlos Sanchez to rezone 2.56 acres located at the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) to Medium Density Residential (MDR), in order to develop for single-family residential use.

Strategic Plan Focus Area Alignment:

Points to Consider:
The applicant has requested to rezone a 2.56-acre property at the intersection of Reid Point and Country Acres Road, Indian Land. The intent is to develop the property as residential.

The main discussion point for the proposal was how the density between the Urban Residential Zoning District and Medium Density Residential Zoning District differs. The maximum density for Urban Residential is 4 dwelling units per acre. The maximum dwelling units per acre in Medium Density Residential is 2.5 dwelling units per acre.

Staff was able to explain to the Planning Commission that the minimum developable size for an Urban Residential parcel is 25 acres, making it unbuildable with its 2.56 acre size.

Funding and Liability Factors:

Recommendation:
At the Planning Commissions May Regular Meeting, the proposal received a unanimous recommendation for approval. Staff also recommended approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1913	6/5/2024	Ordinance
Staff Report	5/13/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Recorded Plat	4/23/2024	Exhibit
Recorded Deed	4/23/2024	Exhibit
Reid Point Master Plan	4/23/2024	Exhibit
Public Hearing Notice for Ordinance 2024-1913 (Planning Department Case Number: RZ-2024-0584)	5/22/2024	Public Hearing Notices

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1913**
COUNTY OF LANCASTER)

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY 2.56 ACRES (TM# 0006-00-072.04), WHICH IS LOCATED AT THE INTERSECTION OF COUNTRY ACRES DR AND REID POINTE AVE, FROM URBAN RESIDENTIAL (UR) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICT

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Carlos Sanchez applied to rezone a 2.56-acre parcel of real property (TM# 0006-00-072.04) owned by Carlos Sanchez, being located along country Acres Dr at the intersection of Reid Pointe Ave, from Urban Residential (UR) District to Medium Density Residential (MDR) District to use the property for residential uses. The site is currently undeveloped.

(b) On May 21, 2024, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 6-0 vote, recommended approval of the rezoning request as presented.

(c) The Future Land Use Category of the subject property is "Growth Area". The newly adopted Comprehensive Plan states that *Growth Areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares."* The requested MDR district is consistent with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Urban Residential (UR) District to Medium Density Residential (MDR) District), for the following property as identified by tax map numbers or other appropriate identifiers:

Tax Map No. (TM# 0006-00-072.04), located along country Acres Dr at the intersection of Reid Pointe Ave, Lancaster.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: June 10, 2024
Public Hearing: June 10, 2024
Second Reading: June 24, 2024
Third Reading: July 15, 2024

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

PROPOSAL: Request to rezone 2.56 acres

PROPERTY LOCATION: Intersection of Reid Point and Country Acres Road
(TM# 0006-00-072.04)

CURRENT ZONING DISTRICT: Urban Residential (UR) District

PROPOSED ZONING DISTRICT: Medium Density Residential (MDR) District

APPLICANT: Carlos Sanchez

COUNCIL DISTRICT: District 4, Jose Luis

STATUTORY NOTICES: Sign posted 05/03/2024
Hearing notice published 05/04/2024 in The Lancaster News
Mailed notices 04/24/2024
Posted agenda in lobby and online: 05/14/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 2.56-acre property at the intersection of Reid Point and Country Acres Road, Indian Land. The intent is to develop the property as residential.

Site Information/ Parcel History

The 2.56-acre parcel is currently vacant. It was formerly part of the Reid Point Development to the east, designated as future commercial property. It was found that there were no regulations set in place for this parcel to remain as open space. This parcel was purchased by Carlos Sanchez in November of 2023.

Summary of Adjacent Zoning and Uses

The property is surrounded by a mix of residential and commercial zoning and uses.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	GB	Small Businesses (Ft. Mill Hwy)
South	Lancaster County	MDR; UR	Residential; Reid Pointe
East	Lancaster County	UR	Reid Pointe Development
West	Lancaster County	MDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the UR District. Pursuant to UDO Chapter 2.3, the UR District is *"…established to accommodate a variety of housing types in a neighborhood setting with a density of 4 dwellings units per acre. The regulations of this district are intended to provide areas of the community for those persons desiring urban-sized in relatively high density neighborhoods within walking or biking distance from mixed-use centers."*

Requested MDR

Pursuant to UDO Chapter 2.3, the requested MDR District *"… is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district."*

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by MDR, GB and UR districts. The surrounding uses are primarily residential and commercial in nature.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is "Growth Area". The newly adopted Comprehensive Plan states that Growth Areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares." The requested MDR district is consistent with the Comprehensive Plan.

INFRASTRUCTURE CONSIDERATIONS

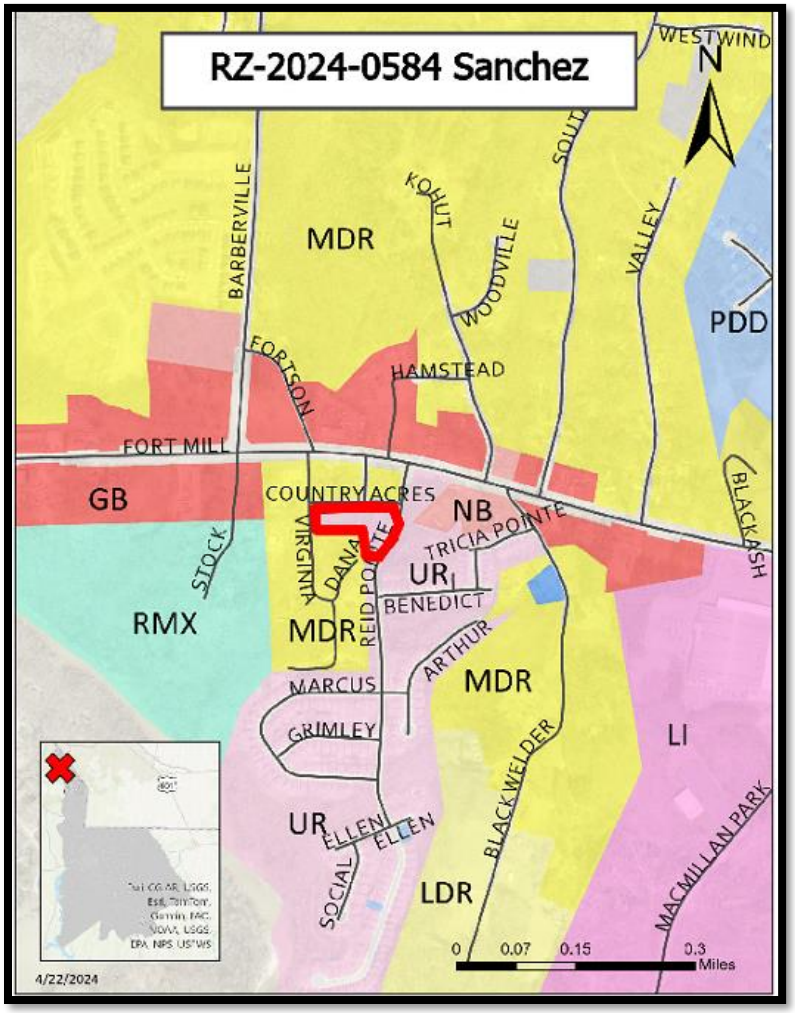
Public Utilities

The parcel has access to water on site provided by the Lancaster County Water and Sewer District, sewer lines are located nearby.

Access

The parcel currently has access to Country Acres Drive, a County road, and to Reid Pointe Avenue which is a private road.

PHOTOS OF PROJECT AREA:



Aerial view of subject property outlined in red



facing – subject parcel off Reid Point Ave



facing – subject parcel off Country Acres Drive



facing – subject parcel off Reid Point Ave

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 2.56 acres the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) District to Medium Density Residential (MDR) District, pursuant to the following conditions:

1. That the subject project consists of the following parcel: TM# 0006-00-072.04;
2. That the subject property is currently zoned UR District and proposed to be rezoned MDR District;
3. The nearby uses are residential and commercial in nature;
4. That the subject property has a Future Land Use designation of Growth Area; and
5. That the proposed MDR District is Compatible with the Comprehensive Plan;

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. Recorded Plat
4. Deed
5. Reid Pointe Master Plan

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380

Lancaster County
South Carolina

Planning Department
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lancastercountysc.net
www.mylancastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address Country Acres

City Fort Mill State SC Zip 29707 Tax Parcel ID 0006 00 072 04

Current Zoning "UR" Current Use N/A

Proposed Zoning MDR Total Acres 2.56 acres.

Project Description Divid the 256 acres into 4 lots (10,000 square feet) to build houses or single home. Need to rezone - was zoned UR as part of neighboring project

Surrounding Property Description Reid Point, Sanchez Rd. and houses in front of property located on Country Acres Dr.

CONTACT INFORMATION

Applicant Name Carlos Sanchez Flores Mariela Sanchez

Address 2900 Eppington South Drive 803-762-6833

City Fort Mill State SC Zip 29708 Phone 803-554-1902

Fax _____ Email Carlossanchez202323@yahoo.com

Property Owner Name Carlos Sanchez, Carlos Julian Sanchez

Address 2900 Eppington South Drive

City Fort Mill State SC Zip 29708 Phone 803-554-1902

Fax _____ Email Carlossanchez202323@yahoo.com

Tax Map: 0006 00 072 04

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant _____ Date _____

Property Owner(s) Carla Faulkner 01/17/2024 Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. **Submit Application**

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- After preliminary review, staff will determine when the case can be scheduled for a hearing with Planning Commission.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel $435.00
- Rezoning Application Fee – multi parcel $610.00

2. **Planning Commission**

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. **County Council**

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

Experiencing Lancaster County, SC through GIS Technology

Parcel Summary

Parcel ID	0006-00-072.04
Account #	102939
Millage Group	01 - County - County
Land Size	2.556 ACRES
Location Address	FORT MILL HWY Indian Land 29707
Zoning	
Neighborhood	3
Property Use Code	Land Only (NLN)
Plat Book	2023
Plat Page	313
Block#	
Lot#	1

Scanned Property Card

Property Card

Note: Property Cards are current as of 4/1/2020 and are no longer updated

Owner Information

SANCHEZ CARLOS FLORES
PO BOX 823
FORT MILL SC 29716

SANCHEZ CARLOS JULIAN
PO BOX 823
FORT MILL SC 29716

Land Information

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
LandOnly (NLN)	2.56	ACRES	SITE	0	0	

Sales Information

Sale Date	Sale Price	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
11/21/2023	$45,000	DEED	1730	338	Qualified	Improved	YW PROPERTIES LLC	SANCHEZ CARLOS FLORES
2/9/2023	$529,455	DEED	1634	192	Qualified	Improved	SOUTHEASTERN LAND INVESTMENTS LLC	YW PROPERTIES LLC
4/4/2005	$987,120	DEED	277	174	Qualified	Improved	CAROLINA DRVELOPMENT OF CCHARLOT	SOUTHEASTERN LAND INVESTMENTS LLC

No data available for the following modules: Commercial Building Information, Building Information, Mobile Home Information, Accessory Information, Assessed Values, Photos, Sketches.

The data contained on this site is intended for information purposes only. It is based on the best information available at the time of posting and is not warranted. The data may not reflect the most current records.
| User Privacy Policy | GDPR Privacy Notice
Last Data Upload: 3/12/2024, 10:29:18 AM

Contact Us

Developed by Schneider GEOSPATIAL

Lancaster County
South Carolina

Experiencing Lancaster County, SC through GIS Technology



Overview



Legend

- Parcels
- Roads

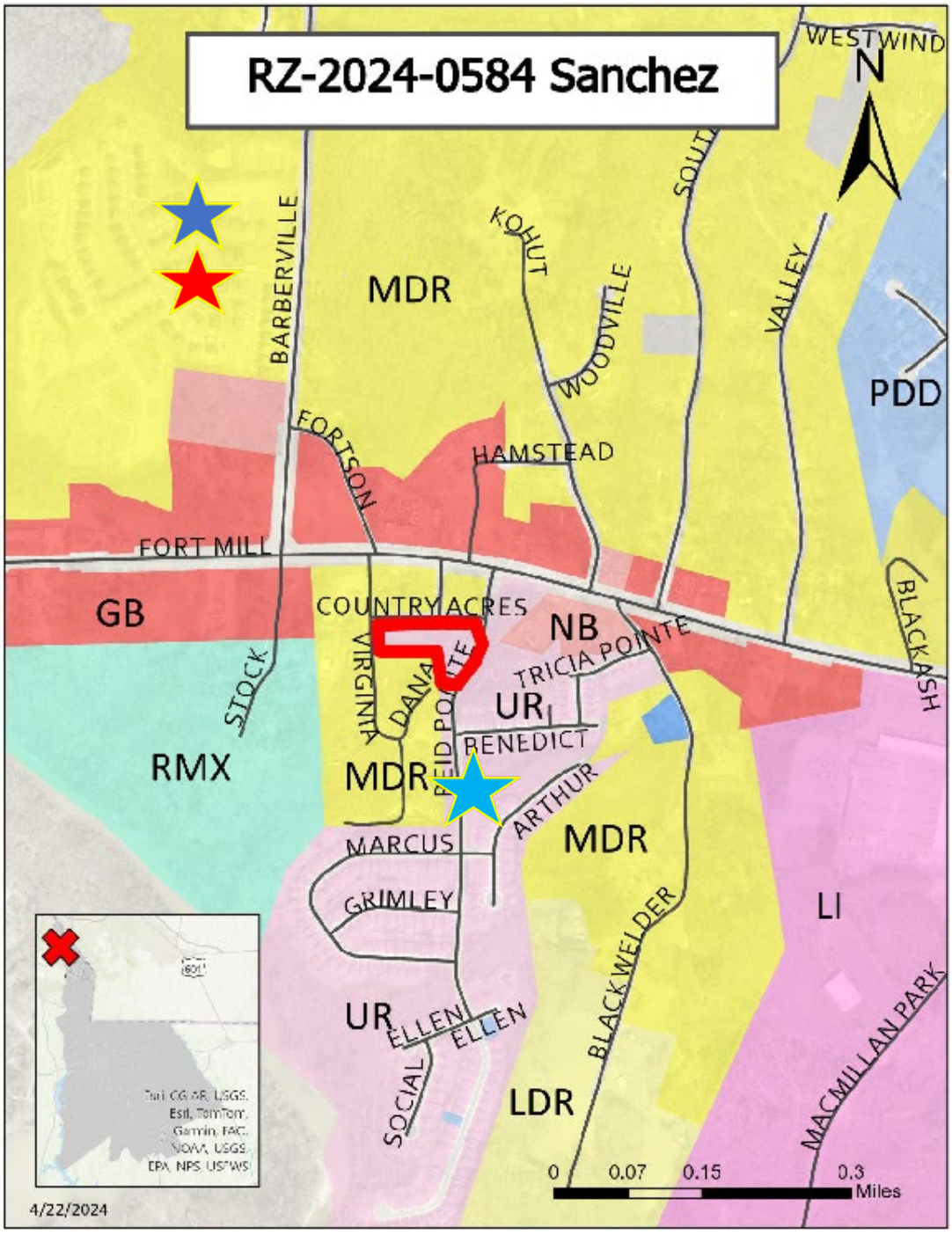
Zoning Districts

- AR
- CITY
- GB
- HDR
- HI
- HSPRGS
- IMX
- INS
- KER
- LDR
- LI
- M
- MDR
- MH
- MX
- NB
- OSP
- PB
- PDD
- RB
- RMX
- RN
- RR
- RUB
- UR

Parcel ID	0006-00-072.04		**Owner**	SANCHEZ CARLOS FLORES	**Last 2 Sales**			
Class Code	Land Only			SANCHEZ CARLOS JULIAN	**Date**	**Price**	**Reason**	**Qual**
Taxing District	County			PO BOX 823	11/21/2023	$45000	TRUE SALE	Q
	INDIAN LAND			FORT MILL, SC 29716	2/9/2023	$529455	TRUE SALE	Q
Land Size	2.56	ACRES	**Physical Address**	FORT MILL HWY				
			Assessed Value					

(Note: Not to be used on legal documents)

Date created: 3/12/2024
Last Data Uploaded: 3/12/2024 10:29:18 AM



Proposal:
Rezoning UR to MDR

Lancaster County
South Carolina

Reid Pointe Development

Bethel Freewill Baptist Church

Overlook at Barber Rock

Subject Property

GENERAL NOTES:

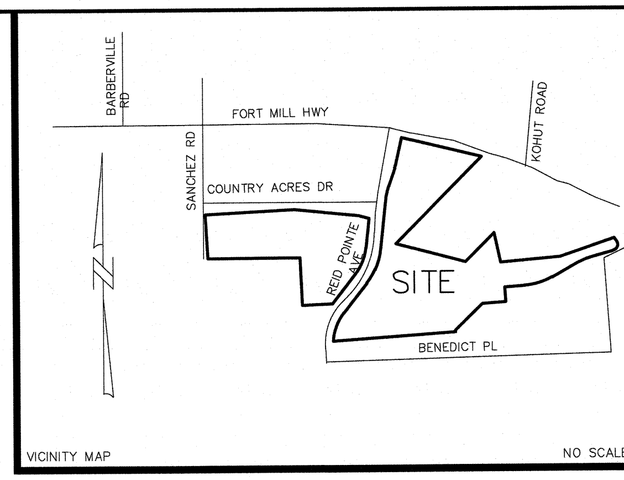
1. NO ZONING LETTER PROVIDED
2. HORIZONTAL CONTROL ESTABLISHED WITH GPS USING SCGS VRS NETWORK. HORIZONTAL DATUM– SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM SCSPCS(NAD 83/2011).
3. ALL ROADS WILL BE PUBLIC, PRIVATELY MAINTAINED (AS NOTED).
4. SANITARY SEWER WILL BE PUBLIC AND CONSTRUCTED TO LANCASTER COUNTY WATER AND SEWER DISTRICT STANDARDS.
5. #5 REBARS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
6. SUBJECT TRACT ADDRESS: FORT MILL HWY., INDIAN LAND, S.C. 29707
7. SUBJECT TRACT DEED/PLAT REFERENCE: DB 1634 PG 192; PB 2005 PG 189.
8. SUBJECT TRACT TAX PARCEL: #0006–00–072.00.
9. SURVEY COMPLETED: JANUARY 26, 2023.
10. AREA COMPUTATION BY COORDINATE METHOD.
11. PLAT IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHTS–OF–WAY, UTILITIES AND COVENANTS WHICH MAY BE OF RECORD.
12. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND UNLESS OTHERWISE NOTED.
13. COMMON OPEN SPACE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION OR ITS ASSIGNS.
14. EASEMENTS HAVING A MINIMUM WIDTH OF AT LEAST TEN (10') WIDE AND LOCATED ALONG THE FRONT, SIDE, OR REAR LOT LINES SHALL BE PROVIDED AS REQUIRED FOR UTILITY LINES AND UNDERGROUND MAINS AND CABLES (5' EACH SIDE OF LOT LINE).
15. PROPOSED FIRE HYDRANTS, SIDEWALKS AND DRIVEWAYS NOT FIELD LOCATED, LOCATIONS TAKEN FROM PLANS BY ESP ASSOCIATES, INC.
16. PROPERTY OWNERS ARE JOINTLY AND SEVERALLY LIABLE FOR COMPLIANCE WITH LANCASTER COUNTY STANDARDS AND REGULATIONS REGARDING COMMON AREA/OPEN SPACE MAINTENANCE INCLUDING, BUT NOT LIMITED TO, ALLEYS, DETENTION PONDS, AND TREES AND LANDSCAPING.
17. NO OWNER/DEVELOPER/CONTRACTOR SHALL PLACE ANY PART OF A STRUCTURE, PERMANENT EQUIPMENT, PERMANENT RETAINING WALL, OR IMPOUNDMENT WITHIN A PUBLIC UTILITY EASEMENT DEDICATED TO THE COUNTY. FENCES AND WALLS MAY BE PERMITTED WITHIN PUBLIC UTILITY EASEMENTS WITH APPROVAL FROM THE COUNTY THROUGH AN ENCROACHING PERMIT.
18. THIS FINAL PLAT IS SUBJECT TO A PERFORMANCE GUARANTEE, WHICH MEANS THAT ALL REQUIRED PUBLIC IMPROVEMENTS ARE NOT COMPLETED. ISSUANCE OF BUILDING PERMITS PRIOR TO THE COMPLETION OF PUBLIC IMPROVEMENTS SUBJECT TO THE PERFORMANCE GUARANTEE SHALL OCCUR AT THE SOLE DISCRETION OF LANCASTER COUNTY. IN THE EVENT THE DEVELOPER DEFAULTS AND THE COUNTY MUST COMPLETE THE IMPROVEMENTS, THE DEVELOPER WILL BE ASSESSED ANY DIFFERENCE IN THE AMOUNT OF THE PERFORMANCE GUARANTEE AND THE ACTUAL CONSTRUCTION COST.
19. NO EVIDENCE OF OBVIOUS OR APPARENT CEMETERIES OR BURIAL GROUNDS WERE OBSERVED BY THE SURVEYOR AT THE TIME OF SURVEY. INFORMATION OF THEIR EXISTENCE AND LOCATION WAS NOT FURNISHED TO THE SURVEYOR PRIOR TO OR DURING THE PERFORMANCE OF THE SURVEY.
20. BOTH SUBJECT TRACTS ARE GRAPHICALLY LOCATED IN ZONE "X" AREAS OF MINIMAL FLOOD HAZARD. AS SHOWN ON FEMA FIRM COMMUNITY PANEL NUMBER #45057C0020E, HAVING AN EFFECTIVE DATE OF 5/16/2017.

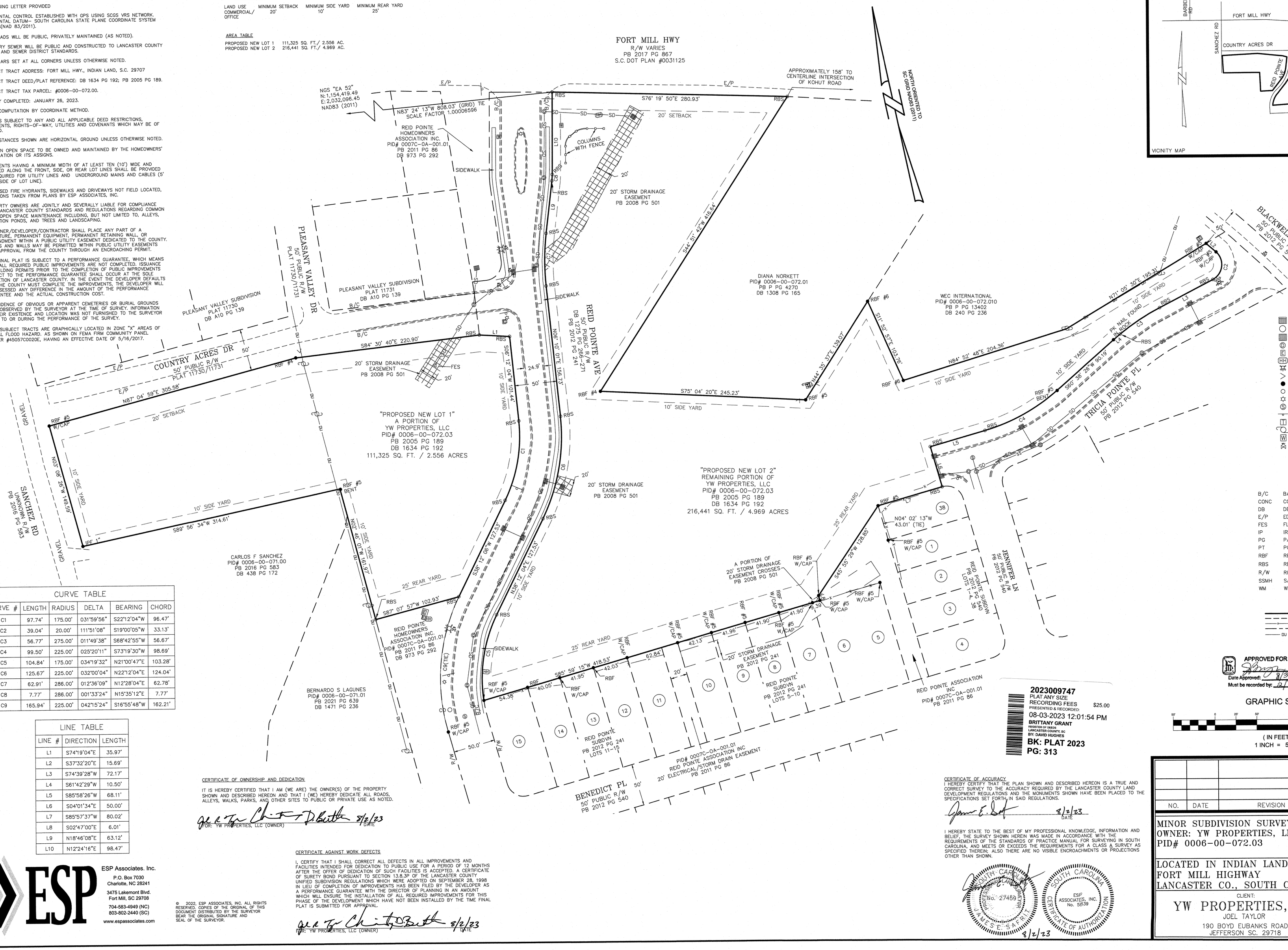
SETBACKS PER ZONING PDD–16 ORDINANCE #629

LAND USE	MINIMUM SETBACK	MINIMUM SIDE YARD	MINIMUM REAR YARD
COMMERCIAL/ OFFICE	20'	10'	25'

AREA TABLE

PROPOSED NEW LOT 1 111,325 SQ. FT./ 2.556 AC.
PROPOSED NEW LOT 2 216,441 SQ. FT./ 4.969 AC.





CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	97.74'	175.00'	031°59'56"	S22°12'04"W	96.47'
C2	39.04'	20.00'	111°51'08"	S19°00'05"W	33.13'
C3	56.77'	275.00'	011°49'38"	S68°42'55"W	56.67'
C4	99.50'	225.00'	025°20'11"	S73°19'30"W	98.69'
C5	104.84'	175.00'	034°19'32"	N21°00'47"E	103.28'
C6	125.67'	225.00'	032°00'04"	N22°12'04"E	124.04'
C7	62.91'	286.00'	012°36'09"	N12°28'04"E	62.78'
C8	7.77'	286.00'	001°33'24"	N15°35'12"E	7.77'
C9	165.94'	225.00'	042°15'24"	S16°55'48"W	162.21'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S74°19'04"E	35.97'
L2	S37°32'20"E	15.69'
L3	S74°39'28"W	72.17'
L4	S61°42'29"W	10.50'
L5	S85°58'26"W	68.11'
L6	S04°01'34"E	50.00'
L7	S85°57'37"W	80.02'
L8	S02°47'00"E	6.01'
L9	N18°46'08"E	63.12'
L10	N12°24'16"E	98.47'

SYMBOL LEGEND

- CATCH BASIN (CB)
- CLEAN OUT (CO)
- DROP INLET (DI)
- DRAINAGE MH
- EBOX
- HANDHOLE
- EXISTING HYDRANT
- GUY
- REBAR FOUND
- REBAR SET
- LIGHT POLE
- SEWER MANHOLE
- SINGLE POLE SIGN
- TELPHONE PEDESTAL
- UTILITY POLE
- WATER METER (WM)
- WATER VALVE

ABBREVIATIONS

B/C	BACK OF CURB
CONC	CONCRETE
DB	DEED BOOK
E/P	EDGE OF PAVEMENT
FES	FLARED END SECTION
IP	IRON PIPE or IRON PIN
PG	PAGE
PT	POINT
RBF	REBAR FOUND
RBS	REBAR SET
R/W	RIGHT OF WAY
SSMH	SANITARY SEWER MANHOLE
WM	WATER METER

LINETYPE LEGEND

- BOUNDARY/LOT LINES
- ADJOINING BOUNDARY OR LOT LINE
- FENCE LINE
- RIGHT OF WAY LINE
- OU OVERHEAD ELECTRIC LINE

CERTIFICATE OF OWNERSHIP AND DEDICATION

IT IS HEREBY CERTIFIED THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY DEDICATE ALL ROADS, ALLEYS, WALKS, PARKS, AND OTHER SITES TO PUBLIC OR PRIVATE USE AS NOTED.

FOR: YW PROPERTIES, LLC (OWNER) DATE 8/2/23

CERTIFICATE AGAINST WORK DEFECTS

I, CERTIFY THAT I SHALL CORRECT ALL DEFECTS IN ALL IMPROVEMENTS AND FACILITIES INTENDED FOR DEDICATION TO PUBLIC USE FOR A PERIOD OF 12 MONTHS AFTER THE OFFER OF DEDICATION OF SUCH FACILITIES IS ACCEPTED. A CERTIFICATE OF SURETY BOND PURSUANT TO SECTION 13.8.3P OF THE LANCASTER COUNTY UNIFIED SUBDIVISION REGULATIONS WHICH WERE ADOPTED ON SEPTEMBER 28, 1998 IN LIEU OF COMPLETION OF IMPROVEMENTS HAS BEEN FILED BY THE DEVELOPER AS A PERFORMANCE GUARANTEE WITH THE DIRECTOR OF PLANNING IN AN AMOUNT WHICH WILL ENSURE THE INSTALLATION OF ALL REQUIRED IMPROVEMENTS FOR THIS PHASE OF THE DEVELOPMENT WHICH HAVE NOT BEEN INSTALLED BY THE TIME FINAL PLAT IS SUBMITTED FOR APPROVAL.

FOR: YW PROPERTIES, LLC (OWNER) DATE 8/2/23

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE LANCASTER COUNTY LAND DEVELOPMENT REGULATIONS AND THE MONUMENTS SHOWN HAVE BEEN PLACED TO THE SPECIFICATIONS SET FORTH IN SAID REGULATIONS.

8/2/23 DATE

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

SOUTH CAROLINA PROFESSIONAL ENGINEER JAMES E. SAFFIT No. 27459 — SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR ESP ASSOCIATES, INC. No. 5839 CERTIFICATE OF AUTHORIZATION

8/2/23

APPROVED FOR RECORDING
Planning Official
Date Approved: 8/3/2023
Must be recorded by: 8/3/2024

GRAPHIC SCALE

50' 0 25' 50' 100' 200'

(IN FEET)
1 INCH = 50 FT.

202309747
PLAT ANY SIZE
RECORDING FEES $25.00
PRESENTED & RECORDED:
08-03-2023 12:01:54 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: DAVID HUGHES
BK: PLAT 2023
PG: 313

PLAT BK 2023 PG 313

NO.	DATE	REVISION	BY

MINOR SUBDIVISION SURVEY
OWNER: YW PROPERTIES, LLC
PID# 0006–00–072.03

LOCATED IN INDIAN LAND
FORT MILL HIGHWAY
LANCASTER CO., SOUTH CAROLINA

CLIENT:
YW PROPERTIES, LLC
JOEL TAYLOR
190 BOYD EUBANKS ROAD
JEFFERSON SC. 29718

PROJECT NO KX41
SCALE 1"=50'
DATE MAY 31, 2023
DRAWN BY GEJ/JDB
CHECKED BY YES
DATE SURVEYED JANUARY 26, 202
DRAWING NO
Y PROPERTIES (KX41) SUBDIVISION

SHEET 1 OF 1

ESP
ESP Associates, Inc.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-4949 (NC)
803-802-2440 (SC)
www.espassociates.com

© 2022, ESP ASSOCIATES, INC. ALL RIGHTS RESERVED. COPIES OF THE ORIGINAL OF THIS DOCUMENT DISTRIBUTED BY THE SURVEYOR BEAR THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR.

RECORDED THIS 29th DAY
OF NOVEMBER, 2023
IN BOOK 00 PAGE 00

Auditor, Lancaster County, SC

Prepared By
& Return
Solorzano
111 Clebu
Suite 230
Fort Mill,

LANCASTER COUNTY, SC
2023014628 DEED
RECORDING FEES $15.00
STATE TAX $117.00
COUNTY TAX $49.50
PRESENTED & RECORDED
11-22-2023 08:38:25 AM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER, COUNTY SC
By: TERRY PARKMAN
BK:DEED 1730 PG:338-341

LANCASTER COUNTY GIS
Tax Map:
0006 00 072 04

----------Space Above This Line For Recording Data----------

STAT)
)
COU) **TITLE TO REAL ESTATE**

KNOW ALL MEN BY THESE PRESENTS that **YW Properties, LLC, a South Carolina limited liability company** ("Grantor") in the State aforesaid, for and in consideration of the sum of FORTY FIVE THOUSAND AND 00/100 DOLLARS ($45,000.00), the receipt and sufficiency of which is here acknowledged, **subject to easements, restrictions, covenants, and conditions of record, including matters shown on recorded plats**, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said:

Carlos Flores Sanchez and Carlos Julian Sanchez CJ CJS

as Joint Tenants with Rights of Survivorship and not as tenants in common ("Grantee"), Grantee's heirs, successors and assigns forever, all Grantor's right, title and equitable or legal interest in and to the following described real property:

See Attached "Exhibit A" for Property Description

Tax Map No: A portion of 0006-00-072.03

Address of Grantee: P.O Box 823
Fort mill SC 29715

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantee, his, her, its or their Heirs, Successors and Assigns, forever.

AND THE GRANTOR does hereby promise, for themselves and Grantor's heirs, successors, assigns, and representatives, to warranty and forever defend the above premises unto the said Grantee and Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, successors, and assigns and against any person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 21st day of November, 2023.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

GRANTOR:

YW PROPERTIES, LLC,
a South Carolina limited liability company

Joel R. Taylor, Member

Christopher D. Butler, Member

Lyric Chapman
Witness # One

Witness #Two/Notary

STATE OF SOUTH CAROLINA
COUNTY OF YORK

I, Andrea Solorzano Johnson, Notary Public, do hereby certify that Joel R. Taylor and Christopher D. Butler, Members of YW Properties, LLC, a South Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 21st day of November, 2023.

Official Signature of the Notary

Printed or typed name of Notary: Andrea Solorzano Johnson

My Commission Expires: 07/26/31

ANDREA S. JOHNSON
NOTARY PUBLIC
My Commission Expires
July 26, 2031
SOUTH CAROLINA

STATE OF SOUTH CAROLINA }
COUNTY OF LANCASTER } AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property was transferred by YW Properties, LLC, a South Carolina limited liability company to Carlos Flores Sanchez and Carlos Julian Sanchez on 11/ 21 /2023.

3. Check one of the following: The deed is
   (A) [✔] subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
   (B) [ ] subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity , or is a transfer to a trust or as distribution to a trust beneficiary.
   (C) [ ] exempt from the deed recording fee because (See Information section of affidavit): _____ (Explanation required)
   (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)
   If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes [ ] or No [ ]

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
   (A) [✔] The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $45,000.00.
   (B) [ ] The fee is computed on the fair market value of the realty which is _____.
   (C) [ ] The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check YES [ ] or NO [✔] to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.

6. The deed recording fee is computed as follows:
   (A) Place the amount listed in item 4 above here: $45,000.00
   (B) Place the amount listed in item 5 above here: _____
   (If no amount is listed, place zero here.)
   (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is: $166.50.

8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as: Joel R. Taylor, Member and Christopher D. Butler, Member.

I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

LYRIC CHAPMAN NOTARY PUBLIC SOUTH CAROLINA My Commission Expires August 3, 2033

Responsible Person Connected with the Transaction

Joel R Taylor
Print or Type Name Here

Sworn this 21st day of November 23
Lyric Chapman
Notary Public for SC
My Commission Expires: 08/03, 2033

Exhibit A

BEING ALL THAT CERTAIN PIECE, PARCEL, OR LOT OF LAND SITUATE, LYING AND BEING SOUTH OF COUNTRY ACRES DRIVE, AND WEST OF REID PONTE AVENUE, INDIAN LAND, LANCASTER COUNTY, SOUTH CAROLINA, BEING A PORTION OF PARCEL ID # 0006-00-072.03 AND DESIGNATED AS "PROPOSED NEW LOT 1" ON PLAT BY ESP ASSOCIATES, INC. RECORDED AUGUST 3, 2023 IN PLAT BOOK 2023 AT PAGE 313 IN THE OFFICE OF THE CLERK OF COURT FOR LANCASTER COUNTY, SC AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM SCGS MONUMENT "EA 52" HAVING SOUTH CAROLINA GRID COORDINATES NORTH: 1,154,419.49, EAST: 2,032,096.45 LOCATED ON THE SOUTH SIDE OF FORT MILL HIGHWAY, THENCE S 20° 19' 19" E FOR A DISTANCE OF 375.01 FEET TO A #5 REBAR WITH A CAP FOUND IN THE SOUTHERN RIGHT OF WAY OF COUNTRY ACRES DRIVE (HAVING A 50' PUBLIC RIGHT PER PLAT 11730) AND BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING, CONTINUING WITH THE SAID RIGHT OF WAY FOR THE NEXT (3) COURSES AND DISTANCES, N 87° 04' 59" E FOR A DISTANCE OF 305.58 FEET TO A #4 REBAR IN THE RIGHT OF WAY OF COUNTRY ACRES DRIVE; THENCE S 84° 30' 40" E FOR A DISTANCE OF 220.90 FEET TO A SET #5 REBAR; THENCE S 74° 19' 04" E FOR A DISTANCE OF 35.97 FEET TO A SET #5 REBAR IN THE WESTERN RIGHT OF WAY OF REID POINTE AVENUE (HAVING A 50' PUBLIC RIGHT OF WAY PER DB 1275 PG 266-271). THENCE CONTINUING WITH THE SAID RIGHT OF WAY FOR THE NEXT (3) COURSES AND DISTANCES, S 06° 12' 04" W FOR A DISTANCE OF 101.44 FEET TO A SET #5 REBAR (THE BEGINNING OF A CURVE), SAID CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 97.74 FEET, HAVING A RADIUS OF 175.00 FEET, AND WHOSE LONG CHORD BEARS S 22° 12' 04* W FOR A DISTANCE OF 96.47 FEET TO A SET #5 REBAR (THE END OF THE CURVE). S 38° 12' 06" W FOR A DISTANCE OF 127.53 FEET TO A SET #5 REBAR. THENCE LEAVING SAID RIGHT OF WAY S 87° 07' 57" W FOR A DISTANCE OF 102.93 FEET TO A SET #5 REBAR AT THE COMMON CORNER WITH REID POINTE HOMEOWNERS ASSOCIATION INC (DB 973 PG 292), SOUTHEASTERN LAND INVESTMENTS, LLC (DB 277 PG 174) AND BERNARDO S. LAGUNES (DB 1471 PG 236); THENCE ALONG THE COMMON LINE OF BERNARDO S. LAGUNES (DB 1471 PG 236) AND CARLOS F. SANCHES (DB 438 PG 172) N 02° 46' 01" W FOR A DISTANCE OF 161.97 FEET TO A #5 REBAR. THENCE CONTINUING WITH THE LINE OF CARLOS F. SANCHEZ, S 89° 56' 34" W FOR A DISTANCE OF 314.61 FEET TO A 1" IRON PIN; THENCE RUNING ON THE EASTERN SIDE OF SANCHEZ ROAD (PLAT BOOK 2016 PAGE 583, UNKNOWN RIGHT OF WAY), N 03° 08' 26" W A DISTANCE OF 149.59 FEET TO A #5 REBAR WITH A CAP IN THE SOUTHERN RIGHT OF WAY OF COUNTRY ACRES DRIVE, BEING THE TRUE POINT OF BEGINNING. CONTAINING 111,325 SQUARE FEET OR 2.556 ACRES MORE OR LESS.

DERIVATION FOR INFORMATIONAL PURPOSES ONLY:

THIS BEING A PORTION OF THE SAME PROPERTY CONVEYED UNTO YW PROPERTIES LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY, BY DEED OF H&EG INVESTMENT MANAGEMENT, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY, DATED 2/9/2023 AND RECORDED 2/9/2023 IN BOOK 1634 AT PAGE 192 IN THE OFFICE OF THE CLERK OF COURT FOR LANCASTER COUNTY, SOUTH CAROLINA.

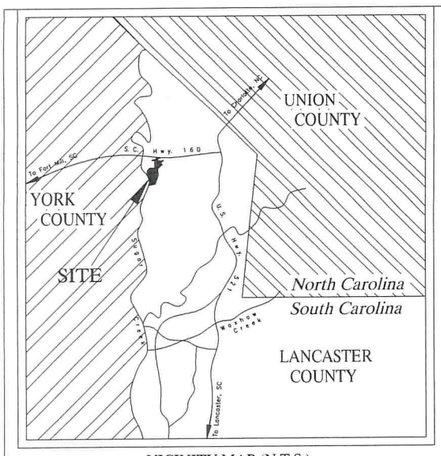
TAX ID NO: A PORTION OF 0006-00-072.03

Revised Master Plan

OVERALL MAP FOR

REID POINTE SUBDIVISION

INDIAN LAND TOWNSHIP
LANCASTER COUNTY, SOUTH CAROLINA
SEPTEMBER 4, 2013



VICINITY MAP (N.T.S.)

- 50' LOTS PH I MAP I
- 50' LOTS PH I MAP II
- 60' LOTS PH I MAP III
- OPENSPACE PH I MAP IV
- 70' LOTS PH I MAP V
- 50' LOTS PH I MAP VI
- 50' LOTS PH II MAP I
- 50' LOTS PH II MAP II
- 40' LOTS PH III MAP I
- 40' LOTS PH III MAP II
- 50' LOTS PH V MAP I

S. C. HWY 160 66' R/W

PLEASANT VALLEY DR.

COUNTRY ACRES DR.

FUTURE DEVELOPMENT

FUTURE DEVELOPMENT

BLACKWELDER RD.

TRICIA POINT PL.

JENNIFER LN.

PH III MAP II

PH V MAP I

OPEN SPACE

BENEDICT PLACE PH III MAP I

OPEN SPACE

ARTHUR ROAD PH I MAP III

OPEN SPACE

MARCUS STREET PH I MAP I

GRIMLEY LANE PH II MAPI

REID POINTE AVENUE

PH I MAP VI

MARCUS STREET PH I MAP II

OPEN SPACE/POOL PH I MAP IV

REID POINTE AVE

PH I MAP V

PH I MAP IV

PH I MAP V

ELLEN LANE

OPEN SPACE PH I MAP IV

CHARLEY LANE PH I MAP V

REID POINTE AVENUE PH II MAP II

E SUGAR CREEK

122

NORTH

Owned and Developed by:
Reid Pointe, LLC
1312 Matthews – Mint Hill Road
Matthews, North Carolina 28105
Phone:(704) 321-2802
Fax:(704) 321-2806
Contact: Harry Grimmer

KECK & WOOD, INC.
ENGINEERS SURVEYORS PLANNERS
215 HAMPTON STREET
SUITE 100
ROCK HILL, S.C. 29730
Phone: 803-326-3192
Fax: 803-324-9939

SCALE:	N.T.S.
DATE:	09-04-13
JOB NO:	046414
COMP. FILE:	H:\046414\Dwg\Overall Plan-Color 9-04-13.dwg

1 OF 1

RECEIVED
9-9-13

The Lancaster News

980 N Woodland Drive
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission and County Council will conduct public hearings on Tuesday, May 21, 2024 and Monday, June 10, 2024, respectively. The public hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. RZ-2024-0259: Application by Curative Professional LLC on behalf of owners James & Yen Ngo to rezone 3.63 acres located at Lodge Road (TM # 0008-00-069.07) from Low Density Residential (LDR) to General Business (GB) district, to allow development of medical offices, daycare and general commercial uses, in conjunction with adjacent parcel 0008-00-0067.00 (9.38 acres already zoned GB)

2. RZ-2024-0511: Application by Archie Niven and Sandra Niven Schmidt to rezone 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural Neighborhood (RN) to General Business (GB) district, to allow development of a gas station. Associated with CP-2024-0511 Comprehensive Plan/Future Land Use Amendment Application

3. RZ-2024-0584: Application by Carlos Sanchez to rezone 2.56 acres located at the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) to Medium Density Residential (MDR), in order to develop for single-family residential use.

4. RZ-2024-0627: Application by Courtney Lomax to rezone 5.80 acres at and adjacent to 1743 Lynwood Drive (TM # 0087G-0C-004.00) from Medium Density Residential (MDR) to General Business (GB) district, in order to renovate the existing structure as a daycare facility.

5. TA-2024-0162: (Continued) Application at the request of Council, to amend the Unified Development Ordinance at Sec. 2.5 Uses Permitted and Sec. 5.9 Industry/Wholesale/Storage Uses, to establish the newly adopted use "Non-Metallic Mineral Manufacture" as a Conditional Use

6. TA-2024-0789 (Ord. 2024-1896): Application at the request of Lancaster County Council to amend the Unified Development Ordinance at table 2.5, removing the item "Amusements- Indoor" from the Use Table.

The following item only requires one public hearing before the Lancaster County Planning Commission on Tuesday, May 21, 2024, at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. SD-2023-2224: Application by David Weekly Homes LLC, HHTF Company LLC and ESP Associates Inc for a preliminary plat for 112.48 acres off Vance Baker Road (TM# 0009-00-015.00) to develop a single-family residential subdivision of 91 lots. Deferred from 4/16/2024.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department located at 101 North Main Street, Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to the Planning Commission or to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (https://www.mylancastersc.org/), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on May 4th 2024.

SWORN to before me this 6th day of May, 2024

Ashley L Johnson

Notary Public for South Carolina
My Commission Expires: 01/20/2027

Ashley L Johnson NOTARY PUBLIC SOUTH CAROLINA

Newspaper Rep Signature Kristi Rea

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1914 / Planning Case Number: RZ-2024-0627
Contact Person / Sponsor: A. Hardin / Planning
Department: Planning
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Application by Courtney Lomax to rezone 5.80 acres at and adjacent to 1743 Lynwood Drive (TM # 0087G-0C-004.00) from Medium Density Residential (MDR) to General Business (GB) district, in order to renovate the existing structure as a daycare facility.

Strategic Plan Focus Area Alignment:

Points to Consider:
Day care centers are a need in the community.

Funding and Liability Factors:
None.

Recommendation:
Planning Commission Recommends Approval (6-0).

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1914	6/5/2024	Ordinance
Staff Report	5/13/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Recorded Plat	4/24/2024	Exhibit
Recorded Deed	4/24/2024	Exhibit
Public Hearing Notice for Ordinance 2024-1914 (Planning Department Case Number: RZ-2024-0627)	5/22/2024	Public Hearing Notices

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1914**
COUNTY OF LANCASTER)

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY 5.819 ACRES (TM# 0087G-0C-004.00), WHICH IS LOCATED AT 1743 LYNWOOD DR, FROM MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICT TO GENERAL BUSINESS (GB) DISTRICT FOR THE PURPOSE OF OPENING A DAY CARE CENTER.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Courtney Lomax applied to rezone a 5.819-acre parcel of real property (TM# 0087G-0C-004.00) owned by Courtney Lomax, being located at 1743 Lynwood Dr, from Medium Density Residential (MDR) District to General Business (GB) District use the property for a future day care center. This is the site of the former Lynwood United Methodist Church structure, which was removed in 2021; a residential structure remains on the site.

(b) On May 21, 2024, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 6-0 vote, recommended approval of the rezoning request as presented.

(c) The Future Land Use Category of the subject property is "Growth Area". The newly adopted Comprehensive Plan states that *Growth Areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares."* The requested GB district is consistent with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Medium Density Residential (MDR) District to General Business (GB) District, for the following property as identified by tax map numbers or other appropriate identifiers:

Tax Map No. (TM# 0087G-0C-004.00), located at 1743 Lynwood Dr, Lancaster.

Section 3. Severability.

If any section, subsection, or clause of this ordinance is held to be unconstitutional or otherwise

invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: June 10, 2024
Public Hearing: June 10, 2024
Second Reading: June 24, 2024
Third Reading: July 15, 2024

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

PROPOSAL:	Request to rezone 5.819 acres of property
PROPERTY LOCATION:	1743 Lynwood Drive (TM# 0087G-0C-004.00)
CURRENT ZONING DISTRICT:	Medium Density Residential (MDR) District
PROPOSED ZONING DISTRICT:	General Business (GB) District
APPLICANT:	Courtney Lomax
COUNCIL DISTRICT:	District 2, Charlene McGriff
STATUTORY NOTICES:	Hearing notice published 5/4/2024 in The Lancaster News Signs posted 5/3/2024 Mailed notices 4/26/2024 Posted agenda in lobby 5/14/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 5.819-acre parcel from Medium Density Residential (MDR) to General Business (GB). The intent is to allow the property to be renovated as a daycare facility.

Site History

The site was home to a church building that began in the late 1940s, when Lynwood United Methodist Church (UMC) was constructed on the donated acreage on Lynwood Dr. Over time, Lynwood UMC added a manse on the site to house the church's worship leaders.

In 2020, the congregations of Grace UMC and Lynwood UMC merged and decided to locate their worship services on the Grace UMC campus on Country Club Dr. The newly named Grace-Lynwood UMC secured a demo permit in May 2021 and subsequently removed the church structure from the Lynwood Drive property. The manse was left on site.

Attempts to sell the property under the zoning at the time (INS) were not successful, so in June 2023, the church petitioned the County to rezone the property from INS to the current MDR zone. The request was favorably reviewed and approved in September of the same year.

Site Information

The parcel is currently zoned for residential use at 2.5 units per acre (MDR). One residential structure is located on the site, and the remaining acreage is open.

The property is located at the intersection of Evans Drive and Lynwood Dr. There is a curb cut to the property on both streets.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by MDR and GB zoned properties. There are MDR parcels located across the street and GB parcels directly adjacent to the site.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	GB	Vacant
South	Lancaster County	MDR	Residential
East	Lancaster County	GB	Vacant
West	Lancaster County	MDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the MDR District. Pursuant to UDO Chapter 2.3, MDR District is *"…established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district."*

Requested GB

UDO Chapter 2.3 describes the requested GB District as *"… generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto- oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development."*

RELATIONSHIP TO PUBLIC PLANS

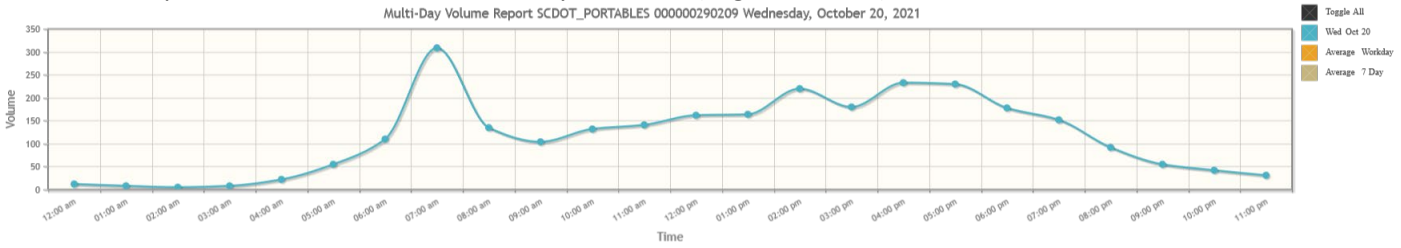
The Future Land Use Category of the subject properties is ***Growth***. The newly adopted Comprehensive Plan states that "***Growth Areas*** are intended to designate areas where growth should occur based on the availability of supportive infrastructure and land. These areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares. Supportive infrastructure required to provide development includes adequate roadways, water and sewer availability, school capacity, emergency services, and similar services."

The requested MDR District is compatible with the Future Land Use Category of "**Growth**" and the overall *Lancaster 2040 Comprehensive Plan.*

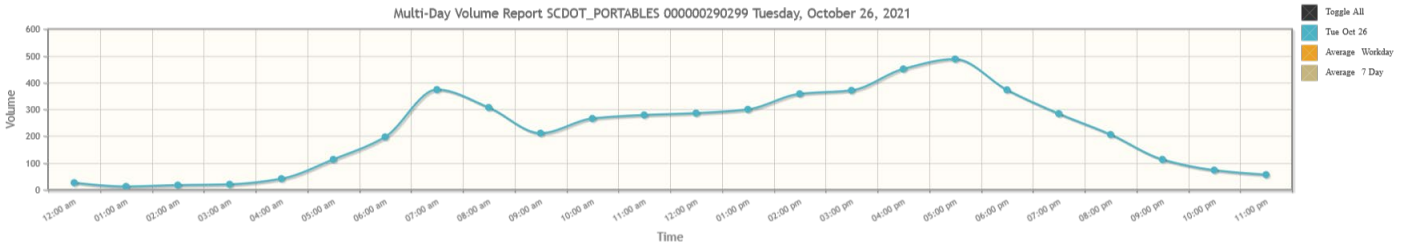
INFRASTRUCTURE CONSIDERATIONS

Transportation

The closest traffic count stations for Lynwood Dr include one on Lynwood Dr recorded in 2021, 1.77 miles south, at the point where Rum Creek crosses Lynwood Dr (avg 2400 ADTs):



…and 1.5 miles south, along McIlwain Rd between Pineview and Providence (avg 5600 ADTs), also recorded in 2021:



There are no issues with traffic generated from this request at this time. If the rezoning is approved, any proposed use other than single family residential may be required to provide a TIA prior to permit approval.

Public Utilities

LCWSD is currently providing water and sewer access to the site.

Public Schools

Elementary: Brooklyn Springs
Middle: South Middle
High: Lancaster High School

There are no known capacity concerns for the schools within this area pertaining to this change.

Public Safety

Fire District: McDonald Green Volunteer Fire Department
Fire Station Location: 2787 Lynwood Dr, approximately 2.5 miles from the subject property
Closest EMS Station: Station 3 / 1305 McIlwain Rd, approximately 1.1 miles from the subject property

PHOTOS OF PROJECT AREA:



An ariel view of the subject property



Facing residence off Lynwood Drive



Facing former church site and residence off Lynwood Drive

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 5.819 acres (TM# 0087G-0C-004.00) from Medium Density Residential (MDR) District to General Business (GB) District pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0087G-0C-004.00;
2. That the subject property abuts other properties in the area that are zoned for General Business (GB);
3. That the subject property has a Future Land Use designation "Growth;"
4. That the proposed GB District is generally consistent with the future land use and existing zoning in the area; and
5. That there is sufficient infrastructure (water, sewer, and roads) to support the proposed use after rezoning.

ATTACHMENTS:

1. Rezoning Application
2. Recorded Plat
3. Recorded Deed
4. Location Map/ Zoning Map

STAFF CONTACT:

Allison Hardin, Development Services Director | ahardin@lancastersc.net | 803-285-6005

Lancaster County
South Carolina

Planning Department
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lancastercountysc.net
www.mylancastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 1743 Lynwood Dr

City Lancaster State SC Zip 29720 Tax Parcel ID 0087G-0C-004.00

Current Zoning Residential Current Use Single family house

Proposed Zoning GB Total Acres 5.8 acres

Project Description Commercial Daycare facility

Surrounding Property Description GB

CONTACT INFORMATION

Applicant Name Courtney Lomax

Address 962 Wilson Dr

City Lancaster State SC Zip 29720 Phone 704 724 8269

Fax _____ Email Courtneylomax78@gmail.com

Property Owner Name Courtney Lomax

Address 962 Wilson Dr

City Lancaster State SC Zip 29720 Phone 704 724 8269

Fax _____ Email Courtneylomax78@gmail.com

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant _____ Date 3/19/2024

Property Owner(s) _____ Date _____

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. **Submit Application**

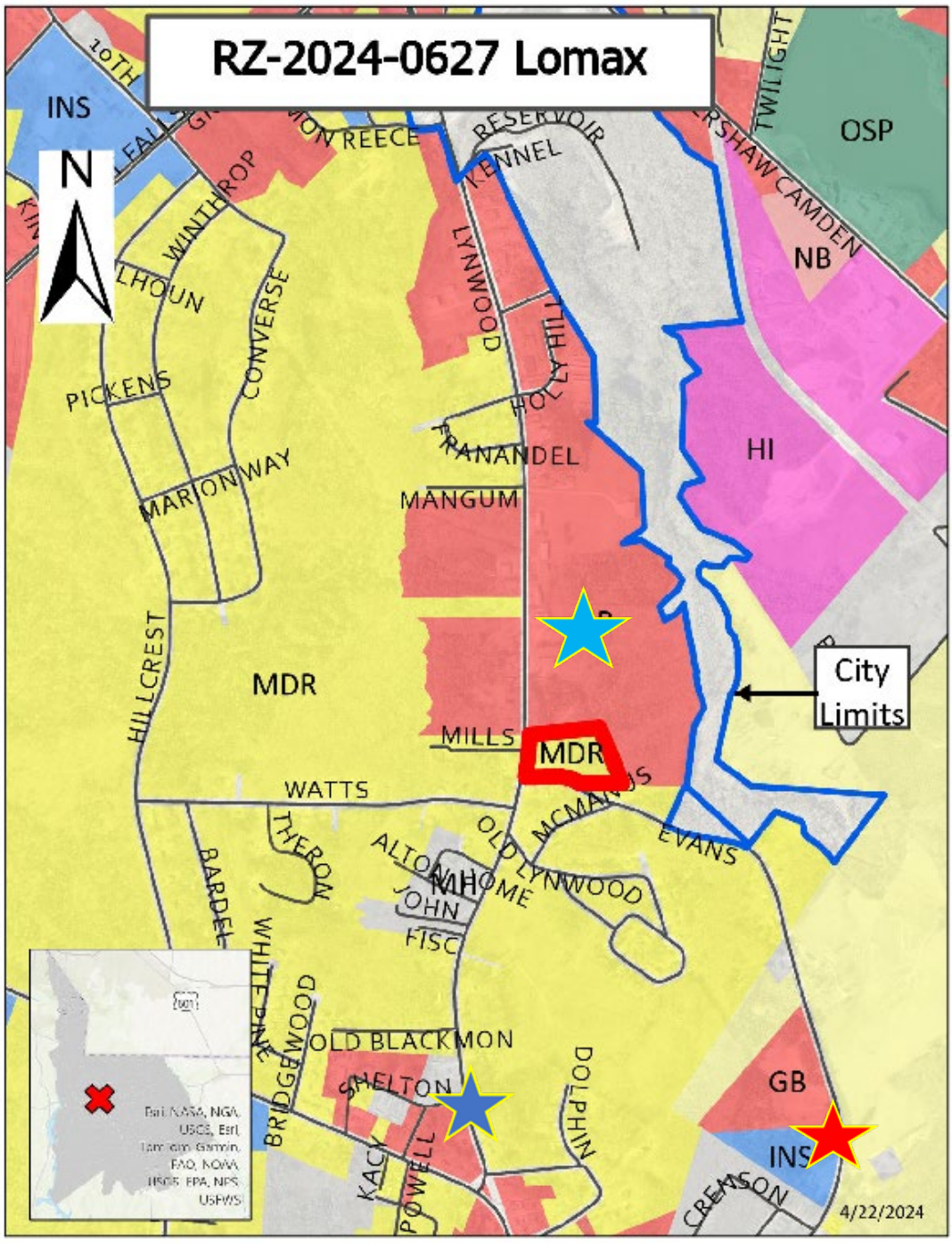
- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- After preliminary review, staff will determine when the case can be scheduled for a hearing with Planning Commission.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel $435.00
- Rezoning Application Fee – multi parcel $610.00

2. **Planning Commission**

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. **County Council**

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.



Proposal:
Rezoning MDR to GB

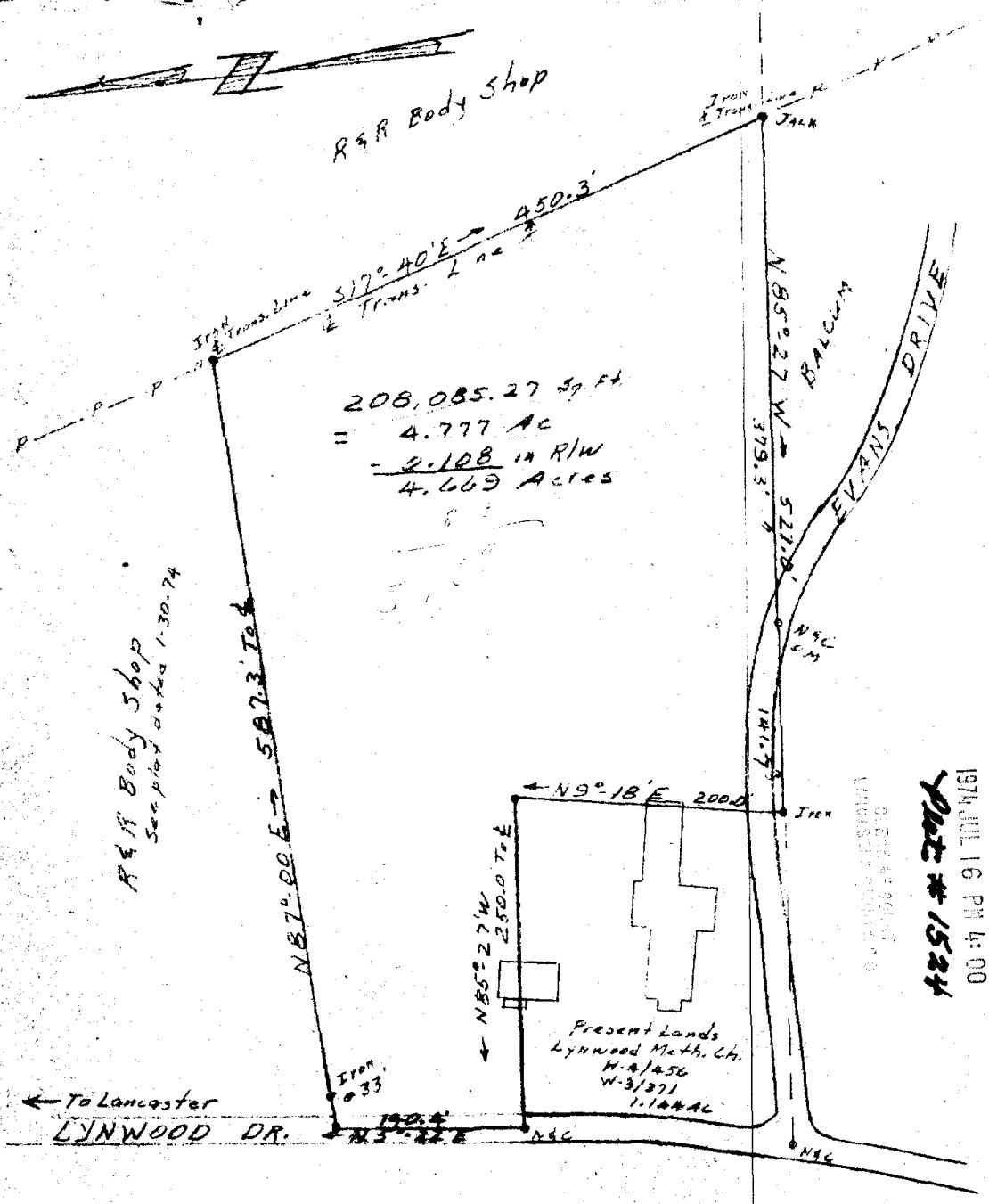
Lancaster County
South Carolina

Martin's Machine Co.

Beacon Baptist Church

Y & J Express Gas Station

Subject Property



STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER
PROPERTY TO BE CONVEYED TO

LYNWOOD METHODIST CHURCH

Located south of Lancaster, near intersection of Lynwood Drive and Evans Drive. Being a portion of the lands shown on plat of R & R Body Shop, by Jack Smith, dated 1-30-74.

Scale: 1" = 100' 13 June 1974

Jack Smith, RLS
100 Forest Drive
Lancaster, S. C.

FILED
1974 JUN 16 PM 4:00
Plat # 1524

LANCASTER COUNTY, SC	
2024003270	DEED
RECORDING FEES	$15.00
STATE TAX	$780.00
COUNTY TAX	$330.00
PRESENTED & RECORDED	
03-21-2024	02:24:35 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: TERRY PARKMAN	
BK:DEED 1768 PG:324-327	

PREPARED BY TRIMNAL & MYERS, LLC

LANCASTER COUNTY ASSESSOR
Tax Map:
0087G 0C 004 00

RECORDED THIS 22nd DAY OF MARCH, 2024 IN BOOK 00 PAGE 00

Auditor, Lancaster County, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, THAT **Lynwood United Methodist Church, Inc. (nka Grace-Lynnwood United Methodist Church by Articles of Merger filed October 21, 2021 with the South Carolina Secretary of State)** (hereinafter called "Grantors") in the State aforesaid, for and in consideration of the sum of THREE HUNDRED THOUSAND AND 00/100 ($300,000.00) Dollars, to him paid by **Courtney Lomax** (hereinafter called "Grantee/s") in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents (do(es) grant, bargain, sell and release, unto the said:

Courtney Lomax, his/their Heirs and/or Assigns Forever:

All that piece, parcel or lot of land lying, being and situate in Gills Creek Township, Lancaster County, SC, being the Southern portion of Lot No. 35 on plat of survey of estate lands of J. P. Funderburke, November, 1935, by J. M. Bailes, Surveyor, being bounded on the West by Water Works paved State Highway for a distance of one hundred feet, on the South by a new cut road known as the Blackmon Road for a distance of two hundred and fifty feet, on the Last by other lands of Mrs. B. C. Hough, Sr. for a distance of one hundred feet, and on the North by other lands of Mrs. B. C. Hough, Sr. for a distance of two hundred and fifty feet. Said lot of land being in the shape of a parallelogram, and being the Southern and Western portion of Lot No. 35 hereinabove mentioned, with such measurements and shape as hereinabove mentioned.

ALSO: All that certain piece, parcel or tract of land situate, lying and being in Lancaster County, SC, in Gills Creek Township, located South of Lancaster near intersection of Lynwood Drive and Evans Drive, containing 4.669 acres, more or less, as shown on plat made by Jack Smith, RLS, dated June 13, 1974, recorded in the Office of the Register of Deeds for Lancaster County, SC, as Plat Number 1524, and having such courses and distances as shown thereon. For a more complete description reference to said plat is craved.

ALSO: All that piece, parcel or tract of land lying, being and situate in Gills Creek Township, Lancaster County, SC, situated about one mile south of the Town of Lancaster, on the East side of State Highway No. 529. known as the Old Coile Road, having a frontage of 100 feet (one hundred) on said highway #529. bounded as follows: On the North by lands of Ben C. Hough

and Perry Belle B. Hough for a distance of two hundred and fifty 250 feet; on the East by other lands of Ben O. Hough and Perry Belle B. Hough for a distance of one hundred (100) feet; bounded, on the South by Lynwood Methodist Church property for two hundred and fifty (250) feet.

Being the property conveyed to Lynwood United Methodist Church, Inc by Deed recorded October 16, 2008 in Deed Book 489 Page 156 in the Register of Deeds Office for Lancaster, SC.

TMS# 0087G-0C-004.00

Grantee's Address: 962 Wilson Dr Lancaster SC 29720

This conveyance is made subject to all existing easements, restrictions, rights of way and/or encroachments.

TOGETHER will all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said **GRANTEE/S**, Their Heirs and/or Assigns forever.

AND the said **GRANTOR/S** do hereby bind themselves and their heirs and/or assigns to warrant and forever defend all and singular the said premises unto the said GRANTEE/S, Their Heirs and/or Assigns, against Themselves and Their Heirs and/or Assigns and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS our Hand(s) and Seal(s) this 20th day of March in the year of our Lord 2024.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Lynwood United Methodist Church, Inc.
(nka Grace-Lynnwood United Methodist Church by Articles of Merger filed October 21, 2021 with the South Carolina Secretary of State)

Witness #1

BY: _____
Jack Hammond, Trustee

Witness #2

BY: _____
Ronald Woods, Trustee

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF LANCASTER)

I, _____, Notary Public for the State of SC,

do hereby certify that **GRANTOR/S** personally appeared before me this day and acknowledged the due execution of the foregoing deed.

Sworn before me this 20th day of March, 2024

Notary Public for the State of SC
My Commission Expires: 11/5/24

GOVAN T. MYERS, III
Notary Public-State of South Carolina
My Commission Expires
November 05, 2024

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER)

AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property located at 1743 Lynwood Dr. being transferred Lynwood United Methodist Church, Inc nka Grace-Lynnwood United Methodist Church by Articles of Merger filed October 21, 2021 with the South Carolina Secretary of State to Courtney Lomax dated 03/20/2024.
3. Check one of the following: The deed is
   (a) XXX subject to the deed recording fee as a *transfer* for consideration paid or to be paid in money or money's worth.
   (b) _____ subject to the deed recording fee as a transfer between a corporation a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   (c)_____ exempt from the deed recording fee because (See Information section of affidavit): (If exempt please skip items 4 - 7, and go to item 8 of this affidavit)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):
   (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $300,000.00
   (b) _____ The fee is computed on the fair market value of the realty which
   (c)_____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.
5. Check Yes_____ or No X To the following: a lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is:
6. The deed recording fee is computed as follows:
   (a) Place the amount listed in item 4 above here: $300,000.00
   (b) Place the amount listed in item 5 above here: _____ (If no amount is listed, place zero here.)
   (c) Subtract Line 6(b) from Line 6(a) and place result here: $300,000.00 ,000.00
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: $1110.00
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor
9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Ronald Wood
Grantor Trustee

SWORN to before me this 20th day of November 2024

Notary Public for _____
My Commission Expires: 11/5/24

GOVAN T. MYERS, III
Notary Public-State of South Carolina
My Commission Expires
November 05, 2024

The Lancaster News

980 N Woodland Drive
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission and County Council will conduct public hearings on Tuesday, May 21, 2024 and Monday, June 10, 2024, respectively. The public hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. RZ-2024-0259: Application by Curative Professional LLC on behalf of owners James & Yen Ngo to rezone 3.63 acres located at Lodge Road (TM # 0008-00-069.07) from Low Density Residential (LDR) to General Business (GB) district, to allow development of medical offices, daycare and general commercial uses, in conjunction with adjacent parcel 0008-00-0067.00 (9.38 acres already zoned GB)

2. RZ-2024-0511: Application by Archie Niven and Sandra Niven Schmidt to rezone 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural Neighborhood (RN) to General Business (GB) district, to allow development of a gas station. Associated with CP-2024-0511 Comprehensive Plan/Future Land Use Amendment Application

3. RZ-2024-0584: Application by Carlos Sanchez to rezone 2.56 acres located at the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) to Medium Density Residential (MDR), in order to develop for single-family residential use.

4. RZ-2024-0627: Application by Courtney Lomax to rezone 5.80 acres at and adjacent to 1743 Lynwood Drive (TM # 0087G-0C-004.00) from Medium Density Residential (MDR) to General Business (GB) district, in order to renovate the existing structure as a daycare facility.

5. TA-2024-0162: (Continued) Application at the request of Council, to amend the Unified Development Ordinance at Sec. 2.5 Uses Permitted and Sec. 5.9 Industry/Wholesale/Storage Uses, to establish the newly adopted use "Non-Metallic Mineral Manufacture" as a Conditional Use

6. TA-2024-0789 (Ord. 2024-1896): Application at the request of Lancaster County Council to amend the Unified Development Ordinance at table 2.5, removing the item "Amusements- Indoor" from the Use Table.

The following item only requires one public hearing before the Lancaster County Planning Commission on Tuesday, May 21, 2024, at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. SD-2023-2224: Application by David Weekly Homes LLC, HHTF Company LLC and ESP Associates Inc for a preliminary plat for 112.48 acres off Vance Baker Road (TM# 0009-00-015.00) to develop a single-family residential subdivision of 91 lots. Deferred from 4/16/2024.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department located at 101 North Main Street, Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to the Planning Commission or to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (https://www.mylancastersc.org/), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on May 4th 2024.

SWORN to before me this 6th day of May, 2024

Ashley L Johnson

Notary Public for South Carolina
My Commission Expires: 01/20/2027

Ashley L Johnson NOTARY PUBLIC SOUTH CAROLINA

Newspaper Rep Signature Kristi Rea

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1910
Contact Person / Sponsor: Dennis Marstall / Administration
Department: Finance
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
To appropriate funds and to approve a detailed budget for Lancaster County for the fiscal year beginning July 1, 2024 and ending June 30, 2025; to set millage rates for the levy of ad-valorem taxes; to approve a schedule of taxes fees and charges for FY 2024-25; and to provide for matters related thereto.

The following are the proposed millage rates:

	Fiscal Year 2024	**Proposed 2nd Reading Fiscal Year 2025**
Operating	88.80	91.80
Debt	6.90	6.00
Court Security	3.90	3.90
Capital Improvement	5.30	7.30
USCL	4.60	4.60
Total	**109.50**	**113.60**

FY24 Mill Value: $480,515
Estimated FY25 Mill Value: $518,035

Strategic Plan Focus Area Alignment:

Points to Consider:
Council heard the initial presentation of the budget at the May 8th Administrator's Recommended budget presentation and has held several meetings since then to get to second reading of the budget ordinance.

Based on the first reading discussion by County Council, the updated budget recommendation is balanced and totals $164,276,954 with a 3.0 mil increase in the general fund, and a 2 mil increase in the capital improvement fund.

The overall millage increase is proposed at 4.1 mils, factoring in a reduction in the county debt millage.

In the attachments you can find the budget ordinance, with millage levels and proposed fee schedule.

Funding and Liability Factors:
Per SC State law, a budget must be approved by June 30 each year for the new fiscal year beginning July 1. This will set the county budget for next fiscal year.

Recommendation:
Approve the budget for FY 2025.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1910 with Attached Fee Schedule	6/7/2024	Ordinance

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1910**
COUNTY OF LANCASTER)

AN ORDINANCE

TO APPROPRIATE FUNDS AND APPROVE A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025 (FY 2024-25); TO SET MILLAGE RATES FOR THE LEVY OF AD VALOREM TAXES; TO APPROVE A SCHEDULE OF TAXES, FEES AND CHARGES FOR FY 2024-25; AND TO PROVIDE FOR MATTERS RELATED THERETO.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

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

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

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

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

Section 2. Appropriations and Detailed Budget.

A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2024 and ending June 30, 2025 ("FY 2024-25"):

APPROPRIATIONS	AMOUNT
Airport Fund	477,600
Capital Improvement Fund	3,516,965
Capital Project Sales Tax 2 Fund	8,733,618
Capital Project Sales Tax 3 Fund	19,151,900
County Debt Fund	10,952,007
County Transportation Committee Fund	1,400,000
Court Mandated Security Fund	2,672,362
E-911 Fund	724,143
General Fund	92,820,902
Hospitality Tax Fund	1,900,000
Indian Land Fire Protection District Fund	19,593,833
Local Accommodations Tax Fund	120,000
State Accommodations Tax Fund	224,250
Stormwater Fund	1,835,740
Van Wyck Fire Protection District Fund	152,634

B. Except as may be otherwise provided in this ordinance, the appropriations contained in subsection A of this section are maximum and conditional and are subject to reduction by action of County Council if the County's revenues fail to be sufficient to pay the appropriation, to the end that the expenditures of the County for FY 2024-25 shall not exceed its revenues and available carry forward funds.

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

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

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

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

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

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

5. Holiday supplements are approved as budgeted and will be given to each employee who meets the requirements in a one-time, lump sum amount. All permanent, full-time employees who are actively working with Lancaster County for at least three months and who have a start date on or before July 1, 2024 will be eligible to receive a supplement in the amount of $500. All permanent, part-time employees who are actively working with Lancaster County with a start date on or before July 1, 2024 will receive a supplement in the amount of $250.

Section 3. Tax Levy.

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

General Fund	~~88.80~~ ~~92.30~~ 91.8
Capital Improvement Fund	~~5.30~~ 7.30
County Debt	~~6.90~~ 6.00
USC-L	4.60

B. The County Auditor shall levy, and the County Treasurer shall collect, ad valorem taxes based on millage imposed pursuant to Section 6-1-320(8):

Courthouse Security	3.90

The millage imposed pursuant to this subsection is imposed to address funding needs arising from the courthouse fire and solicitor's office fire, both of which Council determines are catastrophic events within the scope of Section 6-1-320(8), and to comply with the Order of the South Carolina Supreme Court dated September 12, 2008 requiring the County to provide security for all County buildings housing court operations and records.

Section 4. Fee Schedule.

For FY 2024-25, the taxes, fees and charges for the County are set at the levels provided in the Schedule of Taxes, Fees and Charges, attached to this ordinance as Exhibit A which is incorporated into this ordinance by reference as if it were set out in this ordinance in its entirety and it is adopted and approved for use in FY 2024-25.

Section 5. **Severability.**

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

Section 6. **Conflicting Provisions.**

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

Section 7. **Effective Date.**

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED, this _____ day of _____, 2024.

Ordinance No. 2024-1910

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

1st reading:	June 5, 2024
2nd reading:	June 10, 2024
Public Hearing:	June 24, 2024
3rd reading:	June 24, 2024

Approved as to form:

_____
Virginia L. Merck-Dupont, County Attorney

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COUNTY OF LANCASTER, SC - SCHEDULE OF FEES AND CHARGES FOR SERVICE
FISCAL YEAR: 2024-2025 ATTACHMENT TO ORDINANCE NO: 2024-1910

1.00 ANIMAL SHELTER FEES

1.01

Medical Services Rendered		Amount
Altered Dog	Per animal	$90.00
Altered Cat	Per animal	$70.00
Unaltered Dog	Per animal	$25.00
Unaltered Cat	Per animal	$30.00
Unaltered Puppy (6 months & below)	Per animal	$10.00 (Max. $50.00)
Unaltered Kitten (6 months & below)	Per animal	$15.00 (Max. $50.00)
Microchip	Per animal	$10.00

1.02

Redemption Fees	
1st Offense with microchip *(must also pay applicable daily shelter fee)**	$20.00
1st Offense without microchip** *(must also pay applicable daily shelter fee)**	$30.00
2nd Offense (*must also pay applicable daily shelter fee)*	$50.00
3rd Offense *(must also pay applicable daily shelter fee)*	$100.00
4th/ Subsequent Offenses *(must also pay applicable daily shelter fee)*	$200.00

*First 24 hours free; **includes mandatory microchip

1.03

Shelter Fees	
Owner Surrender	$25.00
Daily shelter fee	$5.00
Euthanization fee	$25.00
Quarantine fee *(must also pay applicable daily shelter fee)*	$25.00

2.00 ASSESSOR FEES

Line maps	$5.00
Overlay maps	$15.00

3.00 AUDITOR FEES

Left blank intentionally.		

4.00 BUILDING DEPARTMENT FEES

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

4.01

Building Permits	
Description	**Fee Amount**
Residential Decks	$25.00 per square foot
Permit	Three fourths of one percent (0.0075) of estimated value. Valuation shall be determined by the National Building Valuation Data and Modifiers dated April 15, 1994 and thereafter by the updated revisions. Minimum $25.00 permit fee
No Inspection Exception for AG	Three fourths of one percent (0.0075) of estimated value. Valuation shall by determined by $10 per sq. ft. for Agricultural structures by land/use classification which require or not subsequent electrical, gas, mechanical, plumbing, or structural inspection. Zoning permits are required for all structures.
Plan Review	When a set of plans is required by Section 107 of the International Building Code or by the building official and a plan review thereof, a plan review fee shall be equal to one-tenth (1/10) of the building permit fee as set forth above.
Resubmittal Fee*	A plan re-review fee shall be equal to one-tenth (1/10) of the building permit fee as set forth above

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

***Administrator reserves the right to waive resubmittal fees for resubmittals contemplating very minor corrections that will require minimal plan review by County staff. (Resubmittal fee collected for Commercial Plans)**

4.02

Electrical Permit Fees (Schedule of fees for individual permits for particular jobs)			
Minimum Permit Fee			$30.00
Valuation From/To		**Fee Amount**	
$0	$1,000	$30.00	$30.00
$1,001	$150,000	$30.00 for the first one thousand, plus $2.50 for each additional thousand or fraction thereof	$1,001
$151,000	Or More	$372.00 for the first $150,000.00, plus $3.00 for each additional thousand or fraction thereof	$151,000
1st Additional Inspection			$50.00
2nd Additional Inspection			$100.00
3rd/ Subsequent Additional Inspections *(reinspection fee increases $250.00 per additional inspection after 3rd)*			$250.00

4.03

Gas Permit Fees		
Minimum Permit Fee		$30.00
Inspection Fees	Gas piping at one location - $7.50 for 1-4 plus $1.00 each additional outlet	
	Burners/furnaces/incinerators - $7.50 for 1 plus $1.00 each additional unit	
	Boilers/heating/air conditioning - $7.50 for 1 plus $1.00 each additional unit	
	Vented wall furnaces/water heaters - $7.50 for 1 plus $1.00 each additional	
1st Re-inspection		$50.00
2nd Re-inspection		$100.00
3rd/ Subsequent Re-inspections *(reinspection fee increases $250.00 per additional inspection after 3rd)*		$250.00

4.04

Mechanical Permit Fees		
Minimum Permit Fee		$30.00
Valuation of $1,000 or Greater	$30 plus $5 per thousand or fraction thereof	
Inspection Fees		
Inspection - Heating/ventilating/ductwork/AC and refrigeration systems		
- First $1,000 or fraction thereof of valuation		$30.00
- Each additional $1,000 or fraction thereof of valuation		$5.00
Inspection - Repair/alterations/additions to an existing system		
- First $1,000 or fraction thereof of valuation		$15.00
- Each additional $1,000 or fraction thereof of valuation		$5.00
Inspection - Boilers (based on BTU input / 1 KJ = 1.055 BTU / 1 BHp = 33,475 BTU)		
- 33,000 to 165,000 BTU		$15.00
- 165,001 to 330,000 BTU		$20.00
- 330,001 to 1,165,000 BTU		$25.00

- 1,165,001 to 3,300,000 BTU	$35.00
- 3,300,001 or more	$45.00
1st Re-inspection	$50.00
2nd Re-inspection	$100.00
3rd/ Subsequent Re-inspections *(reinspection fee increases $250.00 per additional inspection after 3rd)*	$250.00

4.05

Mobile Home Permit Fees		
Mobile Home - de-title	Per Instance	$50.00
Mobile Home - placement and set-up	Per Instance	$225.00
1st Re-inspection		$50.00
2nd Re-inspection		$100.00
3rd/ Subsequent Re-inspections *(reinspection fee increases $250.00 per additional inspection after 3rd)*		$250.00

4.06

Plumbing Permit Fees			
Water Heater Changeout			$20.00
Minimum Permit Fee			$25.00
Valuation From/To		**Fee Amount**	
$0	$1,000	$25.00	$25.00
$1,001	$5,000	$35.00	$35.00
$5,001	Or More	$35.00 for the first $5,000.00, plus $4.00 for each additional thousand or fraction thereof	
1st Re-inspection			$50.00
2nd Re-inspection			$100.00
3rd/ Subsequent Re-inspections *(reinspection fee increases $250.00 per additional inspection after 3rd)*			$250.00

4.07

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

4.08

Building Department Miscellaneous Fees	**Unit**	
Appeal from action of building official	Per Instance	$200.00
Moving fee - any building or structure	Per Instance	$50.00
Inspections for Commercial R-2 & I Occupancy Types	Per Instance	5% addition to affected Building permit fees
Change of Contractor fee	Per Instance	$25.00

5.00 CLERK OF COURT FEES*

Amended to conform with Section 8-21-310, Code of Laws of South Carolina, 1976

Bonds			$10.00
Bondsmen			$0.00
	In county		$150.00
	Out of county		$100.00
Copies	Certified Copies		$2.50
Common pleas fees:			$0.00
	Appeals		$150.00
	Arbitration		$10.00
	Confession		$10.00
	Filing summons and complaint		$150.00
	Foreign judgment		$100.00
	Judgment		$10.00
	Lis Pendens		$10.00
	Motion		$25.00
	Transcript		$35.00
Peddlers License			$150.00
Enrolling notary public			$10.00
Expungement			$35.00
Mechanic's lien if a bond is involved			$10.00
Issuing an official certificate under the seal of the court not otherwise specified in this section			$10.00
Filing a first complaint or petition, including an application for a remedial and prerogative writ and bond in a civil action or proceeding			$100.00
Order for the Destruction of Arrest Records		Per order	$35.00
Order for bail, whether or not surety must be justified			$10.00

Pursuant to State law, fee changes are effective August 1, 2020

6.00 CORONER FEES

Cremation Fees

6.01	Cremation by Coroner's Office (Cremation Fee - $800/ Administrative Fee - $200/ Transport Fee - $200) - 10 month payment plan available	$1,200.00

6.02	**Permit Fees**	
	Cremation Permits	$25.00

Report Fees * Note: *Fees will not apply to reports marked "NOT FOR LEGAL USE" provided to surviving family members.*

6.03	Autopsy Reports	$150.00
	Coroner's Reports	$100.00
	Photographs	$2.00
	Toxicology Reports	$150.00

6.04	**Storage Fees***	
	Funeral Home Per Day Storage	$50.00

*Implemented at the Coroner's discretion

7.00 EMERGENCY MANAGEMENT/ FIRE SERVICE FEES

	Fire Marshal/Fire Service Fees		
	1st Additional Inspection		$50.00
	2nd Additional Inspection		$100.00
	3rd Additional Inspection		$250.00
7.01	Inspection fee increase per inspection following 3rd inspection		$250.00
	Response to false alarms in excess of 3 in any calendar year	per instance	$100.00
	Fire Alarm Plan Review		$100.00
	Fire Sprinkler Plan Review Fee		$100.00
	Alternate Fire Suppression Plan Review Fee		$25.00

	Hazardous Materials Fees		
	Application for operational permit		$1000.00
	Emergency response to hazardous materials incident	Initial Charge	$500.00
	Emergency response to hazardous materials incident	Career Personnel	Actual Costs
7.02	Emergency response to hazardous materials incident	Volunteer Personnel	20.58 per hr.
	Emergency response to hazardous materials incident	Materials Cost	Actual Costs
	Commercial Fireworks Display Standby Fee	Per Instance	$500.00
	Emergency response to hazardous materials incident	Apparatus & Equipment Costs	FEMA Schedule of Rates

	Special Tax District Uniform Service Charge	
7.03	Indian Land Consolidated Fire District (formerly Pleasant Valley and Indian Land Fire Districts)	$240 (Residential per unit) 750 (ERU per sq. ft)
	Van Wyck Fire District Equivalent Residential Unit fee	$90.00

8.00 EMERGENCY MEDICAL SERVICE FEES

ALS Emerg Treat/No Transport		$175.00
ALS Unit, Urgent, No ALS Tx		$600.00
ALS Emerg Treat - Helicopter at ER		$150.00
Medical Records		$25.00
Mileage, ground		$10.00
Standby Service (per employee)	Per hour	$30.00
Response to false alarms in excess of 3 in any calendar year	per instance	$100.00
ALS with Treatment and Emergency Transport	Base Fee	$700.00
BLS A0429	Base Fee	$600.00
ALS 2 A0433	Base Fee	$800.00

9.00 FARMERS MARKET FEES

Rental Fee		
Seasonal Vendor Fee	One Time	$20.00
Seasonal Booth rental	Per day Per Table	$2.00
Daily Booth rental (includes 1 table)	Per Day	$8.00
Additional Tables*	Each	$2.00

*Maximum 3 tables per site

10.00 FINANCE DEPARTMENT FEES

Departmental Fees

Dealer tag fee	Per tag	Same as Road Maintenance Fee
Tax billing	Per bill	$1.00

11.00 GIS MAPPING FEES

11.01

Color Plotter Maps	
Poster up to 72 Change to "Up to 36 by 50"	$20.00

11.02

Digital Data Fees		
Other digital data Change to "Digital data requests"	Per hour, 1 hour min.	$50.00

12.00 LIBRARY FEES

12.01

Overdue and Lost Fees			
Overdue book fee *(maximum charge of $2.00)*		Per day	$0.10
Copies- self serve		Per Copy	$0.10
Lost book fee	Per book	Replacement cost	

12.02

Miscellaneous Fees		
Out of state library membership	Per year	$25.00
Duplication machine reproduction fee - general/color	Per Page	$0.10 for black and white/$0.50 for color
Facsimile charge	First page	$0.50
Facsimile charge	Subsequent pages	$0.50

13.00 911 FEES

Enhanced 911 Emergency Service System

Uniform service charge	Per line	$1.00

14.00 PLANNING FEES

14.01 Ordinance Fees

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14.02

Development Fees		
Development Agreements		
Per acre of highland proposed	$25.00 not to exceed $20,000	$25.00 not to exceed $20,000
Planned Development Districts *in addition to Development Agreement Fee		
Rezoning		$2,000.00
Amendment to Mixed Use District		$2,000.00

14.03

Development Review Application Fee		
Sketch Plan Review application	Per review	$100.00

14.04

Subdivision Fees				
Preliminary plat - 1 to 5 lots			Per lot	$25.00
Preliminary plat 6 or more lots			per lot	$200 plus $25 for each lot
Final plat - up to 10 lots			Per plat	$100 plus $25 for each lot
Final plat - 11 or more lots				$300 plus $25 for each lot
Amendment of a final plat				$100.00
	Minor Plat		Per Plat	$25 for each lot
	Miscellaneous Plat		Per Plat	$25.00
Civil Construction Plan Review-Subdivision			Per plat	$500 plus $25 for each lot
Amendment of Construction Plan				$500.00
Resubmittal Fee*			First	$300.00
Resubmittal Fee*			Per instance after second	$500.00

*Administrator reserves the right to waive resubmittal fees for resubmittals contemplating very minor corrections that will require minimal plan review by County staff. Resubmittal fee collected for Civil Construction Plans (subdivisions and non-sf-residential development), preliminary plats, and final plats).

14.05

Rezoning & Text Amendment Fees*	
Rezoning application- single parcel up to 1.0 acre	$250.00
Rezoning application - single parcel between 1.0 to 10.0 acres	$435.00
Rezoning Application - multiple parcels, up to 10 acres	$610.00
Rezoning application- one or more parcels totaling more than 10 acres (capped at $10,000)	$610 plus $50 for every add'l acre
Rezoning applications-Mixed use district	$2,000 plus $50 per acre
Future Land Use Map Amendment Fee	$1000.00
Text amendment	$1000.00
Conditional Use Permit	$500.00

*Does not include TIA review fee (if applicable)

Miscellaneous Fees

Item	Unit	Amount
Civil Construction Plan Review-Non-Subdivision	Per Instance	$300 plus $100 per acre
Sketch Plan	Per Instance	$100.00
Comprehensive plan - picked up	Each	$100.00
Comprehensive plan - mailed	Each	$100.00
Road name change	Per road	$100.00
Telecommunication Towers Review	Per Instance	$100.00
Telecommunication Antenna-Colocation Review	Per Instance	$100.00
Zoning map (2 parts; northern & southern) - picked up	Per part	$50.00
Zoning map (2 parts; northern & southern) - mailed	Per part	$75.00
Traffic Impact Analysis	Per Instance	Cost of engineer + 10%
Traffic Impact Analysis Resubmittal	Per Instance	Cost of engineer + 10%
Asbuilt review	Per Instance	250
Mixed Use/Master Plan Review (without rezoning)	Each	500
Surety Fees (new and release)	Per Instance	300
Floodplain Development Permit - LC review - no adverse impact	Per Instance	100
Floodplain Development - FEMA LOMA, SFR w/ local review	Per FEMA app	250
Floodplain Development - LOMA, multiple lots MT-EZ application	Per FEMA app	500
Floodplain Development - CLOMR and LOMR: MT-1 application package	Per FEMA app	1500
Floodplain Development - PMR: MT-2 application package	Per FEMA app	1000
Carolina Heelsplitter Mitigation Fee	Per Credit (formula in UDO)	$9,500.00

14.06

15.00 PROBATE COURT FEES

Cost of Court: Estate Fees - Regular Estate and Conservationships		
Property valuation less than $5,000 (Due at initial opening informal only)		$25.00
Property valuation of $5,000 but less than $20,000		$45.00
Property valuation $20,000 but less than $60,000		$67.50
Property valuation $60,000 but less than $100,000		$95.00
Property valuation of $100,000 but less than $600,000	$95.00 plus 0.0015 in excess of $100,000	$95.00 plus 0.0015 in excess of $100,000
Property valuation $600,000 or more	$845.00 plus 0.0025 in excess of $600,000	$845.00 plus 0.0025 in excess of $600,000

15.01

Cost of Court: Estate Fees - Small Estate or Affidavit of Collection for Personal Property	
Property valuation less than $100.00	$12.50
Property valuation of $100 but less than $5,000	$25.00
Property valuation of $5,000 but less than $20,000	$45.00
Property valuation of $20,000 but less than $25,000	$67.50
Reissuing an unexecuted Small Estate Affidavit	$5.00

15.02

	Miscellaneous Fees		
	Legal advertisement - cost of advertisement is in addition to prescribed court costs and are due and payable prior to advertisement		
15.03	CD copy of hearing		$10.00
	Search fee		$7.00
	Plain Copy	Per Page	$0.10
	Replacement Forms	Per Page	$0.50
	Faxing Documents		$5.00

	Probate Court Fees		
	Appointment of Special Administrator or temporary fiduciary		$22.50
	Application for Successor Personal Representative		$22.50
	Affidavit for Access to Safe Deposit Box		$22.50
	Affidavit to Obtain Bank Balance		$22.50
	Special Certificates		$10.00
	Certified marriage certificates		$5.00
	Certifying appeal record		$10.00
	Certified copy of Information to Heirs and Devisee Form 1st form free		$0.50 each
	Additional Certificates of Appointment		$0.50 each
	Filing - any summons, complaint, or petition		$150.00
15.04	Filing any Motion		$20.00
	Filing conservatorship accounting		$10.00
	Filing demand for notice		$5.00
	Filing of will only		$10.00
	Probate of Will Only (Information to Heirs and Devisee Form - fee calculated separately)		$10.00
	Advertising Fee-Will filed Only		$10.00
	Issuing certified copies	Per Document	$5.00
	Order Issued without a Hearing		$25.00
	Issuing exemplified/ authenticated copies		$20.00
	Recording authenticated or certified copies.		$20.00
	Reforming or correcting marriage record		$6.75
	Reopening closed estates		$22.50

	Weddings		
	Marriage license - at least one party in-state *(includes $20.00 state fee)*		$75.00
15.05	Marriage license - out of state *(includes $20.00 state fee)*		$90.00
	Marriage license-Reprint copy		$5.00
	Marriage ceremony		$100.00

16.00 PUBLIC WORKS FEES

Driveway pipe - 2nd driveway			$500.00 or actual cost, whichever is greater
Single Family Residential Encroachment Permit Review Fees		Per Review	$50.00
Non-residential/New development		Per Review	Actual cost ($500 min)
Road/bridge design review by outside engineer			Actual cost
Road testing fee		Actual cost plus 20%	$0.00
Road proof roll - initial reinspection		Per project	$250.00
Road proof roll - additional reinspection		Per reinspection	$500.00
Roadway sign - production/ installation	actual cost plus 10%		$0.00
Tire disposal - agricultural		Per tire	$35.00
Tire disposal - undocumented		Per ton	$150.00

17.00 RECREATION FEES

17.01 Participant Fees-Youth Sports

Sport	Ages			Amount
Youth Basketball	5 to 17			$75.00
Dixie Softball	6 to 18			$75.00
Cheerleading	4 to 17			$75.00
Youth Baseball	6 to 17			$75.00
Youth Soccer	5 to 17			$75.00
Instruction Sports	3 to 6			$60.00
Flag Football	6 to 17			$75.00
Girls Volleyball	7 to 17			$75.00
Swim Team	5 to 18			$75.00
Knockerball	13 to17			$75.00
Sports Clinics	5 to 17			$35.00

17.02 Participant Fees-Adult Sports

Sport	Ages	Unit	
Knockerball Tournament	18 & up	Per team	$125.00
Adult/Senior League	18 & up/55 & up	Per Individual	$40.00
Basketball	18 & up	Per Team	$425.00
Softball	18 & up	Per Team	$500.00
Volleyball	18 & up	Per Team	$200.00
Kickball	18 & up	Per Team	$300.00
Pickleball	18 & up	Per Team	$80.00
Adult League	18 & up	Per Team	$425.00
Soccer	18 & up	Per Team	$500.00

17.03 After School and Summer Day Camp

Item	Unit	
After School Registration Fee	Per Child	$150.00
After School-Registration Fee (add'l child) (Month)	Per Child	$140.00
Summer Day Camp Registration (Field trips included)	Per Week	$95.00
Summer Day Camp Attendance Fee (add 'l child)	Per Week	$90.00
Late Pick up for After School and Summer Day Camp	First 10 minutes	$10.00
Late Pick up for After School and Summer Day Camp	Per min after 10 Min	$5.00

17.04 Swimming Pool Fees

Activity	Ages	Unit	
Swim Lessons	3 to 17	Per Person Per Lesson	$50.00
Nursery/Camp Daily fee	4 to 12	Per Individual	$2.00
Public Swim Daily Fee	All Ages	Per Person	$3.00
Mid-Season Pass	All Ages	Per Person	$40.00
Single Season Pass	All Ages	Per Person	$75.00
Group Mid-Season Pass	All Ages	Per Family*	$85.00
Family Weekly Pass	All Ages	Per Family*	$75.00
Family Season Pass	All Ages	Per Family*	$150.00
Pool Party (0-25 People)	All Ages	Per Hour	$60.00
Pool Party (26-50 People)	All Ages	Per Hour	$80.00
Pool Party (51-75 People)	All Ages	Per Hour	$125.00
Pool Party (76-100 People)	All Ages	Per Hour	$150.00

*Maximum of 5 per family

	Facility Rental		
	All Sites	**Unit**	
	Gym (Regular Rental)	Per Hour	$150.00
	Gym (Regular Rental) All day	12 Hours	$1800.00
	Gym (For Non Profit) (Include Churches)	Per Hour	$100.00
	Gym (For Non Profit) (Include Churches)	12 Hours	$1200.00
	Gym- Half	Per Hour	$50.00
	Gym- Half (Non Profit)	12 hours	$600.00
	Open Basketball	Entry Fee/Per Class/Per Occurrence	$3.00
	Open Pickleball	Entry Fee/Per Class/Per Occurrence	$3.00
17.05	Activities/Fitness	Entry Fee/Per Class/Per Occurrence	$3.00
	Small Activity Room	Per Hour	$50.00
	Large Activity Room	Per Hour	$75.00
	Small Activity Room (For Non Profit) (Includes Churches)	Per Hour	$25.00
	Large Activity Room (For Non Profit) (Includes Churches)	Per Hour	$50.00
	Independent Instructor Fee	Per Hour Per Day	$25.00
	Historical Court House (Rental)	Per Hour	$100.00
	Historic Court house Security Deposit	Per Rental	$250.00
	Courthouse Event Setup and Breakdown fee (non-refundable)	Per Rental	$75.00
	Annex Building Rental	Per Hour	$150.00
	Annex Building Room Rental	Per Hour	$75.00
	Annex Building Rental (For Non Profit) (Includes Churches)	Per Hour	$50.00
	Staff Overtime	Per hour	$40.00
	Security Deposit	Per Rental	$150.00

17.06

Outdoor Field/Court Rentals		
Item	**Unit**	
Natural Turf - Small	Per Hour	$30 - Resident $45 - Non-Resident
Natural Turf - Mid-Size	Per Hour	$50 - Resident $75 - Non-Resident
Natural Turf - Full Field	Per Hour	$75 - Resident $110 - Non-Resident
Synthetic Turf - Small	Per Hour	$30 - Resident $45 - Non-Resident
Synthetic Turf - Mid-Size	Per Hour	$60 - Resident $90 - Non-Resident
Synthetic Turf - Full Field	Per Hour	$90 - Resident $135 - Non-Resident
Pickleball Court/Tennis Court	Per Hour	$10 - Resident $15 - Non-Resident
Shelter/Picnic Area	Per Hour	$15 - Resident $25 - Non-Resident
Diamond Fields	Per Hour	$40 - Resident $60 - Non-Resident
Harrisburg Athletic Complex Rental	Per field Per day (12 hour max)	$1500 - Resident $2250 - Non-Resident
Heath Springs Athletic Complex Rental	Per field Per day (12 hour max)	$1500 - Resident $2250 - Non-Resident
Natural Turf Athletic Complex Rental - Rectangular	Per field Per day (12 hour max)	$750 - Resident $1125 - Non-Resident
Natural Turf Athletic Complex Rental - Diamond	Per field Per day (12 hour max)	$500 - Resident $750 - Non-Resident
Field Prep Fee - Natural Turf Rectangular	Per Rental	$150 - Resident $225 - Non-Resident
Field Prep Fee - Natural Turf Diamond	Per Rental	$100 - Resident $150 - Non-Resident

17.07

Other Recreation Fees		
Item	**Unit**	
Extra Sponsor Banner	Each	$100.00
Additional Team Sponsor	Each	$300.00
Membership Dues (includes open gym and Pickleball)	Per Month	$15.00
Food Truck - Department Athletic Events	Each Occurrence	$50.00
Food Truck - Daily	Each Occurrence	$30.00
Food Truck - Small Special Events (350 ppl or less)	Each Occurrence	$50.00
Food Truck - Large Special Events (More than 350 people)	Each Occurrence	$100.00
Food Truck - Tournaments	Each Occurrence	$100.00
Light Fee	Per hour	$30.00
Non-Resident Fee	Per Person	$25.00

18.00 REGISTER OF DEEDS FEES

Fees charged by this department are set by and conform with SC State law effective August 1, 2019. Please refer to SECTION 8-21-310 of the State code for all fee information.

19.00 ROAD FEES

County Road Improvement and Maintenance Fee		
Per County Code section 26-34	Per Vehicle	$40.00

20.00 SHERIFFS FEES

Miscellaneous Fees		
Item	**Unit**	
Fingerprinting (non-LCDC)	Per Set	$5.00
Response to false alarms in excess of 3 in any calendar year	Per Instance	$100.00
FOIA Search, Retrieval, & Redaction*	Per Hour	$13.50
Hard Copies	Per Page	$0.22

* "In accordance with SC FOIA, the fee for the search, retrieval, or redaction of records shall be posted online and shall not exceed the prorated hourly salary of the lowest paid employee with the necessary skill and training to perform the request."

Storage Discs	Per Disc	$1.25

21.00 DETENTION CENTER FEES

Per Diem for municipal court prisoners	Solely Municipal Charges	$62.52

22.00 STORMWATER FEES

Residential Stormwater Fee	Per Equivalent Residential Unit	$60.00
Commercial Stormwater Fee	Per Equivalent Residential Unit	$60.00 max., or 35% of real property tax or incentive fee*
Plan Review Fees	Per disturbed acre	$250.00
Additional Field Inspection		$50.00
Second Additional Field Inspection		$100.00
Third or More Additional Field Inspections	Per Inspection	$250.00

*For commercial properties exempt from real property taxes, the 35% max. is not applicable

23.00 DELINQUENT TAX/RECORDS MANAGEMENT FEES

Tax Collection fee	170.00 or actual cost, whichever is greater
Passport Fee	$35.00

24.00 TREASURER FEES

Convenience fee for SCDMV stickers	$1.00
Duplicate Receipts	$0.25

25.00 ZONING FEES

	Mobile Home Fees		
	Item	**Unit**	
25.01	Mobile Home decal	each	$10.00
	Mobile Home - change of ownership	Per Instance	$10.00
	Mobile Home - movement	Per Instance	$25.00

	Miscellaneous Fees		
	Item	**Unit**	
	Appeal from action of zoning official		$325.00
	Use permitted on review		$150.00
	Variance		$275 SF Residential, $375.00 Commercial
	Variance involving a floodplain		$2500.00
25.02	Zoning Verification Letter	Per Instance	$100.00
	Power Authorization Letter/Zoning Verification Permit	Per Instance	$100.00
	Home Occupation Permit-renewed annually	Per Instance	$75.00
	Temporary Use	Per Instance	$100.00
	Special Exception	Per Instance	$400.00
	Food Truck -	Per Instance	$150.00
	Demolition fee - any building or structure less than 5000 SF GFA	Per Instance	$50.00
	Demolition Fee - any building or structure 5000 SF GFA or greater	Per Instance	$100.00
	Moving fee - any non mobile home building or structure	Per Instance	$50.00
	Sign Permit - Permanent	Per Application	$100.00
	Sign Permit - Temporary	Per Application	$50.00

	Permit		
25.03	Commercial Zoning (including upfits) Permit fee*	Per Instance	$100.00
	Residential Zoning Permit fee	Per Instance	$50.00

*Includes multi-family residential

26.00 OTHER COUNTY FEES AND CHARGES

26.01

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

26.02

Miscellaneous County Fees		
Item	**Unit**	
Open Airport hangar rental	Per Month	$150.00
Airport Callout Fee	Per Hour, minimum 3	$100.00
Ramp Tie Down Over Night		$20.00
Ramp Tie Down Monthly		$100.00
Small-Medium Turboprops/Light Jets Facility Fee	Per Day	$75.00
Large Turboprops/Medium Jets Facility Fee	Per Day	$150.00
Large Jets Facility Fee	Per Day	$250.00
Lavatory Services Fee		$100.00
Airplane Ramp Fee	Per Airplane Per Day	$150.00
Airport Vehicle Fee (proof of insurance required)	Per Vehicle Per Day	$100.00
Airport Manager After Hours	Per Hour	$100.00
Bad Check fee	Per Instance	$30.00
Cable television franchise fee	Per Year	$0.05
Duplication machine reproduction fee - general	Per Page	$0.10
Duplication machine reproduction fee - general (color)	Per Page	$1.15
Audio Recordings of Meetings	Per Copy	$5.00
FOIA Research Time	Per Hour	In accordance with SC FOIA, the fee for the search, retrieval, or redaction of records shall be posted online and shall not exceed the prorated hourly salary of the lowest paid employee with the necessary skill and training to perform the request.
Private ambulance service - franchise application fee	Per Instance	$100.00

Impact Fees-County

The development impact fees established by Ordinance 2021-1722 (the "Fire Development Impact Fee"), Ordinance 2021- 1723 (the "EMS Development Impact Fee"), Ordinance No. 2021-1724 (the "Sheriff Development Impact Fee"), and Ordinance 2021-1725 (the "Parks and Recreation Development Impact Fee"), collectively the "County Impact Fee Ordinances", are hereby updated, adjusted and amended, pursuant to the terms of the County Impact Fee Ordinances.

Section V of the County Impact Fees Ordinances provides that the development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and updated CIP dated July 19, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering New Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter. The Construction Cost Index calculated for the period of March 2023 to March 2024 results in a 2.7% increase ~~in~~ the County Impact Fee Ordinances. Therefore, pursuant to the terms of the County Impact Fee Ordinances, those fees are adjusted, updated and amended as set forth in the following schedules.

	Item	Unit	Amount
	Fire Impact Fees		
	Greater Panhandle Service Area-Residential		
	Single Family Detached	Per housing unit	$1,053.00
	Single Family Attached	Per housing unit	$893.00
	Multifamily	Per housing unit	$748.00
	Pleasant Valley Fire District-Residential		
	Single Family Detached	Per housing unit	$864.00
26.03	Single Family Attached	Per housing unit	$733.00
	Multifamily	Per housing unit	$613.00
	Greater Panhandle Service Area-Nonresidential		
	Retail	Per 1,000 square feet	$1,682.00
	Office	Per 1,000 square feet	$571.00
	Industrial	Per 1,000 square feet	$291.00
	Warehouse	Per 1,000 square feet	$103.00
	Healthcare	Per 1,000 square feet	$629.00
	Institutional	Per 1,000 square feet	$1,144.00
	Pleasant Valley Fire District-Nonresidential		
	Retail	Per 1,000 square feet	$1,552.00
	Office	Per 1,000 square feet	$527.00
	Industrial	Per 1,000 square feet	$269.00
	Warehouse	Per 1,000 square feet	$94.00
	Healthcare	Per 1,000 square feet	$579.00
	Institutional	Per 1,000 square feet	$1,055.00
	EMS Impact Fees		
	Residential		
	Single Family Detached	Per housing unit	$128.00
	Single Family Attached	Per housing unit	$109.00
	Multifamily	Per housing unit	$92.00
	Nonresidential		
	Retail	Per 1,000 square feet	$114.00
	Office	Per 1,000 square feet	$39.00
	Industrial	Per 1,000 square feet	$20.00
	Warehouse	Per 1,000 square feet	$7.00
	Healthcare	Per 1,000 square feet	$43.00
	Institutional	Per 1,000 square feet	$77.00

Sheriff Impact Fees		
Residential		
Single Family Detached	Per housing unit	$138.00
Single Family Attached	Per housing unit	$117.00
Multifamily	Per housing unit	$98.00
Nonresidential		
Retail	Per 1,000 square feet	$213.00
Office	Per 1,000 square feet	$72.00
Industrial	Per 1,000 square feet	$36.00
Warehouse	Per 1,000 square feet	$12.00
Healthcare	Per 1,000 square feet	$80.00
Institutional	Per 1,000 square feet	$145.00
Parks & Recreation Impact Fees		
Residential		
Single Family Detached	Per housing unit	$892.00
Single Family Attached	Per housing unit	$758.00
Multifamily	Per housing unit	$634.00

26.04

Impact Fees-School District

The development impact fee established by Ordinance 2021-1761 (the "School Development Impact Fee"), is hereby adjusted, updated and amended, pursuant to the terms of Ordinance 2021-1761. Section 5(c) of the School Development Impact Fee provides that the development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the updated Development Impact Fee Study and updated CIP dated November 24, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering New Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter. The Construction Cost Index calculated for the period of March 2023 to March 2024 results 2.7% increase in the School Development Impact Fee. Therefore, pursuant to the terms of Ordinance 2021-1761, the School Development Impact Fee is adjusted, updated and amended as set forth in the following schedules.

Item	Unit	Amount
School District Impact Fees		
Residential		
Single Family	Per housing unit	$9,336.00
Multifamily	Per housing unit	$9,904.00

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1909
Contact Person / Sponsor: Dennis Marstall / Administration and Jamie Privuznak/Finance
Department: Finance
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
To revise the currently adopted CIP to include 32 new and final project requests and to adopt the CIP as amended.

Strategic Plan Focus Area Alignment:

Public Safety
Meet the demands of the growth of the County without negatively impacting the quality of Public Safety Service.

Infrastructure
Meet the demands of the growth of the County without negatively impacting the quality of service.

Points to Consider:
The Elected Officials and Department Directors submitted various infrastructure, equipment, and vehicle requests as part of the FY25 budget development process for inclusion in the *2021-2031 Capital Improvement Plan* ("CIP"). The capitalization threshold for inclusion in the CIP is $5,000. Finance staff received and reviewed 32 CIP project requests, which totaled $22M.

The Lancaster County Planning Commission reviewed the 32 CIP project requests for alignment to the provisions of the current Comprehensive Plan and related Planning documents. The ranked projects align with the majority of objectives in the current Comprehensive Plan document.

The Lancaster County Planning Commission voted unanimously to recommend the new projects for inclusion in the CIP. See attached *FY25 Capital Improvement Plan: Projects Requested* for the Lancaster County Planning Commission's project ranking.

Planning Staff advertised tonight's Public Hearing in the Lancaster News on March 30, 2024.

The attached amendment to the current CIP includes the **existing** CIP projects scheduled for funding in FY25 and **all the NEW** project requests, including the rank order, as recommended by the Lancaster County Planning Commission.

Funding and Liability Factors:
The Capital Improvement Plan is funded using a variety of revenue sources including, but not limited to, County debt, the Capital Improvement Millage, and Fund Balance or reserves.

Recommendation:
Approve the *2021-2031 Capital Improvement Plan* as amended.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2024-1909	5/23/2024	Ordinance
Exhibit A to Ordinance 2024-1909 - CIP 2024-2031 master projects list	5/23/2024	Exhibit
Exhibit B to Ordinance 2024-1909 - Fiscal Year 2022/31 Proposed Capital	5/23/2024	Exhibit

Improvement Plan		
FY25 CIP Project Ranking and NEW requests as ranked by the Planning Commission	5/20/2024	Backup Material
Original Capital Improvement Plan Fiscal Year 2022/31 (Ordinance 2021-1726)	5/15/2024	Ordinance

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2024-1909

AN ORDINANCE

TO ADOPT THE REVISED LANCASTER COUNTY CAPITAL IMPROVEMENTS PLAN FISCAL YEAR 2021-2022 THROUGH 2030-2031 AS RECOMMENDED BY THE LANCASTER COUNTY PLANNING COMMISSION.

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

Section 1. Findings.

A. The Lancaster County Council adopted its *2021-2031 Capital Improvement Plan* ("CIP") in July 2021 (Ordinance # 2021-1726).

B. The adopted CIP aligned to the Comprehensive Plan and supports the Infrastructure and Public Safety priorities of Lancaster County's Strategic Plan.

C. The Lancaster County Planning Commission reviewed a list of new project requests, totaling $22M, as part of the FY25 annual budget development process. The Planning Commission confirmed project alignment to the current Comprehensive Plan as part of its review process.

D. The Lancaster County Planning Commission ranked the CIP project request and voted unanimously to revise the previously adopted CIP to include the CIP project requests.

E. The Lancaster County Planning Commission recommends the CIP as amended to the Lancaster County Council for approval.

Section 2. Adoption of Document; No Funding Authorized.

The Lancaster County Council hereby adopts the Revised Lancaster County Capital Improvement Plan 2022 – 2031 document as more specifically detailed in the attached Exhibits. Inasmuch as this is strictly a financial planning document, no funding for any project contained therein is authorized through the adoption of this ordinance.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

Public Hearing and First Reading: May 28, 2024
Second Reading: June 10, 2024
Third Reading: June 24, 2024

LANCASTER COUNTY
PROPOSED CAPITAL IMPROVEMENT PROGRAM THROUGH FY 2031

FY25 CIP NEW Project Requests in Orange

Replacement Program Items

	Project Estimate	Cumulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031	Funding Source(s)
Administration	**5,792,000**	-	**917,000**	**2,875,000**	**1,500,000**	**500,000**	
Space Reallocation - Admin Building	192,000	-	192,000				G.O. Bond and General Fund Mill
Elections/Fleet Facility Add 'l Upfit	600,000	-	600,000				G.O. Bond and General Fund Mill
Enterprise Resource Planning (ERP)	5,000,000	-	125,000	2,875,000	1,500,000	500,000	1x Fund Balance Appropriation - FY25
Coroners Office	**1,770,000**	**89,154**	**1,680,847**	**-**	**-**	**-**	
Office Space	1,770,000	89,154	1,680,847	-	-	-	ARPA Project
Emergency Medical Services	**18,469,845**	**-**	**915,350**	**8,522,500**	**945,563**	**7,476,806**	
Ambulances (2x)	7,254,495	-	900,000	922,500	945,563	3,876,806	Capital Improvement Mill, Impact Fee
EMS Station 3	1,800,000	-	-	1,800,000	-	-	GO Bond
EMS Station 6	1,800,000	-	-	1,800,000	-	-	GO Bond
EMS Combination Station	4,000,000	-	-	4,000,000	-	-	GO Bond
EMS Station 7	1,800,000	-	-	-	-	1,800,000	CPST 3
EMS Station 10	1,800,000	-	-	-	-	1,800,000	CPST 3
Lifting Pillows	15,350	-	15,350	-	-	-	General Fund Mill
Economic Development	**4,000,000**	**-**	**-**	**-**	**4,000,000**	**-**	Fund Balance
Spec. Building	4,000,000	-	-	-	4,000,000	-	
Fire Service / Emergency Management	**60,092,973**	**25,517,645**	**11,888,363**	**3,531,916**	**311,616**	**14,896,728**	
Fire Apparatus Countywide Purchase	8,740,788	640,788	7,459,213	-	-		ARPA Funds 2 Trucks - Possible Go Bond Future
Aerial Apparatus/Mobile Command Post	18,397,024	9,198,512	-	-	-	-	SOB & Surety Bond
Apparatus (New Stations)	6,455,800	-	-	3,227,900	-	3,227,900	Impact Fee
Fire Stations	14,391,201	-	4,000,000	-	-	10,391,201	Impact Fee
Building UPS	79,000	-	79,000	-	-	-	General Fund Mill
Brush Truck Replacement Program	2,189,861		296,601	304,016	311,616	1,277,627	Capital Improvement Mill
TDMA Radio Upgrade			25,000				General Fund
Motorola Radios			28,549				General Fund
IL Fire Service District	**13,357,571**						

	Project Estimate	Cumulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031	Funding Source(s)
Station 3 Construction	11,745,240	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
Station 3 Engine	1,200,000	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
Apparatus Radios	59,331	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
UEBSS RIT Bags	28,000	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
Station 1 and 2 Renovations	200,000	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
Battalion Chief Vehicle	125,000	-	TBD	TBD	TBD	TBD	See Fire Millage Scenario Presentation
							See Fire Millage Presentation
Fleet Maintenance	**7,275,127**	**-**	**985,364**	**1,009,998**	**1,035,248**	**4,244,517**	
Vehicle Replacement (includes 2 PZ vehicles)	7,275,127	-	985,364	1,009,998	1,035,248	4,244,517	Capital Improvement Mill
IT - Information Technology	**3,210,000**	**660,000**	**200,000**	**220,000**	**220,000**	**1,250,000**	
IT Hardware Replacement Program	3,210,000	660,000	200,000	220,000	220,000	1,250,000	1x Fund Balance Appropriation
Development Services	**4,000,000**	**-**	**-**	**4,000,000**	**-**	**-**	
Building/Office Space	4,000,000	-	-	4,000,000	-	-	No funding source identified
Registration & Elect	**31,615**	-	31,615	**-**	-	-	
Voting Machines and Appartus	31,615	-	31,615	-	-	-	General Fund Mill
Roads	**60,090,161**	**15,004,021**	**16,733,618**	**7,180,000**	**860,000**	**5,308,500**	
Fleet Operations Garage and Public Works Admin Office	2,000,000	-	2,000,000	-	-	-	ARPA Funds
Road Preservation	5,918,500	1,210,000	420,000	425,000	435,000	2,218,500	Road Fee
Road Paving and CTC ($1.4M)	45,362,692	12,474,537	14,063,618	6,350,000	-	-	Fund Balance/CPST 2/CPST3/CTC
Bush Hog Replacements (2)	804,836	202,418	-	-	-	400,000	Capital Fund
Motorgrader Replacement (5)	2,840,000	600,000	-	210,000	220,000	1,210,000	Capital Fund
Track Excavator	739,021	159,510	-	-	-	420,000	Capital Fund
Tandem Dump Truck Replacements (4)	2,020,112	357,556	-	195,000	205,000	905,000	Capital Fund
Small Dump Truck	300,000	-	150,000	-	-	150,000	Capital Improvement Mill
Mack Dump Truck	10,000	-	5,000	-	-	5,000	Capital Improvement Mill
PW Ofc Remodel	30,000		30,000	-	-	-	Capital Improvement Mill
Trailer	15,000	-	15,000	-	-	-	Capital Improvement Mill
Hydroseeder	50,000	-	50,000	-	-	-	Capital Improvement Mill
Solid Waste	**9,136,095**	**556,887**	**2,090,000**	**410,000**	**420,250**	**5,102,071**	
Recycling Center Upgrades	2,120,000	-	-	-	-	2,120,000	GO Bond
Public Works Warehouse, Crew Facility, and Shop	1,905,180	-	-	-	-	1,905,180	Fund Balance

	Project Estimate	Cumulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031	Funding Source(s)
Refuse Truck (1)	2,590,412	556,887	200,000	205,000	210,125	861,513	Capital Improvement Mill
Two Convenience Site Upgrades (Joshua Tree and Erwin Farm)	1,605,000	-	1,605,000	-	-	-	General Fund Mill
Refuse Can Replacement	60,000		60,000	-	-	-	Capital Improvement Mill
Refuse Vehicle Trade-in (5x)	25,000	-	25,000	-	-	-	Capital Improvement Mill
Convenience Site Maintenance	830,503		200,000	205,000	210,125	215,378	1x Fund Balance Appropriation and General Fund
Parks & Recreation	**87,256,283**	**15,414,453**	**1,447,128**	**256,250**	**5,262,656**	**34,046,891**	
Lancaster County Regional Park	34,700,000	-	-	-	5,000,000	29,700,000	Hospitality Tax /2023 IPRB Bonds
Recreation Centers Security Systems	210,000	-	210,000	-	-	-	Fund Balance
Parking Lot at Springdale	1,212,872	112,872	987,128	-	-	-	ARPA
Field Lighting Additions and Replacements	1,925,034	302,517	-	-	-	1,320,000	Fund Balance
Renovate IL EMS Station for Rec Use	475,000	-	-	-	-	475,000	Fund Balance
Maintenance Shop at Buford Recreation	475,000	-	-	-	-	475,000	Fund Balance
Walnut Creek Soccer Fields	1,000,000	-	-	-	-	1,000,000	CPST 3
Indian Land Recreation Center	11,672,138	5,836,069	-	-	-	-	GO Bond
Soccer Fields at Indian Land	8,223,433	4,111,717	-	-	-	-	GO Bond
Soccer Fields at Heath Springs	10,102,557	5,051,278	-	-	-	-	GO Bond
Gym Wall Padding and Flooring	1,845,797	-	250,000	256,250	262,656	1,076,891	Capital Improvement Mill
911	**2,020,567**	**1,010,283**	**-**	**-**	**-**	**-**	
Console Replacement	2,020,567	1,010,283	-	-	-	-	Fund Balance
Stormwater	**1,510,000**	**-**	**510,000**	**850,000**	**-**	**-**	
Calvin Hall Road Stream Crossing Replacement	850,000	-	-	850,000	-	-	Stormwater Fund
Stream Gauging Stations	150,000	-	-	TBD	TBD	TBD	Stormwater Fund
3/4 Ton Pick-up Truck	10,000		10,000	-	-	-	Stormwater Fund
Culvert on Henry Harris Road	500,000	-	500,000	-	-	-	Stormwater Fund
Sheriff	**107,433,371**	**3,917,822**	**4,780,700**	**1,178,750**	**1,208,219**	**92,430,058**	
Armored Vehicle	660,706	330,353	-	-	-	-	Grant Funds
In Car Cameras (12) and Body Cameras (8)	584,881	262,290	60,300	-	-	-	Fund Balance/Grant Funds/General Fund
Sheriff's Operations Building	1,210,000	-	-	-	-	1,210,000	Fund Balance
Sheriff Substation	3,161,940	-	-	-	-	3,161,940	Impact Fee/Fund Balance
Detention Center	93,325,179	3,325,179	3,570,400	-	-	83,104,421	CPST 3/IRPB Bonds
19 Vehicle Replacements	8,490,666		1,150,000	1,178,750	1,208,219	4,953,697	Federal Funds ($750K)/General Fund/ Capital Improvement Mill forward
Total Capital Improvement Plan Program:	**385,445,606**	**62,170,265**	**42,179,984**	**30,034,414**	**15,763,552**	**165,255,571**	

Lancaster County
South Carolina

2021

Fiscal Year 2022/31 Proposed Capital Improvement Plan

PREPARED BY LANCASTER COUNTY FINANCE DEPARTMENT
KIMBERLY BELK

Lancaster County

South Carolina Council



Seated (L to R): Vice-Chairman, Brian Carnes; Chairman, Steve Harper; Secretary, Billy Mosteller. Standing (L to R): Councilman Allen Blackmon, Councilman Larry Honeycutt, Councilwoman Charlene McGriff, and Councilman Terry Graham.

Council Members	District	Term Expires
Terry Graham	1	12/31/2024
Charlene McGriff	2	12/31/2022
Billy Mosteller	3	12/31/2024
Larry Honeycutt	4	12/31/2022
Steve Harper	5	12/31/2024
Allen Blackmon	6	12/31/2022
Brian Carnes	7	12/31/2024

Administrator, Steve Willis
Clerk to Council, Sherrie Simpson

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Lancaster County
South Carolina

July 13, 2021

Steve Harper, Chairman
Members, County Council

Mr. Chair & Council Members,

Please find the corresponding recommendations for the FY2022-31Capital Improvement Plan (CIP). You will find this plan is based off of data and recommendations provided by the Impact Fee Study and the Facilities Needs Study balanced with available financial resources. The total for the 10 year plan as presented is $203,236,935. This total encompasses an investment into the County's capital assets with funding sources including capital project sales tax, potential impact fee collections, strategic use of County fund balance, as well as debt issuance. While this plan will address many of the needs that have been identified by the studies already mentioned as well as those identified by your department heads, the majority of funding focuses in the area of public safety.

In total there is $47,696,120 in allocations for a new detention center in public safety beginning in FY2021/22 which is a major expense facility as approved by the voters to be funded through debt issuance using capital project sales tax funds. In addition there are several stations planned for Emergency Medical Services (EMS) within the next 10 years totaling over $11 million with funding sources varying. Fire Service also has 3 stations planned within the next 10 years per the impact fee study. As described in the study, the growth in development will lend itself towards new facility needs to maintain current service levels. In addition to facilities, public safety is also planned to have $34 million in replacement equipment.

In terms of roads and infrastructure improvements, the public services division has the second largest capital expenses planned with over $42 million. This is includes the annual allocation from the road maintenance fee for preservation, but is largely related almost $20 million in roads funding over the next 5 years. This includes over $13 million from capital project sales tax 3 and approximately $6.75 million remaining on capital project sales tax 2. Additionally, funding is included for a public works administrative office and fleet operations garage in the amount of $4.9 million as well as recycling center upgrades. The remaining plans relate to replacement equipment.

Closely following public services would be general services which include plans for both Parks & Recreation and the Managed Information Systems (MIS) departments. Parks & Recreation has several new facilities which planning has already begun for in the current year which will begin construction at the end of this current year into next year. Those projects include renovations at the Indian Land Recreation Center and soccer fields in

Heath Springs and Indian Land. The total of those three projects is estimated at over $14 million. In addition this plan reflects the intent to do a phased construction of the regional park beginning in fiscal year 2022/23. The park would be completed using a combination of funding from hospitality tax and impact fee revenue over the next 10 years.

The level of funding for the above projects displays an emphasis on updating outdated facilities as identified in the space needs assessment, includes the projects necessary to maintain levels of service as discussed in the impact fee study, and will allow for the County to invest in replacement assets which provide for efficiency gains in the future. Appreciation must be given to all of the department heads and elected officials who helped develop this plan as well as our evaluation team members who helped rank and prioritize these projects. Investments in capital are an important step to maintaining financial resiliency while providing Lancaster County citizens with the services they need.

Thank you for your consideration and taking this step to progress the County towards sustainable long term financial planning.

Kimberly Belk
Interim Deputy County Administrator

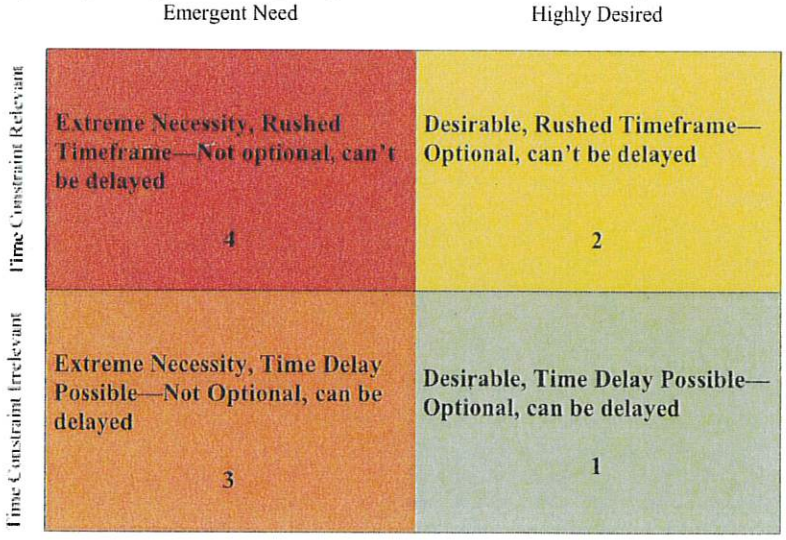
CIP Development

CIP Schedule

Budget staff modeled the process for development largely off of the County's budget process. In July, forms were sent out and preliminary meetings were held with department heads to kick off the development. By the end of summer, the majority of submissions were received. Through the fall, those submissions were compiled and turned over to the evaluation team who reviewed and scored projects. The members of the evaluation team included the County Administrator, Deputy County Administrator, Public Services Division Director, Chief Financial Officer, and the Development Services Division Director. Following their scoring, budget staff ranked the projects and worked on revenue projections and estimates to identify funding sources as needed. This information rounded out project scheduling and the proposed document was prepared in January.

Project Evaluation and Scheduling

Once the evaluation team received submissions, they were asked to score projects based on the below matrix. If there was a project they completely disagreed with, they could also choose not to provide a score at all.



In addition to their scoring, budget staff worked with the County Administrator to create criteria to weight scores depending on project type. The highest weight was given to projects with public health or public safety implications, followed by infrastructure improvements, then economic development impacts, and finally projects that would relate directly to quality of life improvements such as recreational facilities. Beyond project types, budget staff weighted additionally projects that were the result of a mandate or compliance issue, projects that showed a partnership or collaborative effort, asset replacements, projects that resulted in gains in efficiency, and finally department identified priority projects.

Financial Planning

Lancaster County strives to follow best practices in financial management. To this end, the county recognizes the importance of the CIP for long-term financial planning. The document developed will assist the county in achieving goals and meeting the needs of our residents. The County continuously works to improve processes

so the funding of studies such as the facilities needs assessment in 2020 and the results of that analysis were incorporated within this plan as needed. In the future any refinement to this proposed document would be done in concert with recommendations from future studies and plans. For example, the County will be looking at updating the Solid Waste Master Plan and Comprehensive Plan within the next fiscal year. If necessary, as a result, the County will make improvements to the CIP as a result. Additionally, the CIP has been developed in coordination with the recommendations of various other County committees to ensure a coordinated effort in identifying needs and strategic growth opportunities the maximize benefits to citizens of the County.

Funding Summaries

Revenue Summary

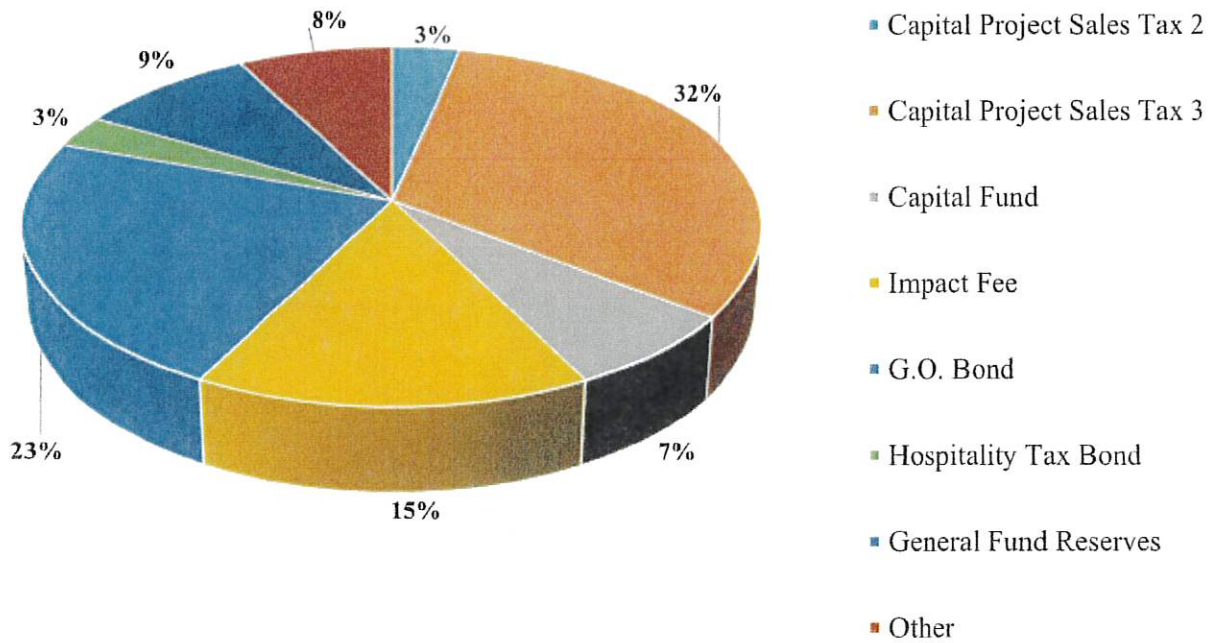
The revenue summary by sources which will be utilized to fulfill the capital needs outlined in this plan are included below. Capital Project Sales Tax is the largest making up 32% of proposed funding. Sales tax three, which was approved by voters in November 2020, includes $47 million for a detention center and is the largest item included in the plan. This is followed by general obligation bonds which are planned to be utilized on several projects which makes up 23% of the funding strategy. There is also planned to be a much less significant issuance of special revenue source bond using the hospitality tax fund. The potential impact fee revenue is also proposed at 15% of the proposed plan to be directly correlated to the impact fee study. And finally, the last significant revenue source is the general fund reserves which is proposed to fund approximately $20 million of projects in the next 10 years.

Revenues by Source

	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3	47,246,120		2,900,000	5,425,000	4,904,719	4,600,000
Capital Fund	1,300,000	1,210,000	1,460,000	1,300,335	1,340,000	7,690,435
Impact Fee			340,000		12,589,900	18,134,330
G.O. Bond	21,311,025	9,000,000	8,100,000	7,600,000		
Hospitality Tax Bond		6,000,000				
General Fund Reserves	1,620,000	1,780,000	4,220,000	220,000	220,000	9,948,670
Other*	1,700,000	797,500	420,000	425,000	5,285,000	7,398,901

*Includes the following revenue sources: County road fee, grants, and stormwater fee.

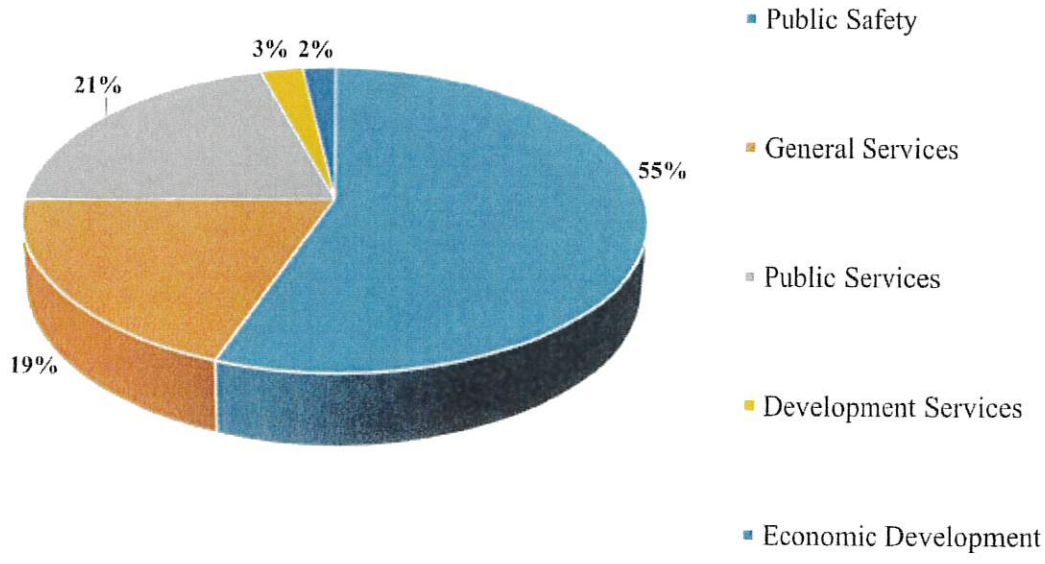
Funding Source Graph



Expenditures Summary

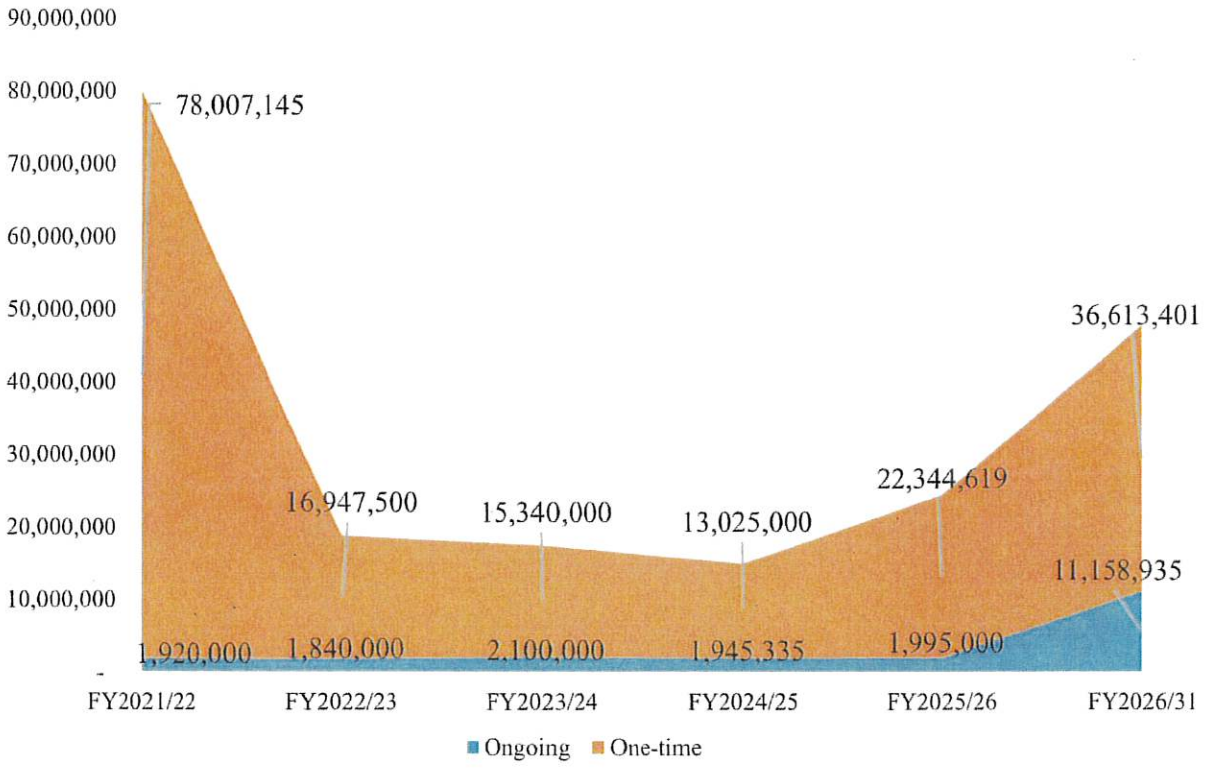
Below displays a breakdown of expenditures included in this plan over the next 10 years by division. Public safety has the largest allocation in the next 10 years with over 50% of planned capital expenditures, followed by public services. Public services includes the roads departments as well as the solid waste department within this plan. General services has roughly $39,000,000 planned over the next 10 years. This is largely comprised of Parks and Recreation projects, but also includes some Management Information System (MIS) department funding as well. Development services include Stormwater projects as well as a facility for the division.

Expenditures by Division						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Public Safety	50,246,120	10,110,000	9,120,000	8,300,335	8,299,900	26,588,656
General Services	14,765,000	7,530,000	220,000	220,000	5,220,000	11,020,000
Public Services	14,916,025	960,000	4,100,000	6,450,000	5,969,719	10,163,680
Development Services	-	187,500	4,000,000	-	850,000	-
Economic Development	-	-	-	-	4,000,000	-
	79,927,145	18,787,500	17,440,000	14,970,335	24,339,619	47,772,336



One-time versus Ongoing Capital Projects

While all items in the capital improvement plan are one-time purchases, many projects included in this plan are actually ongoing planned asset replacement. The below graphic is used to better distinguish the funding going towards a continuous planned replacement plan versus a single use of funding. Funding sources for the ongoing projects are dedicated for multiple years with continuous revenue. For the most part ongoing projects are largely equipment purchases while one-time projects range from facility renovations or construction to road rehabilitation.



	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Ongoing	1,920,000	1,840,000	2,100,000	1,945,335	1,995,000	11,158,935
One-time	78,007,145	16,947,500	15,340,000	13,025,000	22,344,619	36,613,401

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office	1,300,000	1,300,000	-	-	-	-	-
Office Space	1,300,000	1,300,000	-	-	-	-	-
Emergency Medical Services	12,332,500	600,000	660,000	1,020,000	8,300,335	1,072,000	8,597,615
Ambulances	4,732,500	600,000	660,000	1,020,000	700,335	1,072,000	4,997,615
EMS Station 3	1,800,000	-	-	-	1,800,000	-	-
EMS Station 6	1,800,000	-	-	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	-	-	4,000,000	-	-
EMS Station 7	-	-	-	-	-	-	1,800,000
EMS Station 10	-	-	-	-	-	-	1,800,000
Economic Development	4,000,000	-	-	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	-	-	4,000,000	-
Fire Service	24,327,900	-	9,000,000	8,100,000	-	7,227,900	13,619,101
Fire Apparatus Countywide Purchase	8,100,000	-	-	8,100,000	-	-	-
Aerial Apparatus/Mobile Command Post	9,000,000	-	9,000,000	-	-	-	-
Apparatus (New Stations)	3,227,900	-	-	-	-	3,227,900	3,227,900
Fire Stations	4,000,000	-	-	-	-	4,000,000	10,391,201
Management Information System	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
MIS Hardware Improvements	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	-	4,000,000	-	-	-
Building/Office Space	4,000,000	-	-	4,000,000	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Roads	29,515,744	12,796,025	785,000	3,915,000	6,255,000	5,764,719	7,353,500
Fleet Garage and Public Works Admin	4,946,025	4,946,025	-	-	-	-	-
Road Preservation	2,090,000	400,000	410,000	420,000	425,000	435,000	2,218,500
Road Paving	19,979,719	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Bush Hog Replacements (2)	400,000	200,000	-	200,000	-	-	400,000
Motorgrader Replacement (5)	1,040,000	200,000	200,000	210,000	210,000	220,000	1,210,000
Track Excavator	300,000	300,000	-	-	-	-	420,000
Tandem Dump Truck Replacements (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Solid Waste	2,880,000	2,120,000	175,000	185,000	195,000	205,000	2,810,180
Recycling Center Upgrades	2,120,000	2,120,000	-	-	-	-	-
Warehouse, Crew Facility, and Shop	-	-	-	-	-	-	1,905,180
Refuse Trucks (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Parks & Recreation	26,855,000	14,545,000	7,310,000	-	-	5,000,000	9,770,000
Lancaster County Regional Park	11,000,000	-	6,000,000	-	-	5,000,000	6,500,000
Recreation Centers Security Systems	210,000	-	210,000	-	-	-	-
Parking Lot at Springdale	1,100,000	-	1,100,000	-	-	-	-
Gym Floors at AJRC and BRC	300,000	300,000	-	-	-	-	-
Field Lighting Additions and Replacements	-	-	-	-	-	-	1,320,000
Renovate IL EMS Station for Rec Use	-	-	-	-	-	-	475,000
Maintenance Shop at Buford Recreation	-	-	-	-	-	-	475,000
Walnut Creek Soccer Fields	-	-	-	-	-	-	1,000,000
Indian Land Recreation Center	4,221,000	4,221,000	-	-	-	-	-
Soccer Fields at Indian Land	4,991,000	4,991,000	-	-	-	-	-
Soccer Fields at Heath Springs	5,033,000	5,033,000	-	-	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
911	1,100,000	1,100,000	-	-	-	-	-
Console Replacement	1,100,000	1,100,000	-	-	-	-	-
Stormwater	1,037,500	-	187,500	-	-	850,000	-
Calvin Hall Stream Crossing Replacement	850,000	-	-	-	-	850,000	-
Stream Gauging Stations	187,500	-	187,500	-	-	-	-
Sheriff	47,696,120	47,246,120	450,000	-	-	-	4,371,940
Armored Vehicle	300,000	-	300,000	-	-	-	-
In Car Cameras and Body Cameras	150,000	-	150,000	-	-	-	-
Sheriff's Operations Building	-	-	-	-	-	-	1,210,000
Sheriff Substation	-	-	-	-	-	-	3,161,940
Detention Center	47,246,120	47,246,120	-	-	-	-	-
Total	155,464,599	79,927,145	18,787,500	17,440,000	14,970,335	24,339,619	47,772,336

Summary of Additional Operating Impact

In order to fully understand the impact of completing a capital project, staff has estimated the impact on operating expenses. Some of the projects included in this plan represent on-going maintenance or replacement items which already have operating funding allocated and have been budgeted for in the past. Those have been excluded from the below data. The only projected impacts below are included for new or additional capital projects that will add to the operating budget.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office						
Office Space		7,685	7,839	7,995	8,155	52,475
Emergency Medical Services						
EMS Station 3				7,055	7,195	38,195
EMS Station 6				7,055	7,195	38,195
EMS Combination Station				22,755	23,210	123,200
EMS Station 7						31,000
EMS Station 10						2,536,225
Economic Development						
Spec. Building					15,750	48,670
Development Services						
Building/Office Space				20,000	20,400	110,000
Roads						
Fleet Garage and Public Works Admin Office		32,900	33,500	34,170	35,000	185,790
Solid Waste						
Public Works Warehouse, Crew Facility, and Shop						72,600
Refuse Truck Replacement			16,000	16,320	16,646	88,360
Parks & Recreation						
Recreation Centers Security Systems			12,000	12,240	12,485	66,275
Field Lighting Additions and Replacements						63,000
Renovate IL EMS Station for Rec Use						38,215
Maintenance Shop at Buford Recreation						120,335
Walnut Creek Soccer Fields						216,715
Indian Land Recreation Center		360,000	367,200	374,545	382,035	2,027,890
Soccer Fields at Indian Land		90,900	92,720	94,575	96,465	512,045
Soccer Fields at Heath Springs		39,995	40,795	41,610	42,445	273,105
911						
Console Replacement		74,153		76,597	79,159	
Sheriff						
In Car Cameras and Body Cameras			13,000	13,260	13,525	71,796
Sheriff's Operations Building						28,403
Sheriff Substation						9,185
Total	0	605,633	583,054	728,177	759,666	6,751,674

15 Costs are not fully known or estimated at this time on every large facility expansion, but more details will come as plans develop. The detention center, fire stations, and regional park projects have been excluded for that reason.

Project Details by Department

Office Space
Coroner's Office

Project Overview

This project came to the attention of the County directly as a result of the COVID-19 crisis. The current space the Coroner's Office is occupying is not adequate to fulfill the requirements that they need in times of emergency. The facility was included in the space needs study as well, but was not as high of a priority on the list at the time. Due the the pandemic, the County is recommending bumping this facility to a higher rank to handle the case load the department is facing.

Funding

This will be funded through anticipated federal aid money.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$50,000					
Land Acquisition	$1,000,000					
Construction	$250,000					
Technology						
Equipment						
Other						
Total Expenditures	$1,300,000	$0	$0	$0	$0	$0
Revenues						
Other Governmental	$1,300,000					
Total Revenues	$1,300,000	$0	$0	$0	$0	$0

Status

Funding anticipated to be received in Spring 2021. Project will start after funding is received.

Aerial Apparatus/Mobile Command Post
Fire Service/Emergency Management

Project Overview

This project encompasses planning for a new aerial apparatus and mobile command post. It will include the replacement of the current 1997 platform currently stationed at the City of Lancaster Fire department, the replacement of the current 2001 75ft. straight stick housed at the Elgin Fire department, and the purchase and placement of mid mount platforms at both the Indian Land and Pleasant Valley Fire departments. Lastly, a mobile command post will be purchased with the intent for it to be usable by all emergency service departments.

Funding

The decision to move forward with funding for this project will be decided by the voters of Lancaster County in the next election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$9,000,000				
Other						
Total Expenditures	$0	$9,000,000	$0	$0	$0	$0
Revenues						
G.O. Bond		$9,000,000				
Total Revenues	$0	$9,000,000	$0	$0	$0	$0

Status

Referendum planned for November 2021.

Fire Apparatus-County-wide

Fire Service/Emergency Management

Project Overview

While fire trucks and various other types of equipment used on the trucks and housed at the stations last longer than vehicles and equipment used by other first responders such as police cruisers and ambulances, their daily use requires them to be replaced on a routine basis. In order to outfit stations with the new trucks and equipment they need, the county purchases the equipment through the issuance of GO Bonds when the time comes.

Funding

Funding for this project will be derived through the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment			$8,100,000			
Other						
Total Expenditures	$0	$0	$8,100,000	$0	$0	$0
Revenues						
G.O. Bond			$8,100,000			
Total Revenues	$0	$0	$8,100,000	$0	$0	$0

Status

Project will not begin until fiscal year 2024.

Fire Stations
Fire Service/Emergency Management

Project Overview

As identified in the impact fee study, in order to maintain current service levels in the panhandle area, new facilities will need to be built. This will include a second station in Indian Land, a second station for Pleasant Valley, and a headquarters station for Van Wyck fire district. The operating costs for these facilities will largely be the responsibility of the fee districts.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					$4,000,000	$10,391,201
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$4,000,000	$10,391,201
Revenues						
Impact Fee					$4,000,000	$7,925,400
To be Determined						$2,465,801
Total Revenues	$0	$0	$0	$0	$4,000,000	$10,391,201

Status

Based on impact fee collection projections, it will be fiscal year 2026 before construction could begin on the first station.

Apparatus (New Stations)
Fire Service/Emergency Management

Project Overview

Vehicles and equipment will need to be purchased for new stations coming online in the coming years. Due to the growth being experienced where the new stations will be built, these purchases can be made through the use of Impact Fee dollars.

Funding

Funding for this project will be derived through Impact Fee dollars and another yet to be identified source.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment					$3,227,900	$3,227,900
Other						
Total Expenditures	$0	$0	$0	$0	$3,227,900	$3,227,900
Revenues						
Impact Fee					$3,227,900	$513,300
To Be Determined						$2,714,600
Total Revenues	$0	$0	$0	$0	$3,227,900	$3,227,900

Status

Based on projected collections in impact fee revenue and station build timelines, initial purchase will not happen until fiscal year 2026.

Ambulances
Emergency Medical Services (EMS)

Project Overview

EMS Units (Ambulances) are currently purchased on an annual basis. Based off of growth in the county, a need has been determined to begin purchasing three EMS Units per year instead of two. In doing so, new EMS Stations which are soon due to come online and those planned in the future will be properly equipped with the units needed to allow said stations to function as intended. Additionally, moving from two units to three units per year will allow for the continuation of moving EMS Units with high mileage at high call volume stations to stations with lower call volumes in order to maximize the life of EMS Units.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used to purchase high dollar, fairly routine equipment. Additionally, money will be used from the Impact Fee collections.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615
Other						
Total Expenditures	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615
Revenues						
Capital Fund	$600,000	$660,000	$680,000	$700,335	$710,000	$3,850,435
Impact Fee			$340,000		$362,000	$1,147,180
Total Revenues	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615

Status

Ongoing funding for replacements will continue as part of each fiscal year budget process for 2 ambulances. The third ambulance will be funded bi-annually through projected impact fee collections beginning in fiscal year 2023-2024.

Station Three
Emergency Medical Services (EMS)

Project Overview

EMS Station Three is currently located south of the City of Lancaster. This station will be relocated in order to reduce response times in an effort to better serve citizens in that area of the county.

Funding

Funding for EMS Station three will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				$70,038		
Land Acquisition						
Construction				$1,622,731		
Technology				$38,299		
Equipment				$58,459		
Other				$10,473		
Total Expenditures	$0	$0	$0	$1,800,000	$0	$0
Revenues						
G.O. Bond				$1,800,000		
Total Revenues	$0	$0	$0	$1,800,000	$0	$0

Status

Project will not begin until FY2025.

Station Six
Emergency Medical Services (EMS)

Project Overview

EMS Station Six is currently located just north of the Town of Kershaw. It will be replaced in order to allow EMS staff to better conduct their job duties and render life-saving care to citizens of Lancaster County in and around the Town of Kershaw.

Funding

Funding for EMS Station Six will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				$70,038		
Land Acquisition						
Construction				$1,622,731		
Technology				$38,299		
Equipment				$58,459		
Other				$10,473		
Total Expenditures	$0	$0	$0	$1,800,000	$0	$0
Revenues						
G.O. Bond				$1,800,000		
Total Revenues	$0	$0	$0	$1,800,000	$0	$0

Status

Project will not begin until FY2025.

Station Seven
Emergency Medical Services (EMS)

Project Overview

EMS Station Seven is currently located within the Town of Heath Springs. This station is aging and is outdated. In order to best serve the citizens in and around the Town of Health Springs, this station needs to be replaced.

Funding

Funding for EMS Station Seven will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$70,038
Land Acquisition						
Construction						$1,622,731
Technology						$38,299
Equipment						$58,459
Other						$10,473
Total Expenditures	$0	$0	$0	$0	$0	$1,800,000
Revenues						
Capital Project Sales Tax 3						$1,800,000
Total Revenues	$0	$0	$0	$0	$0	$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Station Ten
Emergency Medical Services (EMS)

Project Overview EMS Station Ten

EMS Station Ten is a new EMS Station which will be built in the northern end of the county, located in the Indian Land area. This area of the county has experienced much growth in recent years and is anticipated to see more growth in the coming decade. In order to properly serve the citizens in the northern end of the county and help accommodate for future growth, an additional station is needed.

Funding

Funding for EMS Station Ten will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$70,038
Land Acquisition						
Construction						$1,622,731
Technology						$38,299
Equipment						$58,459
Other						$10,473
Total Expenditures	$0	$0	$0	$0	$0	$1,800,000
Revenues						
Capital Project Sales Tax 3						$1,800,000
Total Revenues	$0	$0	$0	$0	$0	$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Combination Station
Emergency Medical Services (EMS)

Project Overview

The proposal for the EMS Combination Station includes one large station in the City of Lancaster to take the place of two current stations in and around the City of Lancaster. The intention of this Combination Station is to reduce overall costs on property while also providing better coverage for citizens living in and around the City. This station will also be able to accommodate future growth expected in and around the City. The building will mirror that of the new EMS 4/9 station on a larger scale.

Funding

Funding for EMS Combination station will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				155,000		
Land Acquisition				1,000,000		
Construction				2,615,000		
Technology				100,000		
Equipment				130,000		
Other						
Total Expenditures	$0	$0	$0	$4,000,000	$0	$0
Revenues						
G.O. Bonds				4,000,000		
Total Revenues	$0	$0	$0	$4,000,000	$0	$0

Status

Project will not begin until 2024-2025.

Hardware Improvements/Replacement
Management Information Systems (MIS)

Project Overview

The MIS improvements included in this Capital Improvement Plan entail replacing various hardware and technology set-ups on a yearly basis in order to ensure all systems will run efficiently and as intended and employees will have properly functioning equipment in order to perform their job duties well.

Funding

Funding for MIS Improvements will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Equipment						
Other						
Total Expenditures	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Revenues						
General Fund Reserves	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Total Revenues	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000

Status

This will be an ongoing capital replacement of existing equipment and will be allocated as part of the annual budget process.

Fleet Operations Garage/Public Works Administration Office

Roads

Project Overview

As noted in the recently completed Facility Needs Study, various Public Works facilities are sparse throughout the County. In order to ensure Public Works as the adequate facilities needed to conduct their day to day operations, it was recommended to construct a centralized Public Works Administration office in addition to a Fleet Operations Garage. This will set up key functions of the Public Works division to be able to perform their job duties safely and adequately while anticipating future growth of the division, mirroring the growth of the County itself.

Funding

Funding for the Fleet Operations Garage and the Public Works Administration Office will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$204,326					
Land Acquisition	$2,017,436					
Construction	$2,629,728					
Technology						
Equipment	$94,535					
Other						
Total Expenditures	$4,946,025	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,946,025					
Total Revenues	$4,946,025	$0	$0	$0	$0	$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Road Paving

Roads

Project Overview

The County submitted this proposal as part of the One Cent Capital Project Sales Tax passed by the voters in the November 2016 and 2020 election. Road projects are prioritized and determined by the County Transportation Commission.

Funding

Funding for this project is derived from the One Cent Capital Project Sales Tax passed by the voters of Lancaster County in the November 2016 and November 2020 election. In addition, the latter years funding has a contribution from general fund reserves.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Technology						
Equipment						
Other						
Total Expenditures	$6,750,000	$0	$2,900,000	$5,425,000	$4,904,719	$2,200,000
Revenues						
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3			2,900,000	5,425,000	4,904,719	
General Fund Reservess						2,200,000
Total Revenues	$6,750,000	$0	$2,900,000	$5,425,000	$4,904,719	$0

Status

The final roads of CPST 2 will be completed in FY2022 and include the following listed below:

1) Walnut Road/Stewert Place Road/Langley Road- Only Walnut Road is incomplete. Total estimated remaining cost is $700,000.

2) Lynwood Drive- Tentative schedule for completion is September/October 2021 completion. Total estimated cost is $750,000.

3) Capital Sales SCDOT Pay GO Alternates including French Street, Normandy Street, Hughes Street, Ernest Scott, Horsehoe and, Man O War. Tentative completion date is 11/30/2021 for entire contract (multiple roads). Total estimated cost is $2,000,000.

4) Capital Sales SCDOT Pay GO Alternates including Camp Creek Road (portion), Mt. Carmel Road (portion), Hilldale Drive. Total estimated cost (barring significant change orders) is $3,300,000.

Beginning in FY2024 the county will begin looking at the roads prioritized by the County Transportation Commission for CPST 3. Funding for those projects will continue for several years based on collection projections.

Road Preservation
Roads

Project Overview

As determined by County Public Works staff based on need and current condition, work will be conducted on roads within the County in order to properly maintain and preserve them so costly and avoidable repairs are not needed in the future.

Funding

Funding for Road Preservations Projects is derived from the road fees outlined in the Fee Schedule. The full Fee Schedule can be found in the budget ordinance and/or budget document on the County's website.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						
Other	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Total Expenditures	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Revenues						
Road Maintenance Fee	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Total Revenues	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000

Status

This is an ongoing project funded through annual collections of the County road fee. It will be budgeted as part of the annual operating and capital budget.

Bush Hog Replacements
Roads

Project Overview

Over the course of the first five year period of the CIP, two bush hogs will be purchased in fiscal years 2021-2022 and 2023-2024. Current active and reserve machines are low output and high maintenance machines. The new machines scheduled to be purchased are lower maintenance machines which will allow Roads employees to conduct their job duties more efficiently.

Funding

Funding for this project is derived from the Capital Equipment fund which is used for high dollar, yet fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$200,000		$200,000			
Other						
Total Expenditures	$200,000	$0	$200,000	$0	$0	
Revenues						
Capital Fund	$200,000		$200,000			
Total Revenues	$200,000	$0	$200,000	$0	$0	$0

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Motorgrader Replacement
Roads

Project Overview

Over the first five year period of this Capital Improvement Plan, five Motorgraders will be purchased to replace existing ones. Ideally, Motorgraders should be replaced every five years and allocating this funding each year will allow the County to begin a true replacement plan for this equipment.

Funding

Funding for this project/replacement plan will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$106,861
Land Acquisition						$219,823
Construction						$1,850,320
Technology						
Equipment	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000
Other						
Total Expenditures	$200,000	$200,000	$210,000	$210,000	$220,000	$3,060,320
Revenues						
Capital Fund	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000
Total Revenues	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Track Excavator
Roads

Project Overview

The County currently has one large excavator which is an older model and is due to be replaced. Growth in the County has caused this current machine to be used almost daily. In order to accommodate the growth, a new, larger machine is needed so that more jobs which require the use of this machine can be accomplished in house. In the long run, this will result in contractual savings in the Roads accounts due to a lessened need to outsource jobs Roads staff are unable to currently take on.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$300,000					$420,000
Other						
Total Expenditures	$300,000	$0	$0	$0	$0	$420,000
Revenues						
Capital Fund	$300,000					$420,000
Total Revenues	$300,000	$0	$0	$0	$0	$420,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Tandem Dump Truck Replacement
Roads

Project Overview

As with the Refuse Trucks, four dump truck replacements will be purchased in four out of the first five years of this Capital Improvement Plan. Due to the County still being responsible for maintaining a fair amount of gravel roads, dump trucks are still needed as part of this department in order to properly maintain these gravel roads.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$175,000	$185,000	$195,000	$205,000	$905,000
Other						
Total Expenditures	$0	$175,000	$185,000	$195,000	$205,000	$905,000
Revenues						
Capital Fund		$175,000	$185,000	$195,000	$205,000	$905,000
Total Revenues	$0	$175,000	$185,000	$195,000	$205,000	$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Refuse Truck Replacement
Solid Waste

Project Overview

In four out of the first five years of this Capital Improvement Plan, one refuse truck will be purchased per year for a total of $760,000. The collections function of the Solid Waste Department has mirrored the growth in the County as a whole. In making these purchases over the first five years, a foundation for a true replacement plan will be laid so that these frequently used and necessary vehicles can be regularly replaced when they reach the end of their functional life.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$175,000	$185,000	$195,000	$205,000	$905,000
Other						
Total Expenditures	$0	$175,000	$185,000	$195,000	$205,000	$905,000
Revenues						
Capital Fund		$175,000	$185,000	$195,000	$205,000	$905,000
Total Revenues	$0	$175,000	$185,000	$195,000	$205,000	$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Solid Waste Department done in accordance with the annual budget process.

Public Works Warehouse, Crew Facility, and Shop
Solid Waste

Project Overview

In addition to the Fleet Operations Garage and the Administration Office mentioned previously in this document, it was also recommended in the Facilities Needs Study to construct a warehouse, crew facility, and maintenance shop for various departments within the Public Works division. In doing so, proper and appropriate space would be created so various elements of the Public Services division are able to function optimally to serve the citizens of Lancaster County well.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$106,861
Land Acquisition						$219,823
Construction						$1,850,320
Technology						
Equipment						$54,860
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,905,180
Revenues						
General Fund Reserves						$1,905,180
Total Revenues	$0	$0	$0	$0	$0	$1,905,180

Status

This project will not begin until fiscal year 2028.

Recycling Center Upgrades
Solid Waste

Project Overview

Current Recycling Centers across the county are older and outdated. In order to keep up with the growth the county has experienced and is expected to continue to experience, there is a need to upgrade these sites. Upgrades will consist of new buildings, cans, fencing, paving, and concrete pads. Specific upgrades will be tailored to each site depending on what is needed.

Funding

Funding for the Recycling Center Upgrades project will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$100,000					
Land Acquisition						
Construction	$1,700,000					
Technology						
Equipment	$200,000					
Other	$120,000					
Total Expenditures	$2,120,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$2,120,000					
Total Revenues	$2,120,000	$0	$0	$0	$0	$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Regional Park
Parks and Recreation

Project Overview

The Lancaster County Regional Park is a project designed to attract people and various organizations around the area to use the facilities and amenities which are planned for the park. In addition to facilities and amenities that residents of the county can use on a routine basis such as playgrounds, courts, and fields, the Regional Park will have large facilities such as gymnasiums which will attract travel sports teams and programs.

Funding

Funding for this project will be derived from a combination of Impact Fees and a Hospitality Tax. Additional funding in the future may be designated as it is available. In total the projected cost to complete the park was estimated to be approximately $30 million in 2020.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$6,000,000			$5,000,000	$6,500,000
Other						
Total Expenditures	$0	$6,000,000	$0	$0	$5,000,000	$6,500,000
Revenues						
Hospitality Tax		$6,000,000				
Impact Fee					$5,000,000	$6,500,000
Total Revenues	$0	$6,000,000	$0	$0	$5,000,000	$6,500,000

Status

This project will be phased beginning in fiscal year 2023 using hospitality tax funding for the first phase.

Security Systems
Parks and Recreation

Project Overview

In order to properly secure Parks and Recreation facilities, this project consists of installing security systems and the four recreation centers and those facilities currently being constructed that are due to soon come on line. In doing so, Parks and Recreation leadership will be able to properly monitor their facilities to ensure the safety of all staff and patrons during the day and to ensure facilities are secure and monitored during non-operational hours.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$210,000				
Other						
Total Expenditures	$0	$210,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$210,000				
Total Revenues	$0	$210,000	$0	$0	$0	$0

Status

This project will begin in fiscal year 2023.

Springdale Recreation Center Parking Lot

Parks and Recreation

Project Overview

The parking lot at the Springdale facility has reached the end of its functional life and is due to be replaced. This project will replace the portion which is already paved and pave the portion which has remained gravel over the years. In doing so, this will allow proper parking for patrons and cut down on the maintenance which is required to keep the lot minimally functional in its current state.

Funding

Funding for this project will be derived from the PARD grant in addition to Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		1,100,000				
Technology						
Equipment						
Other						
Total Expenditures	$0	$1,100,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$900,000				
Grant Revenue		$200,000				
Total Revenues	$0	$1,100,000	$0	$0	$0	$0

Status

This project is planned to begin in fiscal year 2023.

Gym Floor Replacement
Parks and Recreation

Project Overview

The current flooring at the Andrew Jackson and Buford Recreation Centers are in the last few years of their functional life. In order to plan ahead for the day when they will reach the end of their life and immediately need to be replaced, they have been included in this Capital Improvement Plan for replacement during the 2021-2022 fiscal year.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		$300,000				
Technology						
Equipment						
Other						
Total Expenditures	$0	$300,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$300,000				
Total Revenues	$0	$300,000	$0	$0	$0	$0

Status

This project is planned to begin in fiscal year 2023.

Field Lighting, Additions and Replacements
Parks and Recreation

Project Overview

This project is proposing to add field lighting to those which do not currently have them. Due to increasing participation numbers, field lighting additions are warranted in order to add to the number of fields which can be routinely used for play opportunities. The Parks and Recreation department is currently at capacity with their current number of fields which have lighting. Fields which have been identified by Parks and Recreation staff for field lighting additions include: Fields B, C, & E at Walnut Creek Park and the undeveloped area at the Springdale Complex. In addition to these fields planned for new lighting, this project also encompasses replacing the lighting at Melvin Steele and Indian Land Recreation Center which are currently reaching their End of Life point.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						$1,320,000
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,320,000
Revenues						
General Fund Reserves						$1,320,000
Total Revenues	$0	$0	$0	$0	$0	$1,320,000

Status

This project is not planned until fiscal year 2027.

Renovate Indian Land EMS Station
Parks and Recreation

Project Overview

An EMS Station currently sits on the property with the Indian Land Recreation Center. In future years, EMS no longer plans to use this building for EMS purposes. Since the county already owns the land and the building and is at the same site as the Indian Land Recreation Center, this project will renovate the EMS station on the property for Parks and Recreation. Possible uses for this space once renovated include: After School Programs, Summer Camps, Fitness Classes, and space for meeting and/or party rentals.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$475,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$475,000
Revenues						
General Fund Reserves						$475,000
Total Revenues	$0	$0	$0	$0	$0	$475,000

Status

This project is not planned until fiscal year 2027.

Maintenance Shop at Buford Recreation
Parks and Recreation

Project Overview

A Maintenance Shop building is proposed to be built at the current Buford Recreation Center site. In doing so, Parks and Recreation maintenance personnel will be better able to conduct their work at the Buford Recreation Center. Currently, the personnel which are stationed to maintain this site are also stationed to maintain sites in the Heath Springs and Kershaw communities. Building a shop at the Buford Recreation site will allow staff to station equipment and materials there rather than going to the main shop in Lancaster to load up supplies and equipment in order to conduct their work. Additionally, the Buford Recreation Center is planning to host tournaments in the future. Having a dedicated space for maintenance staff and the equipment and materials necessary to do their jobs will make it possible to host tournaments at this site without overextending Parks and Recreation staff.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$475,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$475,000
Revenues						
General Fund Reserves						$475,000
Total Revenues	$0	$0	$0	$0	$0	$475,000

Status

This project is not planned to begin until fiscal year 2028.

Walnut Creek Soccer Fields

Parks and Recreation

Project Overview

The soccer fields at Walnut Creek Park are currently covered with natural turf. Due to high levels of maintenance required for the upkeep of natural turf fields and the frequent use and popularity of the fields, two of them will be converted to artificial turf fields. Doing so will allow the fields to hold up better under frequent use and reduce the amount of labor required for maintenance and upkeep

Funding

Funding for this project will be derived from Capital Project Sales Tax 3.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$1,000,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,000,000
Revenues						
Capital Project Sales Tax 3						$1,000,000
Total Revenues	$0	$0	$0	$0	$0	$1,000,000

Status

This project is not planned to begin until fiscal year 2030.

Indian Land Recreation Center
Parks and Recreation

Project Overview

The current Indian Land Recreation Center located off of U.S. 521 will be remodeled and expanded. This will include new gym flooring and new flooring throughout the existing facility, the addition of a new full-court gymnasium that can be used as two courts crosscourt on the same floor, more restrooms and meeting/classrooms, the addition of a foyer and front desk at the facility entrance, addition of a storage room/mechanical room, as well as upgraded and expanded parking lots and new HVAC and lighting in the facility.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$287,317					
Land Acquisition						
Construction	$3,883,683					
Technology	$50,000					
Equipment						
Other						
Total Expenditures	$4,221,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,221,000					
Total Revenues	$4,221,000	$0	$0	$0	$0	$0

Status

This project should be complete in Spring 2022.

Soccer Fields in Indian Land

Parks and Recreation

Project Overview

The soccer complex on county property near the Avondale development on Harrisburg Road will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$407,292					
Land Acquisition						
Construction	$4,475,000					
Technology	$108,708					
Equipment						
Other						
Total Expenditures	$4,991,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,991,000					
Total Revenues	$4,991,000	$0	$0	$0	$0	$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Soccer Fields in Heath Springs

Parks and Recreation

Project Overview

The soccer complex on Kershaw Camden Highway between Heath Springs and Kershaw will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$420,593					
Land Acquisition						
Construction	$4,500,000					
Technology	$112,407					
Equipment						
Other						
Total Expenditures	$5,033,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$5,033,000					
Total Revenues	$5,033,000	$0	$0	$0	$0	$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Console Replacements
911 Communications

Project Overview

The consoles at the 911 operations center allow for operators to communicate with Fire, EMS, and Law Enforcement. The current consoles reached the end of their serviceable life at the end of 2020, meaning Motorola will no longer guarantee the availability of replacement parts. To make sure our equipment will remain serviceable by Motorola, we will need to replace the consoles. Doing so will ensure communication abilities will remain intact and functional between the County's emergency/first responders.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$1,100,000					
Other						
Total Expenditures	$1,100,000	$0	$0	$0	$0	$0
Revenues						
General Fund Reserves	$1,100,000					
Total Revenues	$1,100,000	$0	$0	$0	$0	$0

Status

This project will commence in July 2021.

Armored Vehicle
Sheriff

Project Overview

The Sheriff's Department is in need of a new SWAT vehicle which is used to transport personnel on the SWAT Team to and from destinations that require their presence. Their current SWAT vehicle is a retired ambulance which is reaching the end of its serviceable life. While it may seem like SWAT situations are rare occurrences, the SWAT vehicle is used on a weekly basis to conduct high risk search warrants and arrests. In purchasing this vehicle, lifesaving equipment will be on scene for every SWAT call should the need arise. Additionally, the vehicle that will be purchased is practical and easy to operate on a regular basis unlike some on the market.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$300,000				
Other						
Total Expenditures	$0	$300,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$300,000				
Total Revenues	$0	$300,000	$0	$0	$0	$0

Status

Equipment is planned to be acquired in fiscal year 2023 and funding will be allocated as part of the budget process.

Camera Replacements
Sheriff

Project Overview

The body worn camera program is currently in its third year of operation. While replacements have taken place over these three years as needed, it is estimated that there will need to be a complete replacement of the program in the next five years. This will require replacing approximately 100 body worn cameras along with the servers which run the software and store the data for the cameras. In addition to the body worn cameras, approximately 60 in car cameras will need to be replaced in the next ten years. Each camera costs about $5,000.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$150,000				
Other						
Total Expenditures	$0	$150,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$150,000				
Total Revenues	$0	$150,000	$0	$0	$0	$0

Status

The replacements will be acquired in 2022-2023.

Operations Building
Sheriff

Project Overview

This project will allow the Sheriff's department and other first responder personnel to have a space to conduct training exercises. Not only will this allow them to conduct specific operations related to their department, but it will allow joint training exercises between departments to practice for seamless execution during actual scenarios in the community where first responders need to work in unison.

Funding

The funding for this project will be derived from Fund Balance.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						86,249
Land Acquisition						121,766
Construction						967,354
Technology						
Equipment						34,631
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,210,000
Revenues						
General Fund Reserves						1,210,000
Total Revenues	$0	$0	$0	$0	$0	$1,210,000

Status

This project will not begin until fiscal year 2029.

Substation
Sheriff

Project Overview

Currently the Sheriff's office is utilizing leased space in the Indian Land area. This project would allow for permanent space to be identified and either renovated or constructed to provide future certainty and allow for any expansion of operations in that area in the future.

Funding

Funding would be derived from Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						110,000
Land Acquisition						1,000,000
Construction						2,001,940
Technology						
Equipment						50,000
Other						
Total Expenditures	$0	$0	$0	$0	$0	$3,161,940
Revenues						
General Fund Reserves						1,113,490
Impact Fee Revenue						$2,048,450
Total Revenues	$0	$0	$0	$0	$0	$3,161,940

Status

This project will not begin until fiscal year 2030.

Detention Center
Sheriff

Project Overview

The current Detention Center is very out of date and has reached the end of its functional life. Various issues have plagued and continue to plague the building making it difficult for officers to do their job effectively while remaining in a safe environment. Not only do these various issues make it unsafe for officers and make it difficult for them to perform their job, these issues also cause safety concerns for the inmates housed at the Detention Center. A new Detention Center will solve these issues and also help accommodate for the increase in inmates being housed at any given time due to the rise in the County's population.

Funding

The funding for this project will be derived from the One Cent Capital Project Sales Tax passed by the voters in the November 2020 election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	47,246,120					
Technology						
Equipment						
Other						
Total Expenditures	$47,246,120	$0	$0	$0	$0	$0
Revenues						
Capital Project Sales Tax 3	$47,246,120					
Total Revenues	$47,246,120	$0	$0	$0	$0	$0

Status

This project will be a multi-year project beginning next year.

Calvin Hall Road Culvert Replacement

Stormwater

Project Overview

This project involves replacing the current culvert on Calvin Hall Road near the intersection of SC-160. The location has a history of water overtopping the roadway during heavy rainfall events. In order to mitigate this issue, the culvert will not only be replaced but also resized to help prevent floodwaters from overtopping the roadway in the future. Being that it is a SCDOT road, maintenance of the road and the culvert will be the responsibility of SCDOT after the completion of the project.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					850,000	
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$850,000	$0
Revenues						
Stormwater Fee					850,000	
Total Revenues	$0	$0	$0	$0	$850,000	$0

Status

Will not begin until 2025.

Stream Gauging Stations
Stormwater

Project Overview

In order to observe and collect data regarding stream levels during significant rainfall events while also obtaining baseline data during times where there is not a significant rainfall event, this project will place gauging stations along streams in portions of the county where the Stormwater department operates. These stations will allow for staff to record stream levels in order to accurately predict and communicate flooding concerns and use that data to help mitigate flooding during significant rainfall events in the future.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		150,000				
Other						
Total Expenditures	$0	$150,000	$0	$0	$0	$0
Revenues						
Stormwater Fee		150,000				
Total Revenues	$0	$150,000	$0	$0	$0	$0

Status

Will not begin until 2022.

Office Space

Development Services Division

Project Overview

This project consists of identifying and possibility constructing/renovating office space for the Development Services Division. This division, which encompasses the Building Inspections, Zoning, Stormwater and Planning departments, mirrors the population growth of the County. The more the County continues to grow, the more we will see these departments utilized in order to make sure that growth occurs in an orderly and systematic fashion. With more growth comes more work for these departments along with the need for more employees to accomplish an increased workload. A space will be needed in order to accommodate more employees and more work.

Funding

Currently the funding for this project is planned to be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design		185,000				
Land Acquisition		1,000,000				
Construction		2,705,000				
Technology						
Equipment		110,000				
Other						
Total Expenditures	$0	$4,000,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		4,000,000				
Total Revenues	$0	$4,000,000	$0	$0	$0	$0

Status

Project is set to begin in fiscal year 2023. The County may explore other options such as a lease agreement or a repurposing of current space.

Speculative Building
Economic Development

Project Overview

The Economic Development Department functions to bring businesses to the area. In order to aid in that process, Spec Buildings are often used to show what the county has to offer when courting businesses who are considering bringing their operations to the area. It is easier for businesses to envision themselves bringing their operations to the area when they are able to look at a potential space in real time.

Funding

The funding for this project will be derived from Fund Balance.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design					200,000	
Land Acquisition						
Construction					3,800,000	
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$4,000,000	$0
Revenues						
General Fund Reserves					4,000,000	
Total Revenues	$0	$0	$0	$0	$4,000,000	$0

Status

Project will not begin until fiscal year 2026.

Appendix

Glossary

Bond – A written promise to pay a specified sum of money at a specific date together with periodic interest at a specified rate.

Budget – A comprehensive financial plan of operation which incorporates an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budgetary Control – The control of management of a governmental unit in accordance with an approved budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.

Debt – An obligation resulting from borrowed money or from the purchase of goods and services. Debts of government include bonds and notes.

Department – A major administrative unit of the County which manages an operation or group of related operations within a functional area.

Expenditures – The amount of cash paid or to be paid for a service rendered, goods received, or an asset purchased.

Fiscal Year – a 12 month period to which the annual operating budget applies and at the end of which a government determines its financial position and the results of its operations. Lancaster County's fiscal year begins July 1st and ends the following June 30th.

Fund – A self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulation, restrictions, or limitations.

General Fund – The fund used to account for all financial resources except those required to be accounted for in another fund.

General Obligation (GO) Bonds – When the County pledges its full-faith and credit to the repayment of the bonds it issues, then those bonds are general obligation (GO) bonds. Sometimes the term is used to refer to bonds which are repaid from taxes and other governmental revenue.

Grant – A contribution by a government or other organization to support a particular function. Grants may be classified as either categorical or block, depending upon the amount of discretion allowed the grantee.

Ordinance – A formal legislative enactment by the governing board of a county. If it is not in conflict with any higher form of law, such as, a State statute, a Federal law, or constitutional provision, it has the full force and effect of law within the county to which it applies. The difference between an ordinance and a resolution is that the latter required less formality and has a lower legal status.

Revenue – income received or anticipated from taxes or other sources, such as licenses and permits, user fees, fines, and investments.

FY25 Capital Improvement Plan: Projects Requested

Item #	Project Name	Department	FY25 Recommended	Planning Commission Ranking	Administrator Recommendation Ranking
1	Space Reallocation - Admin Building	Administration	192,000		1
2	Elections/Fleet Facility Add'l Upfit	Administration	600,000		2
3	12 Flock Cameras	Sheriff	50,300		3
4	Gym Wall Padding and Flooring	Park & Recreation	250,000		4
5	TDMA Radio Upgrade	Public Communications	25,000		5
6	Lifting Pillows	EMS Ambulance	15,350		6
7	Two Convenience Site Upgrades	Solid Waste	1,605,000	3	7
8	Building UPS	Emergency Management	79,000	5	8
9	19 Vehicle Replacements	Sheriff	1,150,000	4	9
10	Station 3 Construction	IL Consolidated Fire	11,745,240	1	10
11	Station 3 Engine	IL Consolidated Fire	1,200,000	1	11
12	Apparatus Radios	IL Consolidated Fire	59,331	1	12
13	UEBSS RIT Bags	IL Consolidated Fire	28,000	1	13
14	8 Body Worn Cameras	Sheriff	10,000		14
15	Refuse Truck	Solid Waste	200,000		15
16	Small Dump Truck	Road Maintenance	150,000	6	16
17	Refuse Can Replacement	Solid Waste	60,000		17
18	Motorola Radios	Public Communications	28,549		18
19	Mack Dump Truck	Road Maintenance	5,000		19
20	Station 1 and 2 Renovations	IL Consolidated Fire	200,000	6	20
21	Battalion Chief Truck Upfit	IL Consolidated Fire	125,000		21
22	Vehicle Replacement (includes 2 PZ vehicles)	Fleet Maintenance	985,364		22
23	Public Works Ofc Remodel	Road Maintenance	30,000		23
24	Trailer	Road Maintenance	15,000		24
25	3/4 Ton Pick-up Truck	Stormwater	10,000		25
26	2024 Road Rehabilitation	Transportation Committee	1,400,000	2	26
27	Voting Machine and Appartus	Registration & Elect	31,615		27
28	Culvert on Henry Harris Road	Stormwater	500,000	6	28
29	Hydroseeder	Road Maintenance	50,000		29
30	Refuse Vehicle Trade-in (5x)	Solid Waste	25,000		30
31	Ambulance Replacement (2x)	EMS Ambulance	900,000		31
32	Brush Truck Replacement	Fire	296,601		32
	Total:		**22,021,350**		

*The threshold value for projects for the CIP is $5,000.

**LC4.2: Coordinate with all County departments and agencies to ensure resources are in place to meet the demands of the rapidly growing population.

FILED
OFFICE OF CLERK
OF COURT
29 AM 10:15
CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
) ORDINANCE NO. 2021-1726
COUNTY OF LANCASTER)

AN ORDINANCE

TO ADOPT THE LANCASTER COUNTY CAPITAL IMPROVEMENTS PLAN FISCAL YEAR 2021-2022 THROUGH 2030-2031 AS RECOMMENDED BY THE LANCASTER COUNTY PLANNING COMMISSION.

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

Section 1. Findings.

A. The Lancaster County staff prepared the draft version of the Lancaster County Capital Improvements Plan Fiscal Years 2022 – 2031.

B. The draft document was presented to the Lancaster County Planning Commission for review and comments.

C. The Lancaster County Planning Commission has recommended approval to the Lancaster County Council.

Section 2. Adoption of Document; No Funding Authorized.

The Lancaster County Council hereby adopts the Lancaster County Capital Improvements Plan 2022 – 2031 document. Inasmuch as this is strictly a financial planning document, no funding for any project contained therein is authorized through the adoption of this ordinance.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. **Effective Date.**

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this 19th day of JULY, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	March 22, 2021
Second Reading:	April 12, 2021
Public Hearing:	June 28, 2021
Third Reading:	July 19, 2021

Lancaster County
South Carolina

2021

Fiscal Year 2022/31 Proposed Capital Improvement Plan

PREPARED BY LANCASTER COUNTY FINANCE DEPARTMENT
KIMBERLY BELK

Lancaster County

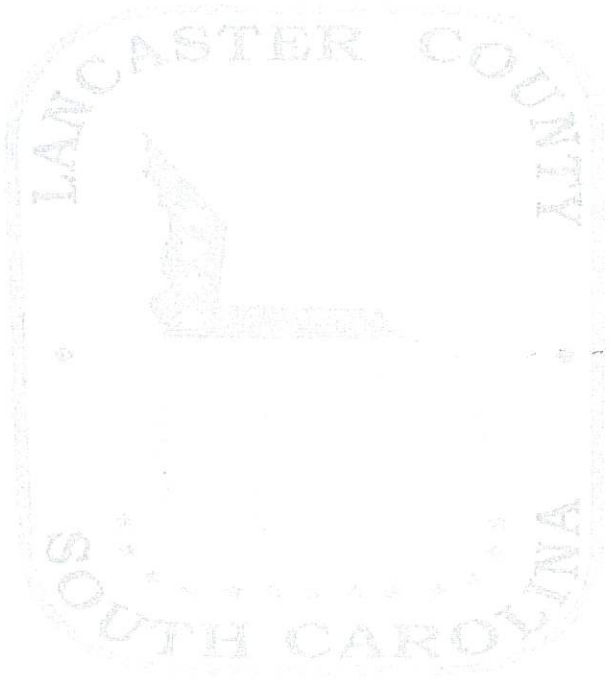
South Carolina Council



Seated (L to R): Vice-Chairman, Brian Carnes; Chairman, Steve Harper; Secretary, Billy Mosteller. Standing (L to R): Councilman Allen Blackmon, Councilman Larry Honeycutt, Councilwoman Charlene McGriff, and Councilman Terry Graham.

Council Members	District	Term Expires
Terry Graham	1	12/31/2024
Charlene McGriff	2	12/31/2022
Billy Mosteller	3	12/31/2024
Larry Honeycutt	4	12/31/2022
Steve Harper	5	12/31/2024
Allen Blackmon	6	12/31/2022
Brian Carnes	7	12/31/2024

Administrator, Steve Willis
Clerk to Council, Sherrie Simpson



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Solid Waste
Warehouse, crew facility, & shop 38
Recycling Center Upgrades 39
Parks & Recreation
Regional Park 40
Security System Replacement 41
Springdale Parking Lot 42
Gym Floor Replacement 43
Field Lighting 44
Indian Land EMS Station 45
Buford Maintenance Shop 46
Walnut Creek Soccer Fields 47
Indian Land Recreation Center 48
Indian Land Soccer Fields 49
Heath Springs Soccer Fields 50
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Lancaster County
South Carolina

July 13, 2021

Steve Harper, Chairman
Members, County Council

Mr. Chair & Council Members,

Please find the corresponding recommendations for the FY2022-31Capital Improvement Plan (CIP). You will find this plan is based off of data and recommendations provided by the Impact Fee Study and the Facilities Needs Study balanced with available financial resources. The total for the 10 year plan as presented is $203,236,935. This total encompasses an investment into the County's capital assets with funding sources including capital project sales tax, potential impact fee collections, strategic use of County fund balance, as well as debt issuance. While this plan will address many of the needs that have been identified by the studies already mentioned as well as those identified by your department heads, the majority of funding focuses in the area of public safety.

In total there is $47,696,120 in allocations for a new detention center in public safety beginning in FY2021/22 which is a major expense facility as approved by the voters to be funded through debt issuance using capital project sales tax funds. In addition there are several stations planned for Emergency Medical Services (EMS) within the next 10 years totaling over $11 million with funding sources varying. Fire Service also has 3 stations planned within the next 10 years per the impact fee study. As described in the study, the growth in development will lend itself towards new facility needs to maintain current service levels. In addition to facilities, public safety is also planned to have $34 million in replacement equipment.

In terms of roads and infrastructure improvements, the public services division has the second largest capital expenses planned with over $42 million. This is includes the annual allocation from the road maintenance fee for preservation, but is largely related almost $20 million in roads funding over the next 5 years. This includes over $13 million from capital project sales tax 3 and approximately $6.75 million remaining on capital project sales tax 2. Additionally, funding is included for a public works administrative office and fleet operations garage in the amount of $4.9 million as well as recycling center upgrades. The remaining plans relate to replacement equipment.

Closely following public services would be general services which include plans for both Parks & Recreation and the Managed Information Systems (MIS) departments. Parks & Recreation has several new facilities which planning has already begun for in the current year which will begin construction at the end of this current year into next year. Those projects include renovations at the Indian Land Recreation Center and soccer fields in

Heath Springs and Indian Land. The total of those three projects is estimated at over $14 million. In addition this plan reflects the intent to do a phased construction of the regional park beginning in fiscal year 2022/23. The park would be completed using a combination of funding from hospitality tax and impact fee revenue over the next 10 years.

The level of funding for the above projects displays an emphasis on updating outdated facilities as identified in the space needs assessment, includes the projects necessary to maintain levels of service as discussed in the impact fee study, and will allow for the County to invest in replacement assets which provide for efficiency gains in the future. Appreciation must be given to all of the department heads and elected officials who helped develop this plan as well as our evaluation team members who helped rank and prioritize these projects. Investments in capital are an important step to maintaining financial resiliency while providing Lancaster County citizens with the services they need.

Thank you for your consideration and taking this step to progress the County towards sustainable long term financial planning.

Kimberly Belk
Interim Deputy County Administrator

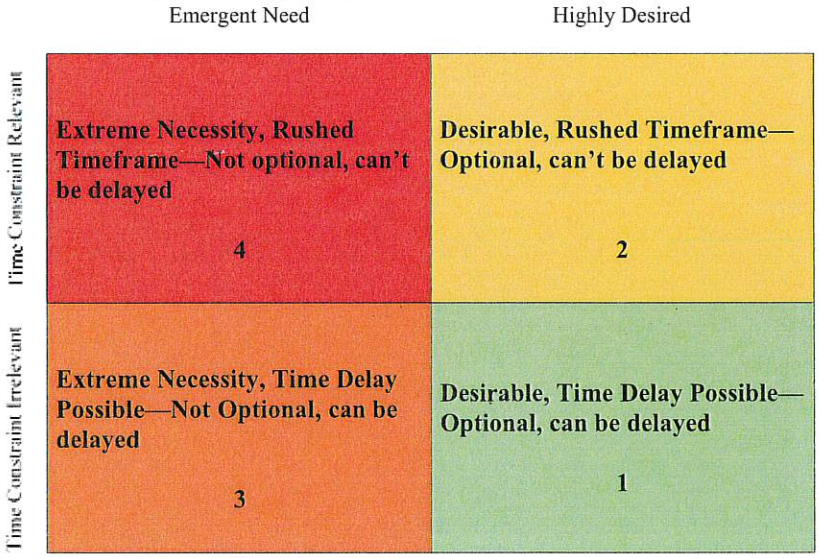
CIP Development

CIP Schedule

Budget staff modeled the process for development largely off of the County's budget process. In July, forms were sent out and preliminary meetings were held with department heads to kick off the development. By the end of summer, the majority of submissions were received. Through the fall, those submissions were compiled and turned over to the evaluation team who reviewed and scored projects. The members of the evaluation team included the County Administrator, Deputy County Administrator, Public Services Division Director, Chief Financial Officer, and the Development Services Division Director. Following their scoring, budget staff ranked the projects and worked on revenue projections and estimates to identify funding sources as needed. This information rounded out project scheduling and the proposed document was prepared in January.

Project Evaluation and Scheduling

Once the evaluation team received submissions, they were asked to score projects based on the below matrix. If there was a project they completely disagreed with, they could also choose not to provide a score at all.



In addition to their scoring, budget staff worked with the County Administrator to create criteria to weight scores depending on project type. The highest weight was given to projects with public health or public safety implications, followed by infrastructure improvements, then economic development impacts, and finally projects that would relate directly to quality of life improvements such as recreational facilities. Beyond project types, budget staff weighted additionally projects that were the result of a mandate or compliance issue, projects that showed a partnership or collaborative effort, asset replacements, projects that resulted in gains in efficiency, and finally department identified priority projects.

Financial Planning

Lancaster County strives to follow best practices in financial management. To this end, the county recognizes the importance of the CIP for long-term financial planning. The document developed will assist the county in achieving goals and meeting the needs of our residents. The County continuously works to improve processes

so the funding of studies such as the facilities needs assessment in 2020 and the results of that analysis were incorporated within this plan as needed. In the future any refinement to this proposed document would be done in concert with recommendations from future studies and plans. For example, the County will be looking at updating the Solid Waste Master Plan and Comprehensive Plan within the next fiscal year. If necessary, as a result, the County will make improvements to the CIP as a result. Additionally, the CIP has been developed in coordination with the recommendations of various other County committees to ensure a coordinated effort in identifying needs and strategic growth opportunities the maximize benefits to citizens of the County.

Funding Summaries

Revenue Summary

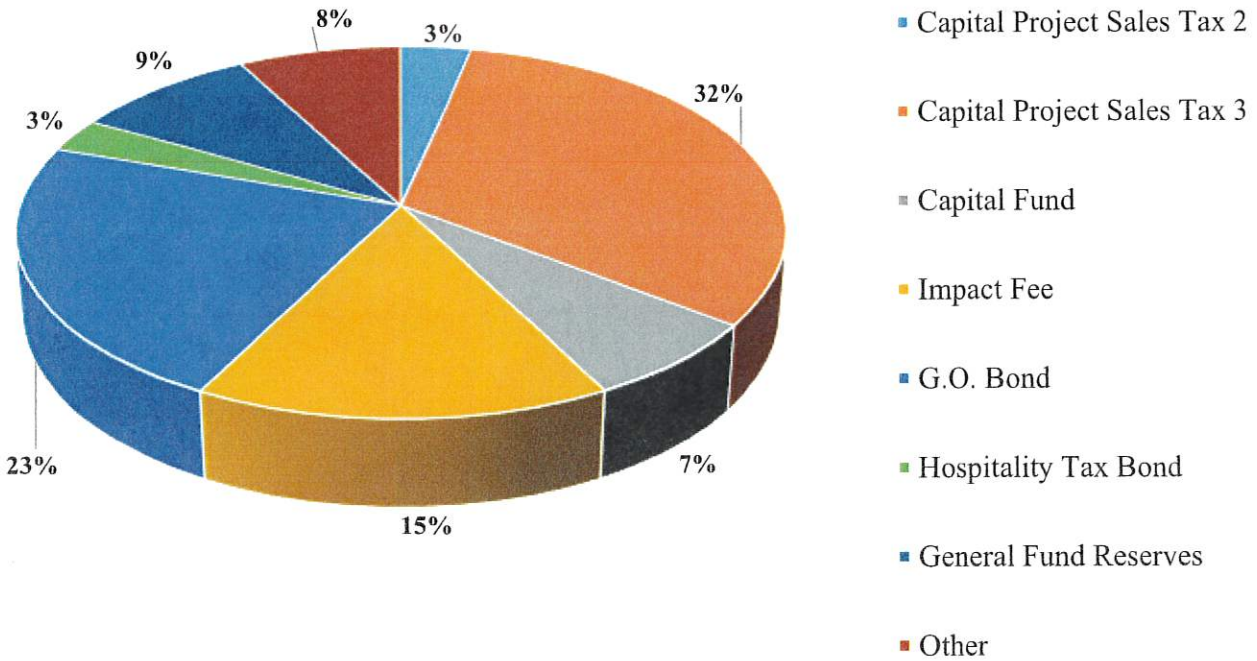
The revenue summary by sources which will be utilized to fulfill the capital needs outlined in this plan are included below. Capital Project Sales Tax is the largest making up 32% of proposed funding. Sales tax three, which was approved by voters in November 2020, includes $47 million for a detention center and is the largest item included in the plan. This is followed by general obligation bonds which are planned to be utilized on several projects which makes up 23% of the funding strategy. There is also planned to be a much less significant issuance of special revenue source bond using the hospitality tax fund. The potential impact fee revenue is also proposed at 15% of the proposed plan to be directly correlated to the impact fee study. And finally, the last significant revenue source is the general fund reserves which is proposed to fund approximately $20 million of projects in the next 10 years.

Revenues by Source

	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3	47,246,120		2,900,000	5,425,000	4,904,719	4,600,000
Capital Fund	1,300,000	1,210,000	1,460,000	1,300,335	1,340,000	7,690,435
Impact Fee			340,000		12,589,900	18,134,330
G.O. Bond	21,311,025	9,000,000	8,100,000	7,600,000		
Hospitality Tax Bond		6,000,000				
General Fund Reserves	1,620,000	1,780,000	4,220,000	220,000	220,000	9,948,670
Other*	1,700,000	797,500	420,000	425,000	5,285,000	7,398,901

*Includes the following revenue sources: County road fee, grants, and stormwater fee.

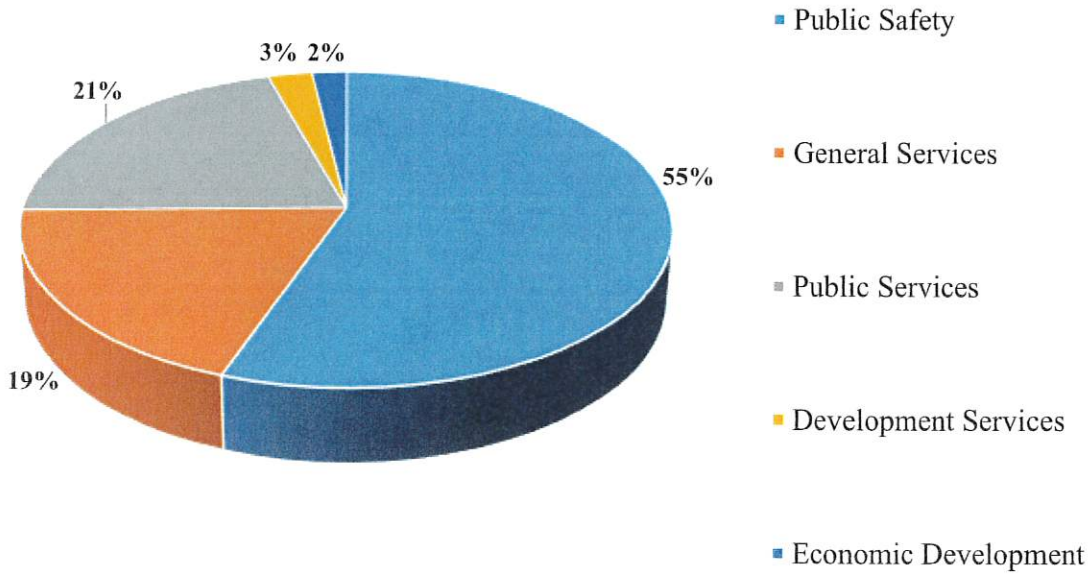
Funding Source Graph



Expenditures Summary

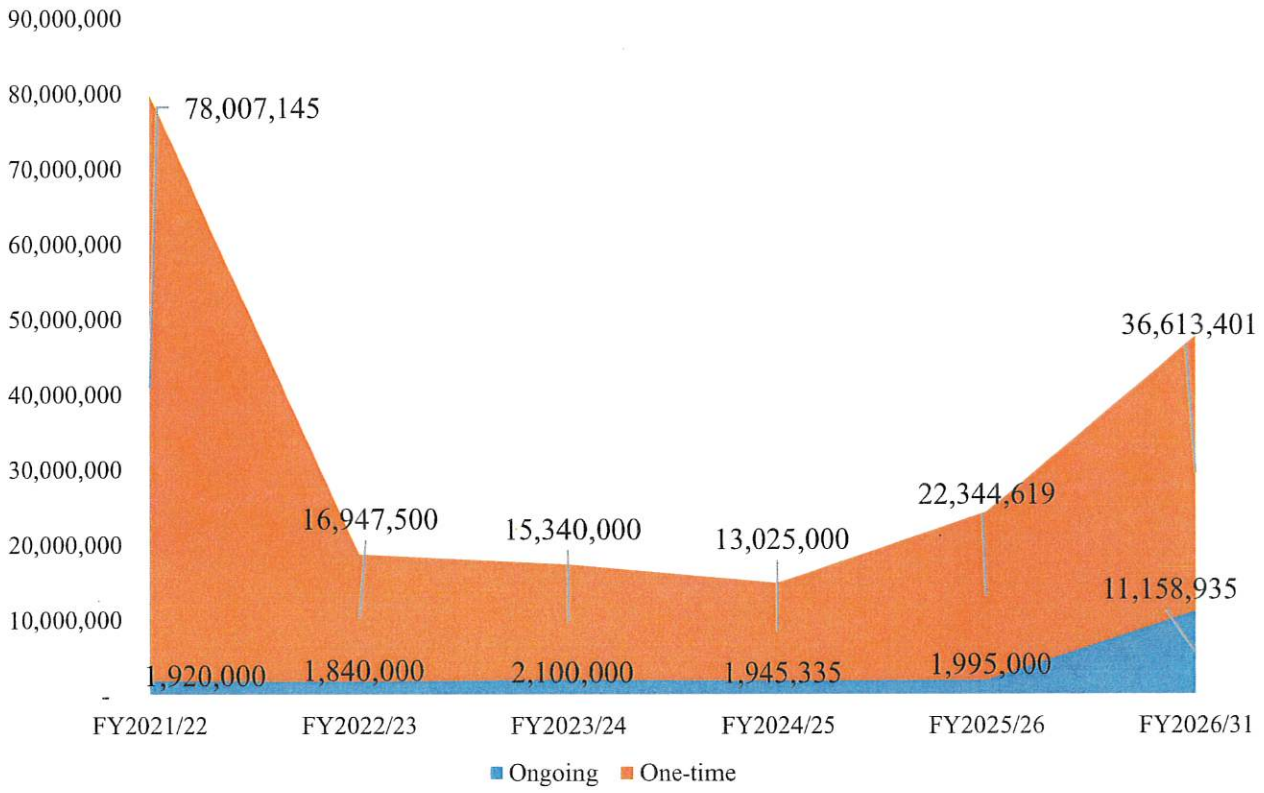
Below displays a breakdown of expenditures included in this plan over the next 10 years by division. Public safety has the largest allocation in the next 10 years with over 50% of planned capital expenditures, followed by public services. Public services includes the roads departments as well as the solid waste department within this plan. General services has roughly $39,000,000 planned over the next 10 years. This is largely comprised of Parks and Recreation projects, but also includes some Management Information System (MIS) department funding as well. Development services include Stormwater projects as well as a facility for the division.

Expenditures by Division						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Public Safety	50,246,120	10,110,000	9,120,000	8,300,335	8,299,900	26,588,656
General Services	14,765,000	7,530,000	220,000	220,000	5,220,000	11,020,000
Public Services	14,916,025	960,000	4,100,000	6,450,000	5,969,719	10,163,680
Development Services	-	187,500	4,000,000	-	850,000	-
Economic Development	-	-	-	-	4,000,000	-
	79,927,145	18,787,500	17,440,000	14,970,335	24,339,619	47,772,336



One-time versus Ongoing Capital Projects

While all items in the capital improvement plan are one-time purchases, many projects included in this plan are actually ongoing planned asset replacement. The below graphic is used to better distinguish the funding going towards a continuous planned replacement plan versus a single use of funding. Funding sources for the ongoing projects are dedicated for multiple years with continuous revenue. For the most part ongoing projects are largely equipment purchases while one-time projects range from facility renovations or construction to road rehabilitation.



	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Ongoing	1,920,000	1,840,000	2,100,000	1,945,335	1,995,000	11,158,935
One-time	78,007,145	16,947,500	15,340,000	13,025,000	22,344,619	36,613,401

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office	1,300,000	1,300,000	-	-	-	-	-
Office Space	1,300,000	1,300,000	-	-	-	-	-
Emergency Medical Services	12,332,500	600,000	660,000	1,020,000	8,300,335	1,072,000	8,597,615
Ambulances	4,732,500	600,000	660,000	1,020,000	700,335	1,072,000	4,997,615
EMS Station 3	1,800,000	-	-	-	1,800,000	-	-
EMS Station 6	1,800,000	-	-	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	-	-	4,000,000	-	-
EMS Station 7	-	-	-	-	-	-	1,800,000
EMS Station 10	-	-	-	-	-	-	1,800,000
Economic Development	4,000,000	-	-	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	-	-	4,000,000	-
Fire Service	24,327,900	-	9,000,000	8,100,000	-	7,227,900	13,619,101
Fire Apparatus Countywide Purchase	8,100,000	-	-	8,100,000	-	-	-
Aerial Apparatus/Mobile Command Post	9,000,000	-	9,000,000	-	-	-	-
Apparatus (New Stations)	3,227,900	-	-	-	-	3,227,900	3,227,900
Fire Stations	4,000,000	-	-	-	-	4,000,000	10,391,201
Management Information System	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
MIS Hardware Improvements	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	-	4,000,000	-	-	-
Building/Office Space	4,000,000	-	-	4,000,000	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Roads	29,515,744	12,796,025	785,000	3,915,000	6,255,000	5,764,719	7,353,500
Fleet Garage and Public Works Admin	4,946,025	4,946,025	-	-	-	-	-
Road Preservation	2,090,000	400,000	410,000	420,000	425,000	435,000	2,218,500
Road Paving	19,979,719	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Bush Hog Replacements (2)	400,000	200,000	-	200,000	-	-	400,000
Motorgrader Replacement (5)	1,040,000	200,000	200,000	210,000	210,000	220,000	1,210,000
Track Excavator	300,000	300,000	-	-	-	-	420,000
Tandem Dump Truck Replacements (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Solid Waste	2,880,000	2,120,000	175,000	185,000	195,000	205,000	2,810,180
Recycling Center Upgrades	2,120,000	2,120,000	-	-	-	-	-
Warehouse, Crew Facility, and Shop	-	-	-	-	-	-	1,905,180
Refuse Trucks (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Parks & Recreation	26,855,000	14,545,000	7,310,000	-	-	5,000,000	9,770,000
Lancaster County Regional Park	11,000,000	-	6,000,000	-	-	5,000,000	6,500,000
Recreation Centers Security Systems	210,000	-	210,000	-	-	-	-
Parking Lot at Springdale	1,100,000	-	1,100,000	-	-	-	-
Gym Floors at AJRC and BRC	300,000	300,000	-	-	-	-	-
Field Lighting Additions and Replacements	-	-	-	-	-	-	1,320,000
Renovate IL EMS Station for Rec Use	-	-	-	-	-	-	475,000
Maintenance Shop at Buford Recreation	-	-	-	-	-	-	475,000
Walnut Creek Soccer Fields	-	-	-	-	-	-	1,000,000
Indian Land Recreation Center	4,221,000	4,221,000	-	-	-	-	-
Soccer Fields at Indian Land	4,991,000	4,991,000	-	-	-	-	-
Soccer Fields at Heath Springs	5,033,000	5,033,000	-	-	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
911	1,100,000	1,100,000	-	-	-	-	-
Console Replacement	1,100,000	1,100,000	-	-	-	-	-
Stormwater	1,037,500	-	187,500	-	-	850,000	-
Calvin Hall Stream Crossing Replacement	850,000	-	-	-	-	850,000	-
Stream Gauging Stations	187,500	-	187,500	-	-	-	-
Sheriff	47,696,120	47,246,120	450,000	-	-	-	4,371,940
Armored Vehicle	300,000	-	300,000	-	-	-	-
In Car Cameras and Body Cameras	150,000	-	150,000	-	-	-	-
Sheriff's Operations Building	-	-	-	-	-	-	1,210,000
Sheriff Substation	-	-	-	-	-	-	3,161,940
Detention Center	47,246,120	47,246,120	-	-	-	-	-
Total	155,464,599	79,927,145	18,787,500	17,440,000	14,970,335	24,339,619	47,772,336

Summary of Additional Operating Impact

In order to fully understand the impact of completing a capital project, staff has estimated the impact on operating expenses. Some of the projects included in this plan represent on-going maintenance or replacement items which already have operating funding allocated and have been budgeted for in the past. Those have been excluded from the below data. The only projected impacts below are included for new or additional capital projects that will add to the operating budget.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office						
Office Space		7,685	7,839	7,995	8,155	52,475
Emergency Medical Services						
EMS Station 3				7,055	7,195	38,195
EMS Station 6				7,055	7,195	38,195
EMS Combination Station				22,755	23,210	123,200
EMS Station 7						31,000
EMS Station 10						2,536,225
Economic Development						
Spec. Building					15,750	48,670
Development Services						
Building/Office Space				20,000	20,400	110,000
Roads						
Fleet Garage and Public Works Admin Office		32,900	33,500	34,170	35,000	185,790
Solid Waste						
Public Works Warehouse, Crew Facility, and Shop						72,600
Refuse Truck Replacement			16,000	16,320	16,646	88,360
Parks & Recreation						
Recreation Centers Security Systems			12,000	12,240	12,485	66,275
Field Lighting Additions and Replacements						63,000
Renovate IL EMS Station for Rec Use						38,215
Maintenance Shop at Buford Recreation						120,335
Walnut Creek Soccer Fields						216,715
Indian Land Recreation Center		360,000	367,200	374,545	382,035	2,027,890
Soccer Fields at Indian Land		90,900	92,720	94,575	96,465	512,045
Soccer Fields at Heath Springs		39,995	40,795	41,610	42,445	273,105
911						
Console Replacement		74,153		76,597	79,159	
Sheriff						
In Car Cameras and Body Cameras			13,000	13,260	13,525	71,796
Sheriff's Operations Building						28,403
Sheriff Substation						9,185
Total	0	605,633	583,054	728,177	759,666	6,751,674

15 Costs are not fully known or estimated at this time on every large facility expansion, but more details will come as plans develop. The detention center, fire stations, and regional park projects have been excluded for that reason.

Project Details by Department

Office Space
Coroner's Office

Project Overview

This project came to the attention of the County directly as a result of the COVID-19 crisis. The current space the Coroner's Office is occupying is not adequate to fulfill the requirements that they need in times of emergency. The facility was included in the space needs study as well, but was not as high of a priority on the list at the time. Due the the pandemic, the County is recommending bumping this facility to a higher rank to handle the case load the department is facing.

Funding

This will be funded through anticipated federal aid money.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$50,000					
Land Acquisition	$1,000,000					
Construction	$250,000					
Technology						
Equipment						
Other						
Total Expenditures	$1,300,000	$0	$0	$0	$0	$0
Revenues						
Other Governmental	$1,300,000					
Total Revenues	$1,300,000	$0	$0	$0	$0	$0

Status

Funding anticipated to be received in Spring 2021. Project will start after funding is received.

Aerial Apparatus/Mobile Command Post
Fire Service/Emergency Management

Project Overview

This project encompasses planning for a new aerial apparatus and mobile command post. It will include the replacement of the current 1997 platform currently stationed at the City of Lancaster Fire department, the replacement of the current 2001 75ft. straight stick housed at the Elgin Fire department, and the purchase and placement of mid mount platforms at both the Indian Land and Pleasant Valley Fire departments. Lastly, a mobile command post will be purchased with the intent for it to be usable by all emergency service departments.

Funding

The decision to move forward with funding for this project will be decided by the voters of Lancaster County in the next election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$9,000,000				
Other						
Total Expenditures	$0	$9,000,000	$0	$0	$0	$0
Revenues						
G.O. Bond		$9,000,000				
Total Revenues	$0	$9,000,000	$0	$0	$0	$0

Status

Referendum planned for November 2021.

Fire Apparatus-County-wide

Fire Service/Emergency Management

Project Overview

While fire trucks and various other types of equipment used on the trucks and housed at the stations last longer than vehicles and equipment used by other first responders such as police cruisers and ambulances, their daily use requires them to be replaced on a routine basis. In order to outfit stations with the new trucks and equipment they need, the county purchases the equipment through the issuance of GO Bonds when the time comes.

Funding

Funding for this project will be derived through the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment			$8,100,000			
Other						
Total Expenditures	$0	$0	$8,100,000	$0	$0	$0
Revenues						
G.O. Bond			$8,100,000			
Total Revenues	$0	$0	$8,100,000	$0	$0	$0

Status

Project will not begin until fiscal year 2024.

Fire Stations

Fire Service/Emergency Management

Project Overview

As identified in the impact fee study, in order to maintain current service levels in the panhandle area, new facilities will need to be built. This will include a second station in Indian Land, a second station for Pleasant Valley, and a headquarters station for Van Wyck fire district. The operating costs for these facilities will largely be the responsibility of the fee districts.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					$4,000,000	$10,391,201
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$4,000,000	$10,391,201
Revenues						
Impact Fee					$4,000,000	$7,925,400
To be Determined						$2,465,801
Total Revenues	$0	$0	$0	$0	$4,000,000	$10,391,201

Status

Based on impact fee collection projections, it will be fiscal year 2026 before construction could begin on the first station.

Apparatus (New Stations)
Fire Service/Emergency Management

Project Overview

Vehicles and equipment will need to be purchased for new stations coming online in the coming years. Due to the growth being experienced where the new stations will be built, these purchases can be made through the use of Impact Fee dollars.

Funding

Funding for this project will be derived through Impact Fee dollars and another yet to be identified source.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment					$3,227,900	$3,227,900
Other						
Total Expenditures	$0	$0	$0	$0	$3,227,900	$3,227,900
Revenues						
Impact Fee					$3,227,900	$513,300
To Be Determined						$2,714,600
Total Revenues	$0	$0	$0	$0	$3,227,900	$3,227,900

Status

Based on projected collections in impact fee revenue and station build timelines, initial purchase will not happen until fiscal year 2026.

Ambulances

Emergency Medical Services (EMS)

Project Overview

EMS Units (Ambulances) are currently purchased on an annual basis. Based off of growth in the county, a need has been determined to begin purchasing three EMS Units per year instead of two. In doing so, new EMS Stations which are soon due to come online and those planned in the future will be properly equipped with the units needed to allow said stations to function as intended. Additionally, moving from two units to three units per year will allow for the continuation of moving EMS Units with high mileage at high call volume stations to stations with lower call volumes in order to maximize the life of EMS Units.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used to purchase high dollar, fairly routine equipment. Additionally, money will be used from the Impact Fee collections.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615
Other						
Total Expenditures	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615
Revenues						
Capital Fund	$600,000	$660,000	$680,000	$700,335	$710,000	$3,850,435
Impact Fee			$340,000		$362,000	$1,147,180
Total Revenues	$600,000	$660,000	$1,020,000	$700,335	$1,072,000	$4,997,615

Status

Ongoing funding for replacements will continue as part of each fiscal year budget process for 2 ambulances. The third ambulance will be funded bi-annually through projected impact fee collections beginning in fiscal year 2023-2024.

Station Three
Emergency Medical Services (EMS)

Project Overview

EMS Station Three is currently located south of the City of Lancaster. This station will be relocated in order to reduce response times in an effort to better serve citizens in that area of the county.

Funding

Funding for EMS Station three will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				$70,038		
Land Acquisition						
Construction				$1,622,731		
Technology				$38,299		
Equipment				$58,459		
Other				$10,473		
Total Expenditures	$0	$0	$0	$1,800,000	$0	$0
Revenues						
G.O. Bond				$1,800,000		
Total Revenues	$0	$0	$0	$1,800,000	$0	$0

Status

Project will not begin until FY2025.

Station Six
Emergency Medical Services (EMS)

Project Overview

EMS Station Six is currently located just north of the Town of Kershaw. It will be replaced in order to allow EMS staff to better conduct their job duties and render life-saving care to citizens of Lancaster County in and around the Town of Kershaw.

Funding

Funding for EMS Station Six will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				$70,038		
Land Acquisition						
Construction				$1,622,731		
Technology				$38,299		
Equipment				$58,459		
Other				$10,473		
Total Expenditures	$0	$0	$0	$1,800,000	$0	$0
Revenues						
G.O. Bond				$1,800,000		
Total Revenues	$0	$0	$0	$1,800,000	$0	$0

Status

Project will not begin until FY2025.

Station Seven
Emergency Medical Services (EMS)

Project Overview

EMS Station Seven is currently located within the Town of Heath Springs. This station is aging and is outdated. In order to best serve the citizens in and around the Town of Health Springs, this station needs to be replaced.

Funding

Funding for EMS Station Seven will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$70,038
Land Acquisition						
Construction						$1,622,731
Technology						$38,299
Equipment						$58,459
Other						$10,473
Total Expenditures	$0	$0	$0	$0	$0	$1,800,000
Revenues						
Capital Project Sales Tax 3						$1,800,000
Total Revenues	$0	$0	$0	$0	$0	$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Station Ten
Emergency Medical Services (EMS)

Project Overview EMS Station Ten

EMS Station Ten is a new EMS Station which will be built in the northern end of the county, located in the Indian Land area. This area of the county has experienced much growth in recent years and is anticipated to see more growth in the coming decade. In order to properly serve the citizens in the northern end of the county and help accommodate for future growth, an additional station is needed.

Funding

Funding for EMS Station Ten will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$70,038
Land Acquisition						
Construction						$1,622,731
Technology						$38,299
Equipment						$58,459
Other						$10,473
Total Expenditures	$0	$0	$0	$0	$0	$1,800,000
Revenues						
Capital Project Sales Tax 3						$1,800,000
Total Revenues	$0	$0	$0	$0	$0	$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Combination Station

Emergency Medical Services (EMS)

Project Overview

The proposal for the EMS Combination Station includes one large station in the City of Lancaster to take the place of two current stations in and around the City of Lancaster. The intention of this Combination Station is to reduce overall costs on property while also providing better coverage for citizens living in and around the City. This station will also be able to accommodate future growth expected in and around the City. The building will mirror that of the new EMS 4/9 station on a larger scale.

Funding

Funding for EMS Combination station will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				155,000		
Land Acquisition				1,000,000		
Construction				2,615,000		
Technology				100,000		
Equipment				130,000		
Other						
Total Expenditures	$0	$0	$0	$4,000,000	$0	$0
Revenues						
G.O. Bonds				4,000,000		
Total Revenues	$0	$0	$0	$4,000,000	$0	$0

Status

Project will not begin until 2024-2025.

Hardware Improvements/Replacement
Management Information Systems (MIS)

Project Overview

The MIS improvements included in this Capital Improvement Plan entail replacing various hardware and technology set-ups on a yearly basis in order to ensure all systems will run efficiently and as intended and employees will have properly functioning equipment in order to perform their job duties well.

Funding

Funding for MIS Improvements will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Equipment						
Other						
Total Expenditures	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Revenues						
General Fund Reserves	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000
Total Revenues	$220,000	$220,000	$220,000	$220,000	$220,000	$1,250,000

Status

This will be an ongoing capital replacement of existing equipment and will be allocated as part of the annual budget process.

Fleet Operations Garage/Public Works Administration Office

Roads

Project Overview

As noted in the recently completed Facility Needs Study, various Public Works facilities are sparse throughout the County. In order to ensure Public Works as the adequate facilities needed to conduct their day to day operations, it was recommended to construct a centralized Public Works Administration office in addition to a Fleet Operations Garage. This will set up key functions of the Public Works division to be able to perform their job duties safely and adequately while anticipating future growth of the division, mirroring the growth of the County itself.

Funding

Funding for the Fleet Operations Garage and the Public Works Administration Office will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$204,326					
Land Acquisition	$2,017,436					
Construction	$2,629,728					
Technology						
Equipment	$94,535					
Other						
Total Expenditures	$4,946,025	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,946,025					
Total Revenues	$4,946,025	$0	$0	$0	$0	$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Road Paving
Roads

Project Overview

The County submitted this proposal as part of the One Cent Capital Project Sales Tax passed by the voters in the November 2016 and 2020 election. Road projects are prioritized and determined by the County Transportation Commission.

Funding

Funding for this project is derived from the One Cent Capital Project Sales Tax passed by the voters of Lancaster County in the November 2016 and November 2020 election. In addition, the latter years funding has a contribution from general fund reserves.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Technology						
Equipment						
Other						
Total Expenditures	$6,750,000	$0	$2,900,000	$5,425,000	$4,904,719	$2,200,000
Revenues						
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3			2,900,000	5,425,000	4,904,719	
General Fund Reservess						2,200,000
Total Revenues	$6,750,000	$0	$2,900,000	$5,425,000	$4,904,719	$0

Status

The final roads of CPST 2 will be completed in FY2022 and include the following listed below:

1) Walnut Road/Stewert Place Road/Langley Road- Only Walnut Road is incomplete. Total estimated remaining cost is $700,000.

2) Lynwood Drive- Tentative schedule for completion is September/October 2021 completion. Total estimated cost is $750,000.

3) Capital Sales SCDOT Pay GO Alternates including French Street, Normandy Street, Hughes Street, Ernest Scott, Horsehoe and, Man O War. Tentative completion date is 11/30/2021 for entire contract (multiple roads). Total estimated cost is $2,000,000.
4) Capital Sales SCDOT Pay GO Alternates including Camp Creek Road (portion), Mt. Carmel Road (portion), Hilldale Drive. Total estimated cost (barring significant change orders) is $3,300,000.
Beginning in FY2024 the county will begin looking at the roads prioritized by the County Transportation Commission for CPST 3. Funding for those projects will continue for several years based on collection projections.

Road Preservation
Roads

Project Overview

As determined by County Public Works staff based on need and current condition, work will be conducted on roads within the County in order to properly maintain and preserve them so costly and avoidable repairs are not needed in the future.

Funding

Funding for Road Preservations Projects is derived from the road fees outlined in the Fee Schedule. The full Fee Schedule can be found in the budget ordinance and/or budget document on the County's website.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						
Other	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Total Expenditures	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Revenues						
Road Maintenance Fee	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000
Total Revenues	$400,000	$410,000	$420,000	$425,000	$435,000	$2,218,000

Status

This is an ongoing project funded through annual collections of the County road fee. It will be budgeted as part of the annual operating and capital budget.

Bush Hog Replacements
Roads

Project Overview

Over the course of the first five year period of the CIP, two bush hogs will be purchased in fiscal years 2021-2022 and 2023-2024. Current active and reserve machines are low output and high maintenance machines. The new machines scheduled to be purchased are lower maintenance machines which will allow Roads employees to conduct their job duties more efficiently.

Funding

Funding for this project is derived from the Capital Equipment fund which is used for high dollar, yet fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$200,000		$200,000			
Other						
Total Expenditures	$200,000	$0	$200,000	$0	$0	
Revenues						
Capital Fund	$200,000		$200,000			
Total Revenues	$200,000	$0	$200,000	$0	$0	$0

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Motorgrader Replacement
Roads

Project Overview

Over the first five year period of this Capital Improvement Plan, five Motorgraders will be purchased to replace existing ones. Ideally, Motorgraders should be replaced every five years and allocating this funding each year will allow the County to begin a true replacement plan for this equipment.

Funding

Funding for this project/replacement plan will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$106,861
Land Acquisition						$219,823
Construction						$1,850,320
Technology						
Equipment	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000
Other						
Total Expenditures	$200,000	$200,000	$210,000	$210,000	$220,000	$3,060,320
Revenues						
Capital Fund	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000
Total Revenues	$200,000	$200,000	$210,000	$210,000	$220,000	$1,210,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Track Excavator
Roads

Project Overview

The County currently has one large excavator which is an older model and is due to be replaced. Growth in the County has caused this current machine to be used almost daily. In order to accommodate the growth, a new, larger machine is needed so that more jobs which require the use of this machine can be accomplished in house. In the long run, this will result in contractual savings in the Roads accounts due to a lessened need to outsource jobs Roads staff are unable to currently take on.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$300,000					$420,000
Other						
Total Expenditures	$300,000	$0	$0	$0	$0	$420,000
Revenues						
Capital Fund	$300,000					$420,000
Total Revenues	$300,000	$0	$0	$0	$0	$420,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Tandem Dump Truck Replacement
Roads

Project Overview

As with the Refuse Trucks, four dump truck replacements will be purchased in four out of the first five years of this Capital Improvement Plan. Due to the County still being responsible for maintaining a fair amount of gravel roads, dump trucks are still needed as part of this department in order to properly maintain these gravel roads.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$175,000	$185,000	$195,000	$205,000	$905,000
Other						
Total Expenditures	$0	$175,000	$185,000	$195,000	$205,000	$905,000
Revenues						
Capital Fund		$175,000	$185,000	$195,000	$205,000	$905,000
Total Revenues	$0	$175,000	$185,000	$195,000	$205,000	$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Refuse Truck Replacement
Solid Waste

Project Overview

In four out of the first five years of this Capital Improvement Plan, one refuse truck will be purchased per year for a total of $760,000. The collections function of the Solid Waste Department has mirrored the growth in the County as a whole. In making these purchases over the first five years, a foundation for a true replacement plan will be laid so that these frequently used and necessary vehicles can be regularly replaced when they reach the end of their functional life.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$175,000	$185,000	$195,000	$205,000	$905,000
Other						
Total Expenditures	$0	$175,000	$185,000	$195,000	$205,000	$905,000
Revenues						
Capital Fund		$175,000	$185,000	$195,000	$205,000	$905,000
Total Revenues	$0	$175,000	$185,000	$195,000	$205,000	$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Solid Waste Department done in accordance with the annual budget process.

Public Works Warehouse, Crew Facility, and Shop
Solid Waste

Project Overview

In addition to the Fleet Operations Garage and the Administration Office mentioned previously in this document, it was also recommended in the Facilities Needs Study to construct a warehouse, crew facility, and maintenance shop for various departments within the Public Works division. In doing so, proper and appropriate space would be created so various elements of the Public Services division are able to function optimally to serve the citizens of Lancaster County well.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						$106,861
Land Acquisition						$219,823
Construction						$1,850,320
Technology						
Equipment						$54,860
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,905,180
Revenues						
General Fund Reserves						$1,905,180
Total Revenues	$0	$0	$0	$0	$0	$1,905,180

Status

This project will not begin until fiscal year 2028.

Recycling Center Upgrades
Solid Waste

Project Overview

Current Recycling Centers across the county are older and outdated. In order to keep up with the growth the county has experienced and is expected to continue to experience, there is a need to upgrade these sites. Upgrades will consist of new buildings, cans, fencing, paving, and concrete pads. Specific upgrades will be tailored to each site depending on what is needed.

Funding

Funding for the Recycling Center Upgrades project will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$100,000					
Land Acquisition						
Construction	$1,700,000					
Technology						
Equipment	$200,000					
Other	$120,000					
Total Expenditures	$2,120,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$2,120,000					
Total Revenues	$2,120,000	$0	$0	$0	$0	$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Regional Park
Parks and Recreation

Project Overview

The Lancaster County Regional Park is a project designed to attract people and various organizations around the area to use the facilities and amenities which are planned for the park. In addition to facilities and amenities that residents of the county can use on a routine basis such as playgrounds, courts, and fields, the Regional Park will have large facilities such as gymnasiums which will attract travel sports teams and programs.

Funding

Funding for this project will be derived from a combination of Impact Fees and a Hospitality Tax. Additional funding in the future may be designated as it is available. In total the projected cost to complete the park was estimated to be approximately $30 million in 2020.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$6,000,000			$5,000,000	$6,500,000
Other						
Total Expenditures	$0	$6,000,000	$0	$0	$5,000,000	$6,500,000
Revenues						
Hospitality Tax		$6,000,000				
Impact Fee					$5,000,000	$6,500,000
Total Revenues	$0	$6,000,000	$0	$0	$5,000,000	$6,500,000

Status

This project will be phased beginning in fiscal year 2023 using hospitality tax funding for the first phase.

Security Systems
Parks and Recreation

Project Overview

In order to properly secure Parks and Recreation facilities, this project consists of installing security systems and the four recreation centers and those facilities currently being constructed that are due to soon come on line. In doing so, Parks and Recreation leadership will be able to properly monitor their facilities to ensure the safety of all staff and patrons during the day and to ensure facilities are secure and monitored during non-operational hours.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$210,000				
Other						
Total Expenditures	$0	$210,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$210,000				
Total Revenues	$0	$210,000	$0	$0	$0	$0

Status

This project will begin in fiscal year 2023.

Springdale Recreation Center Parking Lot
Parks and Recreation

Project Overview

The parking lot at the Springdale facility has reached the end of its functional life and is due to be replaced. This project will replace the portion which is already paved and pave the portion which has remained gravel over the years. In doing so, this will allow proper parking for patrons and cut down on the maintenance which is required to keep the lot minimally functional in its current state.

Funding

Funding for this project will be derived from the PARD grant in addition to Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		1,100,000				
Technology						
Equipment						
Other						
Total Expenditures	$0	$1,100,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$900,000				
Grant Revenue		$200,000				
Total Revenues	$0	$1,100,000	$0	$0	$0	$0

Status

This project is planned to begin in fiscal year 2023.

Gym Floor Replacement
Parks and Recreation

Project Overview

The current flooring at the Andrew Jackson and Buford Recreation Centers are in the last few years of their functional life. In order to plan ahead for the day when they will reach the end of their life and immediately need to be replaced, they have been included in this Capital Improvement Plan for replacement during the 2021-2022 fiscal year.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		$300,000				
Technology						
Equipment						
Other						
Total Expenditures	$0	$300,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$300,000				
Total Revenues	$0	$300,000	$0	$0	$0	$0

Status

This project is planned to begin in fiscal year 2023.

Field Lighting, Additions and Replacements
Parks and Recreation

Project Overview

This project is proposing to add field lighting to those which do not currently have them. Due to increasing participation numbers, field lighting additions are warranted in order to add to the number of fields which can be routinely used for play opportunities. The Parks and Recreation department is currently at capacity with their current number of fields which have lighting. Fields which have been identified by Parks and Recreation staff for field lighting additions include: Fields B, C, & E at Walnut Creek Park and the undeveloped area at the Springdale Complex. In addition to these fields planned for new lighting, this project also encompasses replacing the lighting at Melvin Steele and Indian Land Recreation Center which are currently reaching their End of Life point.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						$1,320,000
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,320,000
Revenues						
General Fund Reserves						$1,320,000
Total Revenues	$0	$0	$0	$0	$0	$1,320,000

Status

This project is not planned until fiscal year 2027.

Renovate Indian Land EMS Station
Parks and Recreation

Project Overview

An EMS Station currently sits on the property with the Indian Land Recreation Center. In future years, EMS no longer plans to use this building for EMS purposes. Since the county already owns the land and the building and is at the same site as the Indian Land Recreation Center, this project will renovate the EMS station on the property for Parks and Recreation. Possible uses for this space once renovated include: After School Programs, Summer Camps, Fitness Classes, and space for meeting and/or party rentals.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$475,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$475,000
Revenues						
General Fund Reserves						$475,000
Total Revenues	$0	$0	$0	$0	$0	$475,000

Status

This project is not planned until fiscal year 2027.

Maintenance Shop at Buford Recreation
Parks and Recreation

Project Overview

A Maintenance Shop building is proposed to be built at the current Buford Recreation Center site. In doing so, Parks and Recreation maintenance personnel will be better able to conduct their work at the Buford Recreation Center. Currently, the personnel which are stationed to maintain this site are also stationed to maintain sites in the Heath Springs and Kershaw communities. Building a shop at the Buford Recreation site will allow staff to station equipment and materials there rather than going to the main shop in Lancaster to load up supplies and equipment in order to conduct their work. Additionally, the Buford Recreation Center is planning to host tournaments in the future. Having a dedicated space for maintenance staff and the equipment and materials necessary to do their jobs will make it possible to host tournaments at this site without overextending Parks and Recreation staff.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$475,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$475,000
Revenues						
General Fund Reserves						$475,000
Total Revenues	$0	$0	$0	$0	$0	$475,000

Status

This project is not planned to begin until fiscal year 2028.

Walnut Creek Soccer Fields

Parks and Recreation

Project Overview

The soccer fields at Walnut Creek Park are currently covered with natural turf. Due to high levels of maintenance required for the upkeep of natural turf fields and the frequent use and popularity of the fields, two of them will be converted to artificial turf fields. Doing so will allow the fields to hold up better under frequent use and reduce the amount of labor required for maintenance and upkeep

Funding

Funding for this project will be derived from Capital Project Sales Tax 3.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						$1,000,000
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,000,000
Revenues						
Capital Project Sales Tax 3						$1,000,000
Total Revenues	$0	$0	$0	$0	$0	$1,000,000

Status

This project is not planned to begin until fiscal year 2030.

Indian Land Recreation Center
Parks and Recreation

Project Overview

The current Indian Land Recreation Center located off of U.S. 521 will be remodeled and expanded. This will include new gym flooring and new flooring throughout the existing facility, the addition of a new full-court gymnasium that can be used as two courts crosscourt on the same floor, more restrooms and meeting/classrooms, the addition of a foyer and front desk at the facility entrance, addition of a storage room/mechanical room, as well as upgraded and expanded parking lots and new HVAC and lighting in the facility.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$287,317					
Land Acquisition						
Construction	$3,883,683					
Technology	$50,000					
Equipment						
Other						
Total Expenditures	$4,221,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,221,000					
Total Revenues	$4,221,000	$0	$0	$0	$0	$0

Status

This project should be complete in Spring 2022.

Soccer Fields in Indian Land

Parks and Recreation

Project Overview

The soccer complex on county property near the Avondale development on Harrisburg Road will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$407,292					
Land Acquisition						
Construction	$4,475,000					
Technology	$108,708					
Equipment						
Other						
Total Expenditures	$4,991,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$4,991,000					
Total Revenues	$4,991,000	$0	$0	$0	$0	$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Soccer Fields in Heath Springs
Parks and Recreation

Project Overview

The soccer complex on Kershaw Camden Highway between Heath Springs and Kershaw will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	$420,593					
Land Acquisition						
Construction	$4,500,000					
Technology	$112,407					
Equipment						
Other						
Total Expenditures	$5,033,000	$0	$0	$0	$0	$0
Revenues						
G.O. Bond	$5,033,000					
Total Revenues	$5,033,000	$0	$0	$0	$0	$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Console Replacements
911 Communications

Project Overview

The consoles at the 911 operations center allow for operators to communicate with Fire, EMS, and Law Enforcement. The current consoles reached the end of their serviceable life at the end of 2020, meaning Motorola will no longer guarantee the availability of replacement parts. To make sure our equipment will remain serviceable by Motorola, we will need to replace the consoles. Doing so will ensure communication abilities will remain intact and functional between the County's emergency/first responders.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	$1,100,000					
Other						
Total Expenditures	$1,100,000	$0	$0	$0	$0	$0
Revenues						
General Fund Reserves	$1,100,000					
Total Revenues	$1,100,000	$0	$0	$0	$0	$0

Status

This project will commence in July 2021.

Armored Vehicle
Sheriff

Project Overview

The Sheriff's Department is in need of a new SWAT vehicle which is used to transport personnel on the SWAT Team to and from destinations that require their presence. Their current SWAT vehicle is a retired ambulance which is reaching the end of its serviceable life. While it may seem like SWAT situations are rare occurrences, the SWAT vehicle is used on a weekly basis to conduct high risk search warrants and arrests. In purchasing this vehicle, lifesaving equipment will be on scene for every SWAT call should the need arise. Additionally, the vehicle that will be purchased is practical and easy to operate on a regular basis unlike some on the market.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$300,000				
Other						
Total Expenditures	$0	$300,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$300,000				
Total Revenues	$0	$300,000	$0	$0	$0	$0

Status

Equipment is planned to be acquired in fiscal year 2023 and funding will be allocated as part of the budget process.

Camera Replacements
Sheriff

Project Overview

The body worn camera program is currently in its third year of operation. While replacements have taken place over these three years as needed, it is estimated that there will need to be a complete replacement of the program in the next five years. This will require replacing approximately 100 body worn cameras along with the servers which run the software and store the data for the cameras. In addition to the body worn cameras, approximately 60 in car cameras will need to be replaced in the next ten years. Each camera costs about $5,000.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		$150,000				
Other						
Total Expenditures	$0	$150,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		$150,000				
Total Revenues	$0	$150,000	$0	$0	$0	$0

Status

The replacements will be acquired in 2022-2023.

Operations Building
Sheriff

Project Overview

This project will allow the Sheriff's department and other first responder personnel to have a space to conduct training exercises. Not only will this allow them to conduct specific operations related to their department, but it will allow joint training exercises between departments to practice for seamless execution during actual scenarios in the community where first responders need to work in unison.

Funding

The funding for this project will be derived from Fund Balance.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						86,249
Land Acquisition						121,766
Construction						967,354
Technology						
Equipment						34,631
Other						
Total Expenditures	$0	$0	$0	$0	$0	$1,210,000
Revenues						
General Fund Reserves						1,210,000
Total Revenues	$0	$0	$0	$0	$0	$1,210,000

Status

This project will not begin until fiscal year 2029.

Substation
Sheriff

Project Overview

Currently the Sheriff's office is utilizing leased space in the Indian Land area. This project would allow for permanent space to be identified and either renovated or constructed to provide future certainty and allow for any expansion of operations in that area in the future.

Funding

Funding would be derived from Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						110,000
Land Acquisition						1,000,000
Construction						2,001,940
Technology						
Equipment						50,000
Other						
Total Expenditures	$0	$0	$0	$0	$0	$3,161,940
Revenues						
General Fund Reserves						1,113,490
Impact Fee Revenue						$2,048,450
Total Revenues	$0	$0	$0	$0	$0	$3,161,940

Status

This project will not begin until fiscal year 2030.

Detention Center
Sheriff

Project Overview

The current Detention Center is very out of date and has reached the end of its functional life. Various issues have plagued and continue to plague the building making it difficult for officers to do their job effectively while remaining in a safe environment. Not only do these various issues make it unsafe for officers and make it difficult for them to perform their job, these issues also cause safety concerns for the inmates housed at the Detention Center. A new Detention Center will solve these issues and also help accommodate for the increase in inmates being housed at any given time due to the rise in the County's population.

Funding

The funding for this project will be derived from the One Cent Capital Project Sales Tax passed by the voters in the November 2020 election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	47,246,120					
Technology						
Equipment						
Other						
Total Expenditures	$47,246,120	$0	$0	$0	$0	$0
Revenues						
Capital Project Sales Tax 3	$47,246,120					
Total Revenues	$47,246,120	$0	$0	$0	$0	$0

Status

This project will be a multi-year project beginning next year.

Calvin Hall Road Culvert Replacement

Stormwater

Project Overview

This project involves replacing the current culvert on Calvin Hall Road near the intersection of SC-160. The location has a history of water overtopping the roadway during heavy rainfall events. In order to mitigate this issue, the culvert will not only be replaced but also resized to help prevent floodwaters from overtopping the roadway in the future. Being that it is a SCDOT road, maintenance of the road and the culvert will be the responsibility of SCDOT after the completion of the project.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					850,000	
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$850,000	$0
Revenues						
Stormwater Fee					850,000	
Total Revenues	$0	$0	$0	$0	$850,000	$0

Status

Will not begin until 2025.

Stream Gauging Stations

Stormwater

Project Overview

In order to observe and collect data regarding stream levels during significant rainfall events while also obtaining baseline data during times where there is not a significant rainfall event, this project will place gauging stations along streams in portions of the county where the Stormwater department operates. These stations will allow for staff to record stream levels in order to accurately predict and communicate flooding concerns and use that data to help mitigate flooding during significant rainfall events in the future.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		150,000				
Other						
Total Expenditures	$0	$150,000	$0	$0	$0	$0
Revenues						
Stormwater Fee		150,000				
Total Revenues	$0	$150,000	$0	$0	$0	$0

Status

Will not begin until 2022.

Office Space

Development Services Division

Project Overview

This project consists of identifying and possibility constructing/renovating office space for the Development Services Division. This division, which encompasses the Building Inspections, Zoning, Stormwater and Planning departments, mirrors the population growth of the County. The more the County continues to grow, the more we will see these departments utilized in order to make sure that growth occurs in an orderly and systematic fashion. With more growth comes more work for these departments along with the need for more employees to accomplish an increased workload. A space will be needed in order to accommodate more employees and more work.

Funding

Currently the funding for this project is planned to be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design		185,000				
Land Acquisition		1,000,000				
Construction		2,705,000				
Technology						
Equipment		110,000				
Other						
Total Expenditures	$0	$4,000,000	$0	$0	$0	$0
Revenues						
General Fund Reserves		4,000,000				
Total Revenues	$0	$4,000,000	$0	$0	$0	$0

Status

Project is set to begin in fiscal year 2023. The County may explore other options such as a lease agreement or a repurposing of current space.

Speculative Building
Economic Development

Project Overview

The Economic Development Department functions to bring businesses to the area. In order to aid in that process, Spec Buildings are often used to show what the county has to offer when courting businesses who are considering bringing their operations to the area. It is easier for businesses to envision themselves bringing their operations to the area when they are able to look at a potential space in real time.

Funding

The funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design					200,000	
Land Acquisition						
Construction					3,800,000	
Technology						
Equipment						
Other						
Total Expenditures	$0	$0	$0	$0	$4,000,000	$0
Revenues						
General Fund Reserves					4,000,000	
Total Revenues	$0	$0	$0	$0	$4,000,000	$0

Status

Project will not begin until fiscal year 2026.

Appendix

Glossary

Bond – A written promise to pay a specified sum of money at a specific date together with periodic interest at a specified rate.

Budget – A comprehensive financial plan of operation which incorporates an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budgetary Control – The control of management of a governmental unit in accordance with an approved budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.

Debt – An obligation resulting from borrowed money or from the purchase of goods and services. Debts of government include bonds and notes.

Department – A major administrative unit of the County which manages an operation or group of related operations within a functional area.

Expenditures – The amount of cash paid or to be paid for a service rendered, goods received, or an asset purchased.

Fiscal Year – a 12 month period to which the annual operating budget applies and at the end of which a government determines its financial position and the results of its operations. Lancaster County's fiscal year begins July 1st and ends the following June 30th.

Fund – A self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulation, restrictions, or limitations.

General Fund – The fund used to account for all financial resources except those required to be accounted for in another fund.

General Obligation (GO) Bonds – When the County pledges its full-faith and credit to the repayment of the bonds it issues, then those bonds are general obligation (GO) bonds. Sometimes the term is used to refer to bonds which are repaid from taxes and other governmental revenue.

Grant – A contribution by a government or other organization to support a particular function. Grants may be classified as either categorical or block, depending upon the amount of discretion allowed the grantee.

Ordinance – A formal legislative enactment by the governing board of a county. If it is not in conflict with any higher form of law, such as, a State statute, a Federal law, or constitutional provision, it has the full force and effect of law within the county to which it applies. The difference between an ordinance and a resolution is that the latter required less formality and has a lower legal status.

Revenue – income received or anticipated from taxes or other sources, such as licenses and permits, user fees, fines, and investments.

Agenda Item Summary

Ordinance # / Resolution #: Ordinanace 2024-1906
Contact Person / Sponsor: Dennis Marstall / Administration
Department: Attorney
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Adopt an ordinance to provide a citizen referendum vote on November 5, 2024 to determine if residents want to add one-percent (1%) to the local sales tax to generate $405 million specifically for roads and transportation-related projects throughout the county.
This item was postponed pending clarification on the ability to hold a sales tax referendum vote related to a general election in an odd numbered year and to clarify the priority of widening Highway 521, which both have been addressed.

Strategic Plan Focus Area Alignment:

Resource Optimization
Optimize sources of non-property tax funding to advance the priorities of the County.

Points to Consider:
Lancaster County has approximately 1,400 miles of publicly maintained roads (900 SCDOT, 500 county/other municipality miles)

Lancaster County, and the municipalities, are heavily dependent on the SC Department of Transportation (SCDOT) for road funding and scheduling of road improvements, as there is very little local funding nor property tax millage dedicated for road projects.

Over the past five years, the County has been able to improve over 94 miles of roads utilizing state and voter-approved capital projects sales tax funding for a combined total of $25 million.

The County Transportation Committee (CTC), in consultation with County Public Works staff and area municipalities, have identified over $400 million in transportation-related projects over the next 15-years. These 125+ projects include major widenings, such as adding one lane in each direction on Highway 521 for 7.5 miles in the Indian Land area, to installing roundabouts, improving intersections, and undertaking significant road resurfacing on roads in each of the four municipalities.

State law 4-37-10 allows counties to implement a Transportation Sales Tax, up to 1%, by referenda vote. The law stipulates that the sales tax can be imposed for not more than 25 years in the aggregate, but can be in smaller timeframes totaling the 25 years. The law also states that the tax shall expire when the timeframe is reached or the dollar amount to be raised has been generated, whichever is first.

The Ordinance would present the county voters with two questions on the general election ballot on November 5, 2024. The first question relates to imposing the sales tax and the second question authorizes the revenue from the sales tax to be used to support the issuance of general obligation debt to fund the transportation-related projects, similar to the following:

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Lancaster County for not more than fifteen (15) years, or until a total of $405,000,000 in resulting revenue has been collected, whichever occurs first. The sales tax proceeds will be used to finance the costs of Highway 521 widening, highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects facilities, including but not limited to drainage facilities relating to the highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects. $_____.

YES _____
NO _____

Instructions to Voters:
All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote “YES;” and

All qualified electors opposed to levying the special sales and use tax shall vote “NO.”

QUESTION 2

I approve the issuance of not exceeding $_____ of general obligation bonds of Lancaster County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed fifteen (15) years, to fund completion of projects described in Question 1 above.

YES _____
NO _____

Instructions to Voters:
All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote “YES;” and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote “NO.”

Without the sales tax funding, it could take 50 years to complete all the transportation projects identified on the County roads need list, and will be on the SCDOT timeframe.

Funding and Liability Factors:
A one-percent sales tax implemented on May 1, 2025 is projected to generate $419 million over the next 15 years.

This projection is financially conservative based on the transportation sales tax generating at least $15 million in the first year with a growth factor of 9% for the first 7 years and a 7% growth factor in the last eight years of the sales tax.

The projection is based on the trend history of the existing one-percent capital project sales tax, which generated $16.3 million in FY23 and has yielded a 9.2% average growth rate over the past 14 years.

If adopted, the Lancaster County Sales Tax would rise to 9% on all applicable goods and services and would make the county the fifth in the state to have a separate and dedicated transportation sales tax.

Recommendation:
Approve the Ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinane 2024-1906 -- Transportation Sales Tax	6/7/2024	Ordinance
Transportation Sales Tax Proposal Presentation	6/7/2024	Presentation

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2024-1906**
COUNTY OF LANCASTER)

AN ORDINANCE

TO LEVY AND IMPOSE A ONE PERCENT SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN LANCASTER COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE BOARD OF ELECTIONS AND VOTER REGISTRATION OF LANCASTER COUNTY; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE TAX, IF APPROVED; AND TO PROVIDE FOR 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) The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

(b) Pursuant to the terms of Section 4-37-10 of the Code of Laws of South Carolina 1976, as amended (the S.C. Code"), the South Carolina General Assembly has authorized county government to finance the costs of highways, roads, streets, bridges and other transportation-related projects either alone or in partnership with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et seq*. of the S.C. Code, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one or more other governmental entities pursuant to Title 4, Chapter 37 of the S.C. Code. The County Council has decided to provide funding for highways, roads, streets, bridges, greenways, and other transportation-related projects, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other arrangements with one or more other governmental entities at this time; provided that nothing herein preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, greenways, and other transportation-related projects as provided in this ordinance (this "Ordinance").

(c) The County Council finds that the a one percent sales and use tax (the "Sales Tax") should be levied and imposed within the County, for financing the costs of highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects facilities, including but not limited to drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects (the "Projects").

For a period not to exceed 15 years from the date of imposition of such a sales and use tax, to fund the Projects at a maximum cost not to exceed $405,000,000 to be funded from the net proceeds of the Tax imposed in the County pursuant to provisions of the Act, subject to approval of the qualified electors of the County in referendum to be held on November 5, 2024. The imposition of the Sales Tax and the use of the sales and use tax revenue (the "Sales Tax Revenue"), if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of the Tax Revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, the Sales Tax Revenue shall be used for the costs of the Projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the Projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the Projects. All spending shall be subject to an annual independent audit to be made available to the public.

(d) County Council finds that the imposition of the Sales Tax in the County for the Projects and purposes defined in this Ordinance for a limited time not to exceed 15 years to collect a limited amount of money will serve a public purpose, provide funding for highways, roads, streets, bridges, greenways, and other transportation-related projects as provided in this Ordinance to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in the County, and promote public health and safety in the event of fire, emergency, panic, and other dangers, and prepare the County to meet present and future needs of the County and its citizens.

(e) County Council finds that the widening of Highway 521 will be the County's highest priority and provisions must be made for securing the funds needed to make the County's contribution to that project (the "Priority Project").

Section 2. Approval of Sales and Use Tax Subject to Referendum.

(a) The Sales Tax, as authorized by the Act, is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the Sales Tax to be held in the County on November 5, 2024.

(b) The Sales Tax shall be imposed for a period not to exceed 15 years from the date of imposition.

(c) The maximum cost of the Projects to be funded from the proceeds of the Sales Tax shall not exceed, in the aggregate, the sum of $405,000,000, and the maximum amount of net proceeds to be raised by the Sales Tax shall not exceed $405,000,000, which includes administrative costs and debt service on bonds issued to pay for the Projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the Projects and to be paid by a portion of the Sales Tax is $_____.

(d) The Sales Tax shall be expended for the costs of the following Projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such Projects, for financing the costs of highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects facilities, including but

not limited to drainage facilities relating to the highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects including but not limited to: Widening Highway 521 and other major road widenings; intersection improvements; roundabouts; County-maintained road priorities; resurfacing/rehabilitation of County, South Carolina Department of Transportation, and municipal roads; and transportation related to economic development projects.

The amount of the maximum total funds to be collected which shall be expended for these Projects and purposes shall be no more than $405,000,000.

(e) If the Sales Tax is approved by a majority of the qualified electors voting in a referendum to be held in the County on November 5, 2024, the Sales Tax is to be imposed on the first day of May, 2025, provided the Board of Voter Registration and Elections of Lancaster County (the "Elections Board") shall certify the results not later than November 30, 2024, to Lancaster County Council and the South Carolina Department of Revenue (the "DOR"). Included in the certification must be the maximum cost of the Projects to be funded in whole or in part from the proceeds of the Sales Tax Revenue, the maximum time specified for the imposition of the Sales Tax, and the principal amount of initial authorization of bonds, if any, to be supported by a portion of the Sales Tax Revenue.

(f) The Sales Tax, if approved in the referendum conducted on November 5, 2024, shall terminate on the earlier of:

(i) on April 30, 2040; or

(ii) the end of the calendar month during which the DOR determines that the Sales Tax has raised revenues sufficient to provide the greater of either the costs of the Projects as approved in the referendum or the cost to amortize all debts related to the approved Projects.

(g) Amounts of Sales Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the Sales Tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of the County on transportation infrastructure debts only.

(h) The Sales Tax must be administered and collected by the DOR in the same manner that other sales and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the Sales Tax.

(i) The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the S.C. Code and the enforcement provisions of Chapter 54 of Title 12 of the S.C. Code. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the S.C. Code are exempt from the Sales Tax imposed by this Ordinance. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the Sales and Use Tax imposed by this Ordinance. The Sales Tax imposed by this Ordinance also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the S.C. Code.

(j) Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the S.C. Code must identify the county in which the personal property purchased at retail is stored, used, or consumed in the State of South Carolina (the "State").

(k) Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

(l) A taxpayer subject to the tax imposed by Section 12-36-920 of the S.C. Code who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

(m) The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the Sales Tax provided in this Ordinance if a verified copy of the contract is filed with the DOR within six months after the imposition date of the Sales Tax provided for in this Ordinance.

(n) Notwithstanding the imposition date of the Sales Tax with respect to services that are billed regularly on a monthly basis, the Sales Tax authorized pursuant to this Ordinance is imposed beginning on the first day of the billing period beginning on or after the imposition date.

Section 3. Procedures Related to Distribution of Sales and Use Tax.

(a) The Sales Tax Revenue collected under this Ordinance must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the DOR of administrating the Sales Tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or County code errors must be corrected prospectively.

(b) The DOR shall furnish data to the State Treasurer and to the County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of Section 12-54-240 of the S.C. Code. Any person violating the provisions of this section shall be subject to the penalties provided in Section 12-54-240 of the S.C. Code.

Section 4. Procedures Related to the Expenditure of Sales Tax.

(a) The County Administrator shall prepare a financing plan including a budget and projected timeline for the expenditure of the Tax Revenue in the ensuing next fiscal year (the "Financing Plan"). The Financing Plan will be updated annually as part of the County's budget process. In establishing the Financing Plan, the County Administrator shall take into account criteria such as the status of design, engineering and right-of-way acquisition, and a financial analysis which will take into consideration objective criteria such as the status of the cost savings that may be affected by placing a Project in a particular position or matching Tax Revenue with uses of funds from other sources.

(b) Provisions for the funding for the Priority Project shall be included in the initial Financing Plan and each annual update.

(c) Any outside agencies, political subdivisions or organizations designated to receive funding from the Sales Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

(d) County Council shall adopt annually and prior to the beginning of fiscal year a budget for expenditures of the Tax Revenue. County Council may make supplemental appropriations for the Sales Tax following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

(e) Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales Tax must provide to County Council an independent annual audit of such agency's or organization's financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

Section 5. Sales Tax Referendum; Ballot Question.

(a) The Elections Board shall conduct a referendum on the question of imposing the Sales Tax in the County on Tuesday, November 5, 2024, between the hours of 7 a.m. and 7 p.m. under the election laws of the State, mutatis mutandis. The Elections Board shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of Projects and purposes as set forth herein, and the cost of Projects, and shall publish such election and other notices as are required by law.

(b) The referendum question to be on the ballot of the referendum to be held in the County on November 5, 2024, must read substantially as follows:

LANCASTER COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Lancaster County for not more than fifteen (15) years, or until a total of $405,000,000 in resulting revenue has been collected, whichever occurs first. The sales tax proceeds will be used to finance the costs of Highway 521 widening, highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects facilities, including but not limited to drainage facilities relating to the highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects. $_____.

YES _____
NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote "YES;" and

All qualified electors opposed to levying the special sales and use tax shall vote "NO."

QUESTION 2

I approve the issuance of not exceeding $_____ of general obligation bonds of Lancaster County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed fifteen (15) years, to fund completion of projects described in Question 1 above.

YES _____
NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote "YES;" and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote "NO."

(c) In the referendum on the imposition of the Sales Tax in the County, all qualified electors desiring to vote in favor of imposing the Sales Tax for the stated purposes shall vote "yes" and all qualified electors opposed to levying the Sales Tax shall vote "no." If a majority of the electors voting in the Referendum shall vote in favor of imposing the Sales Tax, then the Sales Tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by the County.

(d) In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purpose shall vote "yes" and all qualified electors opposed to the issuance of bonds shall vote "no". If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by the County.

Section 6. Imposition of Sales and Use Tax Subject to Referendum.

The imposition of the Sales and Use Tax in the County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing the Sales and Use Tax in the County in a referendum to be conducted by the Elections Board on November 5, 2024, and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of the Sales and Use Tax pursuant to the provisions of this Ordinance.

Section 7. Miscellaneous.

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however, that

the Sales Tax may not be imposed without the favorable results of the referendum to be held on November 5, 2024.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in this State.

(c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this ordinance.

(d) All previous ordinances regarding the same subject matter as this Ordinance are hereby repealed.

Section 7. **Effective Date.** This ordinance is effective upon third reading.

AND IT IS SO ORDAINED, THIS _____ DAY OF _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

Attest:

_____
Sherrie Simpson, Clerk to Council

Approved as to form:

_____
County Attorney

1st reading: June 10, 2024
2nd reading: June 24, 2024
Public Hearing: July 15, 2024
3rd reading: July 15, 2024

Lancaster County
South Carolina

TRANSPORTATION SALES TAX PROPOSAL



County Council Meeting
June 10, 2024

Lancaster County
South Carolina

Road Funding Proposal

- Lancaster County has roughly 1,400 miles of publicly maintained roadway (900 SCDOT miles, 500 county/other municipality miles)
- From 2018 through 2024, over 94 miles have been improved.
- Funding for these improvements are Capital Sales Project 2, Capital Project Sales Tax 2 Proviso, Lancaster County Transportation Committee (C-funds/gas tax), and a Road Fee (Preservation/Contractual projects).

Lancaster County
South Carolina

Road Funding Proposal

- Current Funding estimates:
  - CPST 2 Proviso - $9 M to be completed by 2025
  - CPST 3 Funding -- $13.2 M
  - CTC - $1,400,000 per year
  - Road Fee - $800,000 per year (remaining fee total offsets Road Maintenance budget)
- Only option to address future road needs is a dedicated funding stream.

Lancaster County
South Carolina

Road Funding Proposal

- Subject to successful referenda, a County can have the Capital Project Sales Tax pursuant to SC Code 4-10-300 **and** a Transportation Sales Tax pursuant to 4-37-10.
- Potentially, Lancaster Co could have 3 sales taxes. The SC Attorney General has provided an opinion that Lancaster Co can have the Local Option Sales Tax, the Capital Project Sales Tax and the Transportation Sales Tax subject to a successful referendum.
- Legislation provides up to 1% that can run concurrently with other sales tax.
- Can impose for no more than 25 years in the aggregate, or in smaller increments
- Sales tax ends when years or authorized revenue amount is reached, whichever is first.
- Revenue estimated at $400+ million

Lancaster County
South Carolina

Revenue Projection

Current 1% Capital Projects Sales Tax

- Average growth 9.2% (2010 – 2023)
- FY22 -- $15,251,633
- FY23 -- $16,384,986

15-year projection -- $419,336,319 *(starting at $15 million)*

- 9% growth – Year(s) 1 – 7
- 7% growth – Year(s) 8 – 15

Lancaster County
South Carolina

Road Funding Proposal

- County Transportation Committee reviewed 132 individual roads and 50+ intersections, safety concepts, trails, sidewalks, signalization, and other transportation related items
- Met four times
  - January 24, 2024
  - February 21, 2024
  - March 14, 2024
  - March 28, 2024
- Recommend over 125 roads and transportation-related projects

Highway 521/Major Road Widenings ($140 million)

- Highway 521 (Highway 75 to NC state line) – Major contribution to widening/improving 521. $60 million
  - CPST 3 has programmed $10 million already and the sales tax could include an additional $60 million, which would include burying powerlines, landscaping, and a possible multipurpose trail/sidewalk in the ROW.
- Harrisburg Road (Barberville Road to NC state line) – 3 lane Harrisburg road, $20 million, incorporating any improvements from recent developments, possibly including pedestrian connectivity.
- Barberville Road (Highway 160 to Harrisburg Road and possibly to NC state line) – 3 lane Barberville Road, $20 million, which could include sidewalks/multipurpose trail in ROW. Henry Harris Road (Highway 521 to Marvin Road) – 3 lane Henry Harris Road.
- Henry Harris Road (Marvin Road to Highway 521) 3 lane, $30 million (staff added)
- Riverside Road – Widening Riverside Road- Hwy 9 Bypass to University Drive $10 million

Intersection Improvements ($30 million)

- Shiloh Unity @ Unity Church
- US 601 @ 265 New Hope Road @ Solar Road
- Gillsbrook Road / Highway 9 – Extend turn lane
- Shiloh Unity @ 522
- Shelly Mullis Road / US 521 - Turn lane
- Henry Harris Road / Stacie Howie Road - Configuration/alignment
- Sun City @ Promenade
- SC 9 @ Potter Road
- Camp Creek Road / Rocky River Road
- Grace Avenue / Bethel Road- “yield at the church”
- Bethel Road & Bethel Boat Landing

Roundabouts ($15 million)

- Henry Harris Road / Marvin Road
- Steel Hill Road / Van Wyck Road
- University Drive / Hubbard Drive
- Shiloh Unity Road @ 200
- Shiloh Unity Road @ Camp Creek Road

Lancaster County - Maintained Road Priorities ($5 million)

- Vance Baker Road - $1.5 million
- Calvin Hall Road (County portion) -- $1.8 million
- Sandra Lane - $1.2 million
- Reece Road / Lymon Reece Road --$500,000

Resurfacing / Rehabilitation of County, SCDOT and Local Municipality Identified Roads ($75 – 100 million)

- Lancaster County
- City of Lancaster
- Town of Kershaw
- Town of Van Wyck
- Town of Heath Springs
- SCDOT lower volume / rural intersections

Lancaster County
South Carolina

SCDOT -- Resurfacing

SCDOT Secondary Resurfacing ($25 million)

- Lynwood Drive
- W Shiloh Unity Road
- Doc Garris Road
- S Potter Road
- McCardell Street
- Heyward Hough Road
- Camp Creek Road
- Beacon Road
- Country Club Road
- Airport Road
- McIlwain Road

Economic Development ($8 million)

- Business Parks -- road improvements
- Air Rail Park – road connectivity for lot 6.
- Land Acquisition for future collector roads

Greenways / Sidewalk Repairs / Sidewalk Additions ($5 million)

- Indian Land Trail (Six-mile creek) – $2.5 million
- Lindsay Pettus Greenway (expansion) – $2.0 million
- Miscellaneous Sidewalks – $500,000

Miscellaneous ($22 million)

- Matching funds requirement
- Inflation -- contingency
- Property Acquisition
- Project management/Administration

Summary of County Transportation Committee Recommendations

- Highway 521 / Major Widenings -- $120 million
- Intersection Improvements -- $30 million
- Roundabouts -- $15 million
- Lancaster County-maintained Road Priorities -- $5 million
- Resurfacing / Rehabilitation of County / SCDOT / Local Municipality Roads -- $75 M
- SCDOT Secondary Resurfacing -- $25 million
- Economic Development -- $8 million
- Greenways / Sidewalk Repairs / Sidewalk additions -- $5 million
- Miscellaneous -- $22 million

Total Recommended -- $305 million

Staff Recommendation:

CTC Recommendations -- $305 million

Plus

- Harrisburg Road (add from Barberville Road to Calvin Hall Rd – to address Future Fire Station and new schools) -- $10 million
- Barberville Road (add from Harrisburg Road to State line – to address new school) -- $10 million
- Henry Harris Road Widening (add back in) -- $20 million
- Resurfacing (add some back in) -- $25 million
- Greenways and Sidewalks (add some back in) -- $2 million
- Signalization -- lighted street signs and mast arm poles, utility issues (add back in) -- $15 million
- Miscellaneous/matching funds/inflation/property acquisition/project mgmt./administration (add more in) -- $8 million

Staff Total Additions -- $95 million

Total CTC and Staff recommendation -- $400 million

Lancaster County
South Carolina

Transportation Sales Tax Proposal

125+ projects

Projects	CTC Recomm.	Additional Staff Recomm	Total
Highway 521 /Major Widenings	$120	$45	$165
Intersection Improvements	$30	$0	$30
Roundabouts	$15	$0	$15
County-maintained roads	$5	$0	$5
Resurfacing – co, state, municipalities	$75	$25	$100
SCDOT secondary rd resurfacing	$25	$0	$25
Economic Development	$8	$0	$8
Greenways and Sidewalks	$5	$2	$7
Signalization and Mast Arm / utilities	$0	$15	$15
Miscellaneous	$22	$8	$30
TOTAL	**$305**	**$95**	**$400**

Lancaster County
South Carolina

Transportation Sales Tax Proposal

- 4 counties have Transportation Sales Tax
  - Berkeley
  - Charleston
  - Dorchester
  - Richland

    ** Horry discussing
- 2 Counties have three local sales taxes
  - Berkeley
  - Charleston

    ** potentially Horry

2023 Sales Tax by County

Abbeville	7%	Chesterfield	8%	Hampton	7%	Newberry	7%
Aiken	8%	Clarendon	8%	Horry	8%	Oconee	6%
Allendale	8%	Colleton	8%	Horry-Myrtle Beach	9%	Orangeburg	7%
Anderson	7%	Darlington	8%	Jasper	8%	Pickens	7%
Bamberg	8%	Dillon	8%	Kershaw	8%	Richland	8%
Barnwell	8%	Dorchester	7%	Lancaster	8%	Saluda	8%
Beaufort	7%	Edgefield	8%	Laurens	8%	Spartanburg	7%
Berkeley	9%	Fairfield	7%	Lee	8%	Sumter	7%
Calhoun	8%	Florence	8%	Lexington	7%	Union	7%
Charleston	9%	Georgetown	6%	McCormick	8%	Williamsburg	8%
Cherokee	8%	Greenville	6%	Marion	8%	York	7%
Chester	8%	Greenwood	7%	Marlboro	8%		

Ballot Language

County voters would have two questions on the general election ballot on November 5, 2024.

1. impose the sales tax
2. authorize the revenue from the sales tax to be used to support the issuance of general obligation debt to fund the transportation-related projects

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Lancaster County for not more than fifteen (15) years, or until a total of $405,000,000 in resulting revenue has been collected, whichever occurs first. The sales tax proceeds will be used to finance the costs of Highway 521 widening, highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects facilities, including but not limited to drainage facilities relating to the highways, roads, streets, bridges, greenways, pedestrian and bike paths, sidewalk improvements and other transportation-related projects. $_____.

YES _____

NO _____

QUESTION 2

I approve the issuance of not exceeding $_____ of general obligation bonds of Lancaster County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed fifteen (15) years, to fund completion of projects described in Question 1 above.

YES _____

NO _____

Lancaster County
South Carolina

Timing Factors

- Definition of a general election -- holding an election in November 2025 is permissible, but County would have to pay the cost for the election as only limited municipal elections are planned for 2025

- Traffic and congestion continues to be a leading complaint, particularly along Highway 521
- North Carolina is looking to start widening Highway 521 to the state line in 2026
- Highway 521 will not become a state priority (or obtain federal funding) unless there is local funding identified
- Most roads are state roads and will remain on their funding availability and timelines to address
- Transportation projects take time to plan, design and address utilities or property acquisition, even before construction
- Keeping up with growth or getting ahead of growth
- Road costs are anticipated to continue escalating
- Lancaster Schools Bond Referendum

Timeline

August 1, 2024
Voter's Registration needs approved Ordinance

September – October 2024
Education Campaign

November 2024
General Election

Lancaster County
South Carolina

Questions

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2024-1898 - HOLD
Contact Person / Sponsor: Ginny Merck-Dupont / County Attorney
Department: Administration
Date Requested to be on Agenda: 6/10/2024

Council Action Requested:
Council is being asked to approve this Ordinance removing the current Council Rules of Procedures and, then, on the 3rd Reading of the Ordinance, Council will also adopt new and updated Rules of Procedure via Resolution.

Strategic Plan Focus Area Alignment:

Points to Consider:
County Council's current Rules of Procedure were adopted August 10, 2020, which helped to address many of the issues facing governing bodies during the COVID Pandemic.

The current Rules of Procedure mirror the Model Rules of Parliamentary Procedures for South Carolina Counties published by the South Carolina Association of Counties with some modifications to work with existing Lancaster County practices and procedures.

The current Rules of Procedure include a great deal of verbatim statutory law, particularlyin regards to FOIA requirements. County Council's current Rules of Procedure are also required to be utilized by all Boards and Commissions for which the County Council appoints a majority of the members.

As was discussed during the Council Retreat, and March COW meeting, the update to Council's Rules of Procedure will help define current practices and streamline the rules to allow for uniformity across Council appointed Boards and Commissions.

A combination of adjustments to certain current rules along with prior rules, and some new rules, are being suggested for Council's consideration and adoption at the April 22nd Council Meeting via resolution.

This ordinance is a necessary step in the process to remove the current Rules and then adopt the new rules in April.

Funding and Liability Factors:
There are no funding or liability factors regarding this Ordinance.

Recommendation:
Approve the Ordinance as written.