



AGENDA
LAURENS COUNTY COUNCIL
MAY 9, 2017 – 5:30 P.M.
HISTORIC COURTHOUSE – PUBLIC SQUARE

1. Call to Order
2. Invocation – Councilwoman Anderson
3. Pledge of Allegiance
4. Approval of Agenda – May 9, 2017
5. Approval of Minutes of Previous Meetings
 - a) April 25, 2017 Regular Meeting
6. Reports To Council
 - a) Sam Parsons Clemson PSA Laurens County Planning Project Capstone
 - b) Bryan Smith - Clemson University Area Extension
7. Old Business:
 - a) First Reading, Ordinance #834 Fiscal Year 17/18, County Budget
 - b) First Reading, Ordinance #835 Fiscal Year 17/18, Fire Service Budget
 - c) Second Reading, Ordinance #832 Repeal and Replace Ordinance #374 Indigent Care
 - d) Retiree Health Insurance Existing Retirees - Finance Subcommittee
 - e) Retiree Health Insurance Existing Employees - Finance Subcommittee
 - f) Retiree Health Insurance New Hires - Finance Subcommittee
 - g) Approval for Energy Efficiency Study
8. New Business:
 - a) Laurens County Disabilities and Special Needs Board Appointments
 - b) Clemson Extension Contract Approval
 - c) First Reading, Ordinance #836 Cell Tower Revisions from Planning Commission
 - d) Oath of Office - new Supervisor for Litter / Humane
 - e) FILOT Distribution Resolution #2017-09
9. Public Comment - Fifteen (15) Minute Period for Public Comment *(Required to sign in prior to the meeting)*
10. County Council Comments
11. Executive Session – Legal Briefing – Potential Litigation
12. Adjournment



MINUTES

LAURENS COUNTY COUNCIL

APRIL 25, 2017

LAURENS COUNTY COUNCIL

HISTORIC COURTHOUSE – COUNCIL CHAMBERS

ATTENDANCE: COUNCIL MEMBERS PRESENT- County Council Chairman Joe Wood and Vice Chairman Keith Tollison; County Council Members: Diane Anderson, Stewart Jones, Garrett McDaniel, Ted Nash and David Pitts.

COUNCIL MEMBERS ABSENT: None.

COUNTY STAFF: Laurens County Administrator, Jon Caime; Laurens County Clerk to Council, Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

STAFF ABSENT:

DEPARTMENT HEADS PRESENT: Rob Russian, Director of Public Works; Matt Pennington, EMS Director; Chuck Bobo, Code Enforcement Officer; Lisa Kirk, Finance Director; Kathy Tucker, Detention Center Administrator; Joey Avery, E-911/Communications Director; Jim Coleman, County Auditor and Greg Lindley, Fire Services Director.

PRESS: Vic MacDonald, *The Clinton Chronicle* and Iva Cadmus, WLBG Radio.

PUBLIC COMMENT SIGN-UPS – One (1) Mrs. Lynn Reinke on Manufactured Home Ordinance.

SCHEDULED MEETING AGENDA ITEMS –APRIL 25, 2017 – 1.) Call to Order; 2.) Invocation – Councilman Jones; 3.) Pledge of Allegiance; 4.) Approval of Agenda April 25, 2017; 5.) Approval of Minutes April 11, 2017; 6.) Reports to Council: a.) Quarterly Reporting Codes Department; b.) Executive Session, Economic Development matter; c.) “Project Angus”: (1) Resolution #2017-07 Inducement Agreement; (2) First Reading, Ordinance #833, FILOT (by title only); 7.) Old Business: a.) Public Hearing, Ordinance #829, Repeal of Ordinance #807, Vulcan Materials Property; b.)Third Reading, Ordinance #829, Repeal of Ordinance #807, Vulcan Materials Property; c.) Public Hearing, Ordinance #830 Manufactured Home Ordinance; d.)Third Reading, Ordinance #830 Manufactured Home Ordinance; e.) Public Hearing, Ordinance #831 Subdivision Regulations; f.)Third Reading, Ordinance #831 Subdivision Regulations; g.)Job Description, Deputy Director of Fire Services; 8.) New Business: a.) Resolution #2017-05 - Assigning Ordinance #625 Excess Funds; b.) Resolution #2017-06 - Assigning Indigent Care Funds; c.) First Reading Ordinance #832 - Repeal and Replace Ordinance #374 Indigent Care; d.) Presentation of First Draft Budget; 9.) Public Comment; 10.) County Council Comments; 11.) Executive Session EMS Employment Matter; 12.) Adjournment.

MEETING NOTIFICATION – The requesting general public and Press were informed of the meeting in a timely manner. Postings of the Agenda were posted in County facilities on their bulletin boards and also posted on the County Web Site.

CALL TO ORDER – Chairman Wood called the meeting to order at 5:30 P.M. and invited all to stand for the Pledge of Allegiance and prayer.

INVOCATION – Councilman Nash provided the invocation.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was conducted by all.

APPROVAL OF AGENDA – Chairman Wood called for approval of the April 25, 2017 agenda inclusive of any additions or deletions.

COUNCILMAN JONES made the MOTION to approve the agenda with VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

APPROVAL OF MINUTES – COUNCILMAN PITTS made the MOTION for the approval of Minutes of April 11, 2017 with COUNCILMAN MCDANIEL SECONDDING; VOTE 7-0.

REPORTS TO COUNCIL:

a.) **CODES DEPARTMENT – QUARTERLY REPORTING ON PERMITS** – Code Enforcement Officer, Chuck Bobo provided the following data, in summary:

1st Quarter	Number	Value	Number	Value	Permits issued	Total value	Permit fees
	Residential single Family		Commercial New				
2002	33	\$ 3,063,877.00	45	\$ 656,190.00	746	\$ 33,974,607.00	\$ 84,035.00
2003	36	\$ 4,714,144.00	7	\$ 864,939.00	662	\$ 11,596,218.00	\$ 80,950.00
2004	30	\$ 4,624,815.00	9	\$ 167,723.00	638	\$ 44,561,837.00	\$ 92,086.00
2005	29	\$ 4,211,076.00	3	\$ 554,271.00	617	\$ 10,113,480.68	\$ 139,151.00
2006	32	\$ 4,521,970.00	2	\$ 2,261,740.00	697	\$ 14,403,841.48	\$ 83,887.00
2007	41	\$ 6,188,599.50	5	\$ 729,025.00	694	\$ 12,055,956.62	\$ 82,675.00
2008	30	\$ 4,093,067.00	9	\$ 3,847,248.00	614	\$ 13,603,644.00	\$ 74,216.00
2009	20	\$ 3,261,676.00	1	\$ 30,000.00	571	\$ 8,017,539.18	\$ 53,247.00
2010	22	\$ 3,001,552.00	5	\$ 102,940.00	554	\$ 10,675,369.00	\$ 50,799.00
2011	15	\$ 1,979,744.00	4	\$ 60,864,200.00	580	\$ 68,354,138.00	\$ 208,182.00
2012	7	\$ 751,353.00	4	\$ 5,271,515.00	567	\$ 9,807,900.08	\$ 53,263.00
2013	24	\$ 3,437,516.00	2	\$ 156,675.00	559	\$ 7,477,481.64	\$ 47,461.00
2014	15	\$ 2,242,427.10	2	\$ 1,343,444.00	454	\$ 13,158,175.35	\$ 54,527.00
2015	16	\$ 1,875,400.00	5	\$ 99,900.00	412	\$ 4,835,395.00	\$ 41,249.00
2016	30	\$ 3,353,384.00	11	\$ 471,200.00	401	\$ 15,665,804.00	\$ 74,328.00
2017	42	\$ 5,619,327.00	4	\$ 429,200.00	524	\$ 11,224,531.00	\$ 78,454.00

b.) **EXECUTIVE SESSION - ECONOMIC DEVELOPMENT MATTER – “PROJECT ANGUS”**- VICE CHAIRMAN TOLLISON made the MOTION to move into executive session at 6:00 P.M. to discuss an economic development matter. COUNCILMAN MCDANIEL SECONDDING; VOTE 7-0.

BY CONSENSUS, Council reconvened in open session at 6:10 P.M.

Chairman Wood reported that no action was taken.

c.) **“PROJECT ANGUS”:**

1.) **RESOLUTION 2017-07 – “PROJECT ANGUS” INDUCEMENT AGREEMENT –**
 COUNCILMAN PITTS made the MOTION to approve Resolution #2017-07 as received.
 COUNCILMAN JONES SECONDDING; VOTE 7-0.

2.) **FIRST READING ORDINANCE #833 - FILOT “PROJECT ANGUS” (BY TITLE ONLY)** -
 COUNCILMAN PITTS made the MOTION to approve Ordinance #833 upon first reading and by title only. COUNCILWOMAN ANDERSON SECONDDING; VOTE 7-0.

OLD BUSINESS:

a.) **PUBLIC HEARING, ORDINANCE #829, REPEAL OF ORDINANCE #807, VULCAN MATERIALS PROPERTY** – Chairman Wood opened the floor for comments at 6:13 P.M. With no one addressing Ordinance #829, Chairman Wood closed the session at 6:14 P.M.

- b.) THIRD READING, ORDINANCE #829, REPEAL OF ORDINANCE #807, VULCAN MATERIALS PROPERTY – VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #829 upon third reading COUNCILMAN JONES SECONDING; VOTE 7-0.
- c.) PUBLIC HEARING, ORDINANCE #830 MANUFACTURED HOME ORDINANCE - Chairman Wood opened the floor for comments at 6:15 P.M. With no one addressing Ordinance#829, Chairman Wood closed the session at 6:16 P.M.
- d.) THIRD READING, ORDINANCE #830 MANUFACTURED HOME ORDINANCE - COUNCILWOMAN ANDERSON made the MOTION to approve Ordinance #830 upon third reading. COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.
- e.) PUBLIC HEARING, ORDINANCE #831 SUBDIVISION - Chairman Wood opened the floor for comments at 6:17 P.M.

Addressing Council, Mr. Shawn Ferguson said, “I am developing a five hundred twelve (512) acre property in to two subdivisions that have a forty five (45) acre lake. This is a development for middle income families consisting of approximately twenty five (25) acres per resident. I have followed the present Subdivision Ordinance regulations and if Council passes this Ordinance with its changes, there are a lot of things that have been completed by the present ordinance that cannot be undone with the new regulations. The financing would be a catastrophic event for me by forcing me to put in a paved road. I understand the circumstances involved for Mr. Russian but he and I are in total disagreement presently with the new regulations. I would like to ask Council to allow one (1) more month before you put this ordinance into force. There are arguments to be heard from both sides. I would have approached this totally differently if I had known of the changes coming.”

With no one else wishing to address the ordinance, Chairman Wood closed the floor for comments at 6:28 P.M.

Councilman McDaniel questioned if not this project could be grandfathered in. Public Works Director Russian replied, “The new regulations differ basically in philosophy – who will service the roadways. The ordinance dictates that the funds for roadways should be spread among the property owners served. I encourage Council to approve the ordinance as it is directly related to the Mobile Home Ordinance. Mr. Ferguson could always go to the Planning Commission with a variance”.

- f.) THIRD READING, ORDINANCE #831 SUBDIVISION REGULATIONS - COUNCILMAN MCDANIEL made the MOTION to approve Ordinance #833 upon first reading. VICE CHAIRMAN TOLLISON SECONDING.

Councilman Pitts stated that he had gotten a call from a local surveyor expressing concerns using three (3) examples: lots less than two (2) acres, South Carolina Department of Health and Environmental Control and the division of land with children. Public Works Director Russian, replied that those subject matters have actually been in the ordinance since 1996. Again anyone can go to the Planning Commission for a variance”.

- Councilman Pitts asked for Council to postpone third reading.
- Councilman McDaniel stated that he would like to see this voted on tonight and encourage the individuals to approach the Planning Commission.
- Councilman Nash expressed concerns with the area being in a flood plain area and concerns with farm land runoff.
- Councilman Jones stated that he had gotten many calls from developers with many hours of dialogue and that he was completely opposed to the option of 10.5 – inspections.

- Vice Chairman Tollison stated that the intent of the ordinance is restrictions for developers that come into Laurens County – not walking away after being sold. I agree that the Codes Officers should have access to inspect because we have very poor housing in Laurens County. We need to be certain that the structures are safe to be lived in by the general public.

COUNCIL VOTED 5-1-1 (Councilman Jones against and Councilman Pitts abstained).

- g.) **JOB DESCRIPTION, DEPUTY DIRECTOR OF FIRE SERVICES – VICE CHAIRMAN TOLLISON** made the MOTION to approve the revised job description with COUNCILMAN JONES SECONDING; VOTE 7-0.

NEW BUSINESS:

- a.) **RESOLUTION #2017-05 - ASSIGNING ORDINANCE #625 EXCESS FUNDS** – Administrator Caime informed Council that the Resolution provides the current total amount of six hundred ninety two thousand dollars (\$692,000.00) of accumulated funds from Laurens County Ordinance #625, of which three hundred thirty two thousand dollars (\$332,000.00) will be transferred to the general fund for the period ending June 30, 2017.

As a point of clarification, Ordinance #625 is an Ordinance that directs the distribution of certain Fees-In-Lieu-of-tax received by Laurens County as per agreements approved for the development of joint county industrial and business parks originally authorized by Ordinances #375, #383, #440, #579 and any amendments.

VICE CHAIRMAN TOLLISON made the MOTION to approve Resolution #2017-05 as informed with COUNCILWOMAN ANDERSON SECONDING.

Councilman Pitts asked if these monies had anything to do with the Development Corporation. Administrator Caime replied that they did not.

COUNCIL VOTED 7-0.

- b.) **RESOLUTION #2017-06 - ASSIGNING INDIGENT CARE FUNDS** – Administrator Caime explained that this Resolution allows for the transfer and release of the balance of funds accumulated on account by Ordinance #374 as of June 30, 2017. And, as of July 1, 2017, one (1) mill shall be included in the County budget.

As a point of clarification, Ordinance #374, approved in 1993 is “an Ordinance that provides for a two (2) mill tax on all taxable property within Laurens County to provide for the payment of indigent care services through the South Carolina Health and Human Services Finance Commission, as required by law and to be the only agency that shall receive funding, as authorized by this Ordinance”.

COUNCILMAN MCDANIEL made the MOTION to approve Resolution #2017-06 as received. VICE CHAIRMAN TOLLISON SECONDING; VOTE 7-0.

- c.) **FIRST READING ORDINANCE #833 - REPEAL/REPLACE ORDINANCE #374 INDIGENT CARE** - COUNCILMAN MCDANIEL made the MOTION to approve Ordinance #833 upon first reading and by title only. COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.
- d.) **PRESENTATION OF FIRST DRAFT BUDGET** – Administrator Caime informed Council that the budget manuals were handed out to everyone prior to the meeting and that budget sessions need to be scheduled.

Councilman Pitts asked if any workshops are planned. Chairman Wood stated that Council would certainly need to hold several work sessions and asked for suggestions. No conclusive meetings were scheduled but it was suggested to hold the second monthly meeting of Council and other times in between as needed.

Administrator Caime replied that if Council should not have a budget complete by the end of June, a Resolution can be passed by Council and forwarded to the State requesting an extension.

PUBLIC COMMENT – Chairman Wood opened the public comment segment by calling upon those that had signed up to address Council.

- 1.) Mrs. Lynn Reinke thanked Council for their time and efforts towards adopting the Manufactured Home Ordinance.

COUNTY COUNCIL COMMENTS:

- 1.) Chairman Wood announced the County Council Committee on Finance and Administration would again be meeting on Thursday, April 27, 2017 at 2:00 P.M. in the Hillcrest Administrative Building Conference Room.

EXECUTIVE SESSION – EMPLOYMENT MATTER, EMS DEPARTMENT – COUNCILMAN


MCDANIEL made the MOTION to move in to Executive Session to discuss an EMS employment matter at 7:15 P.M. COUNCILMAN NASH SECONDDING; VOTE 6-0 (Councilman Pitts had another meeting to attend and left the meeting).

There was a COUNCIL CONSENSUS to reconvene in opens session at 7:30 P.M.

VICE CHAIRMAN TOLLISON made the MOTION for Council to honor the request as presented by the Administrator for the EMS Director. COUNCILMAN NASH SECONDDING; VOTE 4-2 (Councilman Pitts was not present for executive session. Council Members Anderson and Jones were in opposition).

ADJOURNMENT – The meeting was adjourned at 7:40 P.M

Respectfully Submitted,


Betty C. Walsh, Interim Clerk of Council
Laurens County, South Carolina



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: May 4, 2017 (FOR MAY 9, 2017 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE:  _____

SUBJECT MATTER REQUESTED (please be as specific as possible):

SEE THE ATTACHED PROPOSED ORDINANCE 834 – LAURENS COUNTY FISCAL YEAR 2017-2018 BUDGET.

STAFF RECOMMENDS FIRST READING APPROVAL OF THIS ORDINANCE.

FINANCIAL AMOUNT REQUESTED: \$ SEE THE ATTACHED.

SOURCE OF FUNDING: SEE THE ATTACHED.

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)

COUNTY OF LAURENS)

ORDINANCE #834

**AN ORDINANCE TO IMPLEMENT THE FISCAL YEAR
2018 LAURENS COUNTY BUDGET PURSUANT
TO SECTION 4-9-140 AND/OR SECTION 4-9-130
OF THE SOUTH CAROLINA CODE
OF LAWS, 1976, AS AMENDED**

Pursuant to the requirements of Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, the Laurens County Council, in session duly assembled, for the purposes of establishing its fiscal year 2018 budget;

BE IT ORDAINED,

1. A tax of sufficient mills is hereby levied upon all the taxable property of Laurens County for county purposes, to pay the appropriations of the Laurens County Budget (see Exhibit A), hereinafter made for the fiscal year commencing July 1, 2017 and ending June 30, 2018, after crediting against said appropriations, all other revenue anticipated to be due and payable or accrued to Laurens County during the fiscal year, not heretofore earmarked for special purposes.
2. The tax levy shall exceed the levy implemented for the fiscal year 2017 by the index pursuant to SC Code 6-1-320. The allowable index is 1.61%.
3. There is hereby appropriated pursuant to the provisions of the Laurens County Budget (Exhibit A) for the fiscal year commencing July 1, 2017 and ending June 30, 2018, the following sums of money in the amounts and for the purposes set forth as follows:
 - a. Appropriation of funds in compliance of Ordinance 654 shall be the amount of revenue generated by a levy of six (6) mills (approximately \$TBD).
 - b. Appropriation of funds generated by Local Option Sales Tax shall remain the same as set forth in Ordinance 817.
 - c. Appropriation of funds for capital purchases shall be in the amount of \$TBD.
 - c. Appropriation of funds for the County General Fund- \$TBD
 - d. Appropriation of funds for EMS operations:
 1. an amount generated by a levy of 7.32 mills, and
 2. the amount of \$TBD
 - e. Appropriation of funds generated as required by law for the operations of Victims Assistance in an amount of \$TBD
 - f. Appropriation of funds for Solid Waste management:
 1. Residential household fee of \$60 per year for each residence, apartment or rental unit, manufactured home or any other structure used as and for a residence, and
 2. The amount of \$TBD
 - g. Appropriation of funds in an amount generated by one (1) mill education levy to be distributed as follows:
 1. 90% of the funds generated in this special revenue fund to Piedmont Technical College, its successors and assigns; and

Ordinance 834 2018 Budget

2. **10%** of the balance generated in this special revenue fund to the University of South Carolina Union at Laurens.

All funds collected and on hand in the office of the Laurens County Treasurer in this special revenue fund shall be disbursed on or before June 30, 2018. Disbursements to Piedmont Technical College and the University of South Carolina Union at Laurens shall be made on the following dates: February 1, 2018 and June 1, 2018.

h. A Special Revenue Fund in an amount of \$360,000.00 is hereby established for the purposes of separate accountability so as to offset the costs and related expenditures associated with the collections of delinquent taxes by the county Treasurer's office. The funds for this Special Revenue Fund are to be transferred from the restricted cost account funds of the Treasurer, as authorized and directed by the Treasurer, as and for the purposes established by the statutory requirements for these funds.

4. Further in compliance with Section 6-1-80 of the South Carolina Code of Laws, 1976, as amended, Laurens County Council, prior to final approval of this ordinance has conducted a public hearing which has been duly advertised. The attachments to this ordinance include the approved budget for general operations, capital expenditures and solid waste management for Fiscal Year 2018.
5. A copy of the approved budget is attached as Exhibit A and incorporated herein as set forth in full.
6. Any alterations, modifications, additions, deletions, reallocations or other changes to the expenditures set forth in the attached Exhibit A, must be approved by a duly adopted resolution of the Laurens County Council.

{Signature Page Follows}

AND IT IS SO ORDAINED, this _____ day of June, 2017.

LAURENS COUNTY COUNCIL:

Joseph E. Wood, Jr., Chairman

P. Keith Tollison, Vice Chairman

Diane B. Anderson, Council Member

Stewart O. Jones, Council Member

Betty C. Walsh, Clerk
Laurens County Council
Laurens County, South Carolina

Garrett C. McDaniel, Council Member

Ted G. Nash, Council Member

David A. Pitts, Council Member

First Reading: May 9, 2017

Second Reading: May 23, 2017

Third Reading: June ____, 2017

Public Hearing: June ____, 2017

1st reading draft Budget Ordinance



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: _____, 2017 (FOR MAY 9, 2017 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

SUBJECT MATTER REQUESTED (please be as specific as possible):

SEE THE ATTACHED PROPOSED ORDINANCE 835 – LAURENS COUNTY FIRE SERVICES FISCAL YEAR 2017-2018 BUDGET.

STAFF RECOMMENDS FIRST READING APPROVAL OF THIS ORDINANCE.

FINANCIAL AMOUNT REQUESTED: \$ SEE THE ATTACHED.

SOURCE OF FUNDING: SEE THE ATTACHED.

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)

COUNTY OF LAURENS)

ORDINANCE #835

**AN ORDINANCE TO IMPLEMENT THE
LAURENS COUNTY FIRE SERVICE BUDGET FOR
FISCAL YEAR 2017-2018**

Pursuant to Laurens County Ordinance 780 and the South Carolina Code of Laws, 1976, as amended, the Laurens County Council, in session duly assembled, adopts this ordinance for the purposes of establishing the Laurens County Fire Service fiscal year 2017-2018 budget;

BE IT ORDAINED,

1. The Auditor and Treasurer are hereby requested to levy 20 mills for the operational budgets and related expenditures of the Laurens County Fire Service. County Council is informed that the value of the mill is \$134,000 for the 2017-2018 fiscal year.
2. The estimated percentage change in operating and capital budgets for the Fire Service has increase by approximately TBD%.
3. There is hereby appropriated with the provisions of the budget for the fiscal year commencing July 1, 2017 and ending June 30, 2018, the following sums of money in the amounts and for the purposes set forth as follows:
 - a. Appropriations of funds generated by 16.1 mills for county fire services which is estimated to total \$TBD;
 - b. Appropriations of funds generated by 1.9 mills for the Fire Reserve Fund which is estimated to total \$TBD;
 - c. Appropriations of funds generated by 2.0 mills for the Director of Fire services budget which is estimated to total \$TBD.
 - d. Allocation and transfer of fire service surplus fund balance from prior fiscal year of \$TBD.
4. Further in compliance with the South Carolina Code of Laws, 1976, as amended, Laurens County Council, prior to final approval of this ordinance has conducted a public hearing which has been duly advertised.
5. A copy of the approved budget is attached as **Exhibit A** and incorporated herein as if set forth in full.
6. Any alterations, modifications, additions, deletions, reallocations or other changes to the expenditures set forth in the attached Exhibit A, must be approved by a duly adopted resolution of the Laurens County Council.

Signature page follows

Ordinance 835 Fire Budget

AND IT IS SO ORDAINED, this __ day of _____, 2017.

LAURENS COUNTY COUNCIL:

Joseph E. Wood, Jr., Chairman

P. Keith Tollison, Vice Chairman

Diane B. Anderson, Council Member

Stewart O. Jones, Council Member

Betty C. Walsh, Clerk
Laurens County Council
Laurens County, South Carolina

Garrett C. McDaniel, Council Member

Ted G. Nash, Council Member

David A. Pitts, Council Member

First Reading: May 9, 2017

Second Reading: May 23, 2017

Public Hearing:

Third Reading:

1st Reading Fire Budget

5/19/17 7C 2N
4/25/17 AGENDA ITEM 8C - ~~FIRST~~ READING 832



AGENDA ITEM - REQUEST SHEET - COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: April 17, 2017 (FOR APRIL 25, 2017 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Handwritten Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

SEE THE ATTACHED PROPOSED ORDINANCE ~~372~~ ⁸³² TO REPEAL AND REPLACE ORDINANCE 374 (INDIGENT CARE).

STAFF RECOMMENDS FIRST READING APPROVAL OF THIS ORDINANCE.

FINANCIAL AMOUNT REQUESTED: \$-0-

SOURCE OF FUNDING: N/A

(PLEASE - attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF LAURENS)

ORDINANCE # 832

AN ORDINANCE TO REPEAL, RESCIND AND DELAclare NULL AND VOID,
ORDINANCE 374 AND OTHER MATTERS APPERTAINING THERETO

WHEREAS, Laurens County Council on July 1, 1993 enacted Ordinance 374 which established, among other things, a levy of two (2) mills for the support of indigent medical care; and

WHEREAS, Laurens County Council, authorized the collection and payment of the proceeds of this levy to the State Health and Human Services Finance Commission; and

WHEREAS, Statutory changes have occurred over the past years which have modified and altered the levy [see Section 44-6-146 (A) and (B) of the Code of Laws of South Carolina, 1976, as amended]; and

WHEREAS, Laurens County Council recognizes the appropriation of funds under 44-6-146(B) is a predetermined formula; and

WHEREAS, pursuant to the provisions of state statutory law and pursuant to the powers vested in the Laurens County Council, action is appropriate to repeal, rescind and nullify the terms and conditions and application of the provisions of Ordinance 374.

NOW, THEREFORE, based upon the findings set forth below, Laurens County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of this State, hereby repeals, rescinds and does declare Ordinance 374 to be null, void and of no further force or effect.

1. **PURPOSES:** It is the stated purpose of this Ordinance to protect the general health, safety and public welfare of the citizens of Laurens County, South Carolina and to comply with the laws and Constitution of this State.
2. **ACTION TAKEN:**
 - A. Pursuant to the enactment of this ordinance, Council repeals, rescinds and nullifies all provisions of Ordinance 374 and declares same to be null, void and of no further force and effect.
2. **AUTHORITY:** This Ordinance is adopted under the authority and process granted by the General Assembly of the State of South Carolina and the

Constitution of this State. Jurisdiction shall be exclusively within Laurens County.

3. APPLICABILITY: The provisions of this Ordinance shall apply to all areas of Laurens County, South Carolina.
4. LANGUAGE: The language used in this Ordinance, if used in the present tense, shall include the future tense. Words used in the singular shall include the plural, and the plural the singular, unless, however, the context clearly indicates the contrary. The use of the word "shall" is mandatory and the word "may" is permissive.
5. EFFECTIVE DATE: The effective date of this Ordinance shall be upon three (3) readings and a public hearing as required by law.
7. SEVERABILITY: Should any paragraph, clause, phrase, or provision of this Ordinance be judged invalid or held unconstitutional by a Court of competent jurisdiction, such declaration shall not effect the validity of any other section of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional. All meanings, enforcement and interpretations shall be pursuant to the laws of the State of South Carolina.

BE IT SO ORDAINED by Laurens County Council, duly assembled.

SIGNATURE PAGE FOLLOWS



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council.

Agenda Item #: 7E

DEPARTMENT / AGENCY: _____ Date of Request: _____

COUNCIL ACTION REQUESTED: See recommendation of Finance Subcommittee

Short Description of Item for Consideration:

More Detailed Description (if needed): _____

By a 3-0 vote of the Finance Subcommittee the following policy is advised to be approved by the full Council for all existing eligible retirees and all existing employees who are eligible for this benefit prior to 7/1/17:

1. Existing eligible retirees, retired prior to July 1, 2017 OR meet existing eligible employees who meet the eligibility requirements for this program prior to July 1, 2017: Single coverage medical insurance benefits will be paid for by the County (County pays both the employee coverage and the employer coverage) for life. Those eligible retirees who have spousal coverage will have to pay the entire difference between the spousal coverage premium and the single coverage premium (with the County paying for all of the single coverage premium including both the single coverage employee and single coverage employer premium). No portion of the spouse coverage or other optional coverage; such as dental, dental plus, or vision will be paid for by the County.

2E) Retiree Health Insurance Program:

ITEM 1: RETIREE HEALTH INSURANCE COMPLIANCE WITH EXISTING POLICY

(Approved for implementation by County Council on February 14, 2017 effective 7/1/17) (note this is as of the writing of this first draft, any changes implemented by County Council after this first draft will need to be quantified).

a. Coverage for retirees (est. overpayment by taxpayers of \$107,585 in 2017):

Current Legacy Policy (still in place): *" Individual coverage premiums and any spouse or family coverage must be paid by the retiree as set forth by the State Health Plan in such amounts as may be in effect at the time of retirement.*

Currently we have 37 retirees where the Laurens County taxpayers paid the FULL single coverage premium for. For working employees we cover the employer portion (\$453/month) and the employee pays \$122/month. For retirees we have been paying the full \$575 per month. Policy was clarified by County Council that beginning 7/1/17 the retiree will pay the \$122/month employee portion if they chose to continue coverage.

Currently we have 12 retirees who we pay the spousal premium for at \$824/month. Policy was clarified by County Council that beginning 7/1/17 the retiree will pay the spousal coverage and the County will pay the \$453 individual coverage.

1b. Coverage for 2 board members and 1 retiree (est. overpayment by taxpayers of \$16,000 in 2017):

Currently we have 2 board members and 1 retiree who do not meet the county policy where the Laurens County taxpayers pay the employer portion (\$453/month). Policy does not provide for this exemption and we have no record of County Council permitting deviation from this policy to cover these retirees. County Council chose to eliminate this employer paid coverage.

1c: Dental Coverage for retirees (estimated cost of \$8,088 in 2017)

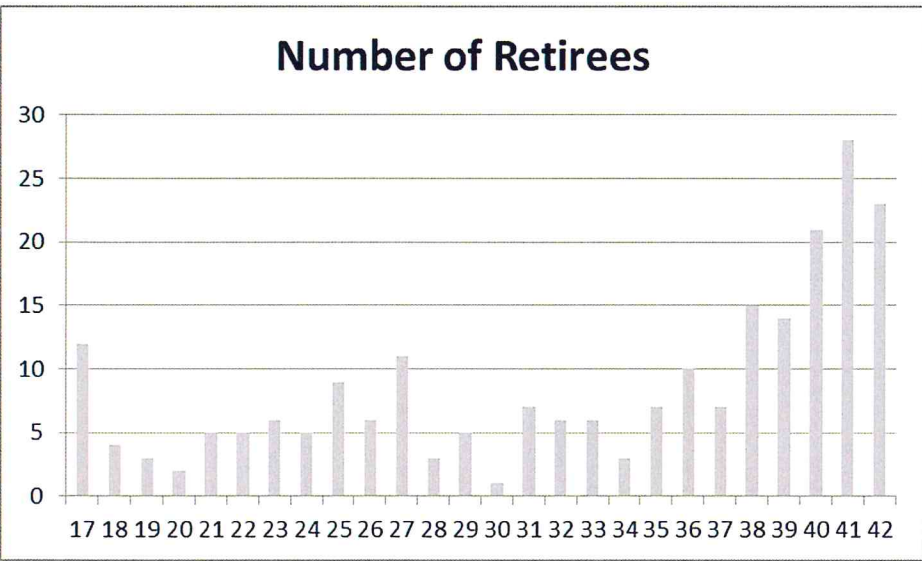
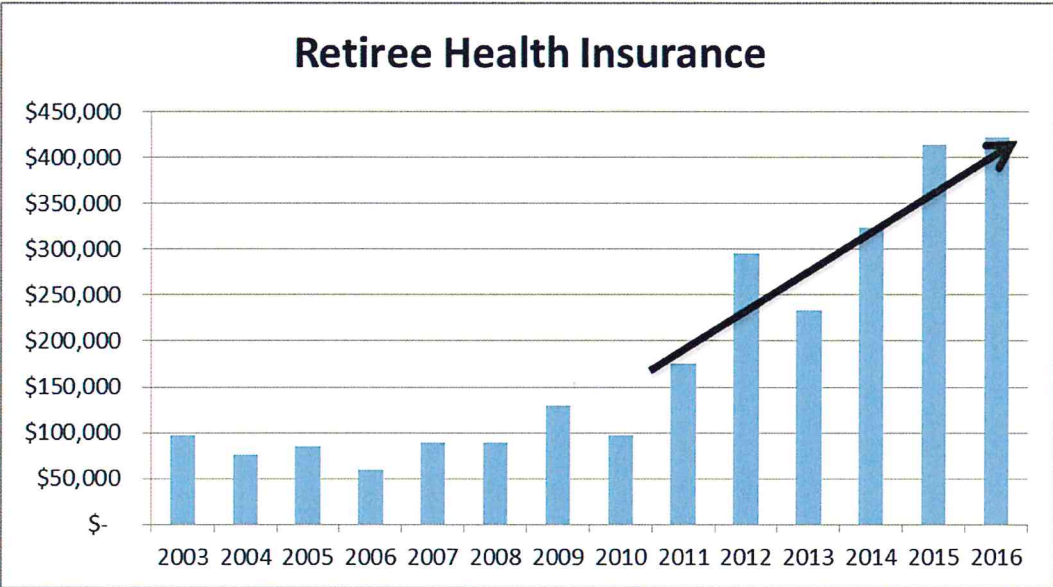
Our policy does not specifically address dental coverage for retirees. County Council chose to eliminate payment of this coverage.

1d. Dental Plus Coverage for 1 retiree (estimated cost of \$312 in 2017)

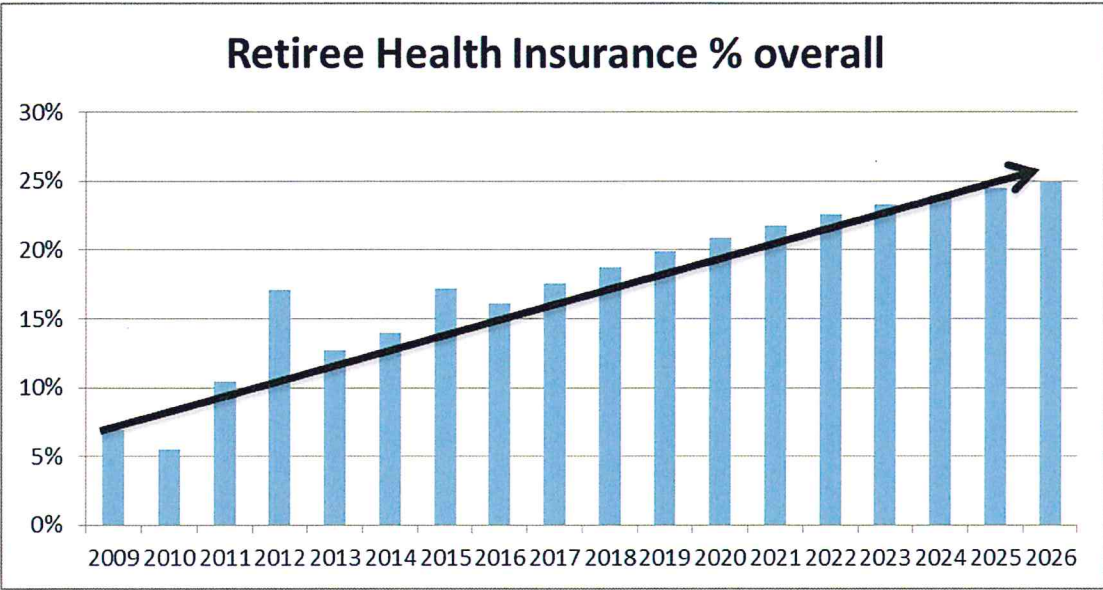
Our policy does not specifically address dental coverage for retirees. County Council chose to eliminate payment of this coverage.

ITEM 2: LIFETIME RETIREE HEALTH INSURANCE SUNSET:

Benefits such as lifetime health insurance were once a standard benefit however the County can no longer afford to take on this long term liability. The cost for retiree health insurance was 16% of the entire \$2,615,840 GF Countywide health insurance in FY16. More alarming is the trend. This liability remained mostly stable at around \$90,000 annually for the six year period 2004 to 2010 however in the last six year period this liability has increased about \$54,000 annually to \$422,000 in FY16. In the past 4 calendar years we have averaged 3.5 new retirees entering into this system annually increasing costs by \$20,000 annually. (See chart entitled "Retiree Health Insurance").



An analysis was conducted on the average number of retirees and the rising costs of this program to determine the long range effects of this system. Based on the existing data, if this trend continues this liability will more than double in 8 years and potentially account for 25% of the total cost to provide health insurance for employees and retirees. More disturbing is the trend where we will have to apply an increasing percentage of our health insurance budget to cover retirees over working employees. (See chart entitled "Retiree Health Insurance % of overall (health insurance costs)").



More importantly by utilizing scarce resources for retirees, the ability to adequately compensate our working employees is diminished. Working employees need to have a competitive wage. Promises of benefits such as lifetime health insurance were once a requirement in order to recruit and retain quality employees. While these benefit programs are nice to have they are no longer required in order to recruit and retain the younger generation. More important to the younger generation is a competitive market wage (in addition to the other intrinsic values we provide through our employment).

Laurens County already provides a vast quantity of quality benefits that attract and retain employees. Defined benefit plans such as the State retirement system are important benefits already provided by Laurens County. Additional quality benefits such as pooled health insurance coverage, life insurance, short and long term disability insurance, increases the competitiveness of our compensation programs in comparison with the private sector. We must ensure we have competitive wages that keep pace with inflation and draining valuable resources for legacy programs such as lifetime health insurance should be carefully evaluated.

Fixing this liability is a difficult one. An attitude of a “promise” made to employees and taking away this promise is a very difficult decision. At the very least the Administration is recommending “sun setting” this liability for future employees by dropping this program immediately for all new hires. Either this County Council will address the long term liability by reducing this benefit or future Councils will be faced with enormous burden of carry the cost of this benefit.



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

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Agenda Item #: 7F

DEPARTMENT / AGENCY: _____ Date of Request: _____

COUNCIL ACTION REQUESTED: See recommendation of Finance Subcommittee

Short Description of Item for Consideration:

More Detailed Description (if needed): _____

By a 3-0 vote of the Finance Subcommittee the following policy is advised to be approved by the full Council for all existing eligible employees retiring on or after 7/1/17:

1. On or after July 1, 2017: All full time Employees with the following years of service with the Laurens County Government that retire at any age with 28 or more years of service, or retire with 20 more years of service at age 60 or older, or retire with 15 more years of service at age 62 or older, will receive the employer paid portion of the single coverage medical insurance. Upon Medicare eligibility the retiree must convert to the Medicare Supplement, and if they choose to continue to receive the employer paid portion of the single coverage they will be required to pay the employee portion for the continued coverage. Employees must pay for the employee portion of the single coverage, plus any spousal coverage (employee must pay employer and employee portion of spousal coverage), or any additional coverage such as dental or dental plus.

REPORT IN FIRST DRAFT FY18 BUDGET ON RETIREE HEALTH INSURANCE

2E) Retiree Health Insurance Program:

ITEM 1: RETIREE HEALTH INSURANCE COMPLIANCE WITH EXISTING POLICY

(Approved for implementation by County Council on February 14, 2017 effective 7/1/17) (note this is as of the writing of this first draft, any changes implemented by County Council after this first draft will need to be quantified).

a. Coverage for retirees (est. overpayment by taxpayers of \$107,585 in 2017):

Current Legacy Policy (still in place): *" Individual coverage premiums and any spouse or family coverage must be paid by the retiree as set forth by the State Health Plan in such amounts as may be in effect at the time of retirement.*

Currently we have 37 retirees where the Laurens County taxpayers paid the FULL single coverage premium for. For working employees we cover the employer portion (\$453/month) and the employee pays \$122/month. For retirees we have been paying the full \$575 per month. Policy was clarified by County Council that beginning 7/1/17 the retiree will pay the \$122/month employee portion if they chose to continue coverage.

Currently we have 12 retirees who we pay the spousal premium for at \$824/month. Policy was clarified by County Council that beginning 7/1/17 the retiree will pay the spousal coverage and the County will pay the \$453 individual coverage.

1b. Coverage for 2 board members and 1 retiree (est. overpayment by taxpayers of \$16,000 in 2017):

Currently we have 2 board members and 1 retiree who do not meet the county policy where the Laurens County taxpayers pay the employer portion (\$453/month). Policy does not provide for this exemption and we have no record of County Council permitting deviation from this policy to cover these retirees. County Council chose to eliminate this employer paid coverage.

1c: Dental Coverage for retirees (estimated cost of \$8,088 in 2017)

Our policy does not specifically address dental coverage for retirees. County Council chose to eliminate payment of this coverage.

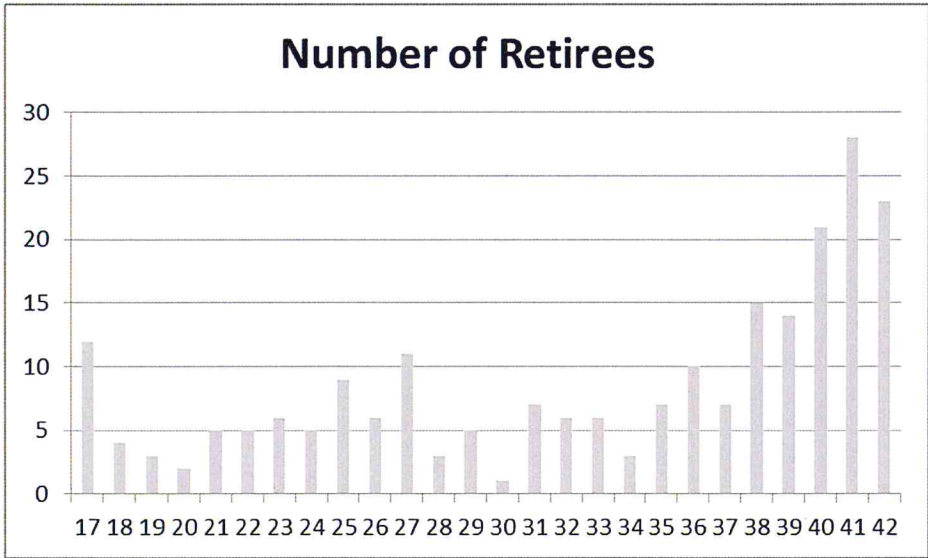
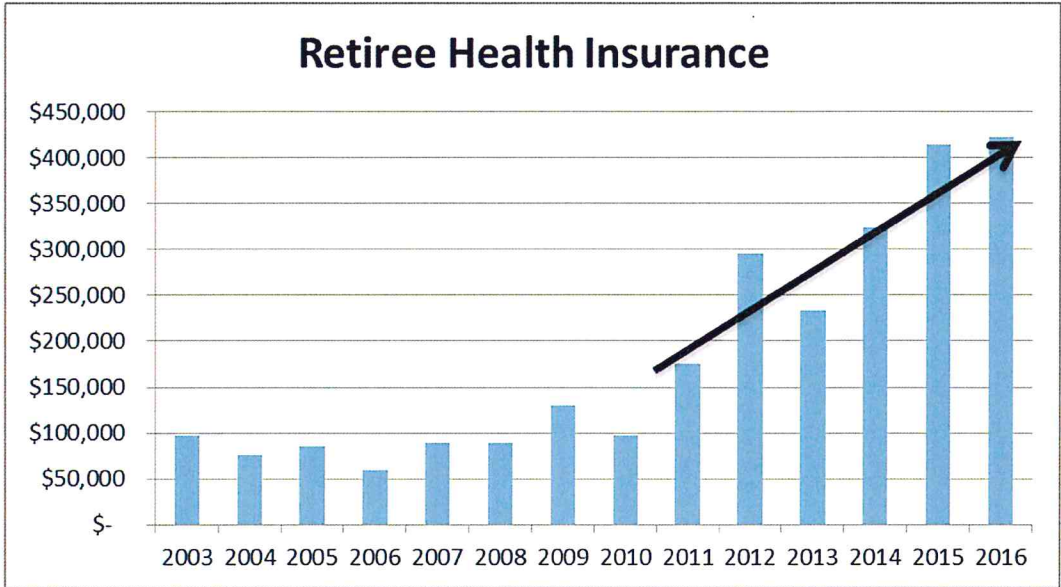
1d. Dental Plus Coverage for 1 retiree (estimated cost of \$312 in 2017)

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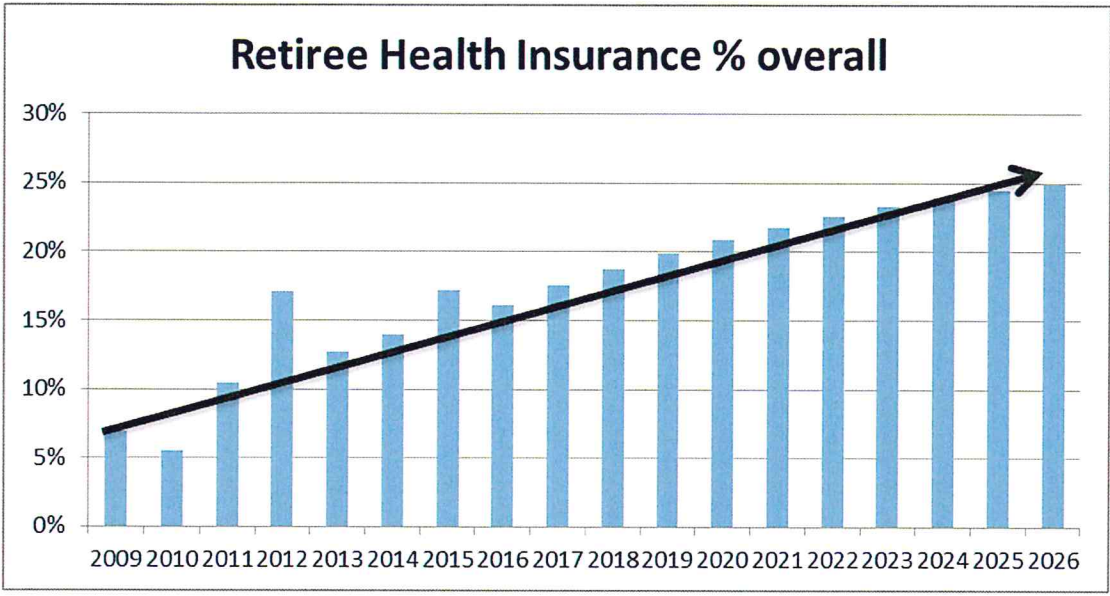
ITEM 2: LIFETIME RETIREE HEALTH INSURANCE SUNSET:

Benefits such as lifetime health insurance were once a standard benefit however the County can no longer afford to take on this long term liability. The cost for retiree health insurance was 16% of the entire \$2,615,840 GF Countywide health insurance in FY16. More alarming is the trend. This liability remained mostly stable at around \$90,000 annually for the six year period 2004 to 2010 however in the last six year period this liability has increased about \$54,000 annually to \$422,000 in FY16. In the past 4

calendar years we have averaged 3.5 new retirees entering into this system annually increasing costs by \$20,000 annually. (See chart entitled "Retiree Health Insurance").



An analysis was conducted on the average number of retirees and the rising costs of this program to determine the long range effects of this system. Based on the existing data, if this trend continues this liability will more than double in 8 years and potentially account for 25% of the total cost to provide health insurance for employees and retirees. More disturbing is the trend where we will have to apply an increasing percentage of our health insurance budget to cover retirees over working employees. (See chart entitled "Retiree Health Insurance % of overall (health insurance costs)").



More importantly by utilizing scarce resources for retirees, the ability to adequately compensate our working employees is diminished. Working employees need to have a competitive wage. Promises of benefits such as lifetime health insurance were once a requirement in order to recruit and retain quality employees. While these benefit programs are nice to have they are no longer required in order to recruit and retain the younger generation. More important to the younger generation is a competitive market wage (in addition to the other intrinsic values we provide through our employment).

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Agenda Item #: 7G

DEPARTMENT / AGENCY: _____ Date of Request: _____

COUNCIL ACTION REQUESTED: See recommendation of Finance Subcommittee

Short Description of Item for Consideration:

More Detailed Description (if needed): _____

By a 2-1 vote (SC Chairman Tollison opposed) of the Finance Subcommittee the following policy is advised to be approved by the full Council for all new hires retiring on or after 7/1/17:

1. On or after July 1, 2017: All full time Employees with the following years of service with the Laurens County Government that retire at any age with 28 or more years of service, or retire with 20 more years of service at age 60 or older, or retire with 15 more years of service at age 62 or older, will receive the employer paid portion of the single coverage medical insurance. Upon Medicare eligibility the retiree must convert to the Medicare Supplement, and if they choose to continue to receive the employer paid portion of the single coverage they will be required to pay the employee portion for the continued coverage. Employees must pay for the employee portion of the single coverage, plus any spousal coverage (employee must pay for the employer and employee portion of spousal coverage), or any additional coverage such as dental or dental plus.

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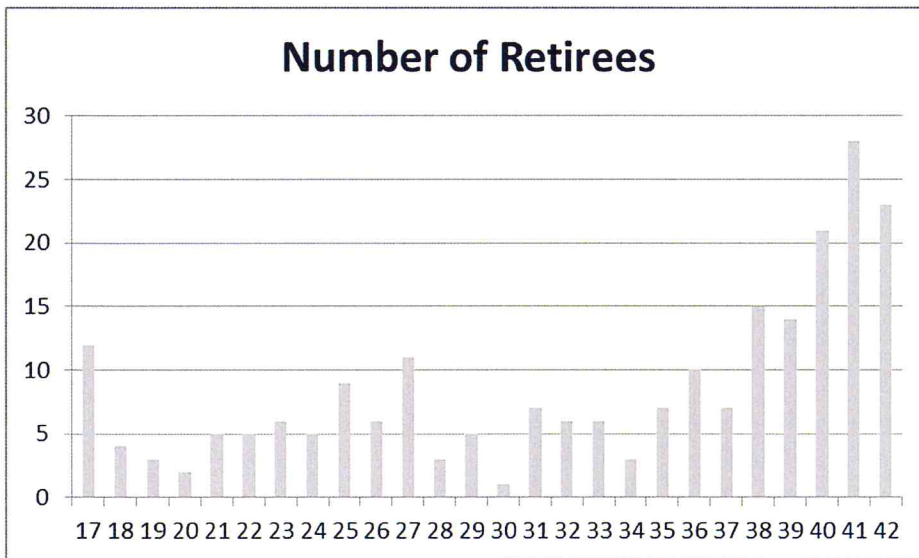
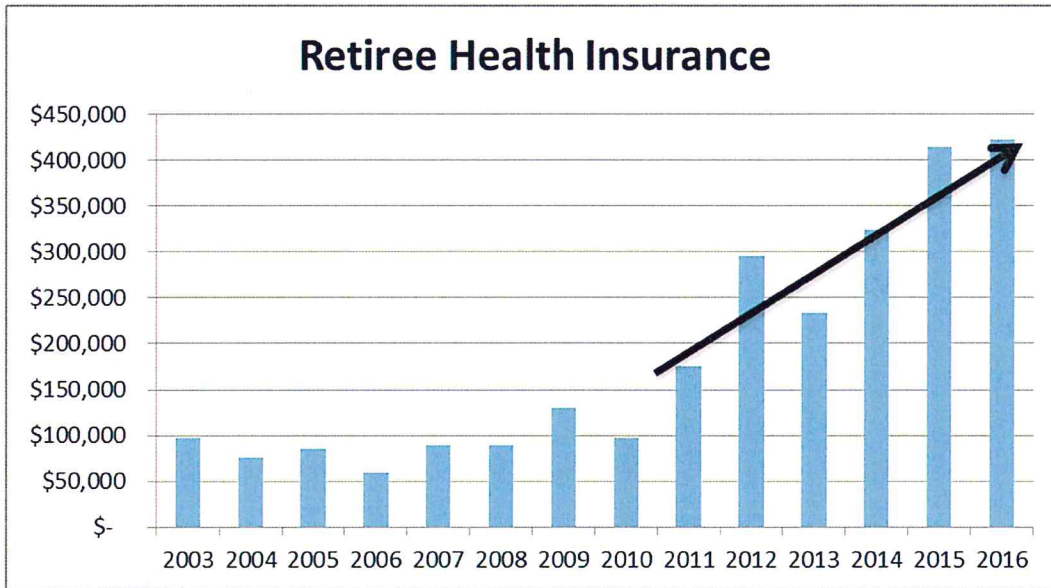
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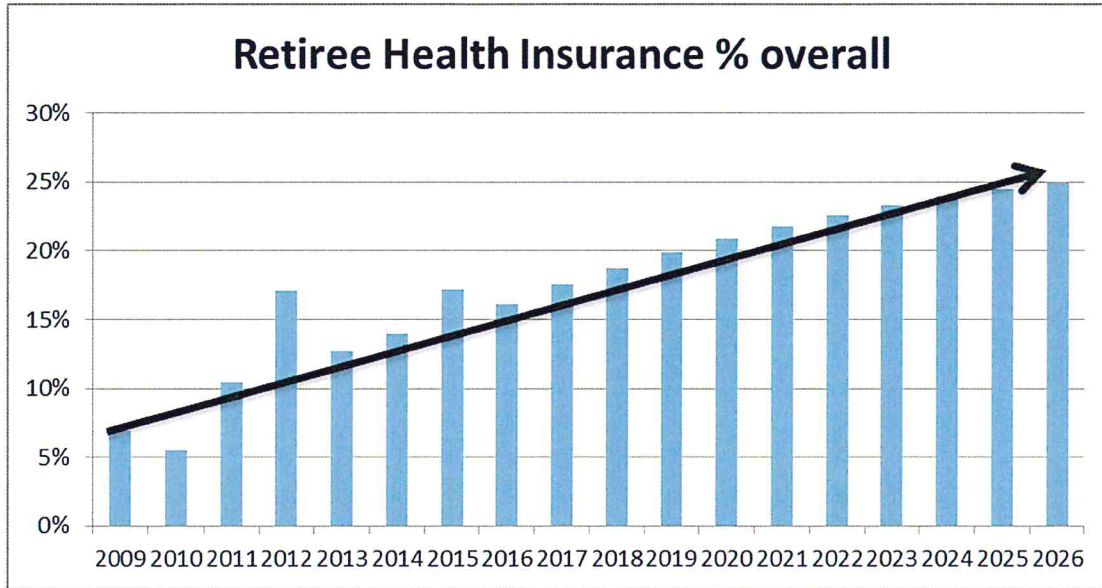
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AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

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Agenda Item #: 7 - H G (County Clerk will insert this)

DEPARTMENT / AGENCY: Public Works / B&G Date of Request: 5/4/2017

COUNCIL ACTION REQUESTED: Approve Engineering Grade Audit for Energy Efficiency Study and Project

Short Description of Item for Consideration: _____

More Detailed Description (if needed): _____

Public Works previously sent out a RFP for an Energy Efficiency Program to upgrade current equipment with more energy efficient units that would operate at a much lower cost. The savings in utility costs would pay for the financing of the capital cost to replace the equipment. As part of the program, Trane would conduct an audit to determine the savings that could be guaranteed. The cost of the audit is \$49,000. If the county does not enter into an agreement with Trane to upgrade the equipment as part of an Energy Efficiency Program, then the county would have to pay the \$49,000. If the county does enter into an agreement with Trane on an Energy Efficiency Program then the any costs associated with the project would be financed and guaranteed by Trane to be recouped in savings in utility costs.

FINANCIAL AMOUNT REQUESTED \$49,000

SOURCE OF FUNDING: Contingency

(PLEASE – attach subject matter document pages as necessary)



288 Fairforest Way
 Greenville, South Carolina USA 29607
 Phone: 864.672-6111
 Fax: 864.672.6001
 www.trane.com/carolinas

Prepared For

Laurens County Government

Attention

Jon Caime, County Administrator

Sites

Nine (9) Laurens County Government Buildings

Project

Laurens County Government PACT Project

Shipping

freight allowed and prepaid

Terms

net 30 days-1% discount net 10

CRM

2245435

Background

Trane U.S., Inc. ("Trane") is an accredited Energy Services Company as authorized by the National Association of Energy Service Companies (NAESCO) for the provision of Energy Performance Contracting Services in the State of South Carolina. Laurens County Government (the "County") is interested in entering into an Energy Performance Contract with Trane for certain of the County's facilities in the State of South Carolina (the "Project").

Purpose

In order to evaluate and identify Energy Conservation Measures (ECMs) in connection with the Project, Trane and the County agreed to enter into this Letter of Commitment ("LOC") pursuant to which Trane will perform a Detailed Energy Savings Study (the "Study") of the mechanical, electrical and domestic water systems for the following facilities (collectively, the "Facilities"):

- Hillcrest Judicial Complex and Services Center
- Courthouse Annex (Sherriff's Department)
- Health and Human Services Building
- Johnson Detention Center
- Historic Courthouse
- Laurens County Library
- Church Street Office Complex
- Clemson Extension Building
- Emergency Services Complex

The Study will identify ECMs for Trane to provide on a turnkey solution basis, including all project labor, equipment, field materials, hoisting, insurances, bonds, permits and project management necessary to execute the scope of work detailed in the Study and mutually agreed upon by the Parties. The scope of work and budgeted cost outlined in Trane's Study will be determined upon the County's requirements, with the County and local staff's input and the documented information provided to Trane by the County and derived from Trane's site visits. The Study will propose ECMs for the Facilities that will generate savings in the aggregate which will be equal to or greater than the cost for implementing such ECMs.

General Scope

The Study is estimated to require 120 days from the date of Trane's acceptance of this LOC. Trane and the County will enter into a definitive PACT Agreement (**Performance Agreement for Comfort from Trane**) for the implementation of the ECMs for the Facilities as identified in the Study via the "PACT Agreement" within thirty (30) days following the submittal by Trane of the Study.

In order to enable Trane to perform the comprehensive study, the County agrees to provide to Trane, with respect to each Facility:

- energy bills for the most recent 36 months and building information required to conduct the Study, such as building operating schedules, operating set points, occupancy, etc.;
- historical records for maintenance cost sufficient to develop an accurate spending assessment;
- guidance on planned infrastructure upgrades, repairs or future plans;
- assistance in the location and identification of metering for electrical, natural gas and water;
- building plans for the buildings to be studied;
- access to the buildings and to facility and management personnel, and key decision makers, to enable Trane to better understand the facility operations and organizational goals that will help Trane optimize the effectiveness of the proposed project, as required to conduct the study; and
- a time and location for a meeting for presentation of Trane's final proposal; all parties that will be involved in the decision-making process to proceed with a contracted Agreement will attend this meeting.

Should Trane determine at any time during the Study that sufficient savings cannot be attained to cover the cost of the ECMs, Trane may, at its option, terminate this LOC upon written notice to the County. In the event this LOC is terminated by Trane, the County shall have no obligation to pay, in whole or part, the fee for the Study as outlined below. Upon termination of this LOC by Trane, the County shall return to Trane all information and data in the County's possession generated by Trane in connection with the Study.

Trane agrees that the recommendations included in the final Study shall have total projected energy savings that are equal to or greater than the cost of implementing the recommended ECMs. In the event the Study contains findings wholly inconsistent with the above statement, the County may terminate this LOC without cost or penalty. In the event the Study contains findings partially inconsistent with the above statement, the County may negotiate a PACT Agreement with Trane based upon the findings contained in the Study consistent with the above statement, in which case, the cost of the Study shall be incorporated into the cost of such PACT Agreement.

Should the recommendations contained in the final Study meet or exceed the savings and cost objectives outlined above, and the County, for any reason, does not proceed with the implementation phase of the Project by executing a PACT Agreement with respect to the recommendations outlined in the Study within thirty (30) days from the submittal of the final Study by Trane, then Trane shall be paid the amount shown below for the time spent and work performed by Trane in connection with the Study.

Study Fee

The County agrees to pay Trane a fee of **Forty-Nine Thousand Dollars Even (\$49,000.00)** (plus any applicable sales tax) for work performed and time invested if the County does not enter into the PACT Agreement with Trane within the thirty (30) day period after completion of the Study in accordance with the terms and conditions outlined above. The County will pay this fee (plus any applicable sales tax) to Trane within ten days of the date of Trane's invoice. Notwithstanding the foregoing, if the County enters into the

PACT Agreement with Trane within the time period described above, the cost of the Study shall be included in the overall cost of the Project under the PACT Agreement and no Study fee shall be payable hereunder.

Upon execution of the implementation of the PACT Agreement with Trane or payment for the detailed energy study, whichever occurs first, Trane shall provide a copy of the detailed Study in its entirety to the County.

Thank you for giving Trane this opportunity. If you have any questions or concerns, please call me at (864) 923-6917.

Sincerely,

Brad Van Meter
Comprehensive Solutions Account Manager
288 Fairforest Way
Greenville, SC 29607
Phone: (864) 672-6111
Fax: (864) 672-6001

LAURENS COUNTY GOVERNMENT	TRANE U.S., INC.
_____ Authorized Representative	_____
_____ Printed Name Title _____	_____ Authorized Representative
_____ Purchase Order	_____ Title
_____ Date	_____ Date

A faxed copy represents a legal and binding document



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

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Agenda Item #: 8A

DEPARTMENT / AGENCY: LCDSN Board Date of Request: _____

COUNCIL ACTION REQUESTED: Approve Board Member

Short Description of Item for Consideration: _____

More Detailed Description (if needed): _____

FINANCIAL AMOUNT REQUESTED _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

Laurens County Disabilities & Special Needs Board

1860 Highway 14 • Laurens, SC 29360 • (864) 682-2314 • www.lcdsnb.org

Supporting Unique People in Pursuing Opportunities while Reaching for a Better Tomorrow

April 25, 2017

Laurens County Council
100 Hillcrest Square
PO Box 445
Laurens, SC 29360

Mr. Caime,

The Laurens County Disabilities and Special Needs Board has a member that has expressed his desire to rotate off the Board of Directors. Mr. Duane Dennie's resignation letter is attached and is effective June 30th, 2017.

A member of our community, Joyce Rambo, has expressed a desire to serve on the Board of Directors. I request she be considered for the upcoming vacancy. Her application is attached.

I respectfully request this be added to either the May 9th or May 23rd Laurens County Council meeting agenda for decision.

Please let me know if you have any additional questions.

Sincerely,


Jason Tavenner
Executive Director

April 10, 2017

To Whom It May Concern:

I will be resigning from the Board of Directors for the Laurens County Disabilities and Special Needs Board effective June 30, 2017. I have retired from full-time work and plan to travel and spend time with my family.

I have enjoyed my time of service to the Laurens County Disabilities and Special Needs Board as they have served individuals in Laurens County with life-long developmental disabilities.

Sincerely,

A handwritten signature in cursive script that reads "Duane Dennie".

Duane Dennie



Office of the Governor
State of South Carolina

Application for Boards, Commissions, and Committees

Your nomination **will not** be complete until this application is filed with the Office of the Governor,
Attn: Madison Walker, 1205 Pendleton Street, Columbia, South Carolina 29201.

1] Your Name:

Dr./Mr./Mrs./Ms.

Rambo

Last

Joyce

First

Irwin

Middle

2] Name of Board, Commission, or Committee you are being considered for:

LAURENS COUNTY Disabilities and Special Needs

3] Your Current Address, City, Zip Code and County:

Your Congressional District: _____

[Redacted Address]

LAURENS SC 29360

4] Home Telephone: [Redacted]

5] Office Telephone: _____

6] Fax: _____

7] Mobile Telephone: [Redacted]

8] Email Address: [Redacted]

9] Drivers License # [Redacted]

10] Social Security #: [Redacted]

11] Voter Registration # [Redacted]

12] Date of Birth: [Redacted]

13] Race: [Redacted]

14] Sex: [Redacted]

15] Level of Educational Background Completed:

Some High School _____

High School graduate or equivalence (G.E.D.)

Some College 8 years

College graduate _____

Professional degree (please specify) _____

16] Present Employer Retired from SCDDSN

Address _____

Current Position _____

17] Years of residence in South Carolina: 63

18] Have you ever been arrested for a crime other than a minor traffic violation? NO If so, give details.*

- 19] Have you filed state and federal income tax returns for the past five years? YES If not, give details.*
- 20] Are you or any company in which you have a controlling interest delinquent in any local, state or federal taxes? NO If so, give details.*
- 21] Have you ever defaulted on any state or federal student loan? NO If so, give details.*
- 22] Have you been treated for any alcohol, drug addiction, or substance abuse for the preceding five years? NO
If so, give details.*
- 23] Have you been party (plaintiff or defendant) in any state or federal litigation for the preceding five years? NO
If so, give details.*
- 24] Have you ever served in the military? NO
Were you honorably discharged? _____ If not, give details.*
- 25] Have you ever been terminated from employment for cause? NO If so, give details.*
- 26] Have you or any employer in the preceding ten years been investigated, reprimanded, fined, or suspended for doing business with any state or federal agency? NO If so, give details.*
- 27] Have you ever been disciplined or fined by the State Ethics Commission? NO If so, give details.*
- 28] Have you ever been disciplined or fined by any professional or regulatory agency? NO If so, give details.*
- 29] Do you serve on any local or state board, commission, committee, or elected office? NO If so, list.*
- 30] Are you a registered lobbyist in the State of South Carolina? NO
- 31] Do you or any member of your immediate family receive any income, compensation or benefits from state and local agencies in South Carolina? YES If so, give details.*
State Retirement
- 32] Do you or any member of your immediate family have any interest in any business that has, is, or will do business with the State of South Carolina or the entity for which you are applying? NO If so, give details.*
- 33] Are you or any member of your immediate family associated with any business regulated by the entity to which you are applying? NO If yes, give details.*

34] Have you or any member of your immediate family sold, leased, or rented personal property to any state or local public agency in South Carolina? NO If so, please identify *:

- a) the type of property,
- b) the name of the agency(s) involved,
- c) the value of the transaction(s).

35] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor regulated by the entity to which you are applying? NO If so, give details.* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

36] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor seeking a business relationship with the entity for which you are applying? NO If so, give details.* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

37] Do you or any member of your immediate family receive compensation from any individual or business that contracts with the entity for which you are applying? NO If yes, please identify *:

- a) the individual or business,
- b) the amount of compensation paid to you,
- c) the nature and amount of the contract,
- d) the governmental entity involved.

38] I, Joyce Rambo, agree that, if I am appointed to the NCDSN board, I will attend all stated or called meetings of this entity. If I am absent from three consecutive meetings, or if I am absent from half of the meetings within a six-month period, then I will resign my appointment. However, if the Chairperson excuses my absence prior to the meeting, in recognition of circumstances beyond my control (illness, family emergency, etc.), then I am entitled to retain my position.

*Use extra sheet if necessary.

CERTIFICATION OF APPLICANT

Personally appeared before me, the applicant, who being duly sworn, disposed, and says that all his/her statements are true, accurate and complete: and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the Governor. He/she authorizes the State Law Enforcement Division to conduct a background investigation including, but not limited to, a criminal history, driving record and credit check. He/she also authorizes the Governor's Office to provide the nominating authorities with copies of this application, the criminal history and credit report and any other information gathered in processing this appointment.

Joyce J Rambo
Applicant's Signature

Sworn and subscribed before me this 18th day of April, Two Thousand and seventeen

Monica Taylor
Notary Public for South Carolina

My commission expires 4-14-2020

C L E M S O N U N I V E R S I T Y
C O U N T Y E X T E N S I O N P R O G R A M S U P P O R T A G R E E M E N T
(C E P S A)

SPONSOR: Laurens County
PAGE: 1 of 4

This agreement between CLEMSON University (hereafter referred to as CLEMSON) and the SPONSOR (listed above) is entered into for the purpose of supporting a County Extension Agent – 4-H position in the Laurens County Extension Office.

CLEMSON'S RESPONSIBILITIES: CLEMSON agrees to:

1. Assign a professional who will be responsible for activities described in Appendix A.
2. Dr. Brian Callahan will monitor the performance of the County Extension Agent – 4-H and ensure the agent receives continuing training in order to be effective in the delivery of 4-H and Youth programs and information.
3. Administer the CEPSA funds in accordance with the laws of South Carolina and the stipulations of the SPONSOR.
4. Provide to the SPONSOR, upon request, a summary of expenditures made in support of the Laurens County Extension Agent – 4-H.

SPONSOR'S RESPONSIBILITIES The SPONSOR agrees to:

1. Provide funds in the amount of \$25,000 as described in the detail budget in Appendix B which includes all in-kind contributions.
2. Provide a representative for the program described in Appendix A who will as needed serve on the any applicable committee.
3. SPONSOR will pay CLEMSON the above amount, upon invoice, for the total amount.

PERIOD OF PERFORMANCE: The period of performance shall begin on July 1, 2017, and end June 30, 2018.

COMMON RESPONSIBILITIES: CLEMSON and the SPONSOR agree to:

1. The parties acknowledge and agree that the intent of this arrangement is to establish a partnership that will support a County Extension Agent – 4-H in the Laurens County Extension Office. To the extent that the provisions of the Fair Labor Standards Act or other laws governing wages and hours might be found to apply to the County Extension Agent – 4-H, CLEMSON agrees to ensure compliance and to conform with all other reporting procedures as designated by this position.

2. Individually and collectively execute, expedite, and fulfill the conditions of this AGREEMENT and the mutually composed APPENDIX "A" and "B" in the best interests of the SPONSOR and CLEMSON.

3. Sponsor will allow Clemson to reallocate funds within budget categories in Appendix B and other than reallocation, mutually negotiate a revised and/or amended APPENDIX "A" or "B" should SPONSOR's requirements or CLEMSON's conditions significantly change during the term of this AGREEMENT.

4. "Event of Non-appropriation" means any failure by the SPONSOR to adopt, by the first day of any Fiscal Year, a budget that includes an appropriation for payments as contemplated in Appendix B.

No provision of this Agreement shall be construed or interpreted as creating a pledge of the County's faith and credit within the meaning of any constitutional debt limitation. No provision of this Agreement shall be construed or interpreted as an improper delegation of governmental powers or as a donation or a lending of the County's credit within the meaning of the State constitution. No provision of this Agreement shall be construed to pledge or to create a lien on any class or source of the County's moneys, nor shall any provision of this Agreement restrict the future issuance of any of the County's bonds or obligations payable from any class or source of the County's moneys.

(a) The financial officer shall include in the County's annual budget the amount of payments contemplated by Appendix B which are or may be coming due during the Fiscal Year to which such budget applies. Notwithstanding that the finance officer includes such an appropriation in a proposed budget, the Governing Board may determine not to include such an appropriation in the County's final budget for such Fiscal Year.

(b) The actions required of the County and its officers pursuant to this Section shall be deemed to be and shall be construed to be in fulfillment of ministerial duties, and it shall be the duty of each and every County official to take such action and do such things as are required by law in the performance of the official duty of such officials to enable the County to carry out and perform the actions required pursuant to this Section and the remainder of this Agreement to be carried out and performed by the County.

(c) The County reasonably believes that it can obtain funds sufficient to pay all Required Payments when due.

(d) The County acknowledges and agrees that the non-appropriation provisions of this Agreement are not intended to

be used as a substitute for convenience termination. The County, to the extent permitted by law, agrees not to use the non-appropriation provisions for any such purpose. Upon an Event of Non-appropriation, the County shall have no further obligation to pay beyond the end of the Fiscal Year for which amounts have been appropriated. This Agreement shall terminate on the last day of the Fiscal Year for which amounts have been appropriated for payments without any penalty to the County whatsoever. An Event of Non-appropriation and resulting termination of this Agreement shall not relieve the County of liability for any defaults under this Agreement occurring prior to the Event of Non-appropriation, or of liability under those provisions of this Agreement which are stated to survive termination.

TERMINATION: This AGREEMENT may be terminated by any party at any time by providing written notice to the other parties at least thirty days prior to the work termination date. Upon termination, CLEMSON will provide the SPONSOR with a summary of expenditures and refund any unexpended Public Service Agreement funds. The summary of expenditures shall be considered final and accepted thirty (30) days after transmission to the SPONSOR, in the absence of communication to the contrary.

This is the entire and complete agreement of the parties. Any changes, alterations, or amendments shall be made in writing and signed by the parties hereto. This Agreement is binding upon the parties and their successors. All terms and conditions shall be governed by the laws of the State of South Carolina.

ENDORSEMENTS:

SPONSOR: _____
Laurens County by its Administrator, W. Jon Caime date

_____ address

_____ phone fax

CLEMSON UNIVERSITY: _____
Gerald Sonnenfeld, VPR date

County/Clemson Agreement.2017

Office of Sponsored Programs 300 Brackett Hall, Clemson, SC 29634-5702
address

864 656 2424

phone

864 656 0881

fax

OSP ONLY - AGREEMENT NUMBER : _____

APPENDIX A: STATEMENT OF SERVICES TO BE PROVIDED BY CLEMSON

- A. Responsible for providing leadership in planning and conducting an effective and comprehensive county 4-H youth development program with volunteers, according to the current version of *County 4-H Program Standards & Quality Indicators* (available at www.clemson.edu/4h).

Goals to be achieved include:

1. Enhance the 4-H livestock projects such as goat, beef, dairy, pig, horse, etc.
 2. Recruit and train new 4-H club volunteer leaders in Laurens County and establish 4-H clubs using the 4-H Leader Training Series.
 3. Work with Clemson University staff to develop educational programming at the Adair property.
 4. Enhance 4-H forestry, wildlife, natural resources and other projects in Laurens County such as shooting sports, FACE, and 4-H20 Camp.
 5. Provide a local awards and recognition program for 4-H members and volunteers in Laurens County. Promote state 4-H opportunities.
 6. Coordinate civic and community projects for Laurens County through a strong leadership program.
- B. Maintain appropriate communications and a working relationship with County Council, City Council, Chamber of Commerce, School District of Laurens County, 4-H program sponsors (i.e. Local businesses, Cattlemen's Association, Forestry Association, Beekeepers Association, Soil and Water Conservation District) and other educational and public service agencies, associations, and foundations located in the greater Laurens area as appropriate.
- C. Responsible for all Civil Rights compliance and other reporting procedures as designated by Extension Field

County/Clemson Agreement.2017

Operations.

- D. Prepare annually a plan of work and program review in designated areas of responsibility in cooperation with the Laurens County Extension faculty.

APPENDIX B: REQUESTED BUDGET

Salary Katie Berry Shaw	\$ 17,145
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Fringe Benefits 34.1%	\$ 5,846
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Materials/supplies (\$809/year x 6 years)	\$ 809
--	--------

Covers cost of program materials to support 4-H life skills programs including program development and curriculum, printed materials and resource books and videos.

Travel (\$1,200 x 6 years)	\$ 1,200
--	----------

Total	\$ 25,000*
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*Total covers 50% of all costs associated with this position.

E N D O F A G R E E M E N T

County/Clemson Agreement.2017



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council.

Agenda Item #: 8-C (County Clerk will insert this)

DEPARTMENT / AGENCY: Planning Comm. / Admin Date of Request: 5/4/2017

COUNCIL ACTION REQUESTED: Proposed new Tower Ordinance #836

Short Description of Item for Consideration: Adopt on First Reading newly proposed Tower Ordinance #836

More Detailed Description (if needed): _____

As directed by County Council, the Planning Commission has been reviewing all regulatory ordinances for update. The Planning Commission has reviewed the current tower ordinance and has proposed a new ordinance as shown in the attached document.

FINANCIAL AMOUNT REQUESTED: N/A

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

ORDINANCE #836

**AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 695
AND TO PROVIDE NEW REGULATIONS
FOR TOWERS LOCATED IN LAURENS COUNTY**

WHEREAS, the Laurens County Council desires to replace Ordinance 695 and enact certain regulations which will permit the placement of towers and antennae in locations which will allow telecommunication services to be rendered in conformity with the authority in the Federal Telecommunications Act of 1996, and:

WHEREAS, The County of Laurens finds that rapid development of this technology is in the public interest. The County Council desires to enact regulations and other changes in public policy which will allow such services to be rendered in conformity with the Federal Telecommunications Act of 1996, and the goals of their respective comprehensive plans to serve and protect the public health, safety, convenience, order, appearance, prosperity, and general welfare pursuant to the South Carolina Code of Laws (1976) as amended. The County Council further finds that deployment of new wireless technologies requires a careful balancing of the public and private costs and benefits. It understands that this ordinance must be flexible and responsive to changes in the industry, which may require future revisions.

WHEREAS, the expansion of wireless communication technology has produced an increased need for antennae and the towers to support them. The purpose of the Federal Telecommunications Act of 1996 is "To promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunication consumers and encourage the rapid deployment of new telecommunications technologies."

WHEREAS, by the provisions therein and pursuant to the powers vested in the Laurens County Council, certain amendments are necessary for the continued enforcement of the provisions of said Ordinance, and;

WHEREAS, Laurens County Council finds it appropriate and necessary to rescind and replace Ordinance 695 so as to clarify and further enhance its original intentions and objectives, and;

WHEREAS, Laurens County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State, hereby rescinds and replaces Ordinance 695 as set forth herein. This amending ordinance shall take effect upon three readings and a public hearing as required by state law.

NOW THEREFORE BE IT ORDAINED by the Governing Body of Laurens County Council in Council duly assembled, that the following provisions:

SECTION 1 DEFINITIONS

“Antenna” means a device, dish or array used to transmit or receive telecommunication signals.

“Co-location” means the use of an existing tower or structure to support an antenna for the provision of wireless services.

“Commission” means the Laurens County Planning Commission.

“Tower” is a structure more than sixty (60) feet tall used primarily for the support of one or more antennae erected on the ground or a similar structure more than twenty (20) feet tall erected on a building. The height of the tower shall include any antenna that extends above the top of the tower.

“Communications Antenna” are antennas that deal in the transmission and reception of radio waves operated by a communications provider.

“Communications Provider” is any entity required to be licensed by the FCC.

“Small Cell” are small, low-powered wireless facilities, consisting of a transmit-receive antenna that communicates with wireless devices, a wireless backhaul antenna that connects the facility to the carrier’s core network, and compact radio equipment mounted on either new or existing utility or light poles. These Small Cells add coverage and capacity to the existing wireless networks, and are designed to blend with existing infrastructure.

“Planning Commission” is the Laurens County Planning Commission

“Stealth Tower” is a tower designed and installed in a manner such that the antenna supporting apparatus and associated structures are aesthetically and architecturally appropriate with regards to an existing structure or immediate environment in which the tower is located. Examples include without limitation, church steeples, bell towers, flag poles, etc.

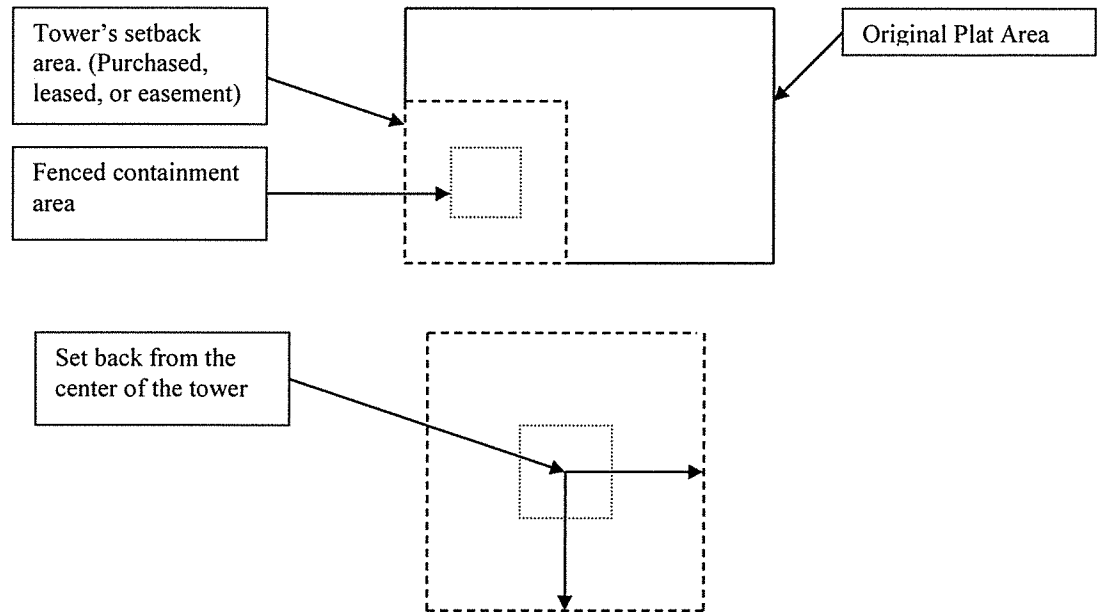
“Telecommunication” means the transmission between or among point specified by the user of information without change in the form or content of the information as sent and received.

SECTION 2 GENERAL REQUIREMENTS

- a.) General requirements for all structures are applicable to towers. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the conditions of this ordinance. Regulations covering visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general development standards regulations except those specifically superseded by this section shall apply to the use.
- b.) No antenna or tower shall be erected, constructed, maintained, or operated except in conformance with the regulations set forth in this ordinance.

SECTION 3 STANDARDS FOR APPROVAL OF TOWERS

- a.) A tower shall be reviewed by the Laurens County Planning Commission upon determination that all of the applicable conditions in this section are met.
- b.) Structures less than sixty feet in height shall comply with the applicable portions of Section 4 of this ordinance.
- c.) If the applicant proposes to establish a new tower within 2,500-feet of an existing tower the applicant shall submit a statement and technical data to support that each such tower does not meet applicant's structural specifications or technical design requirements, or that space on such other tower is not available at fair market value.
- d.) The location for a new tower to be established at a site on which the communications provider has no existing facilities shall not be placed in a residential area/district until the applicant has demonstrated that higher priority locations are unsuitable for operation of the facility under FCC regulations or applicant requirements (including timing, leasing or valid technical requirements) or are not available at fair market value.
- e.) The Applicant shall design any new tower to accommodate its own present and projected future needs as well as a reasonable projection of two other comparable user's needs. Any unused tower space, not reserved for the applicants own use, shall be made available at fair market value. Unused tower space does not have to be offered to other parties whose proposed use is likely to technically or mechanically interfere with the existing users of said tower.
- f.) Towers shall be a blending color such as light Gray, unless required to be painted otherwise by the Federal Aviation Administration. Properly maintained unpainted galvanized steel color shall meet this condition.
- g.) All newly constructed towers must meet the seismic and wind load standards as prescribed in the latest adopted International Building Code. The designs shall be stamped drawings submitted by a licensed S.C. design professional in accordance with ANSI/EIA/TIA-222 (latest revision).
- h.) The proposed installation shall meet all applicable FCC and FAA rules and shall be operated in accordance therewith. No equipment using a tower subject to this ordinance shall interfere with operation of any radio equipment operated at a fixed site by the county or any other entity so long as the County or any such entity is operating within the proper frequency range.
- i.) The Planning Commission may consider the visual impact of a tower on those properties which are officially designated as scenic, historic, or architecturally significant in making its decisions.
- j.) Setbacks - In order to provide and maintain all setback requirements, all of the required setback area must be purchased leased or be recorded as an easement by the tower owner. The minimum setback shall be equal to ½ of the tower's height or the height from the ground to the first-to-yield point of the tower. The longer of the two setbacks must be used.
 - 1.) For the purpose of measuring the applicable setback, distance measurements on monopole and guyed towers will be made from the center point of the *tower* footprint. Distance measurements on lattice towers will be made from the legs of the lattice tower.
 - 2.) The height of the tower shall be the distance from the base of the *tower* to the top of the tower structure.



- k.) A single sign, approximately two (2) square feet in size, shall be placed in a visible location on or near the tower identifying the owner, the street address and owners identification code of the tower and an all-hours emergency telephone number. The sign shall also identify other users of the tower.
- l.) Towers and associated buildings shall be secured from unauthorized access.
- m.) Screening - The purpose of this subsection is to establish control for the visual quality of towers from the ground level. A tower, as pertains to this subsection, includes the tower and the land and everything within the required security fencing including any other building and equipment.
- 1.) The screen shall be a minimum radius of ten (10) feet of land surrounding the tower, which shall support an appropriate plant material screen continuously around the tower except for one service access.
 - 2.) An appropriate plant material screen shall be evergreen plants of a quality and planted in accordance with the standards of the Planning Commission latest approved list from Clemson Extension or S.C. State forestry Commission that are indigenous or native to the County area. Such plantings shall be appropriately spaced and of such a size so as to achieve a dense screen with a minimum height of six (6) feet within a three (3) year period from erection of a tower. These are the minimum standards. Additional screening with deciduous or evergreen trees is desirable and encouraged.
 - 3.) Existing trees shall be preserved in the maximum degree possible.
 - 4.) If in extreme or unusual situations where it is proven impossible to properly construct the plant material screen, the County Building Official may grant permission to construct the security fence as a solid masonry wall, either brick or stucco-type finish with a minimum height of six (6) feet above ground level and constructed in accordance with applicable construction codes.

SECTION 4 APPLICATION REQUIRED

Any person desiring to obtain a permit for construction of a tower shall file an application and fee with the County Building Codes Office. Said application shall include the following information and/or documents:

- a.) A copy of FCC form 854, Application for Antenna Structure Registration, or the same information in a similar format if the tower is not subject to FCC registration. Any information on said form may be referenced on other documents.

- b.) The application fees for construction of a tower or adding an antenna to an existing tower, not including building and other permit fees, shall be set and adjusted from time to time by County Council.
- c.) Complete plans and specifications for the proposed tower including foundation, wind and ice loading, antennae and appurtenances and any accessory buildings as required by the building code. The designs shall be stamped drawings submitted by a licensed S.C. design professional in accordance with ANSI/EIA/TIA-222 (latest revision).
- d.) A site plan showing property boundaries, required setbacks, existing structures, latitude and longitude, and adjacent property. The site plan shall also indicate the proposed tower location, site elevation, tower height, guy anchors, driveway and parking, fencing and landscaping.
- e.) A list of other users of the proposed tower.
- f.) Written, notarized authorization or contract from the owner of the site, if the applicant is not the property owner.
- g.) A copy of the FCC license or other evidence of FCC approval of the proposed installation. If applicant has not applied for FCC license(s), applicant shall indicate what service(s) are to be provided by reference to FCC designations. If no FCC license is required, applicant shall indicate the purpose of the tower.
- h.) Prior to County site inspection, the site location of the tower must be clearly identified at the road entrance. The tower construction site shall be marked for set back verification. Proper access to the site shall be provided.
- i.) A checklist covering applicable conditions in Section 3 above, including documentation.

SECTION 5 APPEALS

The Laurens County Planning Commission shall hear and decide appeals in matters as specified by this Ordinance. Whenever in the opinion of the Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties and hardships or injustices, the Commission may modify such requirements, providing that the public interests of the County and its citizens are protected and the general intent and spirit of these regulations are preserved. Any person aggrieved by a decision of the Commission may appeal that decision before the Court of Common Pleas

SECTION 6 APPLICABILITY

- a.) A tower shall not be allowed unless it is used to support operating antennae or is itself an antenna. If any tower is not used for a period of more than 90 days, then upon notice in writing given to the owner or his agent by the Planning Commission or the County Building Official stating that the tower must be removed if use is not resumed within 180 days of such notice, provided that for any tower on which antenna(e) have been installed in preparation for offering a new service, the total time allowed by this subsection shall be one year. The Planning Commission may grant additional time

SECTION 7 GENERAL

- a.) NOTICE OF VIOLATION - It shall be the duty of the Laurens County Office of Building Codes, or its designee (as designed by Laurens County Council) to serve, or cause to be served, a notice upon the owner or occupant of any property, who has permitted a violation of this Ordinance. Such notice shall demand abatement within sixty (60) days of service.”

- b.) ENFORCEMENT OF NOTICE - It shall be the duty of the Codes Enforcement Officer, to enforce the provisions of this chapter. Notice of violation shall be issued to any property owner in violation of any provision contained herein this chapter. Such notice shall be directed to the property owner ordering him and requiring him within a reasonable and specified time to abate or correct the violation. If a person served with notice of a violation does not abate the violation within sixty (60) days after service, the County may seek a court order to compel the owner or occupier to abate the violation. The penalty for each violation of this Ordinance shall be punishable by a civil fine of not more than two hundred dollars (\$200). Each day any violation of this Ordinance continues shall constitute a separate offense.

- c.) LIEN IMPOSED - The charge for compelling the owner or occupier to abate the violation or for the County’s abatement of the violation shall constitute a lien upon the property. The County Building Codes Official, with the knowledge of the County Administrator shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The County Administrator shall also file a statement of the lien against the owner of the property in the office of the County Clerk of Court. Such lien shall be indexed in the mortgage books, as maintained from time to time for the County, and the statement shall contain the following: a legal description of the property; a statement of the violation of this Ordinance; the date of the County’s action for abatement; the expenses and costs incurred, including attorney fees, for the abatement proceedings; and a statement that the costs and expenses ascertained shall bear interest at the statutory legal rate.

- d.) SEPARABILITY AND VALIDITY - Should any section, paragraph, clause, phrase or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

- e.) CONFLICTING ORDINANCES - This Ordinance may be amended or modified from time to time, provided, however, such amendments or modifications shall be accomplished in the same manner as the original enactment to this Ordinance. If any provision of this Ordinance conflicts with any Ordinance or statute, the more restrictive requirement shall apply.

- f.) EFFECTIVE DATE - This Ordinance shall take full effect and be fully executed upon three readings and a public hearing as required by law.

DONE AND APPROVED in Council duly assembled on this the _____ day of _____ 2017.

LAURENS COUNTY COUNCIL:

Joseph E. Wood, Jr., Chairman

P. Keith Tollison , Vice Chairman

Garrett McDaniel, Council Member

Ted G. Nash, Council Member

David Pitts, Council Member

Diane B. Anderson, Council Member

Stewart Jones., Council Member

ATTEST:

Jon Caime, Administrator
Laurens County Council
Laurens County, South Carolina

Betty C. Walsh, Clerk
Laurens County Council
Laurens County, South Carolina

First Reading:
Second Reading:
Public Hearing:
Third Reading:



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council.

Agenda Item #: 8-D (County Clerk will insert this)

DEPARTMENT / AGENCY: Public Works-Litter/Humane Date of Request: 5/4/2017

COUNCIL ACTION REQUESTED: Approve the commission of J. Giles Gilmer

Short Description of Item for Consideration: J. Giles Gilmer has been hired by the Public Works Department to serve as the Litter/Humane Supervisor

More Detailed Description (if needed):

J. Giles Gilmer has been hired to serve as the Litter/Humane Supervisor. Mr. Gilmer is well qualified for the position as he has previously served six years as an Animal Control Officer and eight years as a reserve Deputy with the Laurens County Sheriff's Office. He also has over twenty years of experience in the facility security. Mr. Gilmer is a graduate of Clinton High School and the Public Works Department is excited that he is part of our staff.

We would ask Council to approve the commission of Mr. Giles so that he can take the oath of office and perform the duties of a code enforcement officer for Laurens County.

FINANCIAL AMOUNT REQUESTED: N/A

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS) CERTIFICATE OF COMMISSION

JON GILES GILMER
LITTER AND HUMANE OFFICER, LAURENS COUNTY

WHEREUPON IT APPEARS THAT THE ABOVE NAMED PERSON HAS MET THE REQUIREMENTS PRESCRIBED BY LAW AND PURSUANT TO SOUTH CAROLINA CODE SECTION 4-9-145, THE COUNTY COUNCIL OF LAURENS COUNTY HAS APPOINTED AND COMMISSIONED SAID PERSON TO THE POSITION OF LITTER AND HUMANE OFFICER, WITH ALL THE RIGHTS, POWERS, DUTIES, AND BENEFITS THEREOF, SUCH TERM TO CONTINUE AT THE PLEASURE OF THE COUNTY COUNCIL.

IN ACCORDANCE WITH THE LAWS OF THIS STATE, THE APPOINTEE'S SIGNATURE BELOW INDICATES ACCEPTANCE OF THE COMMISSION AS A LITTER AND HUMANE OFFICER FOR LAURENS COUNTY, AND THIS INDIVIDUAL HAS TAKEN THE PRESCRIBED OATH OF OFFICE, RECITED AS FOLLOWS:

I do solemnly swear that:

I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and I will, to the best of my ability, discharge the duties thereof and preserve, protect, and defend the Constitution of this State and of the United States;

I will, during my term of office as a Litter and Humane Officer, to the best of my ability, preserve, protect, defend, and enforce the Codes, Ordinances, and laws of the County aforesaid, and will conduct myself at all times with due consideration to all persons and will not be influenced in any manner on account of personal bias or prejudice.

So help me God.

JON GILES GILMER, Appointee

HAVING TAKEN THE OATH OF OFFICE AND UPON THE APPOINTMENT AND COMMISSION BY THE LAURENS COUNTY COUNCIL ON MAY 9, 2017, THE ABOVE NAMED PERSON IS HEREBY APPROVED AS BEING A LAURENS COUNTY LITTER AND HUMANE OFFICER.

W. JON CAIME,
COUNTY ADMINISTRATOR

DATE



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: May 4, 2017 (FOR MAY 9, 2017 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Handwritten Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

SEE THE ATTACHED PROPOSED RESOLUTION 2017-09 AMENDING MASTER AGREEMENT GOVERNING OCTAGON INDUSTRIAL PARK DISTRIBUTION METHOD AND INCREASING PARK BOUNDARIES.

STAFF RECOMMENDS APPROVAL OF THIS RESOLUTION.

FINANCIAL AMOUNT REQUESTED: \$-0-

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

RESOLUTION 2017-09

**A RESOLUTION TO AMEND THE MASTER AGREEMENT GOVERNING
THE OCTAGON INDUSTRIAL PARK DISTRIBUTION METHOD
AND TO INCREASE THE PARK BOUNDARIES**

WHEREAS, on September 1, 2010, Laurens County executed a Master Agreement governing the Octagon Industrial Park, and

WHEREAS, pursuant to Section 1.01 of the Agreement, Laurens County can unilaterally increase the Park boundaries; and

WHEREAS, pursuant to Section 3.03(b) of the Agreement, Laurens County can unilaterally amend its internal distribution method; and

WHEREAS, Laurens County Council has determined that the amendments to increase the Park boundaries and the internal distribution method are in the best interest of future economic development within the County.

**NOW THEREFORE BE IT ORDAINED BY THE LAURENS COUNTY
COUNCIL, DULY ASSEMBLED:**

I. PURPOSES: It is the stated purpose of this Ordinance to amend the Octagon Industrial Park Master Agreement of September 1, 2010, as follows:

A. Section 1.01 of the aforesaid Agreement is amended so as to include the real property located in Laurens County described on *Exhibit A-3*; Section 3.03 (a)(i) is amended as follows:

(i) *For the property in Laurens County described on the attached Exhibit A-3:*

(a) *Laurens County is entitled to receive 75%;*

(b) *Laurens County Special Projects Fund is entitled to receive 5%*

(c) *The Economic Development Reinvestment Fund as managed by Resolution 2010-20 is entitled to receive 20%; and*

(d) *All other entities that would otherwise levy tax millage for a parcel of property, if that parcel of property were not located in the Park, are entitled to receive a pro-rata distribution based on the total tax millage on that parcel of property of 0%.*

(ii) *For the property in Laurens County described on the attached Exhibit A-4:*

(a) *Laurens County is entitled to receive 40%;*

(b) *Laurens County Special Projects Fund is entitled to receive 2.5%*

(c) *The Economic Development Reinvestment Fund as managed by Resolution 2010-20 is entitled to receive 7.5%; and*

(d) All other entities that would otherwise levy tax millage for a parcel of property, if that parcel of property were not located in the Park, are entitled to receive a pro-rata distribution based on the total tax millage on that parcel of property of 50%.

In all other respects, except as amended above, the Master Agreement governing the Octagon Industrial Park is reaffirmed and restated as if fully set forth.

2. **ACTION TAKEN:** Pursuant to the enactment of this Resolution, Council approves the amendments set forth above.

3. **AUTHORITY:** This Resolution is adopted under the authority and process granted by the General Assembly of the State of South Carolina and the Constitution of this State. Jurisdiction shall be exclusively in Laurens County.

4. **APPLICABILITY:** The provisions of this Resolution shall apply to the Master Agreement Governing the Octagon Industrial Park between Laurens County, South Carolina, and Greenville County, South Carolina.

5. **LANGUAGE:** The language used in this Resolution, if used in the present tense, shall include the future tense. Words used in the singular include the plural, and the plural the singular, unless, however, the context clearly indicated to the contrary. The use of the word "shall" is mandatory and the word "may" is permissive.

6. **EFFECTIVE DATE:** The effective date of this Resolution shall be upon a majority vote of Council as required by law.

7. **SEVERABILITY:** Should any paragraph, clause, phrase, or provision of this Resolution be judged invalid or held unconstitutional by a Court of competent jurisdiction, such declaration shall not affect the validity of any other section of the Resolution as a whole or in part or provision thereof, other than the part so decided to be invalid or unconstitutional. All meanings, enforcement, and interpretations shall be pursuant to the laws of the State of South Carolina.

BE IT SO RESOLVED by Laurens County Council duly assembled.