



Agenda
August 28, 2018



**AGENDA
LAURENS COUNTY COUNCIL
AUGUST 28, 2018 – 5:30 P.M.
HISTORIC COURTHOUSE – PUBLIC SQUARE**

1. Call to Order – Chairman Wood
2. Invocation – Councilman Jones
3. Pledge of Allegiance
4. Approval of Agenda – August 28, 2018
5. Approval of Minutes of Previous Meetings :
 - a) August 14, 2018 - Council Committee As A Whole
 - b) August 14, 2018 - Regular Session of Council
6. Reports To Council: None
7. Old Business:
 - a) Second Reading, Ordinance #852, Extending 1998 BMW FILOT Agreement
 - b) Public Hearing, Ordinance #814, Junk Yards
 - c) Third Reading, Ordinance #814, Junk Yards
8. New Business:
 - a) Flame Spray, Extending Investment Window
 - b) Information Technology (IT), Approval of Job Descriptions and Pay
 - c) Planning Position – Approval of Job Description
 - d) Building Codes – Intragovernmental Agreement - Joint Service with City of Laurens
 - e) Notification – Department of Justice – Federal Grant (JAG)
 - f) Hickory Tavern Youth Recreation Association, new lease agreement request
 - g) Variance Request – Subdivision Ordinance – Cross Hill Community
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 – Personnel Matters (Public Works Director and Assistant Public Works Director Position)
12. Adjournment



Minutes:
August 14, 2018

Council Committee As A Whole

Regular Session of Council



MINUTES
LAURENS COUNTY COUNCIL
COMMITTEE OF THE WHOLE MEETING
AUGUST 14, 2018 – 4:00 P.M.
HISTORIC COURTHOUSE – PUBLIC SQUARE

ATTENDANCE: **COUNTY COUNCIL COMMITTEE MEMBERS PRESENT-** County Council Committee Chair Diane Anderson, Joe Wood, Keith Tollison, Stewart Jones, Garrett McDaniel, Ted Nash and David Pitts.

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

DEPARTMENT HEADS PRESENT: Matt Pennington, EMS Director; Joey Avery, E-911/Communications Director; Billy Wilson, Vehicle Maintenance / Procurement Officer and Greg Lindley, Fire Services Director.

PRESS: None present.

SCHEDULED MEETING AGENDA ITEMS –AUGUST 14, 2018 – 1.) Call to Order; 2.) Update – Staff review of their findings (Departmental moves / locations), Jon Caime, Administrator; 3.) Discussion, Laurens County EMS Project; 4.) Recommendations from the “Committee as a Whole” to be presented to Laurens County Council (if applicable); 5.)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 – Committee Chair Anderson called the meeting to order at 4:00 P.M. and provided the invocation.

OVERVIEW OF THE MEETING – Committee Chair Diane Anderson stated that this meeting was for a review and discussion by the County Council Committee involving the ongoing departmental moves of E-911 / Communications, Laurens County Emergency Medical Services, Coroner, Sheriff’s Department and the Laurens County Rural Fire Service.

Administrator Caime noted the following comments: the capital plan implemented about eight (8) months and one of the things identified was building improvements along with HVAC upgrades. We still have about a half a million of HVAC work that needs to be done. The Law Enforcement center is showing its age with issues of space. The Old Jail has no use anymore. The existing Courthouse was discussed. The Magistrate Office moves are well on their way. The Solicitors Office and the Probation and Parole Office are needing more space and we are putting the final pieces of that together. The Probation, Pardon and Parole will be moving out of Hillcrest to Church Street. Opening up that space will allow for the Solicitor and Public Defender to expand. Council also has listed the County EMS Headquarters as high priority being overcrowded, out dated and has millions of dollars of equipment sitting out in the weather. The E-911 Center is in a danger zone prone to flooding. What has been brought to Council is an even more extensive vision for emergency services – E-911/Communications, Fire and EMS Administration Offices.

Mr. Billy Wilson said, “On the backside of this and looking at different things, I received a boiler report this morning for the Law Enforcement Center and that it is leaking carbon monoxide. The costs to repair this before winter is right at four thousand dollars (\$4,000). I believe it to be in the best interest for the County to put the County Departments for Law Enforcement, E-911 / Communications, Laurens County Emergency Medical Services, Coroner and the Laurens County Rural Fire Service all under one (1) roof. The old jail needs to be condemned and bull dozed”.

Councilman Tollison asked if there were yearly inspections held on the boiler? Mr. Wilson replied, "Yes and that repairs would consist of rebuilding, recoating and new linings. The entire HVAC system at the Law Enforcement Center is so outdated."

Bringing all back in line, Committee Chairwoman Anderson stated that the County Council Committee was directed to look into EMS locations and plans.

Mr. Pennington, Director of Laurens County EMS, said, "I was not prepared to signally address Council but do say that the County EMS should be a high priority. The Headquarters on Exchange Drive leaks, there are air conditioning issues parking is a problem, office space is needed. The supply room needs to be larger and secured due to the controlled substances we have to house. My main office area is located on South Harper and I feel a true disconnection with the EMS employees. We desperately need to have all of our operations under one roof".

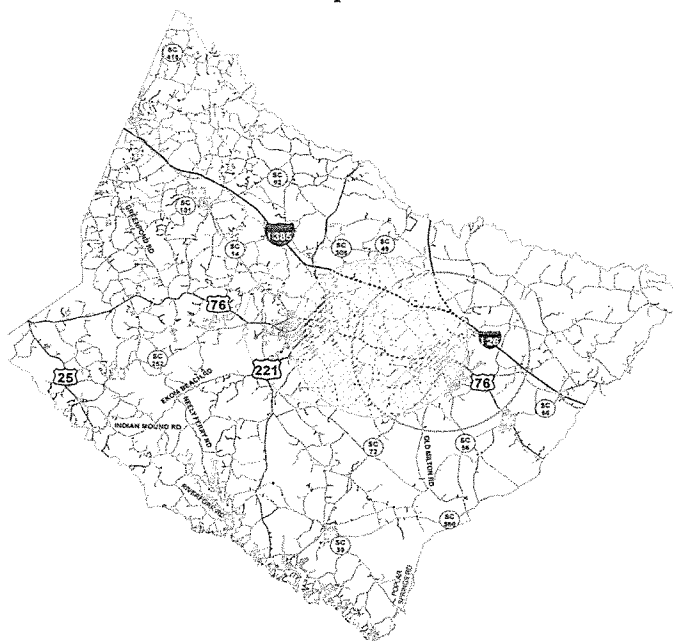
Committee Chairwoman Anderson asked what were the present thoughts of all towards the proposed properties? Mr. Pennington replied, "All that have been noted are ideal but they both have a lot of pros and cons. The Winn Dixie space is certainly adequate for our needs. The option of building on county owned property near the hospital proves to not be the best route to go. As this location would reduce the response time for one area and increase another for that specific area".

Councilman Wood stated that he felt the county owned property behind the hospital was great as to property costs but did delay response time on the secondary roads. Councilman Tollison added that the railroad in that area would be another handicap to overcome.

Mr. Avery, Director of Communications and E-911 provided a coverage map of locations – existing and proposed - within a five-mile radius.

Existing





Councilwoman Anderson said that she agreed to prioritizing the needs of the Emergency Services Departments.

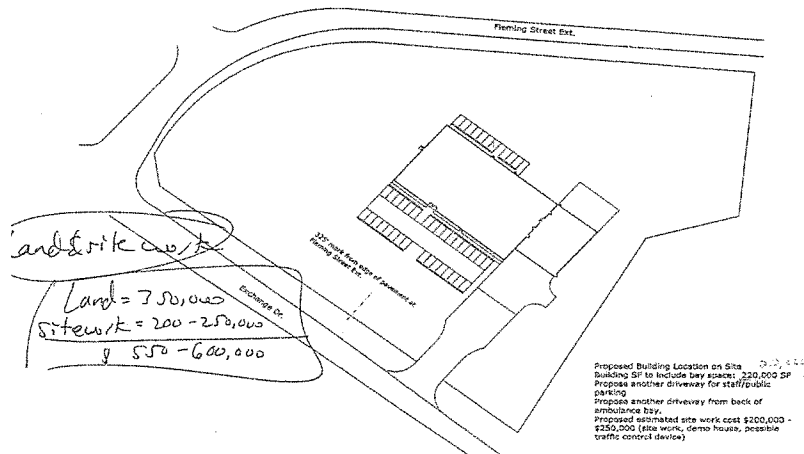
Attorney Cruickshanks stated that an option to purchase will secure the land or even the Winn Dixie building.

Councilman Wood said, “Early on the Winn Dixie building sounded good. But, there are twenty foot ceiling that will have to be lowered, the floors will have to be jackhammered to work the utilities properly. We do not really know the true condition of the building’s roof, HAVAC and other mechanical structures. I feel certain we will be in the same boat as we are now with the Hillcrest building. With the land, we can build new, what we need from the start. There is no use in throwing good money at the bad. I am totally against the Winn Dixie Building”.

Mr. Avery said, “Council is on the right track to build to house the Fire, EMS, Coroner and E-911/Communications. And, put the Law Enforcement Center at the Detention Center. EMS is the main issue at the moment. With E-911 and the others, it is a good opportunity to do so now and it makes good sense. E-911 needs more storage space. We have plenty of hallways but no storage space. Council also needs to take into consideration, the future growth of the departments. Its all down to location, having a plan and financing it. This needs to be a property that the County would be proud of that includes efficiency and functionality. Built to standards concerning the handicapped to concrete walls and climate controlled environments for the servers”.

Councilman Wood asked what the present locations had as to square footage. Exact numbers were not available at the meeting but can be obtained for future meetings.

Councilman Jones questioned the noted square footage on the proposed sketch for a new building, asking if that was an error. Mr. Garrett said that it was in error and should be twenty two thousand (22,000) square feet instead of two hundred twenty two thousand (220,000) square feet. Councilman Pitts noted that the Clinton High School was in the shape of an X and was right at two hundred thirty seven thousand (237,000) square feet.



Mr. Greg Lindley, Fire Service Director, said, “I stand to back up Matt and Joey on the needs with EMS having sole priority. The actual condition of the South Harper building is terrible. All Fire needs is just a couple of offices and storage space”.

COUNCILMAN TOLLISON made the MOTION to remove the Law Enforcement Center from the project discussions and to include only the Coroner, E-911/Communications, Fire and EMS. COUNCILMAN PITTS SECONDING; VOTE 5-0-1 (Councilwoman Anderson abstained).

COUNCILMAN PITTS made the MOTION for the County Attorney and the County Administrator to provide an option to purchase towards the properties – Winn Dixie and Duncan property – securing a set amount and to move forward from that point. COUNCILMAN MCDANIEL SECONDING; VOTE 4-2-1 (Council Members Wood and Nash were in opposition and Councilwoman Anderson abstained).

Attorney Cruickshanks stated that a request for proposal would be required. Councilman Pitts stated that legally a request for proposal is not required for this.

COUNCILMAN MCDANIEL made the MOTION to allow the County Administrator to secure preliminary work on both properties given these options; COUNCILMAN JONES SECONDING.

AMENDING the MOTION, COUNCILMAN PITTS added, to allow for a Request for Proposal from a professional and to not exceed an amount of twenty five thousand dollars (\$25,000). COUNCILMEN MCDANIEL AND JONES agreed to the AMENDMENT

All were in agreement with the amending motion, COUNCIL VOTED 4-3 (Council Members Nash, Tollison and Wood were in opposition).

Councilman Tollison stated, "This Council needs to take time to conduct a planning session with the department heads in order to come to a conclusion as to what size of building is needed. This should be the next step with the Council Committee as a Whole".

Councilman Pitts inserted that Council Members need to visit the present facility to see what shape they are in and to evaluate their needs.

RECOMMENDATIONS FROM THE "COMMITTEE AS A WHOLE" TO BE PRESENTED TO LAURENS COUNTY COUNCIL (IF APPLICABLE) – In summary, the Council actions to be conducted included the following:

- 1.) A motion was made to remove the Law Enforcement Center from the project discussions;
- 2.) To only include the Coroner, E-911/Communications, Fire and EMS;
- 3.) To allow Council to visit each department to help see their needs;
- 4.) To hold another meeting of the Council Committee as a Whole;
- 5.) To have a professional evaluate and to not exceed twenty five thousand dollars (\$25,000);
- 6.) To allow the County Attorney and County Administrator to produce an option to purchase document;
- 7.) To secure present square footage of the existing County buildings;
- 8.) To prioritize the needs for all department involved.

ADJOURNMENT – With no further action required by the Council Committee, Chairwoman Anderson adjourned the meeting at 5:25 P.M.

Respectfully Submitted,


Betty C. Walsh, Clerk to Council



MINUTES
AUGUST 14, 2018
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – COUNCIL CHAMBERS

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

COUNCIL MEMBERS ABSENT:

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

STAFF ABSENT: None.

DEPARTMENT HEADS PRESENT: Lisa Inabinett, Magistrate Judge; Debi Parker, Human Resources Manager; Joey Avery, Director, E-911 / Communications; Matt Pennington, Director, County Emergency Medical Services; Cindy Burke, Laurens County Treasurer; Billy Wilson, Vehicle Maintenance/Procurement Officer and Chuck Bobo, Codes Official.

PRESS: Vic MacDonald, *The Clinton Chronicle*; Iva Cadmus, WLBG Radio and John Clayton, *The Laurens County Advertiser*.

SCHEDULED AGENDA ITEMS – AUGUST 14, 2018 – 1.) Call to Order; 2.) Invocation – Vice Chairman Tollison; 3.) Pledge of Allegiance; 4.) Approval of Agenda – August 14, 2018; 5.) Approval of Minutes – July 27, 2018; 6.) Reports to Council – Cindy Burke, County Treasurer; 7.) Old Business: a.) Second Reading, Ordinance #850, Amending Ordinance #425, Private Landfill - Fee Increase; b.) Second Reading, Ordinance #851, Amending Ordinance #741 (Flood Prevention); 8.) New Business: a.) First Reading, Ordinance #852, Extending 1998 BMW FILOT Agreement; b.) Refinancing, ISO Poly, Incorporated, Leaseback; c.) Resolution #2018-35 – ADA Compliance; 9.) Public Comment; 10.) County Council Comments; 11.) Adjournment.

MEETING NOTIFICATION – The requesting general public, department heads 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.

PUBLIC COMMENT SIGN UPS – None.

CALL TO ORDER – Chairman Wood called the meeting to order at 5:30 P.M.

APPROVAL OF AGENDA – AUGUST 14, 2018 – Chairman Wood asked for approval of the agenda and any additions or deletions from the agenda.

Councilman Pitts requested and Executive Session on the Public Works open position and Chairman Wood requested the addition of a nomination for the Henry Laurens Award.

VICE CHAIRMAN TOLLISON made the MOTION to approve the August 14, 2018 agenda with the added agenda items. COUNCILMAN JONES SECONDDING; VOTE 7-0.

APPROVAL OF MINUTES – JULY 24 2018 - COUNCILMAN MCDANIEL made the MOTION to approve the July 24, 2018 minutes with VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

REPORTS TO COUNCIL:

a.) **CINDY BURKE, LAURENS COUNTY TREASURER – RECOGNIZING EMS** – Mrs. Burke approached Council recognizing the Laurens County Emergency Medical Services and especially two (2) employees that displayed quick and prompt decisions towards the condition of her husband on July 15th.

Mrs. Burke said, “On July 15th my husband, Ed Burke, began having chest pains that warranted calling E-911. The two (2) employees dispatched were Justin Davis and Ashley Wilner. I want to express publicly how appreciative we are for their quick and very prompt decisions and actions performed in a very professional manner. They took Ed to Self Regional in Greenwood and stayed with us making sure we were okay before they left”.

b.) **ADDED AGENDA ITEM – NOMINATION - HENRY LAURENS AWARD** – As a MOTION, CHAIRMAN WOOD asked for Council approval towards the nomination of Mr. Robert Shortt, as a nominee for the Henry Laurens Award. COUNCILMAN PITTS SECONDING; VOTE 7

OLD BUSINESS:

SECOND READING, ORDINANCE #850, AMENDING ORDINANCE #425, PRIVATE LANDFILL - FEE INCREASE – Attorney Cruickshanks noted that the effective date would be July 1, 2019. VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #850 on Second reading as presented with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.

SECOND READING, ORDINANCE #851, AMENDING ORDINANCE #741 (FLOOD PREVENTION) - Chairman Wood stated that this is to only include an amendment towards raising the flood zone from one (1) foot to three (3) foot for structures within a flood zone and that this will reduce homeowners insurance by fifty percent (50%). Also, it includes utilities at the one (1) foot height and excludes beach zones because it is not applicable for Laurens County.

COUNCILWOMAN ANDERSON made the MOTION to approve the requested Ordinance #851 that amends Ordinance #741. COUNCILMAN MCDANIEL SECONDING; VOTE 6-1 (Councilman Jones in opposition).

NEW BUSINESS:

FIRST READING, ORDINANCE #852, EXTENDING 1998 BMW FILOT AGREEMENT – Attorney Cruickshanks explained that the normal term is now set at forty (40) years versus the twenty (20) years that this is now set at. BMW wishes to amend by extending the Fee In Lieu Of Agreement to forty (40) years.

COUNCILMAN JONES made the MOTION to approve on first reading the extension of the agreement with BMW. COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

REFINANCING, ISO POLY, INCORPORATED, LEASEBACK – Attorney Cruickshanks informed Council that this was refinancing by ISO Poly, Incorporated involving the leaseback Fee-In-Lieu-Of-Taxes. There is no liability to the County and that the County only needs to consent to the refinancing.

VICE CHAIRMAN TOLLISON made the MOTION to approve with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

RESOLUTION #2018-35 – ADA COMPLIANCE – Attorney Cruickshanks noted that this Resolution was omitted from the last meeting of Council and needs to be approved. All other documents were approved at the last meeting. COUNCILMAN MCDANIEL made the MOTION to approve with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.

PUBLIC COMMENT- Chairman Wood opened the floor at 6:45 P.M. for those that had signed up to address Council to come forward one at time to speak.

With no one else wishing to address Council, Chairman Wood closed the session at 6:55 P.M.

COUNTY COUNCIL COMMENTS:

1.) Councilwoman Anderson noted the awards presented to the County at the recent South Carolina Association of Counties Annual Conference.

ADDED - EXECUTIVE SESSION – COUNCILMAN MCDANIEL made the MOTION for Council to move into Executive Session at 5:55 P.M. to discuss the open position within the Public Works. VICE CHAIRMAN TOLLISON SECONDDING; VOTE7-0.


There was a COUNCIL CONSENSUS to reconvene in open session at 6:07 P.M.

Chairman Wood reported that no action was taken.

Chairman Wood recognized the presence of Mr. Kemp Younts as a future member of Council.

ADJOURNMENT – By CONSENSUS the meeting was adjourned at 6:09 P.M.

Respectfully Submitted,


Betty C. Walsh
Laurens County Clerk to Council



Old Business:

Second Reading – Ordinance #852
BMW FILOT Extension



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by noon 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: August 17, 2018 (FOR AUGUST 28, 2018 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 852 – 2ND READING – EXTENDING 1998 BMW FILOT AGREEMENT.

STAFF RECOMMENDS 2ND READING APPROVAL OF ORDINANCE 852.

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 852

AN ORDINANCE AUTHORIZING THE EXTENSION OF THE TERM UNDER THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA, AND BMW MANUFACTURING CO. LLC DATED AS OF SEPTEMBER 1, 1998; THE AMENDMENT OF SUCH LEASE AGREEMENT TO REFLECT SUCH EXTENSION; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Laurens County, South Carolina (the "**County**") acting by and through its County Council (the "**County Council**"), is authorized and empowered under and pursuant to the provisions of the South Carolina Constitution (the "**Constitution**") and the Code of Laws of South Carolina 1976, as amended (the "**Code**"), and the case law of the Courts of the State of South Carolina, to offer and provide certain privileges, benefits, and incentives to prospective industries as inducements for economic development within the County; is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 12 of the Code (the "**Act**"), to acquire, or cause to be acquired, properties (which properties constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain and improve such projects; to enter into or allow financing agreements with respect to such projects; and to accept any grants for such projects through which powers the industrial development of the State of South Carolina (the "**State**") will be promoted and trade developed by inducing manufacturing and commercial enterprise to locate and remain in the State and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

WHEREAS, in the exercise of the foregoing powers, the County and BMW Manufacturing Corp. (subsequently converted to BMW Manufacturing Co., LLC), a company organized and existing under the laws of the State of Delaware (the "**Company**"), have heretofore entered into an Inducement and Millage Rate Agreement dated November 11, 1997 (the "**Inducement and Millage Rate Agreement**") and a fee-in-lieu of taxes ("**FILOT**") Lease Agreement dated as of September 1, 1998 (the "**FILOT Agreement**") providing for certain incentives, including, without limitation, payment of a FILOT with respect to the Company's Project (as defined in the FILOT Agreement), in the County;

WHEREAS, the Company has made significant investment in the Project;

WHEREAS, by an amendment dated October 14, 2003, the FILOT Agreement was amended to extend the Project Acquisition Period (as defined in the FILOT Agreement) to ten (10) years after January 1, 1999, and to extend the date of the maximum term of the FILOT Agreement to December 31, 2028;

WHEREAS, the FILOT Agreement provides that any property placed in service as part of the Project during the Project Acquisition Period shall be included in the calculation of FILOT payments under the FILOT Agreement for a period not exceeding twenty (20) years following the year in which such property is placed in service (the “**FILOT Term**”);

WHEREAS, the Company has requested that the County amend the FILOT Agreement by extending the FILOT Term from twenty (20) years to forty (40) years as permitted by Section 4-12-30(C)(4) of the Code and Section 3.B of Act No. 290 of 2010, South Carolina General Assembly (the “**Extension**”);

WHEREAS, the County has determined that the FILOT Extension would directly and substantially benefit the general public welfare of the County by inducing the Company to continue to invest in the Project thereby increasing the ad valorem tax base, employment opportunities or other public benefits not otherwise provided locally; and that the FILOT Extension gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either; and that the purposes to be accomplished by the Extension, i.e., economic development, maintenance and creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; and that the benefits of the FILOT Extension will be greater than the costs; and

WHEREAS, the Extension will be effected pursuant to an amendment to the FILOT Agreement (the “**Amendment**”) which is now before this meeting and is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED, by the County Council as follows:

Section 1. Statutory Findings. The County hereby finds and determines that the FILOT Extension would directly and substantially benefit the general public welfare of the County by supporting and encouraging the Company to continue the Project and to make additional investments; and that such extension gives rise to no pecuniary liability of the County or a charge against the County’s general credit or taxing power.

Section 2. Approval of 20-Year Extension of FILOT Term from Twenty (20) to Forty (40) Years. Pursuant to Section 4-12-30(C)(4) of the Code and Section 3.B. of Act No. 290 of 2010, South Carolina General Assembly, the County hereby amends the FILOT Agreement (and, as applicable, the Inducement and Millage Rate Agreement) by extending the 20-year FILOT Term under the FILOT Agreement (and, as applicable, the Inducement and Millage Rate Agreement), to a total FILOT Term of forty (40) years.

Section 3. Execution of Amendment to FILOT Agreement. In order to promote industry, develop trade and utilize the manpower, agricultural products and natural resources of the State, the form, terms and provisions of the Amendment which is before this meeting and filed with the Clerk to County Council are hereby approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Amendment was set out in this Ordinance in its entirety. The Chair of the County Council and the County Administrator be

and they each are hereby authorized, empowered and directed to execute, acknowledge and deliver the Amendment to the Company. The Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Amendment now before this meeting.

Section 4. Further Actions. The Chair of County Council, the County Administrator and the Clerk to County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the Amendment and the performance of all obligations of the County under and pursuant to the Amendment.

Section 5. Governing Law. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 6. Severability. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 7. Effectiveness of Ordinance. All Ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. In all other respects the prior Ordinances, resolutions and parts thereof which are not in conflict with the amendments hereto, shall remain in full force and effect. This Ordinance shall take effect and be in full force from and after its passage by the County Council.

Section 8. Official Action. It is the intention of the County Council that this Ordinance shall constitute an official action on the part of the County within the meaning of any statute or other legislative enactment relating to the provision of incentives including, without limitation, the approval of the extension of the FILOT Term under the FILOT Agreement.

BE IT SO ORDAINED by Laurens County Council.

(signature page attached)



Old Business:
Public Hearing, Ordinance #814,
Junk Yards

Third Reading, Ordinance #814,
Junk Yards

7/b



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: August 17, 2018 (FOR AUGUST 28, 2018 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):

PUBLIC HEARING AND 3RD READING - ORDINANCE 814 REGULATING JUNKYARDS IN LAURENS COUNTY.

STAFF RECOMMENDS APPROVAL OF ORDINANCE 814.

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)
)
LAURENS COUNTY)

ORDINANCE # 814

AN ORDINANCE TO RESCIND AND REPEAL LAURENS COUNTY ORDINANCE #433 AND LAURENS COUNTY ORDINANCE #554, AND REPLACE SAID ORDINANCES WITH THE NEW TEXT AS SET FORTH HEREIN AND ALL OTHER MATTERS RELATED THERETO FOR THE REGULATION OF JUNKYARDS IN LAURENS COUNTY SOUTH CAROLINA

WHEREAS, the Laurens County Council and the Laurens County Planning Commission have determined the need to consolidate, modify, revise, clarify and improve the ability to enforce the regulation of junkyards in Laurens County, and;

WHEREAS, Laurens County Council adopted and enacted Ordinance #433 on November 11, 1997, establishing and creating a Junkyard Enforcement Ordinance for Laurens County, and;

WHEREAS, Laurens County Council amended Ordinance #433 with Laurens County Ordinance #554 in 2002 by deleting and replacing the provisions of "Section 7 – Notice of Violation" in its entirety of Ordinance #433; and

WHEREAS, Laurens County Council, pursuant to the authority granted in the South Carolina Code of Laws, may from time to time rescind, amend, adopt and enact such ordinances as the Council may deem necessary and appropriate to better serve the health, safety and welfare of its citizens.

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

SECTION 1. FINDINGS - Laurens County Council finds it is in the public's best interest to regulate the operation of commercial junkyards in Laurens County. The implementation and administration of this Ordinance, while repealing Ordinance #433 and #554, will fulfill the purposes of the Ordinance to protect and promote the health, safety and welfare of Laurens County citizens, as well as to reduce waste disposal, conserve energy, promote recycling and a cleaner and more attractive environment.

Laurens County Council finds that commercial junkyards can:

1. Pose a hazard to the health, safety, and general welfare of the citizens of Laurens County within the communities they are located;
2. Depreciate the value of surrounding property;
3. Pose environmental and fire hazards;
4. Be a breeding ground for mosquitoes and other insects, snakes, rats, and other pests;
5. Pose a threat of injury to children and other individuals who may be attracted to the premises;
6. Be a visual blight and patently offensive to the aesthetic quality of the environment of Laurens County;
7. Be a point of concentration of gasoline, oil or other flammable, corrosive or explosive materials.

8. Laurens County Council further finds that junkyards that do not conform to the requirements of this ordinance are public nuisances.

SECTION 2. PURPOSE. Laurens County Council seeks to preserve the physical integrity of established neighborhoods for the quiet enjoyment of family, safety of children, and the maintenance of residential property values; to protect the citizens and residents of Laurens County from possible injury at junkyards; to achieve responsible economic growth in areas of Laurens County that is compatible with growth and development in nearby areas; to protect the public from health nuisances and safety hazards by controlling vectors, concentration of volatile or poisonous materials, and sources of danger to children; to promote the conservation of natural resources by encouraging the recycling of resalable scrap iron and metal of all kinds; therefore it is declared to be in the public interest to regulate the establishment, operation and maintenance of junkyards in Laurens County and to preserve and enhance the natural scenic beauty of areas in the vicinity of the primary and secondary roads of Laurens County. Further, because of the negative impacts that commercial junkyards have on the community, Laurens County Council hereby adopts this Ordinance, the purposes of which is to provide standards for the establishment, use, and maintenance of commercial junkyards in Laurens County so as to protect the health, safety and general welfare of the citizens of Laurens County.

SECTION 3. ACTION TAKEN: Pursuant to the enactment of this Ordinance, the Laurens County Council repeals and rescinds Ordinances #554 and #443 in their entirety and replaces said Ordinances with the language set forth herein.

SECTION 4. AUTHORITY: This ordinance is adopted pursuant to the authority and process granted by the South Carolina Code of Laws and by the Constitution of the State of South Carolina. Jurisdiction shall be exclusively in Laurens County, South Carolina.

SECTION 5. APPLICABILITY: This ordinance shall apply to all unincorporated areas of Laurens County, South Carolina.

SECTION 6. 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.

SECTION 7. EFFECTIVE DATE: The effective date of this Ordinance shall be upon three (3) readings and a public hearing as required by law.

SECTION 8. 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 affect 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.

JUNKYARD ORDINANCE

SECTION 1. DEFINITIONS. As used herein the following terms shall have the meanings given below:

- a.) Abandonment— A junkyard or automotive dismantler and recycler, or both, which has not been used or operated for one hundred eighty (180) days.
- b.) Automotive dismantler and recycler – Any establishment or place of business which is maintained, used or operated for storing, keeping, buying, or selling wrecked, scrapped, reusable parts, ruined or dismantled vehicles, or motor parts.
- c.) Appeals -Any person aggrieved by the decision of the approving authority may appeal, in accordance with the provisions of S.C. Code 1976, § 1-23-380, to the circuit court. Such appeals shall be filed within 30 days of the written notification from the enforcement authority.
- d.) Building Official – The person or person(s) (Building Official / Department Head / Codes Officer[s]) designated as such within the Laurens County Building Codes and Inspections Department.
- e.) Commercial Businesses - A person, as defined herein, who operates a business covered by the Ordinance, primarily for a profit or offering junk, as defined, for sale, resale, retail, wholesale, trade or recycling.
- f.) Conforming Use - Any lawful use of a building, structure, lot, sign or fence, which complies with the provisions of this ordinance.
- g.) Fencing - The term “fence” shall mean a six (6) foot tall chain link or wooden fence which forms a substantial physical barrier which is capable of withstanding the effects of the local climate and which completely surrounds the items defined as “junk”. Other fencing materials may be approved by the Building Official.
- h.) General penalty; continuing violations. Wherever in this Code or in any ordinance of the county any act is prohibited or is declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, the violation of any such provision of this Code, or any such ordinance, shall be punished by a fine of not more than \$200.00 or imprisonment for a period not to exceed 30 days. Each day any violation of this Code or any such ordinance, resolution, rule, regulation or order shall continue shall constitute, except where otherwise provided, a separate offense.
- i.) Grandfathered - Describes the status accorded certain properties, uses, and activities that existed prior to the date of adoption of an amended ordinance. (See Exhibit 2).
- j.) Junk - The term “junk” shall include, but not limited to abandoned barrels or drums, dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts, vacant/abandoned mobile homes and the following old scrap or used items: metal; rope; rags; batteries; paper; cardboard; plastic; rubber; pallets; appliances; motors; industrial

or commercial fixtures; rubbish; debris; wrecked, dismantled or disabled motor vehicles or parts thereof; copper, brass, trash, rubber debris, waste, junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

- k.) Junkyard Control Act – Refers to South Carolina Code 57-27-10. Et. Seq. which is incorporated herein by reference.
- l.) Junkyard / Salvage Yard - The term “junkyard / salvage yard” shall mean an establishment that currently has a “Permit” and is used in part or in whole for maintained or used for storing, keeping, buying, or selling of items defined as “junk”, or an automobile graveyard for the storage of junked vehicles. This includes “Scrap Processors” which is defined below. For the purpose of this Ordinance, property licensed sanitary landfills are exempt.
- m.) Junk Vehicle - A junk vehicle is defined as any vehicle, automobile, truck, van, or trailer of any kind or type that is abandoned, wrecked, dismantled, partially dismantled, inoperative, or has no current tag.
- n.) Nonconforming - A term applied to lots, structures, uses of land or structures, and characteristics of use of land or structures which were lawful before the passage or amendment of this ordinance, but which are prohibited by this ordinance or are not in compliance with the requirements of this ordinance.
- o.) Owner/operator includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of building or land.
- p.) Parking Space - An area on a lot designated for parking a motor vehicle as a principle use or as an accessory to business use.
- q.) Permit –The official document that allows for the conducting of a business consisting of a junkyard / salvage yard within the unincorporated areas of Laurens County. Permits are issued by the Laurens County Codes Building Official and will be inspected annually.
- r.) Permit fees. On all junkyards, buildings, structures, permit fees shall be paid as required at the time of filing the application, in accordance with the official fee schedule.
- s.) Person - The term “person” shall mean any individual, firm, partnership, association, corporation, company or organization of any kind.
- t.) Scrap Processor - The term “scrap processor” shall mean any person, firm or corporation engaged only in the business of buying scrap iron and metals, including, but not limited to, old automobiles, for the specific purpose of processing into raw material for re-melting purposes only, and whose principal product is ferrous and nonferrous scrap for shipment to steel mills, foundries, smelters and refineries and maintaining an established place of business in this state and having facilities and machinery designed for such processing.
- u.) Scenic Corridors – The term “Scenic Corridors” shall mean any South Carolina Highway, U.S. Highway and Interstates #26 & #385.
- v.) Screening– All junkyards shall be enclosed on all sides by a screen consisting of a fence with visual screening or a combination of a fence and approved evergreen screening.

- 1.) Evergreen - The term "Evergreen Screening" shall mean evergreen trees or shrubs with a minimum height of not less than eight (8) feet when mature.
- 2.) Visual - The term "Visual Screen" shall mean a static barrier which shields the junkyard from view. The visual screen shall extend from the ground to a height of six (6) feet. Not more than twenty-five (25) percent of the vertical surface shall be open to allow the passage of air, but any such openings shall be designed to obscure visibility.
- w.) Service Station - A service station is any establishment or place of business which is maintained, operates and / or provides retail sales of fuel, lubricants, air, water or other items for the operation or maintenance of motor vehicles and / or for making mechanical repairs, servicing or indoor washing of motor vehicles.
- x.) Variance- official permission to make non-conforming use of property. Variances shall only be issued upon a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship; and a determination that the granting of a variance will not result in increased threats to public safety or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

SECTION 2. GENERAL PROVISIONS.

- a.) Anchoring. All metal or wooden fence posts shall have at least one-third of their length below ground level and shall be set in hard packed clay or concrete. All metal fence posts shall be treated with an anti-corrosive coating. All wooden posts shall be pressure treated or creosote coated lumber with at least a four inch by four inch (4" X 4") nominal cross section.
- b.) Acreage. No Junkyard shall be placed upon property which contains less than five (5) contiguous acres.
- c.) Fencing or Screening. All junkyards shall be enclosed on all sides by a fence with evergreen screening of an approved type or approved natural buffers already present; a chain link fence with vinyl, metal or wooden strips or slats woven into the fence fabric; a wooden privacy fence or other type material which has been given approval by the Building Official.
- d.) Setbacks. No junkyard shall be established closer than one-thousand (1,000) feet to a church, school, daycare center, nursing home, health care facility, hospital, public building, public or private recreation facility, a concentration of ten or more contiguous residences, or closer than five hundred (500) feet from any single family residence. An on-site residence at the junkyard by the owner or its agent is permitted. No junkyard shall be established closer than one-thousand (1,000) feet of any S.C. Highway, U.S. Highway and Interstates 26 & 385.
 - (1) When, for reasons of topography, it is determined by the Building Official that the fencing and screening requirements of the new junkyard will not produce a result that sufficiently shields the junkyard from view and otherwise preserves the policy and intent of this division, the following alternatives are available:
 - (a) The junkyard may locate at the site if it's fenced boundaries are no closer than one thousand (1,000) feet to any adjacent residence; or

- (b) Topographic features shall be graded to adjacent roadway levels so that the provisions for fencing and screening can be effective; or
- (c) The developer of a junkyard may seek another site that is more suitable to junkyard development.

SECTION 3. OPERATION.

- a.) All junkyard businesses shall be conducted entirely within the screened area of the property.
- b.) No junk shall be stacked, stored or maintained for an extended thirty (30) day period of time at a height no greater than eight (8) feet above the adjacent grade.
- c.) Adequate off-street customer parking must be provided, and must be graveled or paved as per the County Building Official.
- d.) All junkyards shall comply with applicable chapters the "Standard Fire Prevention Code" and any other; pertinent requirements.
- e.) While considered to be junkyards by definition, the eight (8) foot stacking requirement shall not apply to a Scrap Metal Processor who is located substantially below the grade of the adjacent public road or is located more than one thousand feet (1,000) feet from any public paved road.
- f.) If a junkyard closes or ceases operation for a period of one hundred eighty (180) days and desires to reopen, it must comply with the provisions herein. Evidence of closing shall be established by written notification and inspection of the property. No person shall establish, enlarge or operate a junkyard after the effective date of this Ordinance without first complying with the provisions set forth herein.
- g.) All junkyards shall be maintained to protect the public from health nuisances and safety hazards. The Laurens County Building Official and Inspections Department may inspect each junkyard to determine that the junkyard does not create a nuisance or safety hazard. Should a nuisance or safety hazard be identified, the owner, operator, or maintainer shall submit satisfactory evidence to the Building Official Department that the nuisance or safety hazard has been eliminated. Laurens County has the right to defer to the South Carolina Department of Health and Environmental Control as needed. Failure to comply with this provision shall result in revocation of permit as well as other penalties and remedies for violation of this ordinance.
- h.) Any sale, transfer, lease or other disposition of ownership of a junkyard, except for such cases of inheritance or estate matters, shall require that the provisions of any notice of violation of this ordinance must be complied with and the owner shall furnish to the Building Official a signed and notarized statement acknowledging the receipt of such notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such notice of violation.
- i.) **Permitting Requirements.** No person shall establish, maintain, use or operate a junkyard or automotive dismantler and recycler business within the unincorporated areas of Laurens County without a valid permit.

SECTION 4. GRANDFATHERED JUNKYARD PROCEDURES.

- a.) All junkyards that are in operation and existence at time of the effective date of this ordinance; and, those that wish to continue their non-conforming use status of this Ordinance need to have visual screening or evergreen plantings that screen the operations of the junkyard from front property lines. The determination of existence shall be based upon the issuance of a permit as set forth herein.
- b.) All grandfathered commercial junkyards shall obtain a Permit and a letter acknowledging their existence from the Building Official Department.
- c.) Any addition, change of ownership, enlargement, or expansion of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.
- d.) Any non-conforming junkyard will be in accordance with the standards and criteria for effective screening set forth in these regulations. For non-conforming junkyards, the owner/operator responsible will have one (1) year from the date of enactment of this ordinance to have an approved screening in place at front of the property.
- e.) Evergreen vegetation that serves as screening shall be of an approved type that can reach a minimum height of eight feet when mature from the date planted and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken screen (without gaps or open spaces) will exist to a height of at least eight feet (8') along the length of the fence surrounding the junkyard. The evergreen screen shall be maintained as a continuous, unbroken screen for the period the property is used as a junkyard.
- f.) Plans for the screening device shall be approved by the Building Official before it is erected or put into place.

SECTION 5. NEW JUNKYARDS / SALVAGE YARD PROCEDURES

All junkyards, within the unincorporated areas of Laurens County, are required to obtain a junkyard permit. The junkyard must be inspected by the Building Official or designee each year to maintain the original permit. A permit shall be issued by the Building Official Department upon completion of fencing and screening requirements. For junkyards established, opened, or re-opened after enactment of this ordinance, the permit shall only be issued upon approval of a junkyard plan by the Building Official.

- a.) The Building Official may accept a written request for extension from any junkyard owner unable to plant an evergreen screen around the property due to seasonal weather conditions.
- b.) No person shall establish, possess, open, reopen, own, enlarge, or operate a junkyard without first complying with the provisions of this ordinance.
- c.) Any addition, enlargement, expansion, or new ownership, except for such cases of inheritance or estate matters, of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.
- d.) New junkyards shall be situated on a continuous parcel of at least five (5) acres, excluding right-of-ways, that are undivided by road right-of-ways or public dedication.
- e.) A minimum setback to the fence from front, side, and rear property lines, excluding road rights-of-way, must be at least fifty feet (50'). Wrecker, towing, and impoundment services

as defined by this Ordinance shall have a minimum setback to the fence from front, side, and rear property lines, excluding road rights-of-way, of at least twenty-five feet (25').

- f.) No new junkyard shall be established closer than one thousand feet (1,000') to a church, school, daycare center, nursing home, health care facility, hospital, public building, public or private recreation facility, a concentration of ten (10) or more contiguous residences, or closer than five hundred feet (500') from any single residence. An on-site residence at the junkyard by the owner or his agent is permitted. No junkyard shall be established closer than one thousand feet (1,000') of any SC Highway, US Highway, Interstate 26, or Interstate 385.
- g.) All driveway entrances shall be from side property lines. The centerline of the driveway shall not be closer than thirty feet (30') from the side property line. An opaque gate shall be utilized.
- h.) The junkyard shall be entirely surrounded by an opaque, woven or welded wire (11-gauge minimum), or chain link fence a minimum of six feet (6') in height and with an opaque visual screen or evergreen screen with a minimum height of not less than eight feet (8') when mature. The evergreen vegetation shall be planted between the property line and the outbound side of the fence. The distance spacing of the evergreen vegetation from the fence and the property line should allow for maintenance of the mature vegetation from inside the property line. Evergreen vegetation that serves as screening shall be of an approved type that can reach a minimum height of eight feet (8') when mature from the date planted and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken screen (without gaps or open spaces) will exist to a height of at least eight feet (8') along the length of the fence surrounding the junkyard. The evergreen screen shall be maintained as a continuous, unbroken screen for the period the property is used as a junkyard. Each owner, operator, or maintainer of a junkyard shall utilize good husbandry techniques by pruning, mulching, and fertilizing so that the vegetation can reach a height of eight feet (8') within five (5) years of the date planted and will have maximum density and foliage. Dead or diseased vegetation shall be replaced at the next appropriate planting time.
- i.) A junkyard plan prepared by the owner or operator of any new junkyard shall be submitted prior to the junkyard permit being granted by Laurens County. The plan shall indicate setbacks, location of public rights-of-way, all proposed structures, all structures within five hundred feet (500') of a junkyard, driveways, entrances, fencing, screening, types of fencing, types of screening, dimensions of junkyard, gross acreage, owner(s)' name(s), address(es), and preparer of plan name(s) and address(es). Submission of information shall establish pre-existing conditions. Plan may be drawn at a scale of one inch (1") equals four hundred feet (400') or less.
- j.) When, for reasons of topography, it is determined by the Building Official that the fencing and screening requirements of the new junkyard will not produce a result that sufficiently shields the junkyard from view and otherwise preserves the policy and intent of this section, the following alternatives are available:
 - 1) The junkyard may locate at the site if its fenced boundaries are no closer than one thousand feet (1,000') to any adjacent residence; or
 - 2) Topographic features shall be graded to adjacent roadway levels so that the provisions for fencing and screening can be effective; or

- 3) The developer of a junkyard may seek another site that is more suitable to junkyard development.
- k.) Failure to pay a Permit fee shall be punishable in Summary Court as a misdemeanor by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.
- l.) Providing false; incomplete; or intentionally incorrect information on any application or permit form, or permit renewal form shall constitute a violation of this ordinance and may result in the withdrawal of or cancellation of a Permit as determined by the Building Official.

SECTION 6 **EXCEPTIONS**

Although the following are junkyards as defined by this ordinance and are subject to the provisions of this section, the following limited exemptions are granted:

- a.) A recycling center is a facility where recoverable resources such as paper, plastic, glass and metal cans are collected, flattened, crushed, shredded or bundled for shipment to others who will use those materials to manufacture new products. Recycling centers shall not have outside storage of material except in closed containers. Recycling centers will be exempt from the five (5) acre requirement of Section 2. Recycling centers shall have a two (2) acre minimum lot size. All other provisions of this section shall apply including the fencing and anchoring requirement of Section 2.
- b.) Service stations are exempt from provisions of this ordinance. A service station is any establishment or place of business which provides retail sales of fuel, lubricants, air, water or other items for the operation or maintenance of motor vehicles or for making mechanical repairs, servicing or indoor washing of motor vehicles.
- c.) Properly licensed sanitary landfills are exempt from these provisions.
- d.) Wrecker, towing and impoundment services, as defined herein, are exempt from the five (5) acre requirement under this ordinance. All other provisions of this division shall apply including the fencing and anchoring requirements. A wrecker, towing or impoundment service is any establishment or place of business which provides towing or temporary storage services of no more than twenty five (25) currently licensed and currently registered motor vehicles which have been wrecked, or whose possession is by virtue of court order, a copy of which is in the possession of the proprietor of such service or affixed to the vehicle. Temporary storage is defined as not exceeding ninety (90) days from the date possession or custody of the vehicle is obtained except when possession is pursuant to a court order.

SECTION 7 **VARIANCES**

- 1.) An applicant may request the Planning Commission, in writing, to act upon a permit as follows:
 - a.) If the Building Official has denied a permit or failed to act on an application within forty five (45) days, unless extended by agreement.
- 2.) An applicant may request a variance hearing as follows:
 - a.) For a variance from any area/district regulation or from requirements set forth within this Ordinance.

SECTION 8 **NOTICE OF VIOLATION.** It shall be the duty of the Building Official, or its designee to serve, or cause to be served, a notice of violation upon the owner or occupant of any property, who has committed a violation of this Ordinance. Such notice shall demand abatement of the violation within sixty (60) days of service. If after sixty (60) days' notice the violation has not been abated, the Building Official shall personally serve the owner or occupant with a citation.

SECTION 9 **ENFORCEMENT OF NOTICE.** It shall be the duty of the Building Official to enforce the provisions of this ordinance.

If a person served with notice of a violation does not abate the violation within sixty (60) days after service, the County may file an action to compel the owner or occupier to abate the violation, or it may proceed with its own resources or by contracting with another to abate such violation, keeping account of the expenses of the abatement, and such expense shall be charged and paid by the owner or occupant of the property.

SECTION 10 **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 Building Official shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The Building Official 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.

SECTION 11. **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.

SECTION 12. **CONFLICTING ORDINANCES.** If any provision of this Ordinance conflicts with any Ordinance or statute, the more restrictive requirement shall apply.

SECTION 13. **PERMIT REQUIREMENTS.** All junkyards shall obtain a Permit. No person shall establish, enlarge, or operate a junkyard after the effective date of this ordinance without first complying with the provisions set forth herein.

The Building Official shall then inspect the premises and notify the owner or operator seeking a permit of any required corrections.

SECTION 14. **EFFECTIVE DATE.** This Ordinance shall take full effect and be fully executed upon three (3) readings and a public hearing as required by law.

- SIGNATURE PAGE FOLLOWS -

Exhibit 1
FEE SCHEDULE

Junkyard / Salvage Permit Fees:

Initial Permit Fee	\$100.00
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Exhibit 2
“GRANDFATHERED”
Previously permitted or existing

Permit	Business Name	Location	Issued
1	Fords & Sams Parts	Catfish Cove Road, Waterloo	12/3/1997
2	Kelletts Auto Salvage	Wasson Gin Road, Laurens	12/4/1997
3	Tripp's Auto Sales, Inc.	117 Marler Road, Gray Court	12/4/1997
4	Hopkins Automotive	Telephone Exchange Rd, Ware Shoals	12/5/1997
5	Nabors and Son, Inc.	Arnold Lane, Waterloo	12/5/1997
6	Gault & Thompson	9 Ridgecrest Drive, Fountain Inn	12/8/1997
7	Burdette Auto Salvage	Riverfork Road, Waterloo	12/8/1997
8	Smith's Salvage	Highway 39 S., Cross Hill	12/10/1997
9	Williams Garage	100 Fairview Road, Gray Court	12/11/1997
10	Gibson's Scrap & Metals	115 Cooper Bridge Road, Fountain Inn	12/15/1997
11	J & V Auto Repair	Pinson/Ekom Beach Road, Laurens	12/30/1997
12	Classic Cars of S.C., inc	Frontage Road, Gray Court	12/31/1997
13	M & J Auto Wreckage	445 S. Frontage Road, Fountain Inn	1/5/1998
14	Todd Automotive & Salvage	Neely Farry Road, Laurens	1/16/1998
15	Robinson Motor Sales	851 Fleming St. Ext., Laurens	3/2/1998
16	Bannister's Auto	Airport Road, Laurens	3/3/1998
17	Mountville Motors	Hwy. 72/Mountville Road, Mountville	3/4/1998
18	L C Powell Garage	Bethel Church Road, Laurens	4/8/1998
19	Sharpe's Garage	Hwy 39/Liberty Springs St., Cross Hill	5/19/1998
20	Affordable Auto Parts	849 Fleming Street, Laurens	8/10/1998
21	Bishop's Body Shop & Used Cars	Rocky Springs Church Rd, Laurens	9/3/1998
22	Anderson's Used Auto & Parts	170 Quail Drive, Waterloo	1/20/1999
23	T J's Car Crushing & Used Auto Parts	939 Henderson Road, Gray Court	11/6/2000
24	Tripp's Auto Sales, Inc.	291 Marler Road, Gray Court	1/9/2002
25	Laurens Auto Salvage	1471 Fleming St. Ext, Laurens	6/11/2007
26	M&M Scrap Metal Inc.	12805 Hwy. 101 S	9/29/2010



New Business:
Flame Spray, Extending Investment Window



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: 8/20, 2018 (FOR AUGUST 28, 2018 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

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

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: *Jonathan - Glenn*

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

An existing company (Flame Spray) has requested an extension of their investment window. County is permitted to extend time for investment up to 10 years and the current investment window for the company expires in December of 2018. The requested extension is for 3 years. Flame Spray is expanding its capability and will treat aircraft engine components with thermal spray coatings and has indicated an additional investment of \$4 Million and 20 new jobs. In consultation and coordination with LCDC, staff recommends granting the extension.

FINANCIAL AMOUNT REQUESTED: --

SOURCE OF FUNDING: --

(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: _____



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: August 17, 2018 (FOR AUGUST 28, 2018 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):

PUBLIC HEARING AND 3RD READING - ORDINANCE 814 REGULATING JUNKYARDS IN LAURENS COUNTY.

STAFF RECOMMENDS APPROVAL OF ORDINANCE 814.

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)
)
LAURENS COUNTY)

ORDINANCE # 814

AN ORDINANCE TO RESCIND AND REPEAL LAURENS COUNTY ORDINANCE #433 AND LAURENS COUNTY ORDINANCE #554, AND REPLACE SAID ORDINANCES WITH THE NEW TEXT AS SET FORTH HEREIN AND ALL OTHER MATTERS RELATED THERETO FOR THE REGULATION OF JUNKYARDS IN LAURENS COUNTY SOUTH CAROLINA

WHEREAS, the Laurens County Council and the Laurens County Planning Commission have determined the need to consolidate, modify, revise, clarify and improve the ability to enforce the regulation of junkyards in Laurens County, and;

WHEREAS, Laurens County Council adopted and enacted Ordinance #433 on November 11, 1997, establishing and creating a Junkyard Enforcement Ordinance for Laurens County, and;

WHEREAS, Laurens County Council amended Ordinance #433 with Laurens County Ordinance #554 in 2002 by deleting and replacing the provisions of "Section 7 – Notice of Violation" in its entirety of Ordinance #433; and

WHEREAS, Laurens County Council, pursuant to the authority granted in the South Carolina Code of Laws, may from time to time rescind, amend, adopt and enact such ordinances as the Council may deem necessary and appropriate to better serve the health, safety and welfare of its citizens.

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

SECTION 1. FINDINGS - Laurens County Council finds it is in the public's best interest to regulate the operation of commercial junkyards in Laurens County. The implementation and administration of this Ordinance, while repealing Ordinance #433 and #554, will fulfill the purposes of the Ordinance to protect and promote the health, safety and welfare of Laurens County citizens, as well as to reduce waste disposal, conserve energy, promote recycling and a cleaner and more attractive environment.

Laurens County Council finds that commercial junkyards can:

1. Pose a hazard to the health, safety, and general welfare of the citizens of Laurens County within the communities they are located;
2. Depreciate the value of surrounding property;
3. Pose environmental and fire hazards;
4. Be a breeding ground for mosquitoes and other insects, snakes, rats, and other pests;
5. Pose a threat of injury to children and other individuals who may be attracted to the premises;
6. Be a visual blight and patently offensive to the aesthetic quality of the environment of Laurens County;
7. Be a point of concentration of gasoline, oil or other flammable, corrosive or explosive materials.

8. Laurens County Council further finds that junkyards that do not conform to the requirements of this ordinance are public nuisances.

SECTION 2. **PURPOSE.** Laurens County Council seeks to preserve the physical integrity of established neighborhoods for the quiet enjoyment of family, safety of children, and the maintenance of residential property values; to protect the citizens and residents of Laurens County from possible injury at junkyards; to achieve responsible economic growth in areas of Laurens County that is compatible with growth and development in nearby areas; to protect the public from health nuisances and safety hazards by controlling vectors, concentration of volatile or poisonous materials, and sources of danger to children; to promote the conservation of natural resources by encouraging the recycling of resalable scrap iron and metal of all kinds; therefore it is declared to be in the public interest to regulate the establishment, operation and maintenance of junkyards in Laurens County and to preserve and enhance the natural scenic beauty of areas in the vicinity of the primary and secondary roads of Laurens County. Further, because of the negative impacts that commercial junkyards have on the community, Laurens County Council hereby adopts this Ordinance, the purposes of which is to provide standards for the establishment, use, and maintenance of commercial junkyards in Laurens County so as to protect the health, safety and general welfare of the citizens of Laurens County.

SECTION 3. **ACTION TAKEN:** Pursuant to the enactment of this Ordinance, the Laurens County Council repeals and rescinds Ordinances #554 and #443 in their entirety and replaces said Ordinances with the language set forth herein.

SECTION 4. **AUTHORITY:** This ordinance is adopted pursuant to the authority and process granted by the South Carolina Code of Laws and by the Constitution of the State of South Carolina. Jurisdiction shall be exclusively in Laurens County, South Carolina.

SECTION 5. **APPLICABILITY:** This ordinance shall apply to all unincorporated areas of Laurens County, South Carolina.

SECTION 6. **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.

SECTION 7. **EFFECTIVE DATE:** The effective date of this Ordinance shall be upon three (3) readings and a public hearing as required by law.

SECTION 8. **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 affect 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.

JUNKYARD ORDINANCE

SECTION 1. DEFINITIONS. As used herein the following terms shall have the meanings given below:

- a.) Abandonment— A junkyard or automotive dismantler and recycler, or both, which has not been used or operated for one hundred eighty (180) days.
- b.) Automotive dismantler and recycler – Any establishment or place of business which is maintained, used or operated for storing, keeping, buying, or selling wrecked, scrapped, reusable parts, ruined or dismantled vehicles, or motor parts.
- c.) Appeals -Any person aggrieved by the decision of the approving authority may appeal, in accordance with the provisions of S.C. Code 1976, § 1-23-380, to the circuit court. Such appeals shall be filed within 30 days of the written notification from the enforcement authority.
- d.) Building Official – The person or person(s) (Building Official / Department Head / Codes Officer[s]) designated as such within the Laurens County Building Codes and Inspections Department.
- e.) Commercial Businesses - A person, as defined herein, who operates a business covered by the Ordinance, primarily for a profit or offering junk, as defined, for sale, resale, retail, wholesale, trade or recycling.
- f.) Conforming Use - Any lawful use of a building, structure, lot, sign or fence, which complies with the provisions of this ordinance.
- g.) Fencing - The term “fence” shall mean a six (6) foot tall chain link or wooden fence which forms a substantial physical barrier which is capable of withstanding the effects of the local climate and which completely surrounds the items defined as “junk”. Other fencing materials may be approved by the Building Official.
- h.) General penalty; continuing violations. Wherever in this Code or in any ordinance of the county any act is prohibited or is declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, the violation of any such provision of this Code, or any such ordinance, shall be punished by a fine of not more than \$200.00 or imprisonment for a period not to exceed 30 days. Each day any violation of this Code or any such ordinance, resolution, rule, regulation or order shall continue shall constitute, except where otherwise provided, a separate offense.
- i.) Grandfathered - Describes the status accorded certain properties, uses, and activities that existed prior to the date of adoption of an amended ordinance. (See Exhibit 2).
- j.) Junk - The term “junk” shall include, but not limited to abandoned barrels or drums, dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts, vacant/abandoned mobile homes and the following old scrap or used items: metal; rope; rags; batteries; paper; cardboard; plastic; rubber; pallets; appliances; motors; industrial

or commercial fixtures; rubbish; debris; wrecked, dismantled or disabled motor vehicles or parts thereof; copper, brass, trash, rubber debris, waste, junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

- k.) Junkyard Control Act – Refers to South Carolina Code 57-27-10. Et. Seq. which is incorporated herein by reference.
- l.) Junkyard / Salvage Yard - The term “junkyard / salvage yard” shall mean an establishment that currently has a “Permit” and is used in part or in whole for maintained or used for storing, keeping, buying, or selling of items defined as “junk”, or an automobile graveyard for the storage of junked vehicles. This includes “Scrap Processors” which is defined below. For the purpose of this Ordinance, property licensed sanitary landfills are exempt.
- m.) Junk Vehicle - A junk vehicle is defined as any vehicle, automobile, truck, van, or trailer of any kind or type that is abandoned, wrecked, dismantled, partially dismantled, inoperative, or has no current tag.
- n.) Nonconforming - A term applied to lots, structures, uses of land or structures, and characteristics of use of land or structures which were lawful before the passage or amendment of this ordinance, but which are prohibited by this ordinance or are not in compliance with the requirements of this ordinance.
- o.) Owner/operator includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of building or land.
- p.) Parking Space - An area on a lot designated for parking a motor vehicle as a principle use or as an accessory to business use.
- q.) Permit –The official document that allows for the conducting of a business consisting of a junkyard / salvage yard within the unincorporated areas of Laurens County. Permits are issued by the Laurens County Codes Building Official and will be inspected annually.
- r.) Permit fees. On all junkyards, buildings, structures, permit fees shall be paid as required at the time of filing the application, in accordance with the official fee schedule.
- s.) Person - The term “person” shall mean any individual, firm, partnership, association, corporation, company or organization of any kind.
- t.) Scrap Processor - The term “scrap processor” shall mean any person, firm or corporation engaged only in the business of buying scrap iron and metals, including, but not limited to, old automobiles, for the specific purpose of processing into raw material for re-melting purposes only, and whose principal product is ferrous and nonferrous scrap for shipment to steel mills, foundries, smelters and refineries and maintaining an established place of business in this state and having facilities and machinery designed for such processing.
- u.) Scenic Corridors – The term “Scenic Corridors” shall mean any South Carolina Highway, U.S. Highway and Interstates #26 & #385.
- v.) Screening – All junkyards shall be enclosed on all sides by a screen consisting of a fence with visual screening or a combination of a fence and approved evergreen screening.

- 1.) Evergreen - The term "Evergreen Screening" shall mean evergreen trees or shrubs with a minimum height of not less than eight (8) feet when mature.
- 2.) Visual - The term "Visual Screen" shall mean a static barrier which shields the junkyard from view. The visual screen shall extend from the ground to a height of six (6) feet. Not more than twenty-five (25) percent of the vertical surface shall be open to allow the passage of air, but any such openings shall be designed to obscure visibility.
- w.) Service Station - A service station is any establishment or place of business which is maintained, operates and / or provides retail sales of fuel, lubricants, air, water or other items for the operation or maintenance of motor vehicles and / or for making mechanical repairs, servicing or indoor washing of motor vehicles.
- x.) Variance- official permission to make non-conforming use of property. Variances shall only be issued upon a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship; and a determination that the granting of a variance will not result in increased threats to public safety or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

SECTION 2. GENERAL PROVISIONS.

- a.) Anchoring. All metal or wooden fence posts shall have at least one-third of their length below ground level and shall be set in hard packed clay or concrete. All metal fence posts shall be treated with an anti-corrosive coating. All wooden posts shall be pressure treated or creosote coated lumber with at least a four inch by four inch (4" X 4") nominal cross section.
- b.) Acreage. No Junkyard shall be placed upon property which contains less than five (5) contiguous acres.
- c.) Fencing or Screening. All junkyards shall be enclosed on all sides by a fence with evergreen screening of an approved type or approved natural buffers already present; a chain link fence with vinyl, metal or wooden strips or slats woven into the fence fabric; a wooden privacy fence or other type material which has been given approval by the Building Official.
- d.) Setbacks. No junkyard shall be established closer than one-thousand (1,000) feet to a church, school, daycare center, nursing home, health care facility, hospital, public building, public or private recreation facility, a concentration of ten or more contiguous residences, or closer than five hundred (500) feet from any single family residence. An on-site residence at the junkyard by the owner or its agent is permitted. No junkyard shall be established closer than one-thousand (1,000) feet of any S.C. Highway, U.S. Highway and Interstates 26 & 385.
 - (1) When, for reasons of topography, it is determined by the Building Official that the fencing and screening requirements of the new junkyard will not produce a result that sufficiently shields the junkyard from view and otherwise preserves the policy and intent of this division, the following alternatives are available:
 - (a) The junkyard may locate at the site if it's fenced boundaries are no closer than one thousand (1,000) feet to any adjacent residence; or

- (b) Topographic features shall be graded to adjacent roadway levels so that the provisions for fencing and screening can be effective; or
- (c) The developer of a junkyard may seek another site that is more suitable to junkyard development.

SECTION 3. OPERATION.

- a.) All junkyard businesses shall be conducted entirely within the screened area of the property.
- b.) No junk shall be stacked, stored or maintained for an extended thirty (30) day period of time at a height no greater than eight (8) feet above the adjacent grade.
- c.) Adequate off-street customer parking must be provided, and must be graveled or paved as per the County Building Official.
- d.) All junkyards shall comply with applicable chapters the "Standard Fire Prevention Code" and any other; pertinent requirements.
- e.) While considered to be junkyards by definition, the eight (8) foot stacking requirement shall not apply to a Scrap Metal Processor who is located substantially below the grade of the adjacent public road or is located more than one thousand feet (1,000) feet from any public paved road.
- f.) If a junkyard closes or ceases operation for a period of one hundred eighty (180) days and desires to reopen, it must comply with the provisions herein. Evidence of closing shall be established by written notification and inspection of the property. No person shall establish, enlarge or operate a junkyard after the effective date of this Ordinance without first complying with the provisions set forth herein.
- g.) All junkyards shall be maintained to protect the public from health nuisances and safety hazards. The Laurens County Building Official and Inspections Department may inspect each junkyard to determine that the junkyard does not create a nuisance or safety hazard. Should a nuisance or safety hazard be identified, the owner, operator, or maintainer shall submit satisfactory evidence to the Building Official Department that the nuisance or safety hazard has been eliminated. Laurens County has the right to defer to the South Carolina Department of Health and Environmental Control as needed. Failure to comply with this provision shall result in revocation of permit as well as other penalties and remedies for violation of this ordinance.
- h.) Any sale, transfer, lease or other disposition of ownership of a junkyard, except for such cases of inheritance or estate matters, shall require that the provisions of any notice of violation of this ordinance must be complied with and the owner shall furnish to the Building Official a signed and notarized statement acknowledging the receipt of such notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such notice of violation.
- i.) **Permitting Requirements.** No person shall establish, maintain, use or operate a junkyard or automotive dismantler and recycler business within the unincorporated areas of Laurens County without a valid permit.

SECTION 4. GRANDFATHERED JUNKYARD PROCEDURES.

- a.) All junkyards that are in operation and existence at time of the effective date of this ordinance; and, those that wish to continue their non-conforming use status of this Ordinance need to have visual screening or evergreen plantings that screen the operations of the junkyard from front property lines. The determination of existence shall be based upon the issuance of a permit as set forth herein.
- b.) All grandfathered commercial junkyards shall obtain a Permit and a letter acknowledging their existence from the Building Official Department.
- c.) Any addition, change of ownership, enlargement, or expansion of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.
- d.) Any non-conforming junkyard will be in accordance with the standards and criteria for effective screening set forth in these regulations. For non-conforming junkyards, the owner/operator responsible will have one (1) year from the date of enactment of this ordinance to have an approved screening in place at front of the property.
- e.) Evergreen vegetation that serves as screening shall be of an approved type that can reach a minimum height of eight feet when mature from the date planted and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken screen (without gaps or open spaces) will exist to a height of at least eight feet (8') along the length of the fence surrounding the junkyard. The evergreen screen shall be maintained as a continuous, unbroken screen for the period the property is used as a junkyard.
- f.) Plans for the screening device shall be approved by the Building Official before it is erected or put into place.

SECTION 5. NEW JUNKYARDS / SALVAGE YARD PROCEDURES

All junkyards, within the unincorporated areas of Laurens County, are required to obtain a junkyard permit. The junkyard must be inspected by the Building Official or designee each year to maintain the original permit. A permit shall be issued by the Building Official Department upon completion of fencing and screening requirements. For junkyards established, opened, or re-opened after enactment of this ordinance, the permit shall only be issued upon approval of a junkyard plan by the Building Official.

- a.) The Building Official may accept a written request for extension from any junkyard owner unable to plant an evergreen screen around the property due to seasonal weather conditions.
- b.) No person shall establish, possess, open, reopen, own, enlarge, or operate a junkyard without first complying with the provisions of this ordinance.
- c.) Any addition, enlargement, expansion, or new ownership, except for such cases of inheritance or estate matters, of a junkyard shall require a permit and be permitted in accordance with this division as a new junkyard.
- d.) New junkyards shall be situated on a continuous parcel of at least five (5) acres, excluding right-of-ways, that are undivided by road right-of-ways or public dedication.
- e.) A minimum setback to the fence from front, side, and rear property lines, excluding road rights-of-way, must be at least fifty feet (50'). Wrecker, towing, and impoundment services

as defined by this Ordinance shall have a minimum setback to the fence from front, side, and rear property lines, excluding road rights-of-way, of at least twenty-five feet (25').

- f.) No new junkyard shall be established closer than one thousand feet (1,000') to a church, school, daycare center, nursing home, health care facility, hospital, public building, public or private recreation facility, a concentration of ten (10) or more contiguous residences, or closer than five hundred feet (500') from any single residence. An on-site residence at the junkyard by the owner or his agent is permitted. No junkyard shall be established closer than one thousand feet (1,000') of any SC Highway, US Highway, Interstate 26, or Interstate 385.
- g.) All driveway entrances shall be from side property lines. The centerline of the driveway shall not be closer than thirty feet (30') from the side property line. An opaque gate shall be utilized.
- h.) The junkyard shall be entirely surrounded by an opaque, woven or welded wire (11-gauge minimum), or chain link fence a minimum of six feet (6') in height and with an opaque visual screen or evergreen screen with a minimum height of not less than eight feet (8') when mature. The evergreen vegetation shall be planted between the property line and the outbound side of the fence. The distance spacing of the evergreen vegetation from the fence and the property line should allow for maintenance of the mature vegetation from inside the property line. Evergreen vegetation that serves as screening shall be of an approved type that can reach a minimum height of eight feet (8') when mature from the date planted and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken screen (without gaps or open spaces) will exist to a height of at least eight feet (8') along the length of the fence surrounding the junkyard. The evergreen screen shall be maintained as a continuous, unbroken screen for the period the property is used as a junkyard. Each owner, operator, or maintainer of a junkyard shall utilize good husbandry techniques by pruning, mulching, and fertilizing so that the vegetation can reach a height of eight feet (8') within five (5) years of the date planted and will have maximum density and foliage. Dead or diseased vegetation shall be replaced at the next appropriate planting time.
- i.) A junkyard plan prepared by the owner or operator of any new junkyard shall be submitted prior to the junkyard permit being granted by Laurens County. The plan shall indicate setbacks, location of public rights-of-way, all proposed structures, all structures within five hundred feet (500') of a junkyard, driveways, entrances, fencing, screening, types of fencing, types of screening, dimensions of junkyard, gross acreage, owner(s)' name(s), address(es), and preparer of plan name(s) and address(es). Submission of information shall establish pre-existing conditions. Plan may be drawn at a scale of one inch (1") equals four hundred feet (400') or less.
- j.) When, for reasons of topography, it is determined by the Building Official that the fencing and screening requirements of the new junkyard will not produce a result that sufficiently shields the junkyard from view and otherwise preserves the policy and intent of this section, the following alternatives are available:
 - 1) The junkyard may locate at the site if its fenced boundaries are no closer than one thousand feet (1,000') to any adjacent residence; or
 - 2) Topographic features shall be graded to adjacent roadway levels so that the provisions for fencing and screening can be effective; or

- 3) The developer of a junkyard may seek another site that is more suitable to junkyard development.
- k.) Failure to pay a Permit fee shall be punishable in Summary Court as a misdemeanor by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.
- l.) Providing false; incomplete; or intentionally incorrect information on any application or permit form, or permit renewal form shall constitute a violation of this ordinance and may result in the withdrawal of or cancellation of a Permit as determined by the Building Official.

SECTION 6 **EXCEPTIONS**

Although the following are junkyards as defined by this ordinance and are subject to the provisions of this section, the following limited exemptions are granted:

- a.) A recycling center is a facility where recoverable resources such as paper, plastic, glass and metal cans are collected, flattened, crushed, shredded or bundled for shipment to others who will use those materials to manufacture new products. Recycling centers shall not have outside storage of material except in closed containers. Recycling centers will be exempt from the five (5) acre requirement of Section 2. Recycling centers shall have a two (2) acre minimum lot size. All other provisions of this section shall apply including the fencing and anchoring requirement of Section 2.
- b.) Service stations are exempt from provisions of this ordinance. A service station is any establishment or place of business which provides retail sales of fuel, lubricants, air, water or other items for the operation or maintenance of motor vehicles or for making mechanical repairs, servicing or indoor washing of motor vehicles.
- c.) Properly licensed sanitary landfills are exempt from these provisions.
- d.) Wrecker, towing and impoundment services, as defined herein, are exempt from the five (5) acre requirement under this ordinance. All other provisions of this division shall apply including the fencing and anchoring requirements. A wrecker, towing or impoundment service is any establishment or place of business which provides towing or temporary storage services of no more than twenty five (25) currently licensed and currently registered motor vehicles which have been wrecked, or whose possession is by virtue of court order, a copy of which is in the possession of the proprietor of such service or affixed to the vehicle. Temporary storage is defined as not exceeding ninety (90) days from the date possession or custody of the vehicle is obtained except when possession is pursuant to a court order.

SECTION 7 **VARIANCES**

- 1.) An applicant may request the Planning Commission, in writing, to act upon a permit as follows:
 - a.) If the Building Official has denied a permit or failed to act on an application within forty five (45) days, unless extended by agreement.
- 2.) An applicant may request a variance hearing as follows:
 - a.) For a variance from any area/district regulation or from requirements set forth within this Ordinance.

SECTION 8 **NOTICE OF VIOLATION.** It shall be the duty of the Building Official, or its designee to serve, or cause to be served, a notice of violation upon the owner or occupant of any property, who has committed a violation of this Ordinance. Such notice shall demand abatement of the violation within sixty (60) days of service. If after sixty (60) days' notice the violation has not been abated, the Building Official shall personally serve the owner or occupant with a citation.

SECTION 9 **ENFORCEMENT OF NOTICE.** It shall be the duty of the Building Official to enforce the provisions of this ordinance.

If a person served with notice of a violation does not abate the violation within sixty (60) days after service, the County may file an action to compel the owner or occupier to abate the violation, or it may proceed with its own resources or by contracting with another to abate such violation, keeping account of the expenses of the abatement, and such expense shall be charged and paid by the owner or occupant of the property.

SECTION 10 **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 Building Official shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The Building Official 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.

SECTION 11. **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.

SECTION 12. **CONFLICTING ORDINANCES.** If any provision of this Ordinance conflicts with any Ordinance or statute, the more restrictive requirement shall apply.

SECTION 13. **PERMIT REQUIREMENTS.** All junkyards shall obtain a Permit. No person shall establish, enlarge, or operate a junkyard after the effective date of this ordinance without first complying with the provisions set forth herein.

The Building Official shall then inspect the premises and notify the owner or operator seeking a permit of any required corrections.

SECTION 14. **EFFECTIVE DATE.** This Ordinance shall take full effect and be fully executed upon three (3) readings and a public hearing as required by law.

- SIGNATURE PAGE FOLLOWS -

Exhibit 1
FEE SCHEDULE

Junkyard / Salvage Permit Fees:

Initial Permit Fee	\$100.00
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Exhibit 2
“GRANDFATHERED”
Previously permitted or existing

Permit	Business Name	Location	Issued
1	Fords & Sams Parts	Catfish Cove Road, Waterloo	12/3/1997
2	Kelletts Auto Salvage	Wasson Gin Road, Laurens	12/4/1997
3	Tripp's Auto Sales, Inc.	117 Marler Road, Gray Court	12/4/1997
4	Hopkins Automotive	Telephone Exchange Rd, Ware Shoals	12/5/1997
5	Nabors and Son, Inc.	Arnold Lane, Waterloo	12/5/1997
6	Gault & Thompson	9 Ridgecrest Drive, Fountain Inn	12/8/1997
7	Burdette Auto Salvage	Riverfork Road, Waterloo	12/8/1997
8	Smith's Salvage	Highway 39 S., Cross Hill	12/10/1997
9	Williams Garage	100 Fairview Road, Gray Court	12/11/1997
10	Gibson's Scrap & Metals	115 Cooper Bridge Road, Fountain Inn	12/15/1997
11	J & V Auto Repair	Pinson/Ekom Beach Road, Laurens	12/30/1997
12	Classic Cars of S.C., inc	Frontage Road, Gray Court	12/31/1997
13	M & J Auto Wreckage	445 S. Frontage Road, Fountain Inn	1/5/1998
14	Todd Automotive & Salvage	Neely Farry Road, Laurens	1/16/1998
15	Robinson Motor Sales	851 Fleming St. Ext., Laurens	3/2/1998
16	Bannister's Auto	Airport Road, Laurens	3/3/1998
17	Mountville Motors	Hwy. 72/Mountville Road, Mountville	3/4/1998
18	L C Powell Garage	Bethel Church Road, Laurens	4/8/1998
19	Sharpe's Garage	Hwy 39/Liberty Springs St., Cross Hill	5/19/1998
20	Affordable Auto Parts	849 Fleming Street, Laurens	8/10/1998
21	Bishop's Body Shop & Used Cars	Rocky Springs Church Rd, Laurens	9/3/1998
22	Anderson's Used Auto & Parts	170 Quail Drive, Waterloo	1/20/1999
23	T J's Car Crushing & Used Auto Parts	939 Henderson Road, Gray Court	11/6/2000
24	Tripp's Auto Sales, Inc.	291 Marler Road, Gray Court	1/9/2002
25	Laurens Auto Salvage	1471 Fleming St. Ext, Laurens	6/11/2007
26	M&M Scrap Metal Inc.	12805 Hwy. 101 S	9/29/2010



New Business:
Information Technology (IT), Approval of Job
Descriptions and Pay



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 #: 8B

DEPARTMENT / AGENCY:

COUNCIL ACTION REQUESTED: Approve Job Descriptions for IT Manager and Techs. Positions are in the budget.

This is to transition from the externally provided IT services to an internal IT support department. The plan is to hire the Manager first. This manager will work under Jim Anderson and learn about the systems and software. Over time the support staff will be hired.

Recommended Pay (Requires Council Approval):

IT manager position \$55,000- (Greenwood is \$61,907)

Tech Positions (2)- \$45,000

Starting pay would be 10% less during probationary period.

More Detailed Description:

FINANCIAL AMOUNT REQUESTED _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

LAURENS COUNTY, SOUTH CAROLINA

JOB TITLE: IT MANAGER

Effective:

FLSA: Non-Exempt

GENERAL STATEMENT OF JOB

General Description

The purpose of this class within the organization is to provide direction in the development and implementation of Information Technology (IT). Responsible for all aspects of the County's information technology system and the supervision and development of subordinate staff. Ensures adequate security procedures are established, implemented and maintained.

This class works under limited supervision reporting major activities through periodic meetings.

Duties and Responsibilities

The functions listed below are those that represent the majority of the time spent working in this class. Management may assign additional functions related to the type of work of the class as necessary.

Essential Functions:

Create and maintain secure, responsive and reliable information technology (IT) infrastructure for the County operations.

Plan and implement new information technologies including cloud computing, mobile applications, and social networking.

Design, develop, and test software applications.

Hire, supervise, assign tasks, and facilitate training to IT staff.

IT MANAGER

Additional Duties:

Evaluate and purchase the most cost-effective computer hardware and software applications.

Create IT budget and monitor balances.

Design and promote efficient procedures for workflow between county departments and software systems

Performs related work as assigned.

Responsibilities, Requirements and Impacts

Data Responsibility:

Data Responsibility refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.

Plans and directs others in the sequence of major activities and report on operations and activities which are very broad in scope.

People Responsibility:

People include co-workers, workers in other areas or agencies and the general public.

Supervises or leads others by determining work procedures, assigning duties, maintaining harmonious relations, and promoting efficiency.

Asset Responsibility:

Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.

Requires responsibility and opportunity for achieving major economies and/or preventing major losses through the management of a moderate sized department, authorizing expenditures of large amounts of money or supervising the purchasing of high value materials, supplies and equipment, or for providing routine legal counsel.

IT MANAGER

Mathematical Requirements:

Mathematics requires the use of symbols, numbers and formulas to solve mathematical problems.

Uses mathematics involving the practical application of fractions, percentages, ratios and proportions; or measurements, logarithmic, or geometric construction; may use algebraic solutions of equations and inequalities, descriptive statistics, deductive geometry, plane and solid and rectangular coordinates; mathematical and classifications or schemes.

Communications Requirements:

Communications involves the ability to read, write, and speak.

Reads journals, manuals and professional publications; speaks informally to groups of co-workers, staff in other organizational agencies, general public, people in other organizations and presents training; composes original reports, training and other written materials, using proper language, punctuation, grammar and style.

Judgment Requirements:

Judgment requirements refer to the frequency and complexity of judgments and decisions given the stability of the work environments, the nature and type of guidance, and the breadth of impact of the judgments and decisions.

Decision-making is a major part of the job, affecting a major segment of the organization and the general public; works in a dynamic environment; Responsible for developing policies and practices.

Complexity of Work:

Complexity addresses the analysis, initiative, ingenuity, concentration and creativity, required by the job and the presence of any unusual pressures present in the job.

Performs work involving the application of logical principles and thinking to solve practical problems within or applying to a unit or division of the organization; requires continuous, close attention for accurate results and frequent exposure to unusual pressures.

IT MANAGER

Impact of Errors:

Impact of errors refers to consequences such as damage to equipment and property, loss of data, exposure of the organization to legal liability, and injury or death for individuals.

The impact of errors is very serious – affects work unit and may affect other units or citizens.

Physical Demands:

Physical demands refer to the requirements for physical exertion and coordination of limb and body movement.

Performs sedentary work that involves walking or standing some of the time and involves exerting up to 10 pounds of force on a regular and recurring basis or sustained keyboard operations.

Equipment Usage:

Equipment usage involves responsibility for materials, machines, tools, equipment, work aids, and products.

Supervises the handling/use of machines, tools, equipment or work aids involving extensive latitude for judgment regarding attainment of a standard or in selecting appropriate items.

Unavoidable Hazards:

Unavoidable hazards refer to the job conditions that may lead to injury or health hazards even though precautions have been taken.

Involves routine and frequent exposure to bright/dim light; dusts and pollen.

Safety of Others:

*Safety of others refers to the level of responsibility for the safety of others, either inherent in the job or to ensure the safety of the general public. **(Does not include safety of subordinates).***

Requires responsibility for the safety and health of others and for occasional enforcement of the laws and standards of public health and safety.

IT MANAGER

Minimum Education and Experience Requirements:

Bachelor's Degree preferred; alternate educational requirements: five to seven years of experience of working with or in tandem with IT managerial staff or a degree in Information Systems Technology.

Special Certifications and Licenses:

Obtain A+ (A Plus) certification within eighteen months of employment.

Americans with Disabilities Act Compliance

Laurens County is an Equal Opportunity Employer. ADA requires Laurens County to provide reasonable accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

LAURENS COUNTY, SOUTH CAROLINA

JOB TITLE: IT TECHNICIAN

Effective:

FLSA: Non-Exempt

GENERAL STATEMENT OF JOB

The purpose of this class within the organization is to troubleshoot and install computer systems for county departments. Receives and responds to inquiries and requests for assistance with computer software projects and problems. Provides personal computer/printer support and troubleshooting to the county offices and remote locations and performs various administrative duties.

This class works under close to general supervision according to set procedures, but determines how or when to complete tasks.

Duties and Responsibilities

The functions listed below are those that represent the majority of the time spent working in this class. Management may assign additional functions related to the type of work of the class as necessary.

Essential Functions:

Responds to technology trouble calls. Assists with maintenance documentation. Ensures timely response to work orders. Schedules and determines priority of work.

Responsible for installation of personal computer hardware and peripherals, maintenance, repair, and upgrade. Installs computer work stations and cabling.

Identifies software and hardware requirements for maintaining effective and efficient system performance. Responsible for installation of personal computer software, instruction, training, and problem solving

Receives and responds to inquiries and requests for assistance with computer projects and problems; identifies and recommends solutions.

IT TECHNICIAN

Communicates and maintains good working relationships with department heads and employees in other departments; provides technical support and training to operators / system users.

Researching and getting bids for large items, or big ticket items, such as Antivirus solutions for the County, large-format printers, scanners, MFPs, plotters, etc.

Management of network server operations, such as creating/adding/deleting/moving users, PCs, etc. in the Active Directory, management of email systems operation, management of Antivirus/Web-filtering systems.

Physical installation of servers, network switches, UPS systems, security camera systems, etc.

Setup and management of mobile devices, (phones and tablets for employees).

Maintaining connectivity with State web services for offices such as Clerk of Court, Auditor, Assessor, Tax Collection and Child Support Services.

Evaluation of efficiency and cost-effectiveness of information technology, including planning for future needs and upgrades.

Additional Duties:

May work past standard office hours as needed.

Attends training workshops, classes, meetings, etc., as appropriate.

Performs related work as assigned

IT TECHNICIAN

Responsibilities, Requirements and Impacts

Data Responsibility:

Data Responsibility refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.

Collects, classifies or formats data or information in accordance with a prescribed schema or plan.

People Responsibility:

People include co-workers, workers in other areas or agencies and the general public.

Provides information, guidance or assistance to people that directly facilitates task accomplishment; may give instructions or assignments to helpers or assistants.

Asset Responsibility:

Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.

Requires some responsibility for achieving minor economies and/or preventing minor losses through the handling of or accounting for materials, supplies or small amounts of money.

Mathematical Requirements:

Mathematics requires the use of symbols, numbers and formulas to solve mathematical problems.

Uses addition and subtraction, multiplication and division and/or calculates ratios, rates and percentages.

IT TECHNICIAN

Communications Requirements:

Communications involves the ability to read, write, and speak.

Reads technical instructions, procedures manuals and charts to solve practical problems, such as assembly instruction for tools, routine office equipment operating instructions, and methods and procedures for investigations and in drawing and layout work; composes routine reports and specialized reports, forms, and business letters, with proper format; speaks compound sentences using normal grammar and word form.

Judgment Requirements:

Judgment requirements refer to the frequency and complexity of judgments and decisions given the stability of the work environments, the nature and type of guidance, and the breadth of impact of the judgments and decisions.

Responsible for guiding others, requiring frequent decisions, affecting the individual, co-workers and others who depend on the service or product; works in a somewhat fluid environment with rules and procedures, but many variations from the routine.

Complexity of Work:

Complexity addresses the analysis, initiative, ingenuity, concentration and creativity, required by the job and the presence of any unusual pressures present in the job.

Performs skilled work involving rules/systems with almost constant problem solving; requires normal attention with short periods of concentration for accurate results and occasional exposure to unusual pressure.

Impact of Errors:

Impact of errors refers to consequences such as damage to equipment and property, loss of data, exposure of the organization to legal liability, and injury or death for individuals.

The impact of errors is moderately serious – affects work unit and may affect other units or citizens or loss of life could occur but probability is low.

IT TECHNICIAN

Physical Demands:

Physical demands refer to the requirements for physical exertion and coordination of limb and body movement.

Performs sedentary work that involves walking or standing some of the time and involves exerting up to 10 pounds of force on a regular and recurring basis or sustained keyboard operations.

Equipment Usage:

Equipment usage involves responsibility for materials, machines, tools, equipment, work aids, and products.

Handles or uses machines, tools, equipment or work aids involving some latitude for judgment regarding attainment of a standard or in selecting appropriate items.

Unavoidable Hazards:

Unavoidable hazards refer to the job conditions that may lead to injury or health hazards even though precautions have been taken.

None

Safety of Others:

*Safety of others refers to the level of responsibility for the safety of others, either inherent in the job or to ensure the safety of the general public. **(Does not include safety of subordinates).***

Requires some responsibility for safety and health of others and/or for occasional enforcement of the standards of public safety or health.

Minimum Education and Experience Requirements:

Bachelor's Degree preferred; in business, liberal arts, computer sciences or a related field. Alternate educational requirements: two years of experience in information technology or an equivalent combination of education, training and experience.

IT TECHNICIAN

Special Certifications and Licenses:

Obtain A+ (A Plus) certification within eighteen months of employment.

Special Certifications and Licenses:

None

Americans with Disabilities Act Compliance

Laurens County is an Equal Opportunity Employer. ADA requires Laurens County to provide reasonable accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.



New Business:
Planning Position – Approval of Job Description



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 #: 8C

DEPARTMENT / AGENCY:

COUNCIL ACTION REQUESTED: Approve Job Description Position is in the budget.

More Detailed Description:

FINANCIAL AMOUNT REQUESTED

SOURCE OF FUNDING:

(PLEASE – attach subject matter document pages as necessary)

**LAURENS COUNTY, SOUTH CAROLINA
JOB DESCRIPTION**

**JOB TITLE: SENIOR PLANNER
PLANNING DEPARTMENT
DATE APPROVED BY COUNCIL**

GENERAL STATEMENT OF JOB

Under general supervision, provides various planning services for the County. Performs various planning and technical duties to preparing professional analysis and recommendations on various planning and development issues for the Planning Commission, and County Council. Researches, prepares and presents graphic and narrative reports for study and use by County leaders. Provides technical planning assistance to the general public, private agencies, property owners, developers, public officials, and other related agencies. Reports to the County Administrator.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Performs advanced professional work related to variety of planning assignments.

Interprets and implements County ordinances.

Assists and provides technical information to the County with various planning issues as it relates to the interpretation of development Ordinances, development of the ordinances, and questions regarding enforcement.

Provides interpretation of applicable regulations and ordinances to various outside agencies and assists them in compliance.

Provides technical assistance to the general public, private agencies, property owners, developers, public officials, and other related agencies concerning development ordinances and planning; assists with filing of variances to the planning commission.

Develops transportation plans, studies and analyses.

Conducts research and analysis on various planning issues.

Prepares and presents planning reports to Planning Commission, and Council.

Reviews and works to perform duties in compliance with the Laurens County Comprehensive Plan. Develops and manages community listening sessions, community goals and objectives, combining municipal and regional plans to develop a proposed redo of the Comprehensive plan as directed by the County Administrator, County Council and the Planning Commission.

Performs review of site plans along with all Laurens County and local agencies.

Performs various clerical tasks such as answering phones, taking messages, completing applications, faxing information, copying documents, printing maps, etc.

Receives, reviews, prepares and processes various records and reports to include approval applications, variance applications, plats, subdivision plans, Planning Commission agenda, real property inquiries, sketches, maps, etc.

Interacts and communicates with a variety of groups and individuals to include co-workers, immediate supervisor, other departmental personnel and supervisory staff, neighborhood groups, property owners, realtors, developers, public officials, attorneys, surveyors, etc.

Operates various types of equipment such as a computer, printer, blueprint machine, postage meter machine, scanner, recorder, engineer scale, calculator, copier, telephone, automobile, architect's scale, typewriter, etc.

Attends Council, Commission, and Board meetings periodically; makes various presentations to Councils, Commissions, Boards, neighborhood groups, and civic groups.

Coordinates the subdivision review process with other departments within the County and with outside State agencies; ensures all comments from these departments are reported to the developer and the plans are modified based on the comments from the reviewing agencies before plans are given final approval and can be recorded in the Office of the Register of Deeds.

Conducts site visits to various locations where an application has been filed to gather information utilized in preparing a recommendation and report and to be able to answer questions about the site and the surrounding area for the Planning Commission, County and/or City Council, and the general public.

Coordinates projects by conducting and overseeing weekly meetings, reviewing site plans, discussing development project status, attending meetings to explain, application processes and requirements, reviewing applications, preparing and presenting staff recommendations, and preparing commission recommendations, letters, and ordinances.

Advanced knowledge of the philosophies, principles, practices and techniques of planning.

Well-developed knowledge of one or more planning disciplines, such as urban design, affordable housing, economic development, conservation.

Knowledge of principles, methodology, practices of research and data collection.

Knowledge and experience in construction processes.

Knowledge of effective writing techniques

Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, and GIS.

Excellent oral and written communication skills for preparing and presenting planning reports and projects.

Excellent interpersonal skills for facilitating relationships with elected/appointed officials or other decision-makers

Creative problem-solving skills to gather relevant information to solve less well-defined planning problems

Group facilitation skills for use with community workshops

Ability to work on several projects or issues simultaneously

Ability to manage projects effectively and meet firm deadlines.

ADDITIONAL JOB FUNCTIONS

Performs other related duties as required.

MINIMUM TRAINING AND EXPERIENCE

Requires a bachelors degree (Master's degree preferred) in planning, or related field and two years of professional experience; OR an equivalent combination of education and experience in planning or a related field. AICP certification preferred or any equivalent combination of education and experience that provides the required knowledge, skills, and abilities.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate an automobile, drafting tools, and a variety of automated office machines which includes a computer, digitizer, blueprint machine, postage machine, scanner, calculator, copier, etc. Must be able to exert up to ten pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects. Light work usually involves walking or standing to a significant degree. Must be able to lift and/or carry weights of ten to forty pounds.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving assistance and guidance to co-workers or assistants. Includes receiving assignments and/or directions from supervisors.

Language Ability: Requires the ability to read engineering/architectural drawings, surveys, maps, zoning applications, subdivision plats, etc. Requires the ability to prepare business letters, various monthly reports, articles, ordinances, subdivision applications and related forms, etc., using prescribed format and conforming to all rules of punctuation, grammar, diction and style. Must be able to speak before an audience with poise, voice control and confidence; and to articulate information to others.

Intelligence: Requires the ability to apply principles of common sense understanding to carry out instructions furnished in written, oral or diagrammatic form; to deal with problems involving several concrete variable in or from standardized situations. Requires the ability to make routine independent judgments in absence of supervision; to acquire knowledge of topics related to primary occupation. Must have the ability to comprehend and interpret received information and

to understand and implement basic computer and office machinery functions.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical and/or professional languages including Planning and Zoning, Civil Engineering, Real Estate, Contracts, and Architectural terminology.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract totals; to multiply and divide; to determine percentages and decimals; and determine time and weight. Must be able to use practical applications of fractions, percentages, and ratio and proportion.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape, and visually read various information.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using automated office equipment; to operate motor vehicles.

Manual Dexterity: Requires the ability to handle a variety of items, office equipment, control knobs, switches, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination and Visual Acuity: Requires the ability to differentiate colors and shades of color; requires the visual acuity to determine depth perception, peripheral vision, inspection for small parts; preparing and analyzing written or computer data, etc.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. The worker needs to relate to people in situations involving more than giving or receiving instructions. Must be adaptable to performing under minimal levels of stress when confronted with an emergency or tight deadline.

Physical Communication: Requires the ability to talk and/or hear: (talking: expressing or exchanging ideas by means of spoken words; hearing - perceiving nature of sounds by ear). Must be able to hear and understand communications through a telephone.

PERFORMANCE INDICATORS

Knowledge of Job: Has thorough knowledge of the policies, procedures, methods and activities of the Planning & Development Department as they pertain to the performance of duties of the Planner. Has thorough knowledge and expertise in county planning and the processes involved in same. Has knowledge of the laws, ordinances, standards and regulations pertaining to the specific duties and responsibilities of the position. Has the knowledge and skills to provide various technical land use services in a professional and accurate manner for the County and its municipalities. Is capable of utilizing experience and technical knowledge to perform various planning and technical duties. Has the professional skills and ability to analyze and provide recommendations on various planning and development issues for the Planning Commission, and County Council. Has knowledge of the appropriate resources to research in order to prepare and clearly present graphic and narrative reports for study and use by County leaders. Has the interpersonal and professional communication ability to provide technical assistance to the general public, private agencies, property owners, developers, public officials, and other related agencies concerning land use planning. Has knowledge of the use of engineering, architectural, environmental and legal terminology related to department activities. Has knowledge of legal aspects relating to land use concerns. Is able to communicate effectively with supervisors, other

staff members, members of the general public, and all other groups and agencies involved in the activities of the department. Is able to make effective presentations and discuss problems and possible solutions as required. Has the ability to compile, organize, analyze and prepare an assortment of records, reports and information in an effective manner. Is able to read, understand and interpret blue prints and related maps and charts. Is capable of working under a degree of stress related to duties that require constant attention. Has the mathematical ability to handle required calculations. Is able to apply knowledge of the department's requirements in order to assist others in understanding and meeting the County's established standards. Is able to develop and implement short term and long-term goals for the department as necessary in the promotion of effectiveness and efficiency. Is able to provide assistance and direction to department staff when needed.

Quality of Work: Maintains high standards of accuracy in exercising duties and responsibilities. Exercises immediate remedial action to correct any quality deficiencies that occur in areas of responsibility. Maintains high quality communication and interface with all County departments and divisions, co-workers and customers, and the general public.

Quantity of Work: Maintains effective and efficient output of all duties and responsibilities as described under "Specific Duties and Responsibilities."

Dependability: Assumes responsibility for doing assigned work and for meeting deadlines. Completes assigned work on or before deadlines in accordance with directives, County policy, standards and prescribed procedures. Accepts accountability for meeting assigned responsibilities in the technical, human and conceptual areas.

Attendance: Attends work regularly and on time with a minimum of tardiness and absences and adheres to County policies and procedures regarding absences and tardiness. Provides adequate notice to higher management with respect to vacation time and time-off requests.

Initiative and Enthusiasm: Maintains an enthusiastic, self-reliant and self-starting approach to meet job responsibilities and accountabilities. Strives to anticipate work to be done and initiates proper and acceptable direction for the completion of work with a minimum of supervision and instruction.

Judgment: Exercises analytical judgments in areas of responsibility. Identifies problems or situations as they occur and specifies decision objectives. Identifies or assists in identifying alternative solutions to problems or situations. Implements decisions in accordance with prescribed and effective policies and procedures and with a minimum of errors. Seeks expert or experienced advice and researches problems, situations and alternatives before exercising judgment.

Cooperation: Accepts supervisory instruction and direction and strives to meet the goals and objectives of same. Questions such instruction and direction when clarification of results or consequences are justified, i.e., poor communications, variance with County policy or procedures, etc. Offers suggestions and recommendations to encourage and improve cooperation between all staff persons and departments within County.

Relationships with Others: Shares knowledge with supervisors and staff for mutual benefit. Contributes to maintaining high morale among employees. Develops and maintains cooperative and courteous relationships inter- and intra-departmentally, and with external entities with whom the position interacts. Tactfully and effectively handles requests, suggestions and complaints in order to establish and maintain good will. Emphasizes the importance of maintaining a positive image.

Coordination of Work: Plans and organizes daily work routine. Establishes priorities for the completion of work in accordance with sound time-management methodology. Avoids duplication of effort. Estimates expected time of completion of elements of work and establishes a personal schedule accordingly. Attends meetings, planning sessions and discussions on time. Implements work activity in accordance with priorities and estimated schedules. Maintains a calendar for meetings, deadlines and events.

Safety and Housekeeping: Adheres to all safety and housekeeping standards established by County and various regulatory agencies. Sees that the standards are not violated. Maintains a clean and orderly workplace.

DISCLAIMER: This job description is not an employment agreement or contract. Management has the exclusive right to alter this job description at any time without notice.



New Business:
Building Codes – Intragovernmental Agreement
- Joint Service with City of Laurens



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: 532/ Building Codes Date of Request: 8/20/18

COUNCIL ACTION REQUESTED: Requesting approval of an agreement with the City of Laurens

Short Description of Item for Consideration: A contract for County Building Codes Dept.to create permits and perform inspections for Commercial structures in the City Limits Of Laurens.

More Detailed Description (if needed): _____

FINANCIAL AMOUNT REQUESTED Na

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS) INTERLOCAL MEMORANDUM OF
) UNDERSTANDING AND AGREEMENT

This Memorandum of Agreement is entered into this _____ day of _____, 2018, by and between County of Laurens (hereinafter "County") and City of Laurens (hereinafter "Laurens") for the purposes of providing commercial inspections for new and existing commercial buildings and issuing new commercial permits within the municipal limits of Laurens.

The parties agree as follows:

1. County shall perform and complete all commercial inspections (building, mechanical, plumbing, and electrical) on new and existing buildings located within the municipal limits of Laurens, and County will receive and collect the fees in connection therewith.

2. County will issue new commercial permits as required for commercial buildings located within the municipal limits of the Laurens, and County will receive and collect the fees in connection therewith. County shall notify Laurens' Fire Department through the Laurens Building Inspector when new permits and plans are approved.

3. County shall not collect business license fees, but will require contractors to verify they have been issued a Laurens business license before a permit is issued by County.

4. Laurens shall perform and complete occupancy inspections on existing commercial buildings, and Laurens will receive and collect the fees in connection therewith. No zoning issues or change of ownership (occupancy permits) and inspections will be conducted by County.

5. Both parties shall coordinate and cooperate with each other as needed.

6. The term of this Agreement shall be for five (5) years, commencing _____, 2018 and ending June 30, 2023.

7. Notices shall be sent in writing to:

County of Laurens
Building Codes Department
P. O. Box 815
Laurens SC 29360

City of Laurens

P. O. Box _____
Laurens SC 29360

8. This Agreement represents the entire understanding and agreement of the parties. It may not be amended, modified, or changed without the written consent of all parties.

9. This Agreement shall be binding upon the parties, their representative successors, and/or assigns, and time is of the essence.


10. This Agreement shall be governed by the laws of the state of South Carolina. This Agreement may be executed in duplicate originals.

11. Each party represents that this Agreement has been approved by its governing body, and each governing body has authorized the execution hereof.

Witnesses:

County of Laurens


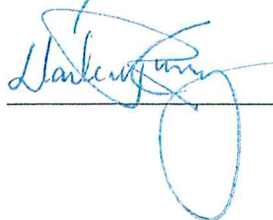
By: Joseph E. Wood, Jr.
Its: Chairman of County Council



By: Charles Bobo
Its: Building Codes Official

Witnesses:

City of Laurens

By: John J. Stankus
Its: Mayor



By: Clay Rykard
Its: Building Inspector



New Business:

Notification – Department of Justice
Federal Grant (JAG)



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: 8-20-18

DEPARTMENT / AGENCY: Finance Office

NAME: Lisa Kirk, Finance Director 

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

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

Notification requirement for 2018 Local JAG Grant.

FINANCIAL AMOUNT REQUESTED Potential Grant Award - \$15,367

SOURCE OF FUNDING: Federal Grant - Department of Justice

(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: _____



**FINANCE OFFICE
COUNTY OF LAURENS**

100 Hillcrest Square
Admin Building
PO Box 1788
Laurens, South Carolina 29360
Phone: (864) 984-1882 Fax: (864) 984-3726

August 17, 2018

The Laurens County Sheriff's Office is eligible to apply for the 2018 Local JAG Grant. I am requesting this information be placed on the agenda for public comment at the next regular County Council meeting.

2018 Local (JAG) Grant

- Date of submission : August 17, 2018
- Requested amount: \$15,367.00
- Project: Computers (Hardware and Software), Forensic Equipment, & Officer Safety

Allocation of requested funds

The Laurens County Sheriff's Office will be purchasing the following items through the 2018 JAG funds with the approximate cost:

- \$2,500.00** Purchase a child identification and fingerprinting system for the Laurens County Sheriff's Office Community Services Division to be able to continue the Kid Print program. This program allows our deputies to schedule events where children are photographed, physical descriptors are taken- height, weight, hair/ eye color, and other information is collected and printed on an easy to carry/ store card. This card also contains the child's fingerprint for identification if for some reason the child becomes missing.
- \$5,700.00** Purchase a Cyanoacrylate Fuming Chamber to assist in preparing items used as evidence for fingerprinting. This valuable tool will assist our crime scene investigators in lifting latent prints, shoe impressions, and other type prints from surfaces that cannot be collected with regular fingerprint powder. This item will allow our investigators to identify, preserve, and collect these prints, in-house, and then send off for comparison and identification, in turn saving time and money for the agency.
- \$7,167.00** Purchase mobile handheld identification devices specifically designed for law enforcement use. The devices will be assigned to a supervisor on each of our uniform patrol shifts to have available to offer real-time identification of suspects law enforcement officers encounter.

\$15,367.00 Total 2018 JAG Funds

Submission to Council by: Melissa Moody



New Business:

Hickory Tavern Youth Recreation Association,
new lease agreement request



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/P

DEPARTMENT / AGENCY: Andy Howard Regarding / Russ Poulson President of HTYRA Date of Request: 8/22/2018

COUNCIL ACTION REQUESTED: HTYRA is requesting Council to enter into a new Lease agreement with HTYRA with them regarding Hickory tavern Park

Short Description of Item for Consideration: The Previous agreement with HTYRA Expired and is no longer required by the Grant Agreement with the State in which itms were purchased and installed to improve this park many years ago. Mr. Russ Poulson is requesting that council consider establishing a new lease agreement.

More Detailed Description (if needed): From Andy Howard Director PRT. This Agreement was entered into in before my time as director. I can say that based on the County PRT Master plan the agreement was in line with ways to provide recreational assets to citizens throughout the county many years ago. The reasoning was that if there is already a park in an area it made better sense to partner than it did to duplicate services. Within the last 5 years, however we have built two parks within less than 2 miles from this park at no cost to the county on the Reedy River gaining over 100 acres of county owned Property for recreation. And an additional almost 1000 acres of wildlife management area owned by the state DNR less than 6 miles from here. Recreational opportunities here abound. Lease arrangements are becoming harder and harder to manage due to decreasing involvement from community and the restriction on what exactly can be maintained and improved with Tax Dollars.

Just to pay for utilities at this park an average yearly cost would be around \$2300. The Lease arrangement before called for us to maintain mowing and the park had to be open to the public for use. But the HTYRA were responsible for maintaining their buildings which were becoming in some instance to the point of unsafe. We were however responsible for the liability of users of the common public use of the park (not any organized sports). Mr. Poulson is great and has been an amazing asset the past few months but before Mr. Poulson got in touch with me, I couldn't get in touch with the last president at all for over two years to even address any concerns I had. I left message after message and text with no response. I feel that without actually owning this property it will be hard to really put the effort to justifiably maintain this property correctly. I also do not want to see this park become abandoned or look as if it were abandoned. I do know that most organized play has ceased to occur at this park despite what Mr. Poulson will have you to believe. He does host a Soccer league that does well for the community but Baseball and any other sport has moved centrally to Laurens for all other sports.

This may also set a precedence for other communities in the County who have requested the County maintain their recreation space but have been denied. If we grant this request for the HTYRA it may only be fair that other communities within Laurens County are given the same opportunity. This will increase costs.

My recommendation is that the county does not entertain another lease agreement but offer to take the property for us to maintain properly and allow the HTYRA to operate any league that they choose with priority scheduling.

FINANCIAL AMOUNT REQUESTED No funds requested at this time.

SOURCE OF FUNDING: NA

(PLEASE – attach subject matter document pages as necessary)

June 20, 2018

To the Honorable County Council of Laurens County

My name is Russell Poulson. I am a 20+ year tax paying resident of Laurens County. I currently hold the position of President of Hickory Tavern Youth Recreation Association. Before I address the issue at hand, I would like to thank Andy Howard, Laurens County Parks and Recreation Director for his input, guidance and efforts to work with me and HTYRA to get this matter resolved.

On behalf of the members of the Hickory Tavern Youth Recreation Association, I request for your consideration, the extension of the agreement by and between Hickory Tavern Youth Recreation Association (HTYRA) and Laurens County Parks and Recreation and Tourism Commission signed 9-23-2011. (Copy attached)

The extension we request is for one (1) year with a one (1) year renewal.

We urgently bring this to your attention because before Andy brought it to our attention we were unaware the agreement had lapsed.

Andy indicated that he mentioned to the previous HTYRA board numerous times since 2016. I found out about the lapse during our 2017 fall soccer season. Since my function at the time was soccer director, I had no authority to negotiate for renewal.

Since the election of new officers of HTYRA in February 2018, we have worked to determine the strengths and weaknesses of our organization. HTYRA has struggled like many organizations over the past few years primarily due to economic changes that have caused lifestyle changes that affect recreation and gift giving.

The shift to community-oriented parks has been in the works nation-wide for the past 16 months. We feel confident that we are positioned for tremendous growth.

As further evidence of our park's value and our requested county support, over the past five (5) years the youth that have participated in our soccer programs is in excess of 500. If you consider the siblings, parents, grandparents and extended family members attending, our outreach easily exceeds 2000 (Supporting evidence upon request).

Going forward you can expect our park's and the many programs that we are formulating now, that this will be a go-to park for all in the community.

Thank you for your consideration.

Sincerely,

Russell Poulson

HTYRA, President



New Business:

Variance Request – Subdivision Ordinance –
Cross Hill Community



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: August 23, 2018

DEPARTMENT / AGENCY: Administration, Public Works and legal

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible): Requested variance to Laurens County Subdivision Ordinance. Please see attached documents.

Administration, Public Works and legal have reviewed the requested variance and support the request.

FINANCIAL AMOUNT REQUESTED _____ NA _____

SOURCE OF FUNDING: _____

(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: _____

COX FERGUSON & WHAM LLC

ATTORNEYS AT LAW
107 E. Laurens St.
P.O. Box 286
LAURENS, SOUTH CAROLINA 29360-0286

JOHN R. FERGUSON
ALLEN M. WHAM

W. REID COX, JR., of counsel

PHONE: (864) 984-2126
FAX: (864) 984-7372
E-MAIL: reidcox@backroads.net

August 22, 2018

A. Cruickshanks, IV
Laurens County Attorney
VIA EMAIL

Re: Variance from Laurens County Subdivision Ordinance

Dear Mr. Cruickshanks:

I represent three separate landowners, namely White Plains Club, LLC ("WPC"), Jake Rasor, Jr. ("Rasor"), and Mudlick Creek Partners, LLC ("MCP"), who own adjoining tracts near the Newberry County line, respectively TMS 575-00-00-019, 575-00-00-016, 545-00-00-023, and 605-00-00-002. All three owners have contracted to sell all or part of their holdings to Open Space Institute Land Trust, Inc., a NY non-profit ("OSI").

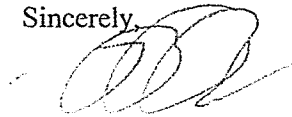
Rasor is selling a parcel of 65 acres off of TMS 545-00-00-023 as shown on the attached survey. MCP is selling 44.5 acres off of TMS 605-00-00-002 as shown on the attached aerial photo. Both parcels, the Rasor piece and the MCP piece, adjoin the main WPC parcel of 1,284 acres.

It is my understanding from discussions with the county administrator and the county planning office that in order to convey the two parcels from Rasor and MCP to OSI, each conveyance will have to have a frontage on a county maintained road of at least 120 feet. For Rasor, this is possible but burdensome. For MCP this is not possible as their entire tract does not front on a public road of any kind. The MCP tract fronts on a privately maintained portion of Poplar Springs Road, the center of which constitutes the county line with Newberry County.

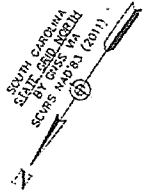
As all of the parcels mentioned above are being sold to one entity, we would like the County Planning Commission to consider a variance the access ordinance.

We had planned to close all these sales on August 31, but the attorney and the surveyor representing the purchaser was not familiar with Laurens County requirements and it now appears a variance is needed. I understand that getting a quorum of the Planning Commission together is difficult for regularly scheduled meetings and in view of the time crunch in these deals, it would be greatly appreciated if your office could somehow have a special called meeting and even poll those members not present by email and/or telephone in order to get the required number of members voting should they decide a variance in this matter is appropriate.

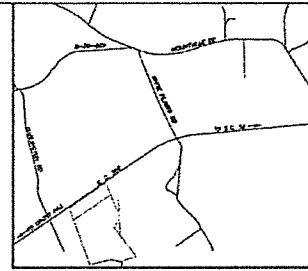
Sincerely,



W. Reid Cox, Jr.



S. C. STATE GRID POINT DATA	
HORIZONTAL DATUM: NAD 83 (2011-ADJUSTMENT)	
POINT NUMBER: 1,110 1-1/4" CRIMP PIPE FOUND	
GRID COORDINATES:	
NORTH: 901,992.0138	
EAST: 1,770,627.5554	
GEODETIC COORDINATES:	
LATITUDE: N 34°18'42.1390"	
LONGITUDE: W 081°55'48.4407"	
POINT NUMBER: 1,172 1-1/4" CRIMP PIPE FOUND	
GRID COORDINATES:	
NORTH: 901,992.0138	
EAST: 1,770,627.5554	
GEODETIC COORDINATES:	
LATITUDE: N 34°18'42.1390"	
LONGITUDE: W 081°55'48.4407"	
COORDINATE DERIVATION: GNSS COVERED	
REDUCTION FACTOR: 0.85881501	
MEASUREMENTS IN PARCEL TABLE ARE FIELD SURVEY DISTANCES	
COORDINATES TO BE USED FOR LOCATION ONLY	



PARCEL "A" 65.00 ACRES (A PORTION OF TMS# 545-00-00-023)		
PT TO PT	BEARING	DISTANCE
1,488 TO 1,171	S 22°25'56" E	824.83'
1,171 TO 1,170	S 27°32'37" W	412.21'
1,170 TO 1,173	S 36°56'36" E	1,261.59'
1,173 TO 1,174	S 74°10'06" W	590.13'
1,174 TO 1,172	N 78°33'32" W	291.36'
1,172 TO 1,175	S 77°46'49" W	758.66'
1,175 TO 1,489	N 19°27'40" W	55.23'
1,489 TO 1,487	N 20°30'24" W	1,588.35'
1,487 TO 1,488	N 56°14'49" E	1,548.20'

PARCEL "B" 15.04 ACRES (A PORTION OF TMS# 545-00-00-023)		
PT TO PT	BEARING	DISTANCE
1,110 TO 1,488	S 22°29'46" E	435.84'
1,488 TO 1,487	S 56°14'49" W	1,548.20'
1,487 TO 1,277	N 20°30'24" W	433.23'
1,277 TO 1,162	N 55°57'17" E	1,129.66'
1,162 TO 1,110	N 56°14'51" E	404.37'

SURVEY NOTES

- THE PURPOSE OF THIS SURVEY POINT IS TO SHOW THE AMOUNT OF TITLED PROPERTY ASSOCIATED WITH TMS# 545-00-00-023, AND TO ADD A DIVISION LINE TO CREATE TWO SEPARATE PARCELS FROM TMS# 545-00-00-023. PARCEL "A" IS THE REMAINING PARCEL AND PARCEL "B" IS THE NEW PARCEL.
- IMPROVEMENTS TO THE PARENT PARCEL LE: HOUSE, POOL, DRIVEWAYS, AND ETCETERA, HAVE NOT BEEN SURVEYED AND ARE SHOWN AS APPROXIMATE.
- SIGNIFICANT EFFORT HAS BEEN PUT FORTH BY THE SURVEYOR TO OBTAIN RIGHT-OF-WAY INFORMATION FROM STATE AND LOCAL SOURCES. SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SDOT) HAD NO RECORDS AVAILABLE FOR THIS SECTION OF S.C. HIGHWAY 560. LAURENS COUNTY ROADS AND BRIDGES DEPARTMENT HAD NO KNOWLEDGE OF THE RIGHT-OF-WAY ALONG THIS SECTION EITHER. SUBJECT AND ADJACENT PLAT RESEARCH INDICATED THAT PREVIOUS SURVEYS MONITORED A 33' FROM CENTERLINE EACH SIDE (66' TOTAL) OF THE ROAD AS A DESIGNATED RIGHT-OF-WAY. AS SUCH, THIS CONVEY SHOWS TITLE PROPERTY UP TO 33' FROM CENTERLINE OF S.C. 560.
- THE BEARINGS SHOWN HEREON ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES, NAD 83 (2011 ADJUSTMENT), INTERNATIONAL FEET, AS DETERMINED BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS).
- THIS PLAT REPRESENTS A SURVEY BASED UPON THE LISTED HYPERLINKS ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.
- TOTAL ACRES SURVEYED AND SHOWN HEREON = 80.04 ACRES

SURVEY REFERENCES

- REFERENCE PLAT DATED JANUARY 3, 1988 PERFORMED BY C. D. ROGUE SURVEYING COMPANY AND RECORDED IN THE LAURENS COUNTY CLERK OF COURT IN PLAT BOOK A-205, PAGE 6.
- DEED: BOOK 646, PAGE 243
- REFERENCE PLAT DATED APRIL-MAY, 1952 BY J. R. CRAWFORD OF WHITE PLAINS FARMS STAMPED COOP SEPTEMBER 20, 1955.
- TAX MAP NUMBER, LAURENS COUNTY: 545-00-00-023
- THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" AND FLOOD ZONE "A" AS INDICATED ON FLOOD INSURANCE RATE MAP (FIRM) MAP. FLOOD ZONE LINES SHOWN HEREON BY DISTORTING FROM FIRM MAP.

CERTIFICATION NOTE

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCUMBRANCES, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

CARRIE B. MULLINAX
342 Riverchase Way, Lexington, SC 29072

S.C. REG. # 27455
(843) 769-7370

DATE SURVEYED AUGUST 10, 2018		BOUNDARY SURVEY FOR JAKE RASOR JR. TMS# 545-00-00-023 (PARENT TRACT) LOCATED ON S.C. HIGHWAY 560 CROSS HILL, NEWBERRY COUNTY, SOUTH CAROLINA	GEL Engineering LLC a member of THE GEL GROUP P.C. ENVIRONMENTAL • ENGINEERING • SURVEYING 342 Riverchase Way Lexington, SC 29072 P: 843.769.7370 F: 843.769.7397 www.gel.com
DRAWING FILENAME R559-15-231002			
PROJECT NUMBER OSIN00118			

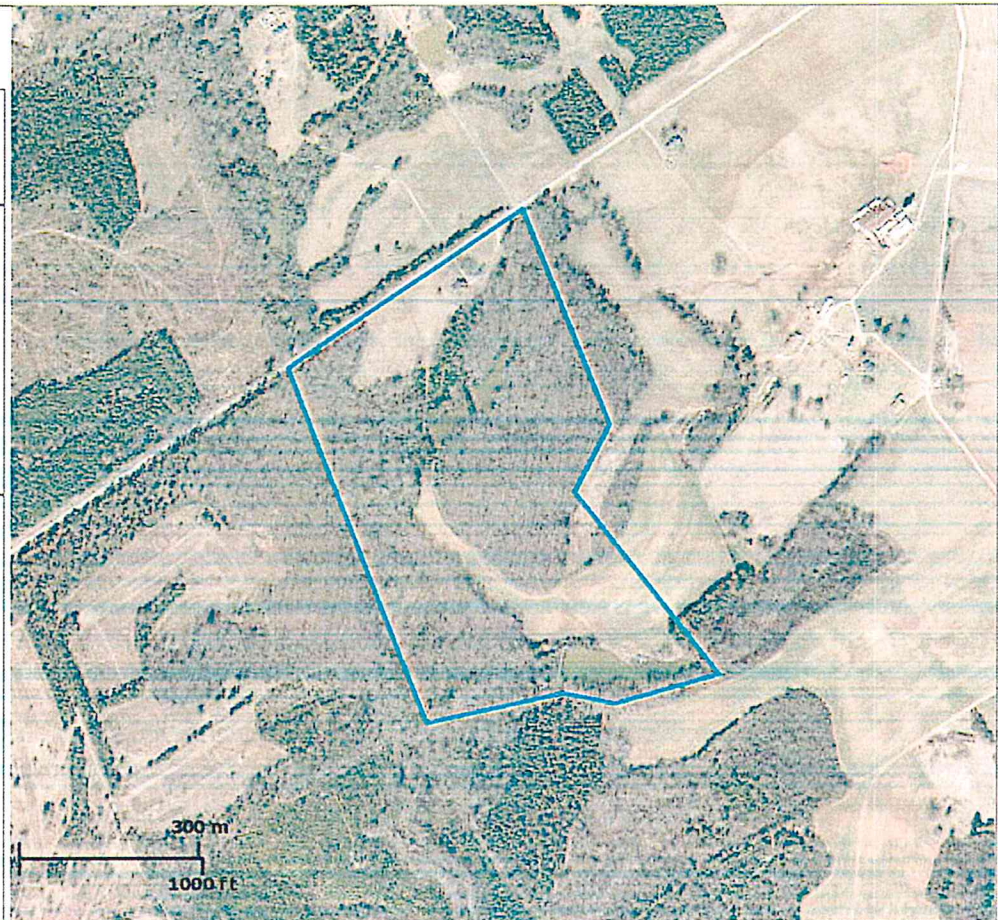
Laurens County GIS

Parcel #545-00-00-023

OWNER
RASOR JAKE JR
POST OFFICE BOX 278
CROSS HILL SC, 29332

LEGAL
Grantors Name: RASOR JAKE JR
Sale Price: \$10.00
Sale Date: 09/08/2003
Deed Book: 646
Deed Page: 243
Plat Book: A206
Plat Page: 6

PROPERTY INFO
Parcel ID: 545-00-00-023
Location:
School District: 56
Town Code:
Fire Code: D121
Acres/Lots: 80/0



* THIS MAP IS NOT TO BE USED AS A PLAT *

Laurens County GIS

Parcel #575-00-00-019

OWNER

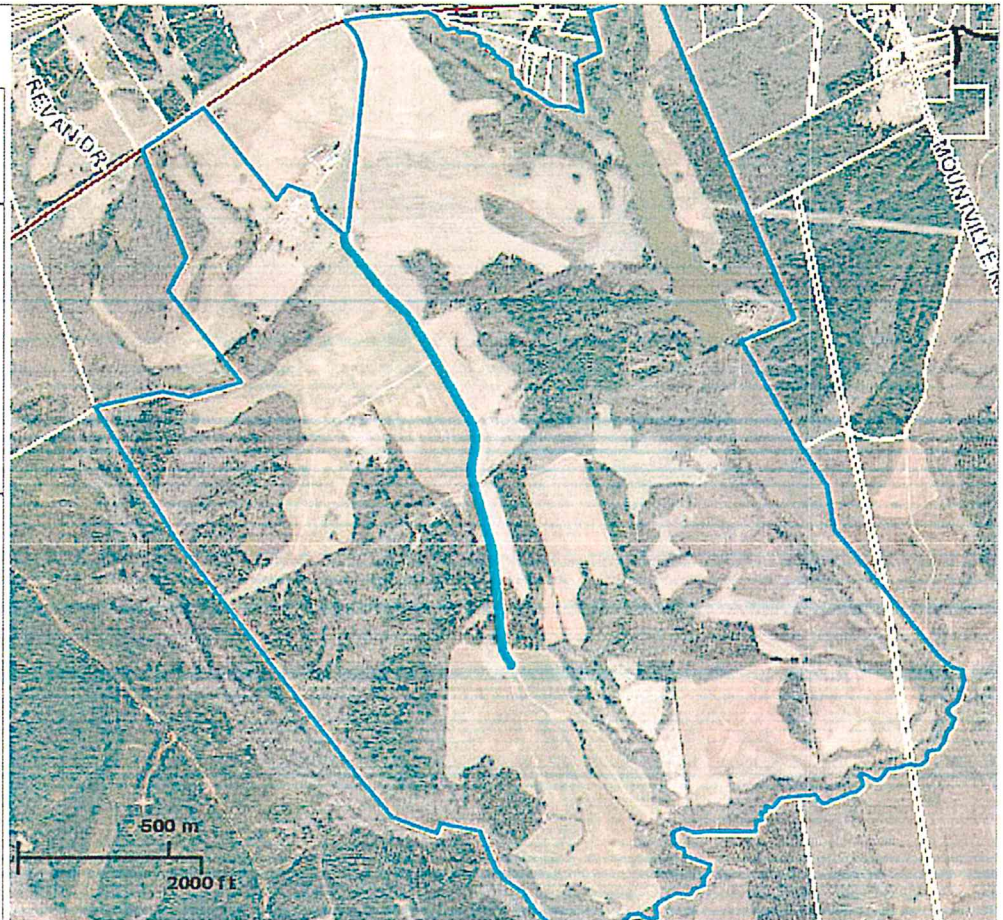
WHITE PLAINS ASSOCIATES L P
POST OFFICE BOX 278
CROSS HILL SC. 29332

LEGAL

Grantors Name: WHITE PLAINS
ASSOCIATES L P
Sale Price: \$10.00
Sale Date: 12/17/2007
Deed Book: 861
Deed Page: 157
Plat Book: 10
Plat Page: 123

PROPERTY INFO

Parcel ID: 575-00-00-019
Location: 2070 WHITE PLAINS ROAD
School District: 56
Town Code:
Fire Code: D121
Acres/Lots: 1284.47/0



* THIS MAP IS NOT TO BE USED AS A PLAT *

Laurens County GIS

Parcel #605-00-00-002

OWNER

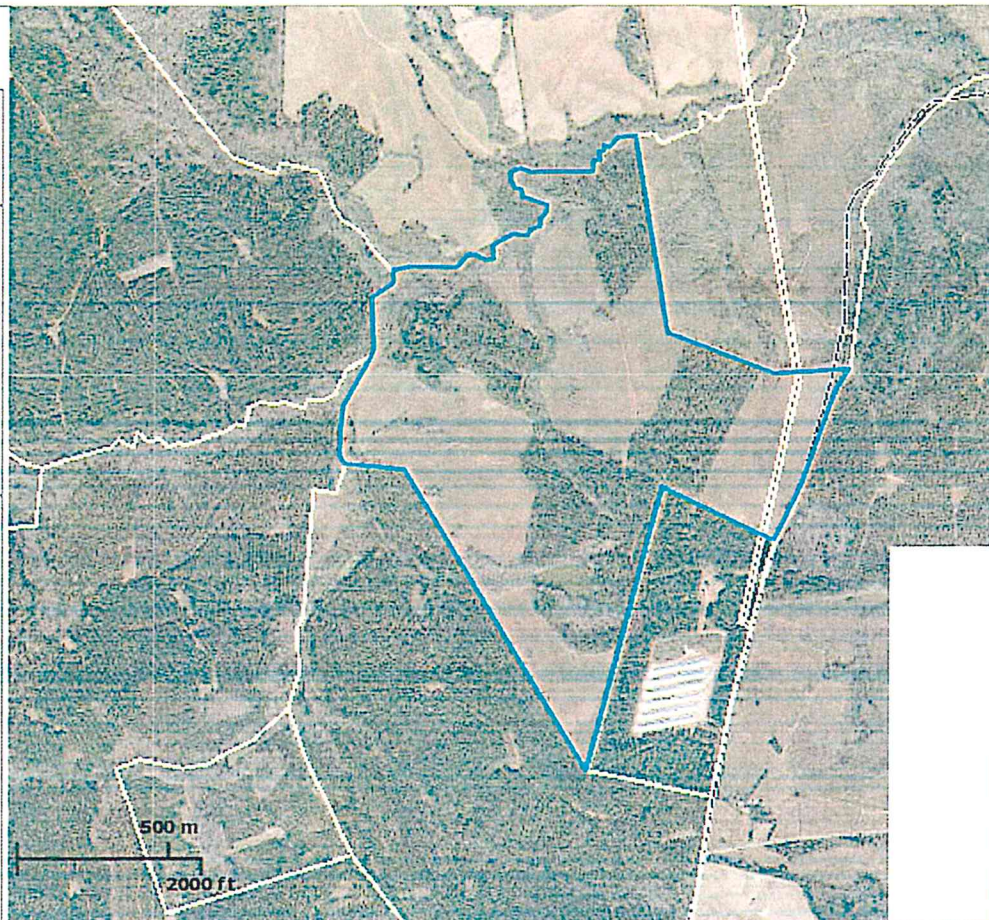
MUDLICK CREEK PARTNERS LLC
509 E ST JOHN ST
SPARTANBURG SC, 29302

LEGAL

Grantors Name: MUDLICK CREEK
PARTNERS LLC
Sale Price: \$520,000.00
Sale Date: 09/14/2011
Deed Book: 1037
Deed Page: 318
Plat Book: A520
Plat Page: 7

PROPERTY INFO

Parcel ID: 605-00-00-002
Location:
School District: 56
Town Code:
Fire Code: D121
Acres/Lots: 372.31/0



* THIS MAP IS NOT TO BE USED AS A PLAT *

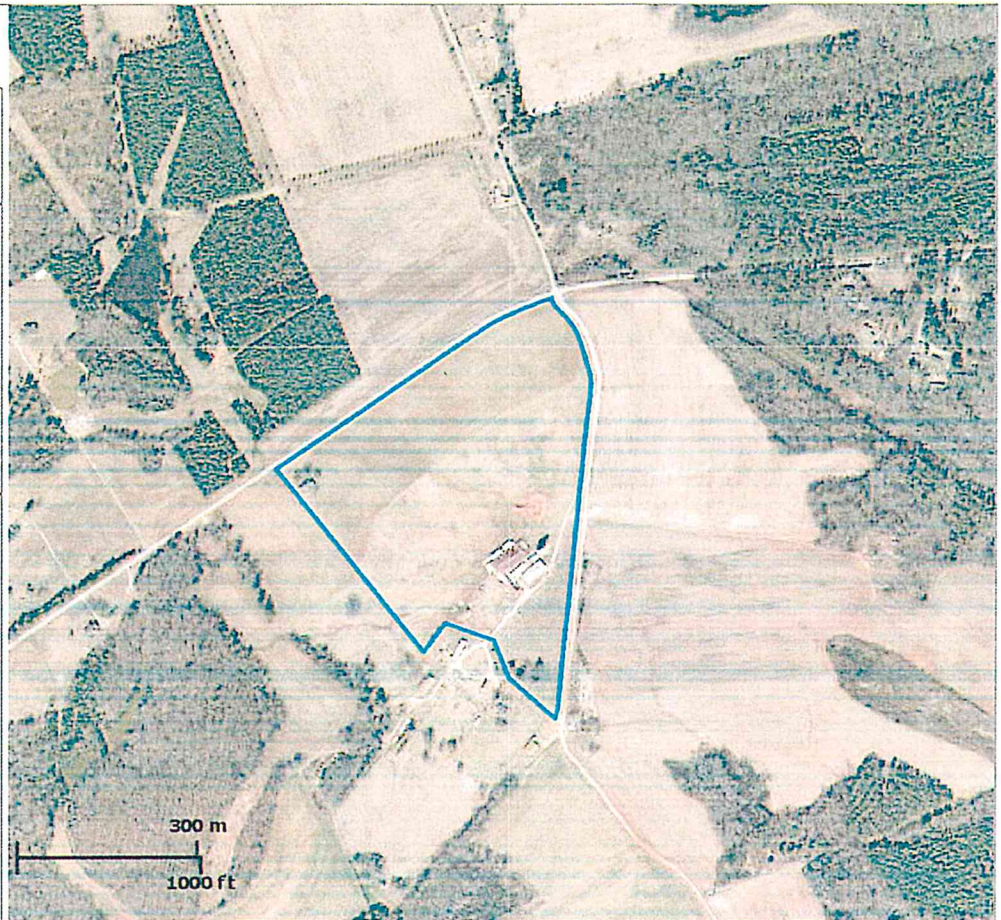
Laurens County GIS

Parcel #575-00-00-016

OWNER
WHITE PLAINS ASSOCIATION L P
POST OFFICE BOX 278
CROSS HILL SC, 29332

LEGAL
Grantors Name: WHITE PLAINS
ASSOCIATION L P
Sale Price: \$10.00
Sale Date: 12/17/2007
Deed Book: 861
Deed Page: 157
Plat Book: A246
Plat Page: 8

PROPERTY INFO
Parcel ID: 575-00-00-016
Location: 10348 HIGHWAY 560
School District: 56
Town Code:
Fire Code: D121
Acres/Lots: 51.08/0



* THIS MAP IS NOT TO BE USED AS A PLAT *