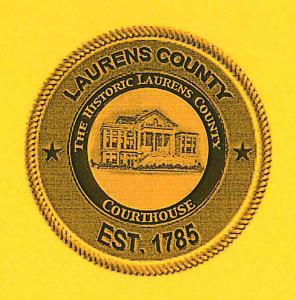


AGENDA – DECEMBER 11, 2018



AGENDA LAURENS COUNTY COUNCIL DECEMBER 11, 2018 – 5:30 P.M. HISTORIC COURTHOUSE – PUBLIC SQUARE

- 1. Call to Order Chairman Wood
- 2. Invocation Councilman McDaniel
- 3. Pledge of Allegiance
- 4. Approval of Agenda December 11, 2018
- 5. Approval of Minutes November 13, 2018, Regular Session
- 6. Reports To Council Acknowledging outgoing Council Members
- 7. Old Business:
 - a) Public Hearing Ordinance #854, Amending Ordinance #831 Subdivisions
 - b) Third Reading Ordinance #854, Amending Ordinance #831 Subdivisions
 - c) Second Reading Ordinance #855, Project Autumn"
 - d) Second Reading Ordinance #856, "Project Gator"
- 8. New Business:
 - a) First Reading, Ordinance #857, Flame Spray
 - b) Resolution 2018-44, Laurens County Water/Sewer Commission, Easement Approval
 - c) Approval, Subdivision Variance Request TM Enterprises
 - d) Approval, Cooks Cell Tower
 - e) Requested Budget Amendment, Fire Department
- 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:
 - a.) Employment Matter Planning Position and IT Position
 - b.) Contractual Matter Solid Waste Transfer Station
- 12. Adjournment



MINUTES - NOVEMBER 13, 2018, REGULAR SESSION



MINUTES NOVEMBER 13, 2018 LAURENS COUNTY COUNCIL HISTORIC COURTHOUSE – COUNCIL CHAMBERS

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

COUNCIL MEMBERS ABSENT- None.

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

STAFF ABSENT: None.

<u>DEPARTMENT HEADS PRESENT:</u> Debi Parker, Human Resources Manager; Andy Howard, Director, Laurens County Parks, Recreation and Tourism; Billy Wilson, Superintendent, Vehicle Maintenance/Procurement; Lesa Inabinette, Judge, Magistrate Courts; Joey Avery, Director of E/911 - Communications and Matt Pennington, Director, Laurens County EMS.

INVITED GUESTS – None.

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

SCHEDULED AGENDA ITEMS - NOVEMBER 13, 2018 - 1.) Call to Order; 2.) Invocation - Vice Chairman Tollison; 3.) Pledge of Allegiance; 4.) Approval of Agenda – November 13, 2018; 5.) Approval of Minutes – a.) October 23, 2018 - Regular Meeting, b.) October 24, 2018 - Council Committee on Planning & Intergovernmental Affairs; c.) November 8, 2018 – Scheduled (Cancelled) Council Committee Planning & Intergovernmental Affairs; 6.) Reports To Council- a.) Animal Control; 7.) Old Business: a.) Committee - Planning & Intergovernmental Affairs 10/24/18 - Posting of Transactions Online; b.) Committee - Planning & Intergovernmental Affairs 10/24/18 - Procurement Card Policy; c.) Committee -Planning & Intergovernmental Affairs 10/24/18 - Travel Policy; d.) Committee - Planning & Intergovernmental Affairs 10/24/18 - Gas Card Policy; e.) Committee - Planning & Intergovernmental Affairs 10/24/18 - Policy, Take Home County Vehicles; f.) Public Hearing, Ordinance #853 - Amending Ordinance #830 section 3.3 Detitling Mobile Homes; g.) Third Reading, Ordinance #853 - Amend Ordinance #830 section 3.3 Detitling Mobile Homes; h.) Second Reading, Ordinance #854 amending Ordinance#831 Subdivisions; i.) Funding Source, HVAC Hillcrest Project; 8.) New Business – a.) Resolution #2018-38 - Inducement Resolution "Project Autumn"; b.) First Reading Ordinance #855-"Project Autumn"; c.)Resolution #2018-39 JEDA Bonds for Bailey Manor Acquisition; d.) Resolution #2018-40 Inducement Resolution "Project Gator"; e.) First Reading Ordinance #856 – "Project Gator"; f.) Approval – County Airport Capital Improvement Plan; g.) Resolution #2018-41 – November 17, 2018 as "March of Dimes Day"; h.) Request for approval, Fire Service, Replacing Joanna Ladder Truck; 8.) Public Comment- Fifteen (15) Minute Period for Public Comment; 9.) County Council Comments; 10.) Executive Session: a.) Contractual Matter – EMS; b.) Real Estate - EMS Headquarters; c.) Contractual Matter -Solid Waste Transfer Station; 11.) Regular Session; a.) EMS substation Relocation Request; 12.) Adjournment.

<u>MEETING NOTIFICATION</u> – The requesting general public, department heads and Press were informed of the meeting in a timely manner. Postings of the Agenda and Amended Agenda were posted in County facilities on their bulletin boards and also posted on the County Web Site.

PUBLIC COMMENT SIGN UPS - None.

<u>CALL TO ORDER</u> – Chairman Wood called the meeting to order at 5:30 P.M. Vice Chairman Tollison provided the invocation and all were invited to stand for the Pledge of Allegiance.

Chairman Wood acknowledged and congratulated those present of their wining in the recent elections.

<u>APPROVAL OF AGENDA –NOVEMBER 13, 2018</u> – Chairman Wood asked for approval of the agenda with any additions to or deletions from the agenda.

Added Executive Session items were: a.) Employment matter with the Public Works Department; b.) Employment Matter concerning the proposed Information Technology Department; c.) Financial Matter with the Coroner's Office; d.) Employment Matter with the proposed Planning Department.

COUNCILMAN MCDANIEL made the MOTION to approve the November 13, 2018 agenda; COUNCILMAN NASH SECONDING; VOTE 7-0

APPROVAL OF MINUTES:

- a.) October 23, 2018 Regular Meeting COUNCIL VICE CHAIRMAN TOLLISON made the MOTION to approve the October 23, 2018 minutes as presented. COUNCILMAN MCDANIEL SECONDING: VOTE 7-0.
- b.) October 24, 2018 Council Committee on Planning & Intergovernmental Affairs COUNCILMAN JONES made the MOTION to approve the October 24, 2018 minutes as presented. COUNCILMAN NASH SECONDING; VOTE 7-0.
- c.) November 8, 2018 Scheduled (Cancelled) Council Committee Planning & Intergovernmental Affairs (minutes were written to document the scheduled meeting).

REPORTS TO COUNCIL:

a.) <u>Animal Control</u> – Mr. Giles Gilmer, Superintendent, Laurens County Litter and Humane Department provided Council with the following statistics and program of work.

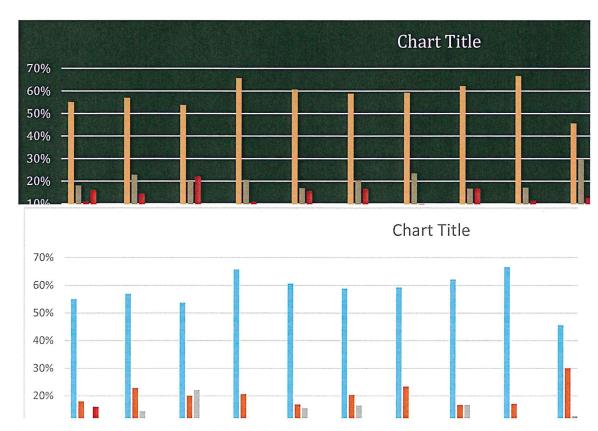
2018 OCTOBER SHELTER REPORT:

October Intake Summary		October Shelter Sta	October Precinct Dispa	<u>atch</u>		
	Citizen Turn in	21	Rescued	71	County	127
	Owners Surrender	23	Adopted	43	City of Clinton	22
	DHEC Hold	1	Return Owners	16	City of Laurens	21
	Strays	84	Put to Sleep	. 2	Town of Cross Hill	3
	TOTAL INTAKE 129		Died in Shelter 0		Town of Gray Court	2
TO			TOTAL DISPOSITION	N 132	TOTAL	175

ANIMAL CONTROL YEAR TO DATE STATS:

Annual Put To Sleep Rate for 2018 – 5.70%

Shelter Report Year to	Dogs picked up Year to	Dogs picked up Year to Date		
Rescue	569	County	794	
Adopted	228	City of Clinton	111	
Return Owners	144	City of Laurens	97	
Put To Sleep	57	Town of Gray Court	15	
Died in Shelter	2	Town of Cross Hill	8	
FINAL DISPOSITION	1,000	TOTAL 1,	015	



A.) Proposed Future Budget Proposal:

- 1.) Monies collected by the shelter requested to be placed back into the operation budget of Litter and Humane.
- 2.) Summary From January 2018 to October 2018 we have adopted out and returned to owners 431 dogs.
- 3.) Our Shelter has deposited \$10,060 from January to October.
- 4.) Estimated with the current volume, we could handle up to 118+ spay/neuter a year.
- 5.) The benefit of having these monies going back into Animal Control Budget would be reducing the population of unwanted animals in our County. Both Cats and Dogs.

B.) Spay and Neuter programs:

- 1.) We are investigating a Mobile Spay and Neuter program that is located in Columbia that travels the entire state.
- 2.) Animal Control is investigating the cost to our citizens to have this group come down and offer spay and neuter to our citizens.
- 3.) We are checking in to the possibility of helping subsidize some of the cost by using the Animal Control Budget when it permits.
- 4.) We are also investigating how "Heart Of LCAC" can help with fund raising to try to get a lower cost to our citizens.

C.) Heart of Laurens County Animal Control:

- 1.) We have a new 501-c group in the county called "HEART of LCAC" that has been helping our shelter in many areas. I'm sure all of you are aware of the recent animal abuse cases that Animal Control and The Sheriff's Department worked on. A few of these animals needed extensive medical attention. This group has provided care for several of these dogs and the cost saved the Tax Payers at least \$3,000 or more.
- 2.) This group is dedicated in helping our shelter with preventive medicines such as flea prevention and heartworm medication. They also provide our shelter with heart worm test kits.
- 3.) They provide rabies shots given prior to adoption events
- 4.) They will also provide future micro-chipping of all adopted pets from the shelter.

D.) Future Working Relationship.

- 1.) This group has the ability to write and ask for grants from the private sector for items such as (TNR) Trap and Release for Feral Cats.
- 2.) Food Banks that could benefit the shelter as well as people who help foster our dogs that get rescued and for those who are managing feral cats.
- 3.) They also have the ability to write grants for programs such as spay and neuter. Future of Laurens County Litter and Animal Control.

E.) Future of Laurens County Litter and Humane Control.

- 1.) During the budget process of 2019/2020, Amend Budget for department 592 to allow money collected at the Shelter to be placed back into our Professional Services.
- 2.) Being proactive in the community in Spay and Neuter.
- 3.) Update the Current Animal Control Ordinances to better define what is expected from animal owners.
- 4.) Adopt litter ordinances.

Councilman Jones said, "We now have a litter control ordinance in place. What else do we need to do to address the issue of litter? This is something that I have no tolerance for." Attorney Cruickshanks replied that that was something that the Planning Commission needs to review and update with the present ordinance. Mr. Gilmer added that right now the litter control is at the mercy of the Sheriff's Department because of State Statute changes as code enforcement officers.

Councilwoman Anderson asked what could be done as to the cat population. Mr. Gilmer replied that there are no facilities to take in cats.

Councilman Pitts asked about the status of the volunteers. Mr. Gilmer replied that there were thirty five (35) applicants with only four (4) active participants.

Chairman Wood requested for Administrator Caime to look into the matter of the funds and concerns with the cat population.

OLD BUSINESS:

a.) COMMITTEE - PLANNING & INTERGOVERNMENTAL AFFAIRS 10/24/2018 - POSTING OF TRANSACTIONS ON LINE - Committee Chair, Diane Anderson, reviewed the following actions taken by the Council Committee as a MOTION and a SECOND from the COMMITTEE.

<u>COMMITTEE MOTION</u> - COUNCILMAN PITTS made the MOTION that as of January 1, 2019 all purchases and credit card use, with account numbers redacted, will be posted online. COUNCILMAN JONES SECONDING; VOTE 3-0.

The FULL COUNCIL VOTED 7-0.

b.) <u>COMMITTEE - PLANNING & INTERGOVERNMENTAL AFFAIRS 10/24/18 - PROCUREMENT CARD POLICY - Committee Chair, Diane Anderson, reviewed the following actions taken by the Council Committee as a MOTION and a SECOND from the COMMITTEE.</u>

COMMITTEE MOTIONS:

- a.) COUNCILMAN PITTS made the MOTION that as of January 1, 2019 all purchases and credit card use, with account numbers redacted, will be posted online. COUNCILMAN JONES SECONDING; VOTE 3-0.
- b.) COUNCILMAN PITTS made the MOTION to take the recommendations to the full Council for their comments and possible approval at the November 13th meeting of Council, COUNCILMAN JONES SECONDING; VOTE 3-0.

As an amending / added MOTION, COUNCILMAN PITTS stated that he would like to add that in certain situations, that the department head be allowed to use his/her discretion as to use for supplies up to one thousand five hundred dollars (\$1,500). And, the Department Head should advise the County Administrator and the Finance Director within forty eight (48) hours. COUNCILMAN MCDANIEL SECONDING.

The FULL COUNCIL VOTED 7-0 to approve the motions.

c.) <u>COMMITTEE - PLANNING & INTERGOVERNMENTAL AFFAIRS 10/24/18 - TRAVEL</u>
<u>POLICY - Committee Chair</u>, Diane Anderson, reviewed the following actions taken by the Council Committee as a MOTION and a SECOND from the COMMITTEE.

<u>COMMITTEE MOTION -</u> COUNCILMAN PITTS made the MOTION to approve the changes to be made by Administrator Caime within the procurement card policy towards the per diem reimbursements as provided to the full Council for approval. COUNCILMAN JONES SECONDING; VOTE 3-0.

a.) The deletion of this paragraph per citation #4-90-7, where it says that elected officials are not subject to that because you are creating another obstacle for them to go through in order for them to do their jobs.

County Council members will follow the same process as all County employees, in that all travel will require pre-clearance. This clearance will be attained from a vote of County Council in a properly called meeting prior to travel in which reimbursements are expected to be made. The County Administrator and the Chairman of County Council (or the Vice-Chairman for travel made by the Chairman) will serve as the reviewers of Council travel documents to determine the correct completion exclusively. The only recognized exception to this policy will be for South Carolina Association of County (SCAC) sponsored/affiliated events that are conducted within the boundaries of the State of South Carolina. For events that are SCAC sponsored/affiliated there are no pre-travel clearance requirements; however, all other requirements of this policy remain in full effect.

b.) County Attorney Cruickshanks said that with that deleted, wording in the paragraph above the following need to be changed as well.

FROM: Elected Officials, excluding County Council Members, may sign their own travel vouchers, however, the required forms and documentation as detailed in this policy are still required.

<u>TO</u>: Elected Officials, excluding including County Council Members, may sign their own travel vouchers, however, the required forms and documentation as detailed in this policy are still required.

The FULL COUNCIL VOTED 7-0 to approve.

d.) <u>COMMITTEE - PLANNING & INTERGOVERNMENTAL AFFAIRS 10/24/18 - GAS CARD POLICY</u> - Committee Chair, Diane Anderson, reviewed the following actions taken by the Council Committee as a MOTION and a SECOND from the COMMITTEE.

The Committee approved the following changes:

- a.) COUNCILMAN PITTS made the MOTION for the regular purchasing of unleaded gasoline and diesel where needed; and to post monthly online beginning January 1, 2019; COUNCILMAN JONES SECONDING; VOTE 3-0.
- b.) COUNCILMAN PITTS made a MOTION for all non-elected department heads in County owned vehicles, and involving future hires, to stop at the county line for personal use. COUNCILMAN JONES SECONDING; VOTE 3-0.

COUNCILMAN PITTS added a MOTION to have full postings of the gas cards online with COUNCILMAN JONES SECONDING; COUNCIL VOTED 7-0 on all issues.

e.) COMMITTEE - PLANNING & INTERGOVERNMENTAL AFFAIRS 10/24/18 - POLICY, TAKE HOME COUNTY VEHICLES - Committee Chair, Diane Anderson, reviewed the following actions taken by the Council Committee as a MOTION and a SECOND from the COMMITTEE.

Administrator Caime added, "Mrs. Walsh provided me with a prior Ordinance that addresses some of these issues already. If Council elects to change this Policy then Ordinance #736 – The Vehicle Use Policy and Procedures – comes into play. Changes would need to be implemented to the Ordinance with three reading and a public hearing. I recommend that the Ordinance be nullified and then move to adopt a policy by Resolution".

COUNCILMAN PITTS made the MOTION to table this subject matter with COUNCILMAN JONES SECONDING; COUNCIL VOTED – 6-0-1 (Councilwoman Anderson abstained).

<u>PUBLIC HEARING, ORDINANCE #853 - AMENDING ORDINANCE #830 SECTION 3.3</u>
<u>DETITLING MOBILE HOMES</u> – Chairman Wood opened the public hearing at 6:20 P.M. with no one wishing to address Council, Chairman Wood closed the public hearing at 6:21 P.M.

THIRD READING, ORDINANCE #853 - AMEND ORDINANCE #830 SECTION 3.3 DETITLING MOBILE HOMES - COUNCILMAN JONES made the MOTION to approve with VICE CHAIRMAN TOLLISON SECONDING; VOTE 7-0.

SECOND READING, ORDINANCE #854 AMENDING ORDINANCE#831 SUBDIVISIONS
Attorney Cruickshanks said, "At the last meeting this was presented by title only. There are several areas of the Subdivision Ordinance that needs reclassification as it relates to the subdivision of land. The intent of the wording is to promote better development and to prevent the addition of new tax payer funded roads for private developments".

- a.) The combination of existing or recombination of existing parcels that are already recorded allows land owners to clean up parcels of land that may have bee subdivided in such a a way that is no longer appropriate. This does not increase the number of parcels but allows for owners to have better lot configurations that meet their needs. This also allows parcel owners to purchase parts of adjacent lands and combine them with their own.
 - <u>Proposed Exemption wording</u> "The combination of portions of previously platted lots were the total number of lots is not increased and the resultant lots are equal to the standards of this chapter".
- b.) This allows for families to give land to other immediate family members. We have generational land owners here in Laurens County and it is a part of our community fabric that family desire to stay intact on land owned by families for several generations. This will allow that to happen.

<u>Proposed Exemption Wording-</u> A parcel of land that is divided into five or fewer parcels, each parcel being of sufficient size to meet the requirements of the health department and each parcel is deeded to a member of the owner's immediate family. For the purposes of this paragraph, immediate family is defined as the owners spouse, mother, father, sister, children grandchildren".

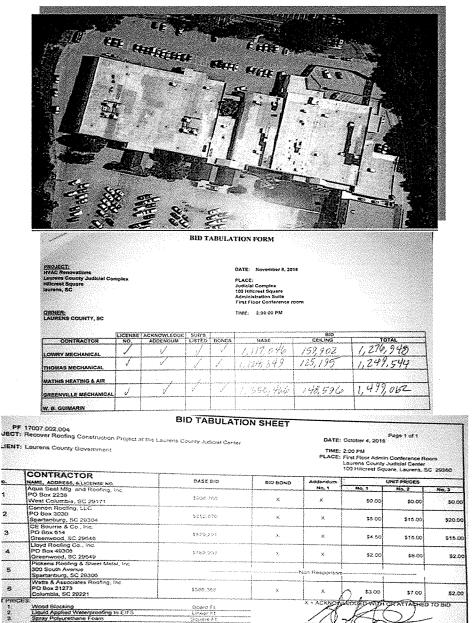
COUNCILMAN PITTS made the MOTION to approve with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.

FUNDING SOURCE, HVAC HILLCREST PROJECT – Mr. Billy Wilson informed Council that bids for the Hillcrest Judicial / Services Building HVAC unit was received last Thursday. Continuing. Mr. Wilson said, "We are only dealing with the left parts of the building. With three (3) contractors submitting, the low bid was a local vendor at one million two hundred forty nine thousand five hundred forty four dollars (\$1,249,544). This price includes taking the units off of the building, placing new units along the outside of the building on the ground, new duct work and new thermostats. I'm not sure where we were before as to costs when this was reviewed earlier. To do the whole building, Council is looking at two million five hundred thousand dollars (\$2,500,000). The id tags on the units are showing 1997. Five years ago we were spending approximately ten thousand dollars (\$10,000) a year in maintenance for the whole building. Noted in the budget that past year, well over forty thousand dollars (\$40,000) has been spent in maintenance costs. The units now are around fifty percent (50%) efficiency. The units we are proposing installing have a

3

ninety to ninety five percent (90 to 95%) efficiency rating. The buildings and grounds department averages at least three (3) calls a week on problems with the present system. With the weather becoming cooler, I am certain that that calls will go up. We are expecting at least one hundred fifty thousand dollar (\$150,000) savings on electrical bills for the next four (4) years. The warranty on the new units will be a ten (10) year on parts and labor. There are approximately eleven or twelve (11 or 12) units on this side alone. What we are asking for tonight is Councils blessing to get this started on the left hand side of the building. Once the units are off of the roof, the roofing will begin. The price for the units was considering even replacing ceiling tiles damaged during the duct work".

Administrator Caime stated, "During the original construction, all of these things should have been taken into consideration. What we are paying for now is what should have been implemented years ago. It will be done right this time around".



THE BIOS RECEIVED FOR

Vice Chairman Tollison asked if cranes would be used and noted that cranes are expensive. A representative from Thomas Mechanical noted that the bid included the use of cranes at least three (3) times.

Councilman Pitts asked for confirmation that the one million two hundred forty nine thousand five hundred forty four dollars (\$1,249,544) is only for the left side of the whole building and added, that all of the mechanicals are relatively close in numbers. Looking at the roofing bids, the low bid is within two hundred thousand dollars (\$200,000) with the next bid. I feel that something significantly was missed in this process and asked if this was reviewed and questioned. Mr. Wilson replied, "We did. Shepard and Associates, who is handling this for us, asked them to go back and refigure their numbers for the project. They confirmed it and are good with it. They are hungry and are coming off of a school project from the summer and need the work. I also looked back on some discussion Mr. Russian had had with Cannon Roofing about four (4) years ago. Their best effort in quoting back then was around five hundred forty thousand dollars (\$540,000). Bottom line, we are confident of the bids at this time".

Councilman Pitts asked the staff what the plans were to pay for this. Chairman Wood stated that we need to know how much we need to do the whole project. Administrator Caime replied, "That over two million eight hundred thousand dollars (\$2,800,000) will be needed for the roof. The second part would be two million five hundred dollars (\$2,500,000)". Chairman Wood asked if bids were going to be solicited for this? Mr. Wilson replied, "We are going to negotiate first or, go out again for bids. I checked with the Treasurer's Office today and there is two hundred fifty seven thousand one hundred fifty two dollars (\$257,152) remaining from the bond for administration building". Administrator Caime replied, "That money is only to make a dent in the funding. The remaining portion of it will need to be paid through a general obligation bond. On the short term, we can fund it through cash and looking at some other rather large projects. It all depends on what Council wants to do. We are getting so close as to the issuance of the bonds is going to happen".

Councilman Pitts said, "That was the reason I asked my question. The other thing is how long the bid on the roof is good for how long – ninety (90) days. We have got to move forward on this. I am not fan of TPO roofing as it is nothing but hard plastic. Drop a hammer, its going to damage it. But, we cannot afford a real roof. But I have conceited that with the equipment coming off of the roof, there should not be anyone on the roof".

Administrator Caime replied, "The ideal situation would be to keep the millage the same or not have to increase it significantly to cover the increased costs. I looked at restructuring the existing debt in order to free up a certain amount of money, keeping the millage the same. With the new units, electricity bills and maintenance will be reduced."

Councilman Pitts asked if a tax anticipation note could be issued? Attorney Cruickshanks replied, "Advanced bonding, yes". Councilman Pitts replied, "Then one million eight hundred thirty nine thousand dollars (\$1,839,000) minus two hundred fifty seven thousand one hundred fifty two dollars (\$257,152) leaves approximately one million five hundred eighty five thousand, nine hundred twelve dollars (\$1,585,912) needed for the roof. And I hate taxes". Administrator Caime added that the County does have a fund balance and we could borrow from ourselves. Vice Chairman Tollison questioned if funding for the other side was considered. Councilman Pitts asked what was the audited fund balance? Administrator Caime replied, "Right at five million seven hundred thousand dollar (\$5,700,000). I favor the one time use of the fund balance and reserve the bond for the emergency services project". Councilwoman Anderson stated that she wanted to insure funds for the whole project. Administrator Caime replied that in order to move forward with necessary repairs now, it is best to utilize the cash we have.

COUNCILMAN PITTS made the MOTION to allow the County Administrator to enter into contract with Thomas Mechanical for one million two hundred forty nine thousand five hundred forty four dollars (\$1,249,544) to replace the left side HAVAC. And this motion further states to allow the County Administrator to enter into contract with Watts and Associates to replace the roofing on the entire older portion of Hillcrest Square in the amount of five hundred eighty six thousand three hundred sixty eight dollars (\$586,368) to be paid from the audited fund balance funds. VICE CHAIRMAN TOLLISON SECONDING.

Councilwoman Anderson stated that she had concerns over paying off some other bonds.

COUNCILMAN PITTS AMENDED HIS MOTION to include using the funds after using the two hundred fifty seven thousand one hundred fifty two dollars (\$257,152) of the remaining bond monies. VICE CHAIRMAN TOLLISON AGREED. VOTE 7-0 to approve the motion.

NEW BUSINESS:

- a.) RESOLUTION #2018-38 INDUCEMENT RESOLUTION "PROJECT AUTUMN"-
 - Attorney Cruickshanks reported that this is a Resolution authorizing the execution of an inducement agreement between Laurens County and Project Autumn, A Delaware Corporation, for a fee in lieu of tax agreement.
 - COUNCILMAN JONES made the MOTION to approve the requested Resolution with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.
- b.) <u>FIRST READING ORDINANCE #855- "PROJECT AUTUMN"</u> COUNCILMAN JONES made the MOTION to approve the requested Resolution with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.
- c.) RESOLUTION #2018-39 JOBS ECONOMIC DEVELOPMENT AUTHORITY (JEDA) BONDS FOR BAILEY MANOR ACQUISITION Attorney Cruickshanks explained that this is similar to the Presbyterian College JEDA Bond and that no County monies would be involved.
 - COUNCILMAN PITTS made the MOTION to approve the requested Resolution with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.
- d.) RESOLUTION #2018-40 INDUCEMENT RESOLUTION "PROJECT GATOR" Mr. Jonathon Coleman approached Council with the request to approve the inducement resolution towards Project Gator that will be a thirteen million dollar (\$13,000,000) new industry in the Hunter Park and hiring forty four (44) employees with a starting salary of twenty nine dollars (\$29.00) an hour.
 - COUNCILMAN PITTS made the MOTION to approve the requested Resolution with COUNCILWOMAN ANDERSON SECONDING; VOTE 7-0.
- e.) <u>FIRST READING ORDINANCE #856 "PROJECT GATOR"-</u> This is an ordinance authorizing the execution and delivery of a fee agreement between Laurens County and Project Gator that will provide for payment of a fee in lieu of taxes.
 - COUNCILWOMAN ANDERSON made the MOTION to approve the requested Ordinance with COUNCILMAN PITTS SECONDING; VOTE 7-0.

f.) <u>APPROVAL – COUNTY AIRPORT CAPITAL IMPROVEMENT PLAN – Mr. Andy Howard,</u> Director of Laurens County Parks, Recreation and Tourism, approached Council on behalf of the Laurens County Airport Commission, requesting approval of the 2018/2019 Capital Improvement Plan.

Mr. Howard said, "Due to an increased demand for additional hangar space, Jet A fuel and terminal improvements from the State Aeronautics Commission, the Commission believes that all of these things should be planned for and not last minute decisions. Spartanburg Airport closed and many aircrafts were relocated to Laurens County. We are identifying the projects now in order to plan for the funding".

Administrator Caime inserted that the hangar rentals would be potential revenue.

			MPROVEME 2018 & FY 2019 1		***************************************			
	LAUF	RENS COUN	TY AIRPORT	(LUX)			Last Up	dated: 11/05/2018
Fiscal Year	Description	Project Total Cost		Eligible Fede	ral Share (90%)		Eligible State Share	Sponsor Share
			Carryover	Entitlements	Discretionary and/or State Apportionment	Total		
2018	CARRYOVER NPE FUNDS INTO FY 2018 AVAILABLE FEDERAL FUNDS FOR FY 2018 Terminal Area Landside Pyrnts Rehab: Construction (Phase 2- Reimbursement)	\$0	\$0 \$0 \$2	\$150,000 \$111,529		\$150,000 \$111,529	S0	\$111,529
	ANNUAL TOTAL: GARRYOVER NPE FUNDS INTO FY 2019	\$0	\$0 \$38,475	\$111,529		\$111,520	30	\$111,529
2019	AYAILABLE FEDERAL FUNDS FOR FY 2019 ALP Update (Full Planning Effor) (previous update performed in 2004) ANNUAL TOTAL:	\$290,800 \$200,800	\$38,471 \$38,471 \$38,471	\$150,000 \$141,529 \$141,529	90	\$188,471 \$180,000 \$180,000	\$10,000 \$10,000	\$10,000 \$10,000
2020	CARRYOVER NPE FUNDS INTO FY 2020	CONTINA	\$8,471			3 JOURN	310300	310000
	AVAILABLE FEDERAL FUNDS FOR FY 2020 Airfield Lighting Rehabilitation - Design & Bidding	\$144,000	\$8,471 \$8,471	\$150,000 \$121,129	\$0	\$158,471 \$129,600	\$7,200	57,200
2021	ANNUAL TOTAL: CARRYOVER NPE FUNDS INTO FY 2021	\$144,000	\$8,471 \$28,871	\$121,129	\$0	\$129,600	\$7,200	\$7,200
TAY!	AVAILABLE FEDERAL FUNDS FOR FY 2021 Akrifield Lighting Rehabilitation - Construction ANNUAL TOTAL:	\$1,018,500 \$1,018,500	\$28,871 \$28,871 \$28,871	\$150,000 \$150,000 \$150,000	\$737,779 \$737,779	\$178,871 \$916,650	\$50,925 \$50,925	\$50,925
2022	CARRYOVER NPE FUNDS INTO FY 2022	31,010,300	\$0	3130,000	e) 1,1616	\$916,650	\$30,923	\$50,925
	AVAILABLE FEDERAL FUNDS FOR FY 2022 Perimeter Safety/Security Fencing (±14,000 LF)-Design/Bid/Construct ANNUAL TOTAL:	\$928,500 \$928,500	\$0 \$0 \$0	\$150,000 \$150,000 \$150,000	\$685,650 \$685,650	\$150,000 \$835,650 \$835,650	\$46,425 \$48,425	\$46,425 \$46,425
2023	CARRYOVER NPE FUNDS INTO FY 2023	320,500	\$0	¥130,000	2003,000	3033,030	910,123	310,120
	AVAILABLE FEDERAL FUNDS FOR FY 2023 Joi-A Fuel Farm System (10,000 gallons) and Containment ANNUAL TOTAL:	\$200,000 \$200,000	\$0 \$0 \$0	\$150,000 \$150,000 \$150,000	\$30,000 \$30,000	\$150,600 \$180,000 \$180,000	\$10,000 \$10,000	\$10,000 \$10,000
2024	CARRYOVER NPE FUNDS INTO FY 2024	***************************************	\$6	\$100,000	550,500	4,00,000	9.5,000	\$10,000
	4AVAILABLE FEDERAL FUNDS FOR FY 2024 Land Acquisition in Approaches for Future Development ANNUAL TOTAL:	\$250,000 \$250,000	\$0 \$0 \$0	\$150,000 \$150,000 \$150,000	\$75,000 \$75,000	\$150,000 \$225,000 \$225,000	\$12,500 \$12,500	\$12,500 \$12,500
	CARRYOVER NPE FUNDS INTO FY 2025		\$0	,				

- COUNCILWOMAN ANDERSON made the MOTION to approve the provided Capital Improvement Plan for the Laurens County Airport with COUNCILMAN PITTS SECONDING; VOTE 7-0.
- g.) RESOLUTION #2018-41 NOVEMBER 17, 2018 AS "MARCH OF DIMES DAY"- Mrs. Walsh noted that this was a request from the local Chapter.
 - COUNCILMAN JONES made the MOTION to approve the requested Resolution with COUNCILMAN PITTS SECONDING; VOTE 7-0.
- h.) REQUEST FOR APPROVAL, FIRE SERVICE, REPLACING JOANNA LADDER TRUCK Mr. Greg Lindley, Director of County Fire Services approached Council requesting the use of two hundred fifty thousand dollars (\$250,000) from the SPTD funds to replace a 1983 ladder truck for the Joanna Fire Station that is failing aerial testing. It serves as a backup to the City of Clinton.

COUNCILMAN PITTS made the MOTION to approve the request with VICE CHAIRMAN TOLLISON SECONDING; COUNCIL VOTED 7-0.

PUBLIC COMMENT: None.

COUNTY COUNCIL COMMENTS:

- 1.) Councilman Jones thanked all for the work on the recent policy changes.
- 2.) Chairman Wood expressed that he hoped all have a great Thanksgiving.

County Attorney Sandy Cruickshanks noted two (2) interns – Marshall and Drew – that were sitting in the audience and noted that they had been working with his law firm for several months.

EXECUTIVE SESSION – Upon a MOTION by COUNCILMAN PITTS and a SECOND from COUNCILWOMAN ANDERSON; VOTE 7-0, Council moved into Executive Session at 7:12 P.M. to discuss: a.) Contractual Matter – EMS; b.) Real Estate - EMS Headquarters; c.) Contractual Matter – Solid Waste Transfer Station. Added Executive Session items were: a.) Employment matter with the Public Works Department; b.) Employment Matter concerning the proposed Information Technology Department; c.) Financial Matter with the Coroner's Office; d.) Employment Matter with the proposed Planning Department.

There was a COUNCIL CONSENSUS to reconvene in open session at 8:10 P.M.

- a.) Contractual Matter EMS *see below
- b.) Real Estate EMS Headquarters No action taken.
- c.) Contractual Matter Solid Waste Transfer Station No action taken.

Added Executive Session items were:

- a.) Employment matter with the Public Works Department No action taken.
- b.) Employment Matter with the proposed Information Technology Department No action taken.
- c.) Financial Matter with the Coroner's Office No action taken.
- d.) Employment Matter with the proposed Planning Department No action taken.

*EMERGENCY MEDICAL SERVICES SUBSTATION RELOCATION – Mr. Matt Pennington, Director of Emergency Medical Services, approached Council asking to utilize the Springdale County property in Clinton as the Clinton unit that would be moving from the Clinton Police / Fire Station. Mr.

Pennington noted that the trailer at the Harris Bridge Road / Youngs Community site could be moved to the Springdale site.

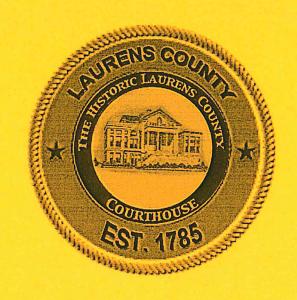
Following a very brief discussion, COUNCILMAN PITTS made the MOTION to allow and conduct the move of the mobile home to the Springdale site and to not exceed ten thousand dollars (\$10,000) based on the proposed expenses to move and set up. COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

ADJOURNMENT – By CONSENSUS the meeting was adjourned at 8:15 P.M.

Respectfully Submitted,

Betty C. Walsh

Laurens County Clerk to Council



REPORTS TO COUNCIL

ACKNOWLEDGING OUTGOING COUNCIL MEMBERS





CERTIFICATE OF APPRECIATION AND COMMUNITY GRATITUDE

On Behalf of the County of Laurens, South Carolina, It is With Deep Pride That We, The Laurens County Council, do Hereby Recognize With Honor,

"TED G. NASH"

Upon his personal commitment of time and compassion, knowledge, and loyalty, bestowed to the citizens of Laurens County and the County Employees

January 1, 2003 - January 1, 2019

From This Day Forward, This Day Will Stand Out Forever As a Milestone in Your Life as a Job Well Done. We Wish You the Best and Godspeed With Your Future Plans. In Grateful Appreciation.

Attest:	Laurens County Council
Jon W. Caime, Administrator Laurens County Council	Joe E. Wood, Chairman
Laurens County, South Carolina	P. Keith Tollison, Vice Chairman
Betty C. Walsh, Clerk to Council	Diane B. Anderson, Council Member
Laurens County, South Carolina	Stewart O. Jones, Council Member
	Garrett C. McDaniel
	HONOREE
	Ted G. Nash, Council Member
	David A. Pitts, Council Member



CERTIFICATE OF APPRECIATION AND COMMUNITY GRATITUDE



On Behalf of the County of Laurens, South Carolina, It is With Deep Pride That We, The Laurens County Council, do Hereby Recognize With Honor,

"PHILIP KEITH TOLLISON"

Upon his personal commitment of time and compassion, knowledge, and loyalty, bestowed to the citizens of Laurens County and the County Employees

For his twelve years of dedicated service as a Member of the Laurens County Council.

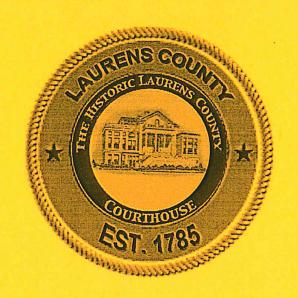
January 1, 2007 - January 1, 2019

During his tenure on the Laurens County Council Four years were served as Vice Chairman

January 13, 2015 - January 1, 2019

From This Day Forward, This Day Will Stand Out Forever As a Milestone in Your Life as a Job Well Done. We Wish You the Best and Godspeed With Your Future Plans. In Grateful Appreciation.

Attest:	Laurens County Council		
Jon W. Caime, Administrator	Joe E. Wood, Chairman		
Laurens County Council			
Laurens County, South Carolina	<u>HONOREE</u>		
	P. Keith Tollison, Vice Chairman		
Betty C. Walsh, Clerk to Council	Diane B. Anderson, Council Membe		
Laurens County Council			
Laurens County, South Carolina	Stewart O. Jones, Council Member		
	Garrett C. McDaniel		
	Ted G. Nash, Council Member		
*	David A. Pitts. Council Member		



OLD BUSINESS:

- A) PUBLIC HEARING ORDINANCE # 854, AMENDING ORDINANCE #831 SUBDIVISIONS
- B) THIRD READING ORDINANCE # 854, AMENDING ORDINANCE #831 SUBDIVISIONS



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: November 19 , 2018 (FC	OR DECEMBER 11, 2018 COUNTY COUNCIL MEETING)
DEPARTMENT / AGENCY: LEGAL	
NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COU	INTY ATTORNEY
ADDRESS:	
CITY:	STATE:ZIP:
	MAIL:
SIGNATURE:	
•	
SUBJECT MATTER REQUESTED (please be as specific as p	oossible):
PUBLIC HEARING AND THIRD READING - ORDINAN TWO (2) EXEMPTIONS.	CE 854 – AMENDING ORDINANCE 831 (SUBDIVISIONS) BY ADDING
STAFF RECOMMENDS APPROVAL OF ORDINANCE 8	354.
FINANCIAL AMOUNT REQUESTED:	
SOURCE OF FUNDING:	
(PLEASE – attach subje	ct 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:	

3RD READING DRAFT Ordinance 854

STATE OF SOUTH CAROLINA)	
)	ORDINANCE #854
COUNTY OF LAURENS)	

AN ORDINANCE TO AMEND ORDINANCE 831 BY ADDING TWO EXEMPTIONS

WHEREAS, Laurens County Council on April 25, 2017, enacted Ordinance 831 which established regulations regarding residential subdivisions for Laurens County, South Carolina, and

WHEREAS, pursuant to and by the provisions contained therein, Laurens County Council is vested with the powers and the authority to enact amendments for the continued enforcement and execution of the intent and purposes of Ordinances; and

WHEREAS, Laurens County Council has determined that certain language should be added to Ordinance 831 to allow for clearer understanding of subdivision of properties.

NOW, THEREFORE, BE IT ORDAINED BY THE LAURENS COUNTY COUNCIL, duly assembled, pursuant to the authority granted by the laws of the State of South Carolina and further pursuant to the provisions for amendments as set for in the legislation of this body, Ordinance 831 is hereby amended as set forth herein below:

- 1. <u>PURPOSES</u>: It is the stated purpose of this Ordinance to protect the general health, safety, and welfare of the citizens of Laurens County, South Carolina, and to set forth specific elements of Ordinance 831 and the enforcement therein contained with the ultimate goal of replacing the existing ordinance with a consolidated and updated ordinance.
- 2. <u>AUTHORIT</u>Y: This amending Ordinance, together with the original Ordinance 831, is adopted under the authority and process granted by the General Assembly of the State of South Carolina and the Constitution of the State. Jurisdiction is exclusively within Laurens County.
- 3. <u>APPLICABILITY:</u> The provisions of this amending Ordinance, together with the original Ordinance 831, shall apply to all unincorporated areas of Laurens County, South Carolina, and those municipalities which, by written agreement, contract to have these provisions administered within their municipal limits.
- 4. <u>LANGUAGE</u>: The language used in the amendment, being consistent with the language used in the original Ordinance 831, if used in the present tense, shall include the future tense. Words used in the singular shall include the plural, and the plural the singular, unless, however, the context clearly indicates the contrary. The use of the word "shall" is mandatory and the word "may" is permissive.

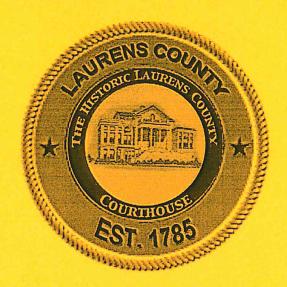
5. <u>AMENDMENT</u>: The following language shall be added to Ordinance 831:

Exemption 1: "The combination or recombination of portions of previously platted lots where the total number of lots is not increased and resultant lots are equal to the standards of this chapter." The combination of existing parcels or recombination of existing parcels that are already recorded allows land owners to clean up parcels of land that may have been subdivided in such a way that is no longer appropriate. This does not increase the number of parcels, but allows for owners to have better lot configurations that meet their needs. This also allows parcel owners to purchase parts of adjacent lands and combine them with their own.

Exemption 2: "A parcel of land that is divided into five (5) or fewer parcels, each parcel being of sufficient size to meet the requirements of the health department, and each parcel is deed to a member of the owner's immediate family. For the purpose of this paragraph, immediate family is defined as the owner's spouse, mother, father, vister, brother, children, or grandchildren." This allows for families to give land to other immediate family members. We have generational land owners in Laurens County, and it is part of our community fabric that families desire to stay intact on land owned by families for several generations. This allows that to happen.

- 6. <u>REAFFIRMATION</u>: Except as herein amended, changed, altered, or modified, the provisions of Ordinance 831 are hereby restated and reaffirmed, unless hereinafter repealed or replaced as set forth herein.
- 7. <u>SEVERABLITY</u>: Should any paragraph clause, phrase or provision of this Ordinance or Ordinance 831 be judged invalid to held unconstitutional by a Court of competent jurisdiction, such declaration hall not effect the validity of any other section of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional. Interpretations shall be pursuant to the laws of the State of South Carolina.
- 8. <u>GENERAL PROVISIONS</u>: Whenever the provisions of this Ordinance impose a more restrictive standard than are required in or under any other law, regulation or ordinance, the requirements here contained shall prevail. This Ordinance may be amended as prescribed by law.

BE IT SO ORDAINED, by Laurens County Council.



OLD BUSINESS:

SECOND READING ORDINANCE #855, PROJECT AUTUMN"



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: Novamber 19, 2018 (FOR DECEMBER 11, 2018 COUNTY COUNCIL MEETING)					
DEPARTMENT / AGENCY: LEGAL					
NAME: A. "SANDY" CRUICKSHANKS, IV, I	LAURENS COUNTY ATTORNE	Y			
ADDRESS:					
CITY:	STAT	FE:ZIP:			
PHONE NUMBER: SIGNATURE:	EMAIL:				
SIGNATURE:					
SUBJECT MATTER REQUESTED (please be	as specific as possible):				
SEE THE ATTACHED PROPOSED ORDIN	IANCE 855 – 2ND READING	G – PROJECT AUTUMN.			
STAFF RECOMMENDS SECOND READII	NG APPROVAL OF ORDINA	ANCE 855.			
FINANCIAL AMOUNT REQUESTED:	SEE THE ATTACHED				
SOURCE OF FUNDING:	SEE THE ATTACHED				
(PLEASE	– attach subject matter docu	ument pages as necessary)			
	FOR OFFICE US	SE ONLY			
REQUEST ASSIGNED TO: DATE RECEIVED:					
DATE OF ASSIGNMENT: DATE OF AGENDA:					
DATE RESPONSE DUE:					
COUNCIL ACTION:					

STATE OF SOUTH CAROLINA)	•
)	ORDINANCE 855
COUNTY OF LAURENS)	

AN ORDINANCE AUTHORIZING A FEE-IN-LIEU OF TAX AND INFRASTRUCTURE CREDIT ARRANGEMENT PURSUANT TO A FEE-IN-LIEU OF TAX AGREEMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND PROJECT AUTUMN, A COMPANY CODE NAME FOR A DELAWARE CORPORATION; AND OTHER MATTERS RELATING TO THE FOREGOING.

WHEREAS, Laurens County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended, (the "Code") and specifically, Title 12, Chapter 44 of the Code (the "Act"): (i) to assist investors in acquiring, enlarging, improving, and expanding certain types of industrial and commercial projects; (ii) to enter into agreements, including fee-in-lieu of tax agreements for the payment of certain fees-in-lieu of ad valorem taxes, with such investors to induce such investors to construct and thereafter operate, maintain, and improve such projects; and (iii) to covenant with such investors to accept certain payments-in-lieu of ad valorem taxes with respect to the project (the "FILOT"); through all of which the economic development of the State of South Carolina will be promoted and trade developed by inducing manufacturing and certain other business enterprises to locate in and remain in the State of South Carolina, and thus utilize and employ the manpower and resources of the State of South Carolina, and

WHEREAS, the County, acting by and through County Council, is further authorized by Titles 4 and 12 of the Code to provide special source revenue financing, secured by and payable solely from revenues of the County derived from payments in-lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution, and Sections 4-1-170 and 12-44-50 of the Code for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding (a) the infrastructure serving the County or the Project (as hereinafter defined) or (b) for improved or unimproved real estate and personal property including machinery and equipment used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County, within the meaning of Section 4-29-68 of the Code ("Infrastructure"); and

WHEREAS, the County intends to cause the site upon which the Project is located, to the extent not already located therein, to be located in a multi-county industrial and business park (the "Park") established by the County pursuant to a qualifying agreement with an adjoining South Carolina county (the "Park Agreement") pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution and Sections 4-1-170, 4-1-172 and 4-1-175 of the Code (the "Joint-County Industrial and Business Park Act"); and

WHEREAS, the County is authorized by Section 12-44-70 of the Act and Section 4-1-175 of the Joint-County Industrial and Business Park Act to authorize and issue, for the purposes outlined in Section 4-29-68 of the Code, certain credits against revenues received and retained under Article VIII, Section 13 of the South Carolina Constitution with respect to properties and projects located within a Park ("Infrastructure Improvement Credits"); and

WHEREAS, Project Autumn, a company code name for a corporation organized and existing under the laws of the State of Delaware (the "Company"), has represented to the County that the Company intends to acquire certain machinery, apparati, and equipment for use and operation at an existing manufacturing facility in the County (the "Project"); and

WHEREAS, the property on which the Project is located is or shall be included within the Park; and

WHEREAS, pursuant to provisions of the Park Agreement, the Company is or will be obligated to make or cause to be made payments in-lieu of tax to the County for property it owns or leases which is located within the Park, which payments in-lieu of tax are to be distributed according to the Park Agreement to a county adjoining the County and to the County, in the total amount equivalent to the *ad valorem* property taxes that would have been due and payable but for the location of the property owned or leased by the Company within the Park; and

WHEREAS, based on representations by the Company that the Project will represent a capital investment in the County of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000) during the period beginning with the first day that personal property comprising the Project is purchased or acquired and ending five (5) years after the last day of the property tax year during which the Project is first placed in service, in order to enhance the economic development of the County, the County desires to assist the Company in locating the Project within the County;

WHEREAS, pursuant to certain negotiations heretofore undertaken between the County and the Company with respect to the Project (i) the County agreed to enter into a FILOT arrangement with the Company, and to provide certain Infrastructure Improvement Credits to the Company for qualifying investment in infrastructure pursuant to Section 12-44-70 of the Act and Section 4-1-175 of the Joint-County Industrial and Business Park Act for the purposes outlined in Section 4-29-68 of the Code for the Project; and (ii) the Company agreed to make payments-in-lieu of tax to the County ("FILOT Payments") with respect to the Project in the Park as authorized in the Act; and

WHEREAS, the County has given due consideration to the economic development impact of the Project, has found that the Project and the payments-in-lieu of taxes would be directly and substantially beneficial to the County, the taxing entities of the County, and the citizens and residents of the County, and that the Project would directly and indirectly benefit the general public welfare and serve a public purpose of the County by providing services, employment, recreation, promotion of tourism, or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of the County or any incorporated municipality, or a charge against the general credit or taxing power of either; and, that the purposes to be accomplished by the Project, i.e., economic development and welfare, creation of jobs, promotion of tourism, and addition to the tax base of the County, are proper governmental and public purposes and that the inducement of the location of the Project within the County and State is of paramount importance and that the benefits of the Project will be greater than the cost; and

WHEREAS, the County and the Company have agreed to the specific terms and conditions of such FILOT arrangement and special source revenue financing as set forth in that certain fee-in-lieu

of tax agreement between the County and the Company (the "FILOT Agreement"), which is to be in substantially the form presented to this meeting and filed with the Clerk to County Council; and

WHEREAS, pursuant to the provisions of the FILOT Agreement, the Company will be obligated to make payments-in-lieu of taxes to the County, as required by the Act; and

WHEREAS, the acquisition and construction of the Project will serve the intended purposes and in all respects conform to the provisions and requirements of the Act; and

WHEREAS, it appears that the draft FILOT Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended; and

NOW, THEREFORE, BE IT ORDAINED by Laurens County, South Carolina, in meeting duly assembled, as follows:

- Section 1. As contemplated by the Act and based on the representations of the Company as recited herein, it is hereby found, determined and declared by the County Council, as follows:
 - (a) The Project will constitute a "project" as said term is referred to and defined in the Act, and will subserve the purposes and in all respects conform to the provisions and requirements of the Act;
 - (b) It is anticipated that the Project will benefit the general public welfare of the County by providing employment, services, recreation and other public benefits not otherwise provided locally;
 - (c) Neither the Project, nor any documents or agreements entered into by the County in connection therewith will constitute or give rise to any pecuniary liability of the County or a charge against its general credit or taxing power;
 - (d) The purposes to be accomplished by the Project, i.e., economic development, creation or retention of jobs, and addition to the tax base of the County, are proper governmental and public purposes;
 - (e) The benefits of the Project to the public are greater than the costs to the public;
 - (f) The FILOT Agreement will require the Company to make FILOT Payments in accordance with the provisions of the Act; and
 - (g) The FILOT Payments referred to in item (f) above shall be calculated as specified in Section 5.01 of the FILOT Agreement.
 - (h) The County will use its commercially reasonable efforts to take all reasonable acts to ensure that the Project will continuously be included with the boundaries of the Park or another qualified multi-county industrial park in order that the tax benefits contemplated hereunder and afforded by the laws of the State for projects located within multi-county industrial or business parks will be available to the Company for at least the term of the Fee Agreement.

Section 2. The form, terms, and provisions of the FILOT Agreement presented to this meeting and filed with the Clerk to County Council be and they are hereby approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if the FILOT Agreement were set out in this Ordinance in its entirety. The Supervisor of the County and the Clerk to County Council be and hereby are authorized, empowered, and directed to execute, acknowledge, and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, upon the advice of the County Attorney, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of FILOT Agreement now before this meeting.

Section 3. Pursuant to Section 12-44-55(B) of the Act, the County hereby agrees that no recapitulation information, as set forth in Section 12-44-55(A) of the Act is required to be provided by the Company in the FILOT Agreement, or in any other documents or agreements in connection with the fee-in-lieu of tax arrangement between the Company and the County, to the extent that and so long as the Company makes all reports and filings required by the Act and provides copies thereof to County officials as required by the Act within one (1) month of the date of proper filing. The Company shall file a copy of the South Carolina Department of Revenue form PT-443 with the County after the execution of the FILOT Agreement by the County and the Company.

Section 4. In consideration of the Company's Two Million Five Hundred Thousand Dollars (\$2,500,000) investment in the Project at the Project site, the financing of the infrastructure of the Project through infrastructure improvement credits ("Infrastructure Improvement Credits") equal to fifteen percent (15%) of the FILOT payments for the Project in the Park, but only with respect to and to the extent of the FILOT payments made on behalf of the Project in the Park, for the first ten (10) years of FILOT payments on behalf of the Project in the Park are hereby approved under the terms and conditions set forth in Section 12-44-70 of the Act; and all of the foregoing terms, provisions, and conditions related to Infrastructure Improvement Credits, as provided in the FILOT Agreement, are hereby approved.

Section 5. The obligation to provide Infrastructure Improvement Credits is a limited obligation of the County payable by the County solely from, and secured by a pledge of, the FILOT payments made by the Company with respect to the Project in the Park. The obligation to provide Infrastructure Improvement Credits is not and shall never constitute an indebtedness of the County within the meaning of any state constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power. Nothing in this Ordinance or the FILOT Agreement, as amended, shall be construed as an obligation of or commitment by the County to expend any of its funds for such financing other than the FILOT Payments made by the Company with respect to the Project in the Park and retained by the County.

Section 6. The Chairman of the County Council, the County Administrator and the Clerk to the County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary or proper to effect the execution and delivery of the FILOT Agreement, and the performance of all obligations of the County under and pursuant to the FILOT Agreement. The

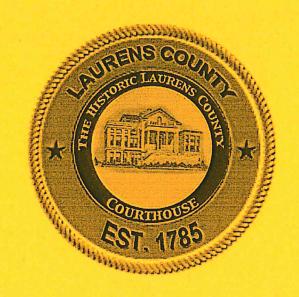
Chairman of the County Council, the County Administrator and the Clerk to County Council, and any other proper officer of County, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Ordinance.

Section 7. 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 8. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict only, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

[END OF ORDINANCE, EXECUTION PAGE TO FOLLOW]

WITNESS ou	r hands and seals this _	day of	, 20
		LAURENS COUN	TY, SOUTH CAROLINA
		Joseph E. Wood, Jr.	, Chairman of County Council
ATTEST:		W. Jon Caine, Coun	aty Administrator
Betty C. Walsh, Clerk	to County Council		
First Reading: Second Reading: Third Reading: Public Hearing:	November 13, 2018	20 201 20 20 20 20 20 20 20 20 20 20 20 20 20	



OLD BUSINESS:

SECOND READING ORDINANCE #856, "PROJECT GATOR"



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: November 19 , 2018 (FOR DECEMBER 11, 2018 COUNTY COUNCIL MEETING)						
DEPARTMENT / AGENCY: LEGAL						
NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY						
ADDRESS:	***************************************					
CITY:	STAT	`E:	_ZIP:			
PHONE NUMBER:	EMAIL:					
SIGNATURE:	~	***************************************				
SUBJECT MATTER REQUESTED (please be						
SEE THE ATTACHED PROPOSED ORDIN	NANCE 856 – 2ND READING	G – PROJECT GATOR.				
STAFF RECOMMENDS SECOND READI	NG APPROVAL OF ORDINA	NCE 856.				
FINANCIAL AMOUNT REQUESTED:	FINANCIAL AMOUNT REQUESTED: SEE THE ATTACHED					
OURCE OF FUNDING: SEE THE ATTACHED						
(PLEASE	 attach subject matter docu 	ment pages as necessar	<u>(v)</u>			
	FOR OFFICE US	E ONLY				
REQUEST ASSIGNED TO: DATE RECEIVED:						
DATE OF ASSIGNMENT: DATE OF AGENDA:						
DATE RESPONSE DUE:						
COUNCIL ACTION:						

STATE OF SOUTH CAROL	INA)	
)	ORDINANCE 856
COUNTY OF LAURENS)	

ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND PROJECT GATOR PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO.

WHEREAS, Laurens County, South Carolina (the "County") acting by and through its County Council (the "County Council") is authorized and empowered pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), to enter into fee agreements with any industry, with said agreements identifying certain properties of such industries as economic development property, through which powers the industrial development of the State of South Carolina (the "State") and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate, remain, and expand in the State and the County and thus utilize and employ the manpower, products, and natural resources and benefit the general public welfare of the State and County by providing services, employment, or other public benefits not otherwise adequately provided locally; and

WHEREAS, a company presently identified as Project Gator (the "Company") intends to invest in the establishment of a facility through the acquisition of land, a building, and improvements thereon (the "Land and Building"), the construction of improvements thereon and/or therein; and/or the acquisition of personal property, including, but not limited to, machinery, equipment, and furniture to be installed on and/or in the Land and Building, which would constitute a project within the heatning of the Act and which are eligible for inclusion as economic development property, the cost of which is estimated to be \$12,300,000.00 (the "Project") and which is expected to create 44 new, full-time jobs in the County, all as more fully set forth in the Fee Agreement attached hereto, and provided that approvals of various incentives contemplated for the Project are formalized by the State and County; and

contemplated for the Project are formalized by the State and County; and

WHEREAS, pursuant to an Inducement Resolution dated as of _______, the County authorized the execution of an agreement providing for fee in lieu of tax payments; and

WHEREAS, the Company has caused to be prepared and presented to this meeting the form of the Pec. Agreement by and between the County and the Company (the "Fee Agreement"), which provides for fee in lieu of tax payments utilizing a 6% assessment ratio for a peliod of 30, years for the Project or each component thereof placed in service during the initial investment period and any investment period extension to which the County and the Company agree and the issuance of a 5-year, 45% special source revenue credit; and

WHEREAS, it appears that the Fee Agreement, which is now before this meeting, 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 in a meeting duly assembled as follows:

Section 1. In order to promote industry, develop trade, and utilize and employ the manpower, products, and natural resources of the State of South Carolina by assisting the Company to expand or locate an industrial facility in the State of South Carolina, the Fee Agreement is hereby authorized, ratified, and approved.

It is hereby found, determined, and declared by the County Council, as Section 2. follows:

- The Project will constitute a "project" as said term is referred to and defined in (a) the Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act.
- The Project and the payments in lieu of taxes set forth herein are beneficial to the County, and the County has evaluated the Project based upon all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made and the anticipated dollar amount and nature of the (b) investment to be made and the anticipated costs and benefits to the County.
- The Project is anticipated to benefit, the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.

 The Project gives rise to not pecunitary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either. (c)
- (d)
- The purposes to be accomplished by the Project, i.e., economic development, creation of by and addition to the tax base of the County, are proper (e) governmental and public purposes.

 The inducement of the location or expansion of the Project within the County and
- (f) tale is of paramount importance.
- The benefits of the Project to the public will be greater than the costs.

The form, terms, and provisions of the Fee Agreement presented to this meeting are, hereby approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the Fee Agreement were set out in this Ordinance in its entirety." The Chairman of the County Council and/or the County Administrator are authorized. empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name of and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Company. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of Counsel to the County, such official's execution thereof to constitute conclusive evidence of

such official's approval of any and all changes or revisions therein from the form of the Fee Agreement now before this meeting.

Section 4. The Chairman of the County Council and/or the County Administrator, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

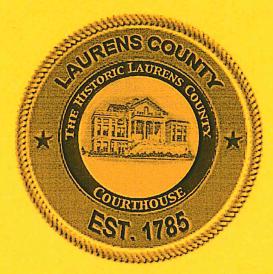
Section 5. The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 6. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Ordinance shall take effect and be in full force from and after its passage and approval.

(SIGNATURE PAGE TO FOLLOW)

(SIGNATURE PAGE TO FOLLOW)

Passed and approved this day of	
	LAURENS COUNTY, SOUTH CAROLINA
	Signature:
	Name: Joseph E. Wood, Jr.
	Title: Chairman of County Council
STATE OF SOUTH CAROLINA)	(hard) his
COUNTY OF LAURENS)	George Alle
I, the undersigned, Clerk to County Council of Council"), DO HEREBY CERTIFY:	
That the foregoing constitutes a true, correct, and v County Council. The Ordinance was read and receipt the County Council on	erbatim conv of an Ordinance adopted by the
passed between first and second reading, and attal	east saven days passed between second and
quorum of County Council was present and remain	d present throughout the meeting.
Attached hereto are excerpts of the minutes of the r	neetings of the County Council. The County
Attached hereto are excerpts of the minutes of the recouncil complied with the Freedom of Information Laws, 1976, in connection with said meetings of Co	Act, Chapter 4, Title 30 of the S.C. Code of bunty Council.
The Ordinance is now infall force and effect.	
IN WITNESS WHEREOF, I have hereunto set Council, South Carolina, as of this day of	my Hand and the Seal of Laurens County
Council, South Carolina, as of this day of	
this is a few	Digitature.
Church draft strain	Name: Betty Ann C. Walsh
Huning (furting)	Title: Clerk to County Council
water after at	



FIRST READING, ORDINANCE #857, FLAME SPRAY



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: November 21	2018 (FOR DECEMBER 11, 20	D18 COUNTY COUNCIL MEETING)
DEPARTMENT / AGENCY: LEGAL		
NAME: A. "SANDY" CRUICKSHANKS, IV,	LAURENS COUNTY ATTORNI	EY
ADDRESS:	LLA ANGLE SAN THE SAN	
CITY:	STA	re:zip:
PHONE NUMBER:	EMAIL:	
SIGNATURE:		
SUBJECT MATTER REQUESTED (please be		
SEE THE ATTACHED PROPOSED ORDII	NANCE 857– 1ST READING	– AMENDMENT TO FLAMESPRAY FILOT AGREEMENT.
STAFF RECOMMENDS FIRST READING	S APPROVAL OF ORDINAN	CE 857.
FINANCIAL AMOUNT REQUESTED:	SEE THE ATTACHED	
SOURCE OF FUNDING:	SEE THE ATTACHED	
(PLEASE	- attach subject matter doc	ument pages as necessary)
	FOR OFFICE U	SE ONLY
REQUEST ASSIGNED TO:		DATE RECEIVED:
DATE OF ASSIGNMENT:		DATE OF AGENDA:
DATE RESPONSE DUE:		-
COUNCIL ACTION:		

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO AMENDED AND RESTATED FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN LAURENS COUNTY AND FLAME SPRAY NORTH AMERICA, INC.; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Laurens County, South Carolina ("County"), acting by and through its County Council ("County Council"), is authorized and empowered, under and pursuant to the Brovisions of the Code of Laws of South Carolina 1976, as amended through the date hereof ("Code"), particularly Title 12, Chapter 44 thereof ("FILOT Act") and Title 4, Chapter 1 of the Code (collectively, "Act"), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to establish projects through which the economic development of the State of South Carolina ("State") will be promoted and trade developed, thus utilizing and employing the manpower, agricultural products and natural resources of the State; (ii) to covenant with such investors to accept certain fee in hieu of ad valorem tax ("FILOT") payments including, but not limited to, negotiated FILOT payments, with respect to a project; (iii) to permit investors to claim special source revenue credits against their FILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with certain infrastructure and other qualifying property related to a project; and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park to allow certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits;

WHEREAS, pursuant to an Ordinance duly approved by the County Council, the County previously entered into that certain Fee-in-Lieu of Tax Agreement, dated March 11, 2014 (the "Original Fee Agreement") by and between the County and Flame Spray North America, Inc., a South Carolina corporation (the "Company"); and

WHEREAS, pursuant to an Ordinance duly approved by the County Council, the County previously entered into that certain Amended and Restated Fee-in-Lieu of Tax Agreement, dated March 11, 2014 (the "Fee Agreement"), by and between the County and the Company, which amended and restated the Original Fee Agreement; and

WHEREAS, the Company has informed the County of its plan to potentially make certain additional investments in the County in order to expand its existing operations in the County (such operations) together with such potential expansion, the "Project"); and

WHEREAS, in order to induce the Company to make such investments, the County desires, and the Company agrees, to make certain amendments to the Fee Agreement to: (i) extend the term of the investment period under the Fee Agreement; and (ii) provide additional Special Source Revenue Credits to the Company with respect to certain property owned by the Company in the County (the "Additional Property"), each as more fully set forth in the First Amendment to Amended and Restated Fee-in-Lieu of Tax Agreement by and between the County and the Company, the form of which is presented to the County Council at this meeting (the "First Amendment"); and

WHEREAS, based solely on information provided to the County by the Company, the County has determined that the First Amendment will subserve the purposes of the Act and has made certain findings pertaining thereto in accordance with the Act; and

WHEREAS, it appears that the First Amendment now before this meeting 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. Evaluation of the Project. Based solely on information provided by file Company, County Council has evaluated the Project on the following criteria and based upon the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue:
 - (a) whether the purposes to be accomplished by the Project are proper governmental and public purposes;
 - (b) the anticipated dollar amount and nature of the investment to be made; and
 - (c) the anticipated costs and benefits to the County
- Section 2. Findings by County Council. Based splely on information provided by and representations of the Company and the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Révenue, as required, County Council hereby finds that:
 - (a) the Project will continue to constitute a "project" as that term is defined in the FILOT Act;
 - (b) the Project will continue to serve the purposes of the FILOT Act;
 - (d) the Project will continue to be located entirely within the County;
 - (e) the Projectivill continue to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally;
 - adequately provided locally;

 (f) the Project will not give rise to a pecuniary liability of the County or any municipality nor a charge against its general credit or taxing power of the County or any municipality;
 - (g) the purposes to be accomplished by the Project continue to be proper governmental and public purposes;
 - (h) the inducement of the planned additional investment by the Company is of paramount importance; and

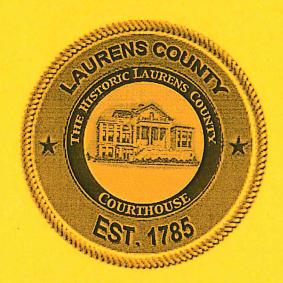
- (i) the benefits of the Project to the public continue to be greater than the costs to the public.
- Section 3. Amendment of Fee Agreement. The form, terms and provisions of the First Amendment presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such First Amendment were set out in this Ordinance in its entirety. The Chair of the County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the First Amendment in the name and on behalf of the County, and thereupon to cause the First Amendment to be delivered to the Company. The First Amendment is to be in substantially the form now before this meeting and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the County Attorney and the officials of the County executing the same, their execution thereof to constitute conclusive evolution of their approval of all changes therein from the form of First Amendment now before this meeting.

 Section 4. Miscellaneous.

Section 4. Miscellaneous.

- (a) The Supervisor/Chair and all other appropriate of fictials of the County are hereby authorized to execute, deliver and receive any other agreements and documents as may be required by the County in order to carry out, give effect to and consummate the transactions authorized by this Ordinance;
- (b) This Ordinance shall be construed and interpreted in accordance with the laws of the te of South Carolina; State of South Carolina;
- (c) This Ordinance shall become effective immediately upon approval following third reading by the County Council, h
- (d) The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be investigation unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder; and
- (e) All ordinances, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed. linn,

[SIGNATURE PAGE FOLLOWS] [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



RESOLUTION 2018-44, LAURENS COUNTY WATER/SEWER COMMISSION, EASEMENT APPROVAL



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: DECEMBER 1, 2018 (FOR DECEMBER 11, 2018 CO	UNTY COUNCIL MEETING)
DEPARTMENT / AGENCY: LEGAL		
NAME: A. "SANDY" CRUICKSHANKS, IV	, LAURENS COUNTY ATTORN	EY
ADDRESS:		
CITY:	STA	TE:ZIP:
PHONE NUMBER:	EMAIL:	
SIGNATURE:		
•		
SUBJECT MATTER REQUESTED (please be	e as specific as possible):	
RESOLUTION 2018-44 - LCWSC REQU TO INSTALL 12" WATER LINE. SEE TH		RONT OF STAGECOACH ROAD FIRE STATION IN ORDER RESOLUTION 2018-44.
STAFF RECOMMENDS APPROVAL OF	RESOLUTION 2018-44.	
FINANCIAL AMOUNT REQUESTED:	SEE THE ATTACHED	
SOURCE OF FUNDING:	SEE THE ATTACHED	
(PLEAS)	E – attach subject matter do	cument pages as necessary)
	FOR OFFICE U	SE ONLY
REQUEST ASSIGNED TO:		DATE RECEIVED:
DATE OF ASSIGNMENT:		DATE OF AGENDA:
DATE RESPONSE DUE:		
COUNCIL ACTION:		A

RESOLUTION #2018-44

STATE OF SOUTH CAROL	INA)	
)	A RESOLUTION OF THE LAURENS COUNTY COUNCIL
COUNTY OF LAURENS)	TO GRANT THE LAURENS COUNTY WATER AND SEWER
		COMMISSION AN EASEMENT

WHEREAS, pursuant to the powers designated and delegated to the County in Title 4 of the Code of Laws for the State of South Carolina, 1976, as amended; and

WHEREAS, the property is owned by Laurens County by and through its Fire Services and formerly known as the Laurens County Fire & Rescue Commission (See Ordinance 700 amending Ordinance 410)

WHERAS, the Laurens County Water and Sewer Commission serves the unincorporated areas of the county with water and sewer services and has requested an easement for such purposes as shown on the attached exhibit; and

WHEREAS, Laurens County Council, for and on behalf of the Laurens County Fire Services and formerly known as the Laurens County Fire Commission, deems it necessary and proper to the Laurens County Water and Sewer Commission the requested easement as shown on the attached exhibit; and

WHEREAS, this cooperative effort can and will prove to be beneficial to the citizens of the County; and WHEREAS, the Laurens County Council understands (1) there is no financial obligations for granting this easement; (2) There is no adverse effect of access, use, ingress or egress to said property; and (3) the Laurens County Fire Services are in agreement with this request.

NOW, THEREFORE, it is hereby Resolved by Laurens County Council, in meeting duly assembled, that:

- The Laurens County Council approves and grants the easiement requested by the Laurens County Water and 1. Sewer Commission and hereby authorizes the County Administrator and the Fire Director to execute any and all documents necessary to implement and grant the easement.
- All orders and resolutions in conflict herewith, to the extent of such conflict only, are repealed and rescinded. 2.
- Should any court of competent julisdiction deem any part or portion of this Resolution unconstitutional or 3. otherwise unenforceable, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.
- นเรือก ส กาลังการ์ vote of the Laurens County Council, shall take effect immediately. 4.

BE IT SO RESOLVED THIS 11th DAY OF DECEMBER, 2018.

(Signature page attached)

STATE OF SOUTH CAROLINA)	
)	WATER LINE EASEMENT
COUNTY OF LAURENS)	TMS# 328-00-00-064

GRANTEE IS A POLITICAL SUBDIVISION OF THE STATE OF S.C. EXEMPT FROM RECORDING FEES UNDER S.C. CODE ANN., §12-24-40(2)

The easement and right-of-way granted herein is for the purpose of construction, installation, operation, maintenance, repair, reconstruction, removal, and inspection of surface or subsurface water utility line(s) for the conveyance, transportation, and passage of potable water and all supporting, related or ancillary structures, appurtenances and equipment, in, upon, across, over, beneath and through the Grantor Property and is more fully shown, delineated and depicted as a "10' PERMANENT EASEMENT" containing 2,545 square feet (0.058 acres), more or less, on a plat of survey/drawing entitled EXHIBIT "A" prepared for Laurens County Water and Sewer Commission by Summit

Engineering Group Inc., dated March 2018, attached hereto as **Exhibit "A"** and incorporated herein by this reference.

The easement and right-of-way hereby conveyed to Grantee, its successors and assigns, shall include the continuous rights of ingress and egress over and along the said easement and right-of-way area(s) for any and all the aforesaid purposes and the right from time to time to redesign, or alter said water pipeline or pipelines, apparatus, equipment and appurtenances as the Laurens County Water and Sewer Commission, it's successors and assigns, may at any time deem necessary, and the right to remove any pipeline or any part thereof and to do whatever may be required, necessary, or desirable for the enjoyment of the rights herein granted, including the right to clear and keep clear the said easements and rights-of-way.

Grantor understands and agrees for themselves, their heirs, successors and assigns, not to cause or allow the construction or maintenance of any building or other structure in or upon the areas conveyed without the prior written consent of Grantee, which may be granted or allowed in Grantee's sole discretion. Grantor understands and agrees that Grantee may cause the summary removal of any such building or structure so placed without Grantor's consent and that Grantor shall make no claim for and shall hold Grantee harmless from any claim by a third person for damage to or destruction of the property so removed.

Grantor further agrees for themselves, their heirs, successors and assigns, that it shall not cause or allow any act or occurrence or condition of land that disturbs the subjacent or lateral support of the areas conveyed and that Grantee shall have the right of reasonable access over any property adjacent to the areas conveyed, for the purpose of construction, grading, maintenance, repair, and reconstruction of surface or subsurface water lines and supporting or ancillary structures, and planting or removing vegetation, in or on the areas conveyed and the right to remove any structure necessary or convenient to accomplish same.

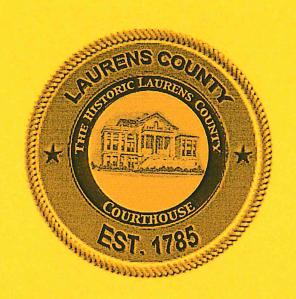
Grantee, at the termination of construction, agrees to stabilize any disturbed soil surface resulting from Grantee's activities. Stabilization shall be accomplished by vegetation planting, application of erosion control fabric, or other means considered practical and effective.

The Grantor and Grantee agree that the said water line easement and right of way shall run with the land.

TO HAVE TO AND TO HOLD the above granted easements and rights of way described herein and depicted on the attached Exhibit "A" and hereby intended to be granted and conveyed, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining, unto and for the benefit of the Grantee its successors and assigns, forever.

	IN WITNESS WHERE	OF , the G	rantor has executed this Water Line Easement
this	day of	_, 2018.	
			GRANTOR:
			Laurens County and Laurens County Fire Services, f/k/a Laurens County Fire & Rescue Commission (SEAL)
Witness	S		By: Name: <u>W. Jon Caime</u> Its: <u>County Administrator</u>
Witness			By: Name: <u>Greg Lindley</u> Its: <u>Director of Fire Services</u>
STATE	OF SOUTH CAROLINA	·)	A CUNIONUL FID OMENIT
COUN	ΓΥ OF LAURENS)	ACKNOWLEDGMENT
that the Lindley instrum	above named Grantor, by , its Director of Fire Servi, 2018, and	W. Jon C ces, perso acknowled County and	the State of South Carolina do hereby certify Caime, its County Administrator, and by Greg nally appeared before me this day of dged the due execution of the foregoing d Laurens County Fire Services, f/k/a Laurens
			(SEAL)
	Public for South Carolina		_(SEAL)
My con	imission expires:		

	GRANTEE:
	Laurens County Water and Sewer Commission (SEAL)
Witness	By: Name: Its:
Witness	
STATE OF SOUTH CAROLINA) COUNTY OF LAURENS)	ACKNOWLEDGMENT
that the above named Grants, perso	for the State of South Carolina do hereby certify antee, by, its nally appeared before me this day of wledged the due execution of the foregoing
instrument on behalf of Laurens County	Water and Sewer Commission.
Notary Public for South Carolina	(SEAL)
Name:	
My commission expires:	



APPROVAL, SUBDIVISION VARIANCE REQUEST - TM ENTERPRISES



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

DEPARTMENT / AGENCY: Upstate Realty, Inc as agent for TM Enterprises, LLC — Ted Morlok (Buyer) and David M. Bates (Seller)

COUNCIL ACTION REQUESTED:_Robert Templeton, Upstate Realty, Inc. (on behalf of TM Enterprises, LLC – Ted Morlok) requests that County Council consider granting a variance of existing county property subdivision ordinances to allow at least one residential lot of a proposed 9-lot parcel to have less than 100 ft of road frontage on Wofford Shoals Rd. Specifically, the lot in question is the northernmost lot on Wofford Shoals Rd. All proposed lots would be serviced by public water, septic tank and would meet all other county requirements, including lot size.

Detailed Description: Our agency, Upstate Realty, has listed for sale a 8.8+/- parcel of land located on Ledo Land and Wofford Shoals Rd. in Fountain Inn (Tax Map #248-00-00-009). Currently, the property contains one old double wide manufactured home and approximately three old single wide mobile homes. None of the dwellings are considered to have any value. There are possibly five existing septic systems on the land. Public water is available on both Ledo Lane and Wofford Shoals Rd per the Laurens County Water and Sewer Commission. An interested buyer, Ted Morlok of TM Enterprises, LLC, has negotiated a purchase agreement with our seller client. Due to the high demand for residential properties in the Fountain Inn area, Mr. Morlok wishes to subdivide the property into residential lots for resale. He intends to clean up the property and remove the debris and old mobile homes from the site. Per the most recent changes to county ordinances, each lot with public water and DHEC-approved on-site wastewater systems must contain at least 25000 SF of area and have at least 100 ft of frontage along the county road servicing the lot.

Due to the available road frontage along Wofford Shoals Rd., it may not be possible to attain three lots with at least 100 ft. frontage. Although the existing surveys for this site (two surveys comprise the 8+ acres) are old, it appears that the existing frontage along Wofford Shoals Rd is 206.7 ft. (at centerline of street) PLUS 64.6 ft. (at centerline of street) for a total of 271.3 Ft. I estimate that the total actual road frontage along Wofford Shoals road measured from the road right-of-way will be 275 to 290 lineal feet. This would make it possible to re-survey the frontage along Wofford Shoals Rd. into two lots with 100 ft frontage and one lot with 75 to 90 ft of frontage. Or the frontage could be divided evenly so that there are three lots with approximately 90 ft of road frontage.

It is my opinion that approving this variance would be of benefit to both the land purchaser and to Laurens County in a number of ways.

- 1. The land would be cleaned up and the existing dilapidated structures and debris removed.
- 2. Increase of tax revenue to Laurens County. Property would eventually be taxed as residential instead of vacant land.
- 3. Creating more housing opportunities in a market where demand for homes currently exceeds supply.
- 4. Creating investment opportunities that may encourage more development in Laurens County.

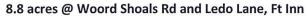
REQUEST: Approve a variance to allow one lot along Wofford Shoals Rd to have less than 100' road frontage OR allow all three lots to have approximately 90' of road frontage. Final approval contingent upon SC DHEC review and final survey approval by Laurens County.

Questions may directed to Robby Templeton, Upstate Realty, Inc. 864-981-0416 or templeton@backroads.net

SOURCE OF

FUNDING: private

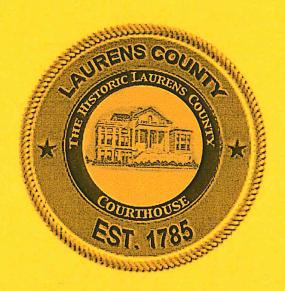
(PLEASE – attach subject matter document pages as necessary)





Proposed subdividing into multiple lots for resale





APPROVAL, COOKS CELL TOWER



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
DEPARTMENT / AGENCY:XX
COUNCIL ACTION REQUESTED:
Since the Planning Commission is not meeting in December, Cellco Partnership d/b/a Verizon Wireless ("Verizon") is requesting from the Council zoning approval for the construction of a wireless communication tower and related appurtenances located at 2637 Scuffletown Road, Fountain Inn, SC.
More Detailed Description
The attached documents include drawings of the site, Verizon's network objective by constructing this site, and the location of Verizon's search ring. The purpose of this tower is to improve coverage and capacity along Hwy 418, Scuffletown Road/Cooks Bridge Road, Durbin Road (State Rd S-30-67) and surrounding areas. As thoroughly detailed in Verizon's application for zoning approval for this site, Verizon fully complies with the applicable standards and requirements set forth in the Laurens County ordinances.
FINANCIAL AMOUNT REQUESTED
SOURCE OF FUNDING:

(PLEASE – attach subject matter document pages as necessary)



October 25, 2018

Laurens County Planning & Zoning Department ATTN: Chuck Bobo, Building Official 100 Hillcrest Square Laurens, SC 29360

Re: Verizon Wireless Network Objective Statement - COOKS CROSSROADS

Dear Mr. Bobo:

The purpose of this letter is to address Verizon Wireless' (Verizon Wireless) application for a new communication tower at 2637 Scuffletown Rd, Fountain Inn, Laurens County, South Carolina. Verizon Wireless' objective with the proposed site is to improve coverage and capacity along HWY 418, Scuffletown Rd/Cooks Bridge Rd, Durbin Rd (State Rd S-30-67), and the surrounding areas. Greater network density – additional network coverage and capacity – are needed to meet the growing needs of Verizon Wireless' customers in the COOKS CROSSROADS Area. The proposed COOKS CROSSROADS new communication tower will improve coverage and capacity.

The federal telecommunications act and FCC rules require that Verizon Wireless achieve service throughout Laurens, SC-2 RSA service area, which includes Laurens County, South Carolina. While Verizon Wireless has achieved a degree of coverage in Laurens, SC-2 RSA licensed area, it is also imperative to provide adequate coverage and capacity to the service area for both voice and data. Verizon Wireless' goal is to maintain an industry standard level of coverage and capacity throughout its licensed coverage area, including Laurens County, South Carolina. The standard level of average network-to-device, or download, speeds range from 5 to 12 Mbps (Mega bits per second) and average device-to-network, or upload, speeds range from 2 to 5 Mbps utilizing LTE (Long Term Evolution) technology.

Wireless carriers have had a consistent need since the beginning of Cellular Telephony to increase the density of the network as customer demand for wireless services increased, and additional network coverage and capacity became more of a necessity. However, since the introduction of 3G data services, and subsequent evolution to 4G LTE technology, the requirement to rapidly advance the process of cell densification has become essential in order to meet the user demand for data services and increased mobility.

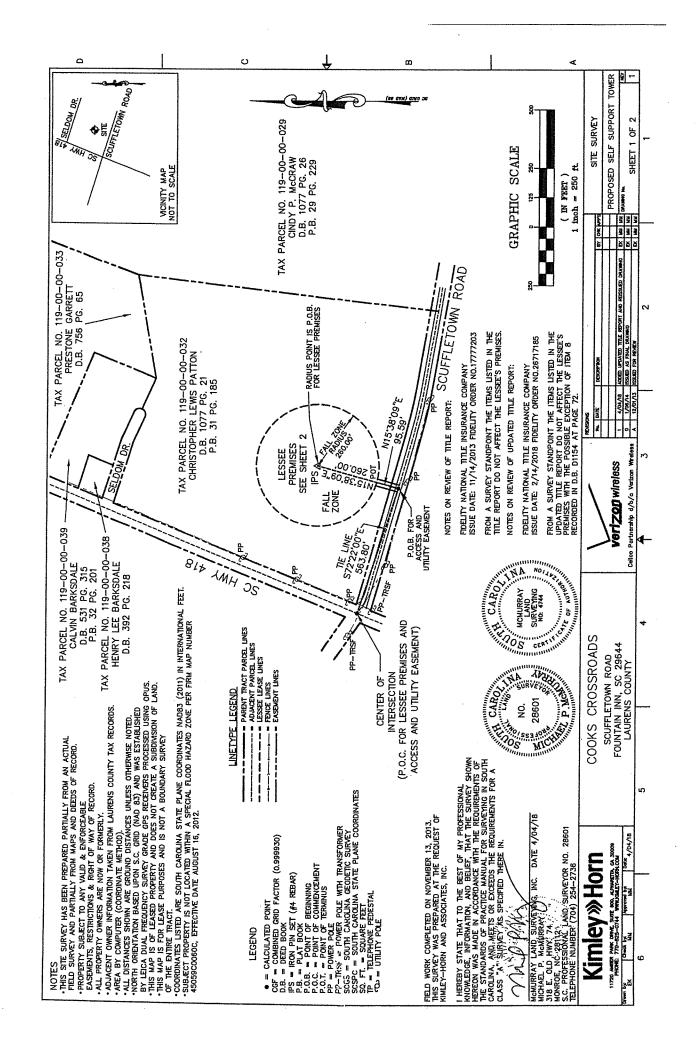
In the past, wireless networks primary services were voice and short message service, which were handled by circuit-switched channels over the radio frequency spectrum. In order to increase capacity, the carrier could increase the number of channels up to the point where the carrier's owned spectrum became exhausted. In meeting the demand for high

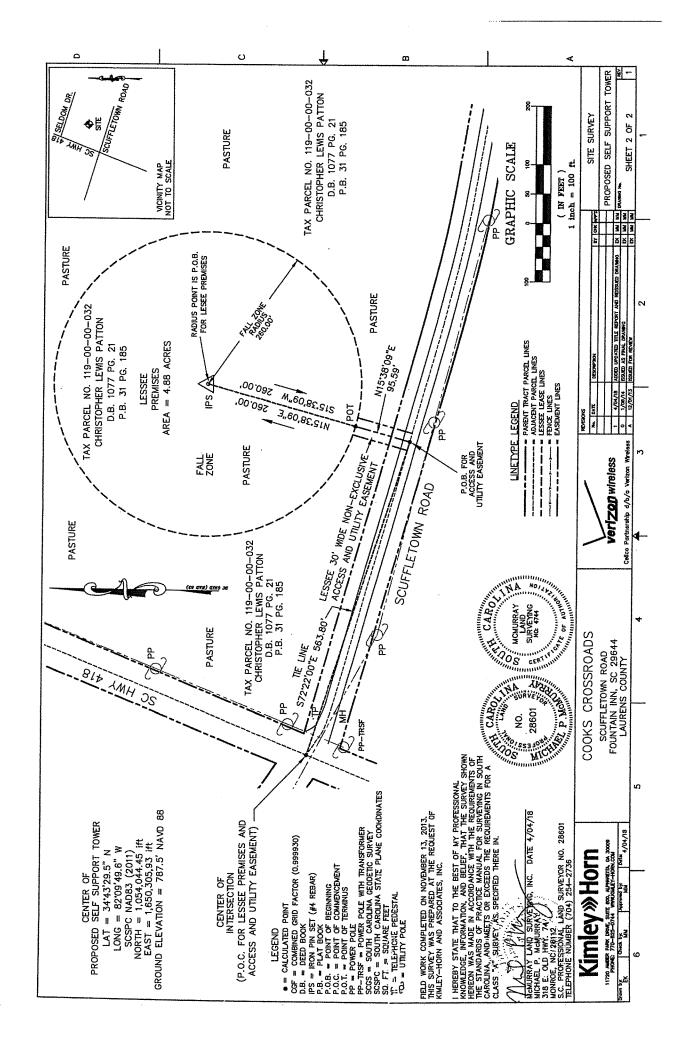
speed data services over the 4G network, and subsequently voice and SMS services over 4G as well, wireless carriers must use all available spectrum from the beginning. As a result, the size of a cell site is no longer defined as coverage, but rather by how many users can be supported and what data rates can be sustained. When a cell site reaches its capacity limit it is realized by the customer in the form of websites taking too long to load or timing out, and emails that are unable to download or send, as well as issues with voice calls when carried over the 4G network. When the capacity of an existing site is exhausted, a capacity offload solution is required in order to provide the same level of service within a given area.

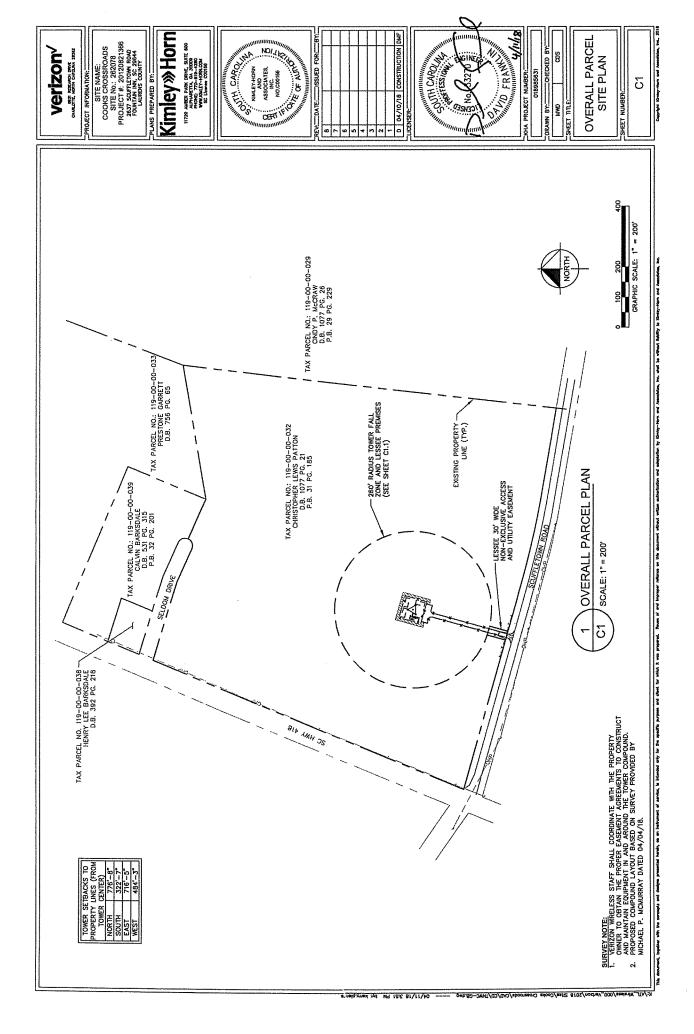
In the above described scenario coverage and capacity issues have placed additional demand on the network. The only way to address the demand is with more sites closer together.

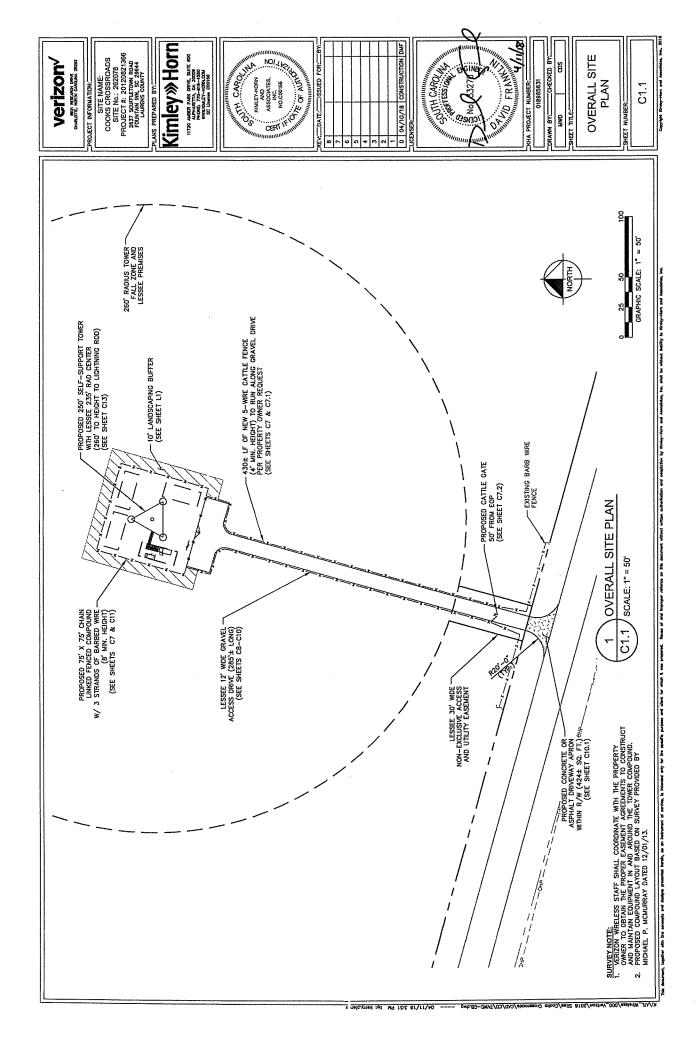
Sincerely,
Tean Dubuisson_
Jean Dubuisson
PE Engineer - Verizon Wireless

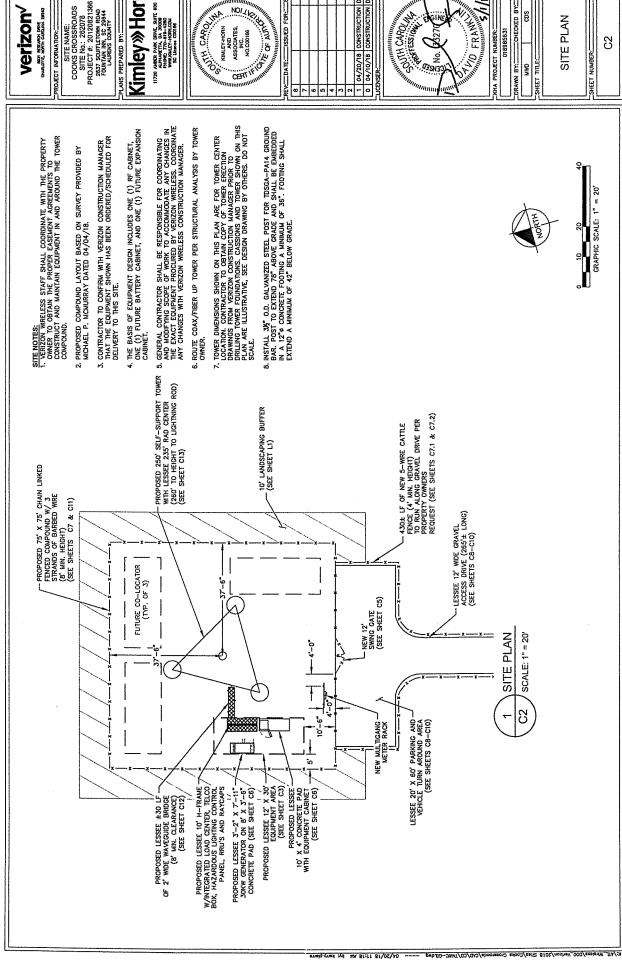
Seal, a Ring











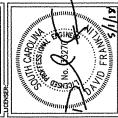
verizon'

SITE NAME:
COOKS CROSSROADS
SITE No.: 262078
PROJECT#: 20120821366
2637 SOUTHETON ROAD
FOUNTAIN IN: 5C 2644
FOUNTAIN IN: 5C 2644

(imley»Horn ANS PREPARED BY

11720 AMBER PARK DEPK, SAIT, 60
ALPHARETTA, DA. 30009
HINNES TOTO-616-4280
WINEJOALET-HORACOM
SC LENDER COOLDG





018985631 KHA PROJECT NUMBER:

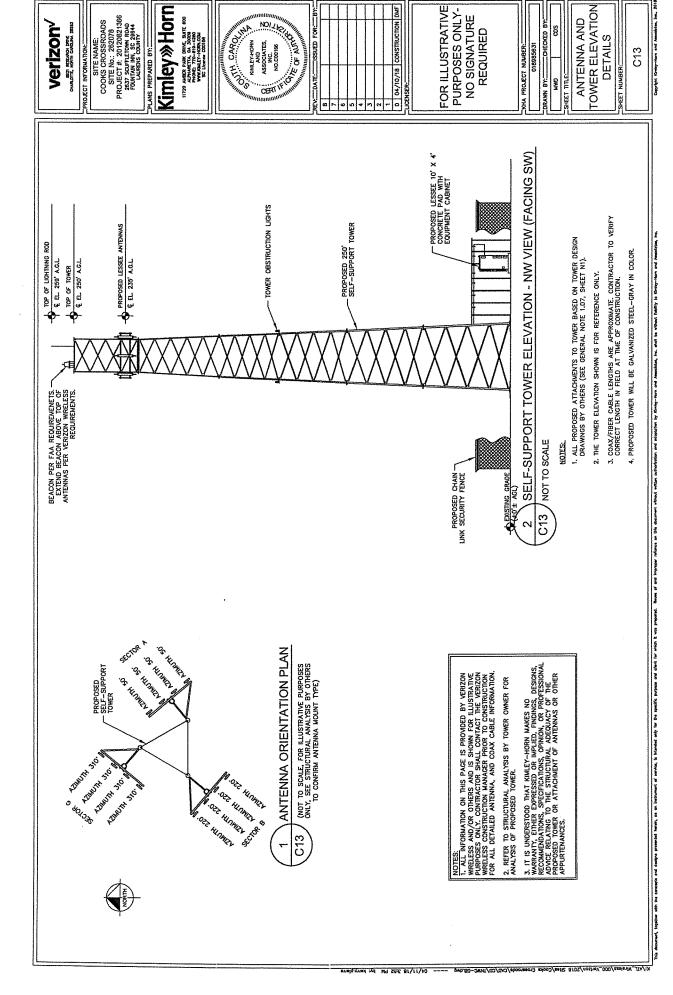
SITE PLAN

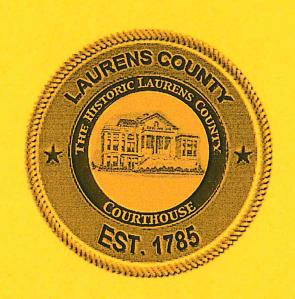
SCO

 \aleph

Copyright Kerkey-Hern and American, Inc.

topics till be compared and analyse premared framework of survives to be transfer only to be washed present and determined from the compared without mitteen and desiration and desirations are desirated as a second desiration and desirations are desirated as a second desiration and desiration and





REQUESTED BUDGET AMENDMENT, FIRE DEPARTMENT



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 E
DEPARTMENT / AGENCY: FIRE SERVICE
Council action requested: to approve moving funds from the part-time line item to the overtime line item.
More Detailed Description: Currently, the fire service is over budget in the overtime budget. The request is to move current funds from the part-time salaries to the overtime budget.
FINANCIAL AMOUNT REQUESTED_\$20,000.00 from Part-time Salaries 123-530-42000-11010 to Overtime 123-530-42000-13000
SOURCE OF FUNDING:_Current Budget

(PLEASE - attach subject matter document pages as necessary)