

Lancaster County Council Administration Committee
Thursday, May 12, 2016

County Council Conference Room
Council Administration Building
101 N. Main Street
Lancaster, SC 29720

1. **Call to Order – Committee Chair Brian Carnes** **4:30 p.m.**

2. **Approval of the agenda** *[deletions and additions of non-substantive matters]*

3. **Minutes of the April 7, 2016 meeting – pgs. 2-7**

4. **Citizens Comments**

5. **Discussion / Action Items**
 - a. County Government Social Media. *Jessica Kennington – pgs.8-9*

 - b. Resolution 0917-2016– A Resolution to approve the late filing by William Heyward Adams, III for 2015 special assessment as agricultural real property. *John Weaver – pgs. 10-34*

 - c. Updating the Code and Ethics Policy, Procurement. *Bryant Cook – pgs. 35-55*

 - d. Decommissioned / Sale of Fire Apparatus. *Darren Player – pgs. 56-63*

 - e. Transfer of property to the Town of Kershaw. *Steve Willis/Hal Hiott – pgs. 64-73*

 - f. Cost of upgrades on certain county parks. *Hal Hiott – pgs.74-80*

 - g. Hospitality Tax. *Steve Willis – pgs. 81-83*

6. **Adjournment**

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Council Administration Committee agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org



MINUTES OF THE LANCASTER COUNTY COUNCIL ADMINISTRATION
COMMITTEE
COUNTY ADMINISTRATION BUILDING
COUNCIL CONFERENCE ROOM
101 N. MAIN STREET, LANCASTER

Members of the Lancaster County Council Administration Committee

Brian Carnes, Committee Chairman – District 7
Bob Bundy, Council Member – District 3
Charlene McGriff, Council Member – District 2

DRAFT

Thursday, April 7, 2016

The Committee Members present were Brian Carnes, Bob Bundy and Charlene McGriff. Also present was Steve Willis, John Weaver, Veronica Thompson, Kimberly Hill, Brenisha Wells and other spectators. A quorum of the Lancaster County Council Administration Committee was present for the meeting.

The following press was notified of the meeting by e-mail or by fax in accordance with the Freedom of Information Act: Lancaster News, Kershaw News Era, The Rock Hill Herald, Fort Mill Times, Cable News 2, Channel 9 and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the county website.

Call to Order

Chairman Brian Carnes called the meeting to order at 4:30 p.m.

Approval of Agenda

Councilwoman McGriff moved to approve the agenda. SECONDED by Councilman Bundy. Passed 3-0.

Executive Session

MOTION was made by Councilwoman McGriff to go into Executive Session to hear Economic Development Matters regarding Project 2015-4 and 2016-3. SECONDED by Councilman Bundy. Passed 3-0.

MOTION was made by Councilwoman McGriff to come out of Executive Session. SECONDED by Councilman Bundy. Passed 3-0.

Chairman Carnes noted that there were no motions made and no votes taken while Executive Session.

There were no motions forthcoming from Executive Session.

Citizen Comments

Peter Gertler, 6277 Carolina Commons, Indian Land, informed the Committee that in October he stated that he would prepare a document of the entire storm system for Sun City. Pulte has provided Mr. Gertler with the plans and he is working to index and organize them for county records. He also spoke regarding MS4 and the pending budget item of an engineer.

DRAFT

Discussion/Action

Discussion of 2016-2017 Fiscal Year Budget

At the previous meeting, the Committee requested a copy of general fund revenues. Kimberly Hill distributed the document attached as schedule A.

The Committee resumed discussion of the 2016-2017 fiscal year departmental budgets on page 52 of 98. Kimberly Hill noted the changes to each budget as follows:

Sheriff's Office

- Added two positions from a grant this is ending
- Decreased gas and clothing due to trend data
- Full year of career ladder utilizing the salaries from the four deputy positions in the 2015-2016 fiscal year budget. The four deputy positions are not included in the 2016-2017 Administrator's recommended budget.

Miscellaneous Budget Discussion

Councilman Bundy noted that he has thought about the repairs to the historic jail and stated we are in a greater need to upgrade the Animal Shelter and Fleet Operations. Councilwoman McGriff agrees with Councilman Bundy.

Kimberly Hill stated that she will include this item on the report for use of fund balance.

Steve Willis mentioned for information only that the Department of Labor could be changing the cap for white-collar exemptions to approximately \$50,440. This information will be reviewed in the budget.

Town of Kershaw - Sheriff

- Renegotiating the contract
- No changes

Detention Center

- Increased spending for supplies
- Removed screening chair

Sheriff Faile discussed implementation of the career ladder to stop high turnover rates at the Detention Center.

Steve Willis noted that there are several positions (Fleet Maintenance, Building Maintenance Janitorial staff and Detention Officers) that need help with retention that will be reviewed.

Councilman Carnes noted that it is critical that we fund the career ladder for the Detention Center.

School Resource Officers

- No changes

Communications

- No changes

Contractual Services

- Prorated subscription for radios – annual maintenance cost

Emergency Management

- No changes

Fire Service

- No major changes. Increased certain line items due to trend

Town of Kershaw – Fire Service

- No changes

Lancaster Firefighter

- Salary budget

EMS

- Requested a biller – not in the recommended budget
- No major changes

DRAFT

April 7, 2016

PAGE 4

Roads and Bridges

- Did not recommend requested tractor
- Decreased gas budget based on trend

Fleet Operations

- Added full time (at this time Brandon Elliott hired a part time person that will go full time when finished with school)

Building Maintenance

- No major changes

Landfill – Solid Waste

- Corrected a mistake on retirement
- Removed roll off truck from fund balance
- Disposal contract expires in November – added \$300,000

Animal Shelter

- No changes

Health Services / DSS

- No changes

Veteran Affairs

- Increase telephone cost

Library

- Certain line items have been combined for all libraries

Committee members requested that Ms. Hill discuss with Rita Vogel, Librarian, that all though the accounts are combined, to keep a record of expenditures for each branch separate.

Capital Improvement Fund

Kimberly Hill noted that the Capital Improvement Fund is broken out in individual departments and the lump sum Fleet Operations is \$269,000.

DRAFT

Court Mandated Security Fund

- Out of balance and will receive revenue funds to get back into balance

Victim Services

- No Changes

911 Fund

- No changes

CTC Fund

- The one time revenue has been spent
- CTC projects are planned

Steve Willis noted that the one time money is still in with legislature and is unknown at this time.

Local Accommodations Fund

- Proposing to combine these funds with Sunday alcohol sales for two projects:
 - Friends of Buford Battlefield
 - Repaint Historical Markers

Recreation Fund

- No changes

Airport Fund

- Decreased fuel sales

Pleasant Valley Fire District

- Increase \$76,000 to up fit pumper taker

Indian Land Fire District

- Increase \$53,426 to equipment / pumper tanker

DRAFT

April 7, 2016

PAGE 6

Miscellaneous

Steve Willis distributed the 2016-2017 Mileage Caps for counties in South Carolina (attached as schedule B).

Adjournment

There being no further business, Councilwoman McGriff moved to adjourn the meeting.
Passed 3-0.

Respectfully Submitted:

Approved by Committee Chair

Debbie Hardin
Clerk to Council

Brian Carnes, Committee Chair

DRAFT

Implementing County Government Social Media

Mission:

By implementing social media into our County Government our main focus is to inform, understand and relate to the citizens of Lancaster County. With a new generation of technologically advanced citizens rising, it is important for us to grow. By becoming active in the social media scene we will be able to provide accurate and up to date information to our citizens.

- Promote upcoming events in the county and city
 - Council Meetings
 - Post updates about meeting times
 - Links to agenda's and meetings
 - Committee & Commission Meetings
 - Post updates about meeting times
 - Links to agenda's and meetings
 - Ground Breaking and Dedication Ceremonies
 - New Business Openings
 - County Birthday Party, Relay for Life, Community Service, etc.
 - Learning Lancaster Civics Class
 - Post dates and time
 - Post links to registration forms
 - Elections
 - Post poll locations and hours
 - Post needs for call center and poll workers
- Inform the Community
 - Use the page to show the community what we do, such as information about different departments.
 - Post tutorials about the process for obtaining building permits
 - How and where to pay your taxes
 - Differences between residential and agriculture taxes, and how to file for each.

- Reminders for new homeowners to file for residency to obtain the proper tax rate.
 - Information about how to apply for a job in the County and where to find that information.
 - Road closures or hazards
- Respond to Inquiries about public issues
 - Issues that have been posted on face book or issues that citizens are contacting the office about.
 - For example: Recent issue with railroads in Heath Springs
 - Extended road closures
 - Recent School Board Referendum (outlining the facts)
- Improve the public image of County Government
 - Use information, photos, and videos to improve the public's view of the County Government.
 - Pictures of employees participating in public service
 - Pictures of employees at company functions
 - Share articles about good things happening in the county
 - Share information about Employee of the year, Employee of the Quarter
 - Share Safety Slogans voted on by the safety committee
 - Share employees taking part in safety management programs
- Share other County Agencies Information to promote their Department
 - Share from other department such as the Sheriff's Office, Public Safety Communications, Animal Shelter, and City of Lancaster.
 - Sharing these agencies posts would increase their exposure to the community, and as a result increase citizens' knowledge and interaction.

Agenda Item Summary

Ordinance # / Resolution#:

Contact Person / Sponsor: John Weaver

JW

Department: County Attorney

Date Requested to be on Agenda: Administration Committee - May 12, 2016
County Council - May 23, 2016

Issue for Consideration: Whether or not it is appropriate to approve the late filing of William Heyward Adams, III's late filing for AG use of the various parcels that he inherited in 2014.

Points to Consider: Prior to 2015, the parcels that Mr. Adams inherited in 2014 were taxed as agricultural use. The tax statements that he received in 2015 changed the tax rate on the parcels because Mr. Adams did not file his application in a timely fashion.

Funding and Liability Factors:

Council Options: Approve or reject Mr. Adams request that the time for filing his application be extended by County Council.

Recommendation:

RICK S. CHANDLER, JR.

ATTORNEY AT LAW
P.O. Box 36
LANCASTER, SOUTH CAROLINA 29721

TELEPHONE (803) 283-4131

FAX (803) 283-4132

Lancaster County Council

Attn: Steve Willis – Administrator for Lancaster County
John Weaver – Attorney for Lancaster County

RE: Agricultural Application for William Heyward Adams, III for the Taxable year 2015

Dear Lancaster County Council,

On or about April 6, 2016, I wrote the Lancaster County Administrator a letter requesting that the “governing body” consider approving the 2015 Agricultural Application for my client William Heyward Adams. I would like in this letter to provide additional information and more detail factual data and rationalization to justify my client’s request.

Factual History

1. Mr. William Heyward Adams, III inherited the property by virtue of the untimely and unexpected death of his father, William Heyward Adams, Jr., who died at the age of 59.
2. At the time Mr. William Heyward Adams III inherited the property he was living in Charleston, South Carolina.
3. By virtue of the death of his father, Mr. William Heyward Adams, III as sole heir at law inherited, his house in Forest Hills, the farm located in the Elgin Community and numerous rental properties.
4. Unfortunately for William Heyward Adams III, his father conducted the rental business from his head with no paperwork and/or bookkeeping as a backup to the rental business.
5. There were no written records reflecting tenants’ deposit, rental payments history of tenants and/or outstanding invoices and receipts. Also the City of Lancaster had filed several liens on the rental property, alleging the properties were in violation of City ordinances.
6. Many of the rental properties were dilapidated, unsafe and in need of emergency repairs.
7. The Estate of William Heyward Adams, Jr., was mired in alleged Creditor’s Claims, bills and mortgage encumbrances.
8. Mr. William Heyward Adams, III, at the age of 27 with no experience in the rental business was overwhelmed.
9. Mr. William Heyward Adams, III, retained my services to assist him with his father’s estate in what were his words to me “.....I have inherited a nightmare.....”
10. Mr. William Heyward Adams, III, sold the family home in Forest Hills and several rental properties to resolve the Creditor Claims, unpaid bills and mortgage encumbrances.
11. It took me, fourteen (14) hours, gleaming through the records of the Tax Assessor’s Office with the valued assistance of employees of the Assessor’s office just to determine what properties Mr. William Heyward Adams, Jr. owned at the time of his death.

12. Excluding the properties Mr. William Heyward Adams, III, was required to sell to resolve the Creditor's claim, unpaid bills and mortgage encumbrances and excluding the farm in the Elgin Community, Mr. Adams inherited fifty-eight (58) rental properties.
13. In July, 2014, I prepared a Deed of Distribution transferring the properties from the Estate of William Heyward Adams, Jr. to William Heyward Adams, III. The Deed of Distribution was recorded July 30, 2014.
14. The Elgin properties have been assessed as 'Agricultural Properties' from the dates the father of William Heyward Adams III had purchased them in the years 1994, 2000 and 2001.
15. Mr. William Heyward Adams III received 2014 tax bill for the agricultural rate in October for the taxable year 2014.
16. Mr. William Heyward Adams III paid the 2014 tax bills and assumed (mistakenly) that (1) since the agricultural use of the properties had not changed and (2) since he had inherited the properties and not purchased the properties in a bona fide sell, that the agricultural rate was transferred into his name.
17. Mr. William Heyward Adams III visited the County Assessor in March 2016 whereby he was told that since he had not signed up for agricultural use, the Elgin properties has reverted to normal tax use and the tax bills for the Elgin properties totaled \$6,917.29.
18. The Tax Assessor was most courteous to Mr. William Heyward Adams III, and Mr. Brad Carnes advised him of Statute 12-43-220 and his possible remedies for his mistaken assumptions.
19. The Elgin properties have at all times including the year 2015 met the statutory definition of agricultural use.
20. The Elgin properties are used as farming, timber, vegetable and fruit crops. Also since Mr. William Heyward Adams, III inherited the properties in 2014, he has devoted a sizable portion of the acreage for the breeding and stabling of horses including providing horseback riding lessons.
21. The Assessor's Office has stated to me that they concur that the Elgin properties are agricultural use properties as defined by South Carolina Law.
22. That the Lancaster County Auditor interpreted SC Statute 12-43-220 (d)(3) to mean that only Lancaster County Council and not the Lancaster County Administrator can approve any extension of time for failure to timely file for agricultural use.

Rationalization for Mistake

Mr. William Heyward Adams, III, missed the deadline for filing his application for agricultural use; however for the above-stated reasons and the below rationale I believe his failure to file were a reasonable mistake.

I have been practicing real estate law in Lancaster County for 36 years. In a typical real estate closing transaction between a seller and a buyer involving agricultural property I advise my client (the buyer) two (2) critical issues the buyer needs to be aware of to wit;

1. That if the buyer changes the "use" for the property, there will be a roll-back tax bill for the year the use changes and for five (5) previous years. The Roll Back Tax Bill will be for the normal tax rate of the property in lieu of the agricultural tax rate.
2. That within twenty (20) days of the real estate closing transaction, that it is imperative that the buyer go the Assessor's office and resign up the property for agricultural use.

The situation for Mr. William Heyward Adams, III, was totally different. There was no real estate closing transaction. There was no buyer and no seller. There was no closing attorney to advise the prospective buyer of the requirements of South Carolina Law as to the agricultural use. Mr. Adams inherited the property as sole heir of his father, the Deed of Distribution simply transferred the property from the Estate of William Heyward Adams, Jr., to his legal heir, William Heyward Adams, III. He assumed that since the property was transferred to him as heir at law and not as a buyer that the agricultural use of the property would remain the same. This unfortunately is not what South Carolina State Law states.

Statutory Authority

Section 12-43-22(d)(3) of the Code of Laws for South Carolina, 1976 , as amended reads in part ".....the governing body may extend the time for filing upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date....."

Unfortunately, this section does not define the term "governing body". Is the governing body the County Council?; Or the Administrator of the County?; Or Administrated Board selected by the County Council? The statute is silent on this issue. I believe that it was the "intent" of the South Carolina Legislature to allow each individual County to determine, pursuant to this statute, what constitutes "the governing body". If it was intent of the South Carolina Legislature that only County Councils can extend the time for not filing, why did the statute not read....

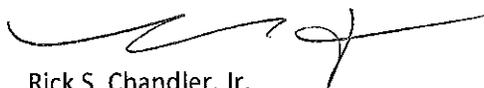
"County Council may extend the time" instead of "the governing body may extend the time"

Finally it is clear from Section 12-43-22(d)(3) that the South Carolina Legislature envisioned that there would be circumstances whereby residents of our state would mistakenly fail to timely file for agricultural use. That this mistake would not be intentional. Accordingly, that why this statute was written and adopted by our Legislature.

For all of the above reasons, facts, summaries and rationales I believe that Mr. William Heyward Adams, III, failure to timely file for agricultural use for the year 2015 was an innocent mistake. That it can be readily assumed that a person who inherited the property, instead of purchasing the property would reasonable assume that the agricultural use would remain the same.

Thank you for your kind consideration on this matter. I will be present with my client to provide any additional information you made desire.

Sincerely,



Rick S. Chandler, Jr.

(3) Agricultural real property does not come within the provisions of this section unless the owners of the real property or their agents make a written application therefor on or before the first penalty date for taxes due for the first tax year in which the special assessment is claimed. The application for the special assessment must be made to the assessor of the county in which the agricultural real property is located, on forms provided by the county and approved by the department and a failure to apply constitutes a waiver of the special assessment for that year. The governing body may extend the time for filing upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date. No additional annual filing is required while the use of the property remains bona fide agricultural and the ownership remains the same. The owner shall notify the assessor within six months of a change in use. For failure to notify the assessor of a change in use, in addition to any other penalties provided by law, a penalty of ten percent and interest at the rate of one-half of one percent a month must be paid on the difference between the amount that was paid and the amount that should have been paid, but not less than thirty dollars nor more than the current year's taxes.

**APPLICATION FOR SPECIAL ASSESSMENT
AS AGRICULTURAL REAL PROPERTY**

Please file this application by May 1st to assure your property is listed at the correct assessment ratio.

(Property Owner and Mailing Address)
William Heyward Adams III PO Box 1748

LANCASTER, SC 29721

Total Acr.	Tax Yr.	Location	Dist	Map	Sh	Blk	Parcel
9.25	2015	2975 CANE MILL RD	01	101			44.13
9.62	2015	OFF CANE MILL RD	01	101			44.16

TO BE COMBINED

Property Owner _____ Soc. Sec. No. _____

Property Owner or Spouse's Name WILLIAM HEYWARD ADAMS III Soc. Sec. No. 250-51-3801

If more than two (2) owners, attach a separate sheet with above information on each owner.

Total number of acres TO BE COMBINED 18.87 Acres

Timberland: Yes No Number of Acres 18.87 Acres

Cropland: Yes No Number of Acres _____

(Optional Question)

If this is a timber tract and size is less than 5 acres, do you own any other timberland tracts which are contiguous to or under the same management system as this tract? Yes No

(Optional Question)

Do you own any other non-timberland tracts which qualify as agricultural real property? Yes No

Did you have gross farm income of \$1,000 or more? Yes No

Is any portion of the entire tract being used for other than agricultural profit? Yes No If yes, explain _____

Did you file a farm income tax return? Yes No

It is unlawful for a person to knowingly and willfully make a false statement on this application. A person violating the provisions of this section is guilty of a misdemeanor and upon conviction, must be fined not more than \$200. In making this application, I certify the property which is the subject of this application meets the requirements to qualify as agricultural real property as of January 1 of the current tax year. I also authorize the assessor to verify farm income with the Department of Revenue and Taxation, the Internal Revenue Service, or the Agricultural Stabilization and Conservation Service.

Date 4/16/16 Signature of Owner or Agent _____

Phone: _____

101 N. Main St.

Lancaster County Tax Assessor
P. O. Box 1809
Lancaster, South Carolina 29721

Tel. 803-285-6964

William Heyward Adams III
PO Box 1748
Lancaster, SC 29721

From: Assessor

Date: April 6, 2016

Your property located on Tax Map 0087-00-089.00 has been inspected and denied agricultural use value for the following reason (s):

Pasture or cropland under 10 acres

Timberland under 5 acres

Does not appear to be used for agricultural purposes

Past deadline date.

If you disagree with the classification or denial of agricultural use of your property, you must file a written objection to the Assessor within 30 days or before May 6, 2016.

Brad Carnes, Assessor

Title not Examined
Deed Drawn by: Rick S. Chandler, Jr.
STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
IN THE MATTER OF:)
WILLIAM HEYWARD ADAMS, JR)
(Decedent))

IN THE PROBATE COURT
**DEED OF DISTRIBUTION
(Real Property Only)
NOT A WARRANTY DEED**

CASE NUMBER: 2008ES2900046

County where property is located If not above County: LANCASTER

The undersigned states as follows:

Decedent died on JANUARY 23, 2008; and probate of the Estate is being administered in the Probate Court for LANCASTER County, South Carolina, in File #2008ES2900046.

I/We was/were appointed Personal Representative (s) on JANUARY 29, 2008.

Decedent owned real property described as follows:

Tax Map Number: NUMEROUS TAX MAPS

Street/Property Address: NUMEROUS PROPERTY ADDRESS

Legal Description: SEE ATTACHED LEGAL DESCRIPTIONS

**RECORDED THIS 31st DAY
OF JULY, 2014
IN BOOK 2014 PAGE A-1**

Cheryl St. Morgan

Auditor, Lancaster County, SC

2014009690
DEED OF DISTRIBUTION
RECORDING FEES \$22.00
PRESENTED & RECORDED:
07-30-2014 12:37 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY
**BK: DEED 810
PG: 266-281**

This transfer is made pursuant to:

- Decedent's Will
- Intestacy Statute: SCPC 62-2-103
- Private Family Agreement: SCPC 62-3-912
- Disclaimer by: _____
- Probate Court Order issued on _____
- Other: _____

In accordance with the laws of the State of South Carolina, the Personal Representative(s) does/do hereby release all of the Personal Representative's(s') right, title and interest, including statutory and/or testamentary powers, over the real property described to the beneficiaries named below:

Name: WILLIAM HEYWARD ADAMS III
Address: PO Box 1478
LANCASTER, SC 29720

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

An additional sheet is attached for names of additional beneficiaries (check, if applicable)

IN WITNESS WHEREOF the undersigned, as Personal Representative(s) of the above Estate, has executed this Deed of Distribution, on this 29th day of July, 2014.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness: *Debbie L. Roberts*

Print Name: DEBBIE L. ROBERTS

Witness: *Jennifer C. Duncan*

Print Name: JENNIFER C. DUNCAN

Estate of: WILLIAM HEYWARD ADAMS, JR

Signature of Personal Representative: *William Heyward Adams, Jr.*

Print Name: WILLIAM HEYWARD ADAMS, III

If applicable,
Signature of Co-Personal Representative: _____

Print Name: _____

STATE OF SOUTH CAROLINA)
)
)

ACKNOWLEDGMENT

COUNTY OF LANCASTER

I, JENNIFER C. DUNCAN, Notary Public, a notary for the State of South Carolina do hereby certify that WILLIAM HEYWARD ADAMS III, as Personal Representative(s) of the Estate of WILLIAM HEYWARD ADAMS, JR, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Distribution.

Witness my hand and seal this the 29th day of July, 2014.

Jennifer C. Duncan (SEAL)
(Signature of Notary Public)
JENNIFER C. DUNCAN
(Print name of Notary Public)
Notary Public for State of SOUTH CAROLINA
My Commission Expires: 4-3-2017

Note: It is recommended that an attorney prepare this document and determine if a title examination is necessary.

ATTACHED TO AND MADE PART OF THIS DEED OF DISTRIBUTION DATED July 29, 2014 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FRO LANCASTER COUNTY IN DEED BOOK _____, AT PAGE _____.

TAX MAP: 0068H-B-12.00

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Lancaster, in Gills Creek Township, City of Lancaster, designated as Lots Number 1 and 2, in Block B as shown on plat of E.S. Clyburn, LS, dated April 9, 1954, recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 7, at Page 63. See revised plat on file in Plat Book 19, Page 2. See tax map 68A. Said lots front a distance of 50 feet each on Almetta Street. For a more complete description reference is craved to the aforementioned plat.

Being the identical property conveyed to William H. Adams, Jr. by Tax Deed dated July 25, 1996 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book W-15, at Page 33.

TAX MAP: 0062J-C-25.00

All that piece, parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, being more particularly described on a plat of the property of R.E. Wylie Estate, Forest Hillis #4 (four) Subdivision (a revision of previous plat) by R.H. Iseley, Surveyor, dated June 10, 1980, and recorded in the Office of the Clerk of Court for Lancaster County as Plat #4810. Lot Two in Block M (2-M) being located at the intersection of Mountain Brook and Rock Springs Road, fronting 199.91 feet on Mountain Brook and 179.74 feet on Rock Spring Road.

Being the identical property conveyed to William Heyward Adams, Jr. a/k/a William H. Adams by deeds recorded May 12, 1983 and May 14, 2004 in the Office of the Register of Deeds for Lancaster County in Deed Book E-6, at Page 4368 and Deed Book 236, at Page 193.

TAX MAP: 0068O-M-16.00

All that certain piece, parcel or lot of land with improvements thereon, situate, lying and being in the City of Lancaster, County of Lancaster, State of South Carolina, located at and known as 412 Chesterfield Avenue, Lancaster, South Carolina, containing twenty-eight one hundredths of an acre, more or less, and being more completely described in a plat by T.M. Belk, Surveyor, dated October 2, 1909, recorded as Plat Number 1345, to which reference is craved for a more complete description. Said lot fronts 91 $\frac{3}{4}$ feet on the north side of Chesterfield Avenue (formerly Redfield Road).

Being the identical property conveyed to William Heyward Adams a/k/a William H. Adams by deeds recorded August 8, 1975 and May 14, 2004 in the Office of the Register of Deeds for Lancaster County in Deed Book B-6, at Page 5777 and Deed Book 236, at Page 193.

TAX MAP: 0101-00-044.16

All those certain pieces, parcels or lots of land, lying, being and situate in Pleasant Hill Township, Lancaster County, South Carolina, collectively containing 9.62 acres and being shown, described and designated as Lots Number One (1), Two (2) and Three (3) on Plat of Survey made by J.B. Fisher, RLS, dated May 20, 1976 entitled 'PROPERTY OF MICHAEL WILLANS AND JOHNNY WILLIAMS', and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat Number 2449, reference to which said Plat is craved for a more minute description as to the metes and bounds.

Being the identical property conveyed to William Heyward Adams, Jr. a/k/a William H. Adams by deeds recorded December 16, 1976 and May 14, 2004 in the Office of the Register of Deeds for Lancaster County in Deed Book C-6, at Page 2794 and Deed Book 236, at Page 193.

TAX MAP: 68P-G-10.04; 68J-E-3.01; 68J-C-12.01; P/O 68J-C-12.00; P/O 68J-C-12; 68J-C-37; 68J-H-22; 68J-F-18; 68J-F-19; 68J-F-21; 68J-F-24; 68J-F-32; 68J-F-9; 68J-F-29; 68J-H-21; 68J-H-20; AND 68J-D-2.00.

All those certain pieces, parcels or lots of land situate, lying and being in the State of South Carolina, County of Lancaster, in Gills Creek Township, in the City of Lancaster, as follows:

1. Fronting on the east side of Blalock Alley for a distance of 42' and designated as Lot B as shown on plat prepared by Paul Clark, RLS, dated May 22, 1973, and filed as Plat No. 988 and known as 101 Blalock Street. (68P-G-10.04)
2. Fronting on the north side of Washington Street, formerly East Meeting Street, for a distance of 58.5' being the eastern 58.5' of Lot No. 11R on plat prepared by Jack Smith, RLS, on January 25, 1979 and filed as Plat No. 3920 and known as 706 Washington Street and 706 ½ Washington Street. (p/o 68J-E-3.01)
3. Fronting on the east side of Hazel Street for a distance of 73' and designated as Lot C as shown on plat prepared by Paul Clark, RLS, dated April 19, 1972, and filed as Plat No. 335, and known as 116 Hazel Street. (p/o 68J-C-12.01)
4. Fronting on the east side of Hazel Street for a distance of 77' and designated as Lot B as shown on plat prepared by Paul Clark, RLS, dated April 19, 1972, and filed as Plat No. 335, and known as 117 Hazel Street. (p/o 68J-C-12.00)
5. Fronting on the east side of Hazel Street for a distance of 90' and designated as Lot A as shown on plat prepared by Paul Clark, RLS, dated April 19, 1972 and filed as Plat No. 335, and known as 118 Hazel Street. (p/o 68J-C-12.00)
6. Fronting on the north side of East Dunlap Street for a distance of 76' and designated as Lot No. 2 as shown on plat prepared by Jack Smith, RLS, dated December 7, 1979, and filed as Plat No. 5259, and known as 818 East Dunlap Street. (68J-C-37)
7. Fronting on the south side of East Dunlap Street for a distance of 45' as shown on plat prepared by Jack Smith, RLS dated November 20, 1979, and filed as Plat No. 4587, and known as 705 East Dunlap Street. (68J-H-22)

8. Fronting on the east side of North Gregory Street for a distance of 41' as shown on plat prepared by Jack Smith, RLS, dated October 12, 1979, and filed as Plat No. 4588, and known as 111 North Gregory Street. (68J-F-18)

9. Fronting on the east side of North Gregory Street for a distance of 60' as shown on plat prepared by Jack Smith, RLS, dated October 12, 1979, and filed as Plat No. 4588, and known as 109 North Gregory Street. (68J-F-19)

10. Fronting on the east side of North Gregory Street for a distance of 45' as shown on plat prepared by Jack Smith, RLS, dated October 12, 1979, and filed as Plat No. 4588, and known as 105 North Gregory Street. (68J-F-21)

11. Fronting on the north side of East Dunlap Street for a distance of 40' as shown on plat prepared by Jack Smith, RLS, dated October 12, 1979 and filed as Plat No. 4588, and known as 702 East Dunlap Street. (68J-F-24)

12. Fronting on the south side of Washington Street for a distance of 60' as shown on plat prepared by Jack Smith, RLS, dated October 17, 1979, and filed as Plat No. 4589, and known as 603 ½ Washington Street. (68J-F-32)

13. Fronting on the south side of Washington Street for a distance of 60' as shown on plat prepared by Jack Smith, RLS, dated October 17, 1979, and filed as Plat No. 4589, and known as 603 Washington Street. (68J-F-9)

14. Fronting on the west side of North Gregory Street for a distance of 80' as shown on plat prepared by Jack Smith, RLS, dated October 17, 1979, and filed as Plat No. 4589, and known as 110 North Gregory Street. (68J-F-29)

15. Fronting on the south side of East Dunlap Street for a distance of 51' as shown on plat prepared by Jack Smith, RLS, dated November 20, 1979, and filed as Plat No. 4587, and known as 703 Dunlap Street. (68J-H-21)

16. Fronting on the south side of East Dunlap Street for a distance of 43' as shown on plat prepared by Jack Smith, RLS, dated November 20, 1979, and filed as Plat No. 4587, and known as 701 Dunlap Street. (68J-H-20)

17. Fronting on the north side of St. Paul Street, formerly Washington Road, formerly East Meeting Street, for a distance of 90', and running to East Meeting Street, formerly East Barr Street, for a uniform distance of 475', and fronting on East Meeting Street for a distance of approximately 70' and being designated as Lots 1 through 19, Block X, Knight Heights, as shown on that plat of survey prepared by T.W. Secrest, Surveyor, October 21, 1943, and filed in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 2, at Page 88.

Being properties conveyed to William H. Adams, Jr. by deeds dated January 31, 1986 and October 11, 1989 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book F-6, Page 3505 and Deed Book R-8, at Page 284.

TAX MAP: 0087-00-89.00 & 90.00

All that piece, parcel or tract of land, lying, being and situate in Gills Creek Township, State and County aforesaid, and designated as Tract No. 1 on Plat made by J.M. Bailes, LS, in December, 1939, containing thirty-six (36) acres, and being described as follows: Beginning at an iron stake near Curtis Mobley and Brown lands running S 57-31 E 531.2 feet to an iron stake on Hedge Row, thence S 37-04 W 2204.04 feet to Right of Way of Southern Railway from Lancaster to Heath Springs, thence along said Southern Railway N 46-02 W 527 feet, thence N 54-56 W 411 feet to an iron stake South bank of Old Road Bed and thence S 27-02 W 2326.2 feet to the beginning point. Said tract of land being bound as follows: ON the North by Southern Railway, on the East by land of Ira S. Harper, on the South by Brown lands and on the West by lands of Curtis Mobley. For further reference see Plat recorded in Plat Book No. 1 at Page ____ in the Office of the Clerk of Court for Lancaster County, South Carolina.

ALSO: All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Lancaster, Gills Creek Township, containing three and seventy-eight one hundredths (3.78) acres, approximately three miles S.E. of Lancaster, and being bounded on the North by other lands of David Simpson; on the East by lands of Mack Brown; on the South by lands of Odell Cauthen; and on the West by other lands of Odell Cauthen and David Simpson. For a more complete description, reference is craved to plat of above mentioned property which will be found recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 6, at Page 205.

ALSO: All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Lancaster, containing twenty and ninety-six one-hundredths (20.96) acres, more or less, and having such courses and distances and metes and bounds as shown on plat of Warren B. Turkett, dated May 10, 1951, and filed in the Office of the Clerk of Court for Lancaster County in Plat Book 5, at Page 167. Being bounded North by property of Curtis Mobley; East by Simpson lands and Brown lands; South by property of Ernest Evans and Harper lands; and West by property of Curtis Mobley. Being a portion of the property set off to S. Curtis Mobley by writ of partition in the case of S. Curtis Mobley, et al., vs. Clyde Mobley, et al., as appears in Judgment Roll 2772 in the Office of the Clerk of Court for Lancaster County. For a more complete description, reference to the aforementioned plat is craved.

Being property conveyed to Heyward 'Woody' Adams a/k/a William H. Adams, Jr. by Deed of Distribution dated April 18, 2000 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book 79, at Page 182. See also Probate File No. 98-ES-29-00091.

TAX MAP: 68P-B-6.00

All that piece, parcel or lot of land, with the buildings and improvements thereon, lying, being and situate at the Northeast corner of the intersection of West Meeting Street and North French Street, in the City of Lancaster, Lancaster County, South Carolina fronting South on West Meeting Street for a distance of Seventy-one and seven tenths (71.7') feet, and running back North therefrom in a uniform width along North French Street, for a distance of ninety-three and six tenths (93.6') feet, and being bounded now or formerly as follows: ON the North by lands of F.B. Porter, on the East by lands of J.M. Stoll; on the South by West Meeting Street; and on the West by North French Street.

Being property conveyed to William H. Adams, Jr. by deeds dated June 9, 1994 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book H-12, at Page 190 and Deed Book 131, at Page 201.

TAX MAP: 81B-F-1.00

All that certain piece, parcel or lot of land, with the dwelling and other improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, being known as the former residence of W.O. Rogers and being composed of Lots Number One (1) and Ten (10) as will more fully appear by reference to a plat of the A.N. Funderburk Property made by J.H. Mobley, Surveyor, on November 1, 1929, said lot measuring on the Northern boundary 127.60 feet, on the Eastern boundary 235 feet, and on the southern boundary 120 feet, and on the Western boundary 270 feet, and being bounded North by 'South Carolina State Highway No. 9 East by lots 2, 25 and 26, now or formerly, owned by J.C. McDow, South by Lot No. 11, now or formerly owned by Willie Waddell, and West by Palmetto Avenue. For a more minute description, reference to plat recorded in Plat Book 1, at Page 87.

Being property conveyed to William H. Adams, Jr. by deeds dated February 23, 1990 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book Z-8, at Page 88 and Deed Book 131, at Page 201.

TAX MAP: 81B-E-1.00

All that certain piece, parcel or lot of land, lying, being and situate on Palmetto Street, in Gills Creek Township, Lancaster County, South Carolina, containing 0.1 acre, more or less, and bounded as follows, to wit: NORTH by Isaac Cameron and Billy Stroud; EAST by Palmetto Street; SOUTH by Alice G. Osborne; and WEST by W.U. Hunter. The above described property is shown on a Plat of Survey by Jack Smith, RLS, dated June 23, 1986, and recorded July 3, 1986 as Plat Number 7967 in the Office of the Clerk of Court for Lancaster County. See also Agreement between Willie M. Hood, Annie F. Hood, and George Franklin Parker dated July 1, 1986, and recorded simultaneously with this Deed.

ALSO: All that certain piece, parcel or strip of land measuring 0'9" wide and 14'8" long lying, being and situate in the City of Lancaster, State of South Carolina, and shown on a plat of survey by Jack Smith, RLS, dated June 23, 1986, and recorded in the Office of the Clerk of Court for Lancaster County as Plat #7967.

Being property conveyed to William H. Adams, Jr. by deeds dated May 25, 1995 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book C-13, at page 311 and Deed Book 131, at Page 201.

TAX MAP: 86C-J-5.00

All that certain piece, parcel or lot of land situate lying and being in the State of South Carolina, County of Lancaster, fronting on Kim Street for a distance of 67.7 feet and being designated as Lot Number 9 on plat recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat Book 11, at page 145. For a more complete description reference to said plat is craved.

Being property conveyed to William H. Adams, Jr. by deeds dated April 2, 1987 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book X-6, at page 300 and Deed Book 131, at Page 201.

TAX MAP: 68P-G-29.00

All those certain pieces, parcels or lots of land, together with improvements thereon, lying, being and situate in Lancaster County, South Carolina, located on Blalock Alley, between Dunlap Street and Meeting Street, Lancaster, South Carolina, being shown, described and designated as Lots Number 3, 4 and 5 on plat of survey entitled 'W.J. Blalock Lands' made by Jack Smith, dated November 12, 1973, and recorded as Plat Number 3675 in the Office of the Clerk of Court for Lancaster County, South Carolina, which plat is by reference made a part hereof.

Being property conveyed to William H. Adams, Jr. by deeds dated October 20, 1988 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book Z-7, at Page 3 and Deed Book 131, at Page 201.

TAX MAP: 68I-G-14.00

All that certain piece, parcel or lot together with any and all improvements located thereon, lying, being and situate in the City of Lancaster, County of Lancaster, South Carolina, on the North side of East Springs Street, fronting south for a distance of 89.2 feet on East Springs Street, and being shown and described as Lot 2 on plat of survey entitled 'Plat Showing Property of Kenrich Associates' prepared by Jack Smith, RLS, dated August 24, 1985 and recorded in the office of the Clerk of Court for Lancaster County, South Carolina, as Plat Number 7393, reference to which said plat is craved for a more minute description.

Being property conveyed to William H. Adams, Jr. by deeds dated November 10, 1987 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed book I-7, at Page 224 and Deed Book 131, at Page 201.

TAX MAP: 68I-N-25.00

All those certain pieces, parcels or lots of land, together with all improvements thereon, lying, being and situate in the Town of Lancaster, Lancaster County, South Carolina, at the northwest intersection of E. Barr Street and N. Market Street Extension, and being more particularly shown, described and designated as Lot Nos. 2, 3 & 4 on Plat of Survey entitled, 'Plat Showing Property of W.J. Blalock', prepared by Jack Smith, RLS, dated May 5, 1975 and recorded January 30, 1979 in the Office of the Clerk of Court for Lancaster County as Plat No. 3895. Reference to said plat is craved for a more minute description of the property.

LESS AND EXCEPT HOWEVER: All that certain piece, parcel or strip of property consisting of Six (6) feet in width on the eastern boundary bordering the existing alley running from East Barr Street north throughout the entire depth of said lot. It is understood that the purpose of this conveyance is to increase the existing ten (10) foot alley to a width of sixteen (16) feet.

Being property conveyed to William H. Adams, Jr. by deeds dated July 16, 1992 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book U-10, at Page 48 and Deed Book 131, at Page 201.

TAX MAP: 81B-A-1.00

All that certain piece, parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, fronting 98.4 feet on the south side of Chesterfield Avenue, having a depth of 162.5 feet on the east and 206 feet on the west and a width at the rear of 89.6 feet bounded east (formerly) by G.J. Derrick and west by Theo R. Humphries.

Being property conveyed to William H. Adams, Jr. by deeds dated October 13, 1989 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book B-8, at Page 323 and Deed Book 131, at Page 201.

TAX MAP: 68P-P-13.00; 68P-P-15.00; and 68P-P-12.00

All that certain piece, parcel or lot of land, together with the house and all improvements lying thereon, lying and being situate in Gills Creek Township, Lancaster County, South Carolina, located on the North side of West Gay Street (308 West Gay St.) in the City of Lancaster, fronting South on said West Gay Street for a distance of eighty (80') feet, and running back North in uniform width for a distance of one hundred and seventy (170') feet, bounded on the South by West Gay Street, West by lot formerly of Lula B. Courtney, North by lot of William D. Jones and Lillian S. Jones, and East by lot of Harry E. and Oma Evans, and being that lot conveyed to Essie H. Small by Deed of E.M. Mahaffey dated October 29, 1940 and recorded in Book L-3, at page 549, LESS three (3') feet along the Eastern boundary heretofore conveyed to Harry & Oma Evans.

ALSO: All that piece, parcel or lot of land, with all improvements thereon, situate, lying and being in the State of South Carolina, County of Lancaster, on the North side of Gay Street in the Town of Lancaster, fronting on said Gay Street sixty-seven (67) feet and extending back one hundred seventy (170') feet. Being bound North by lands of Mrs. E.P. Plyler; East by lot of A.E. Small; South by Gay Street; and West by lands of Mrs. Sue B. Roddey.

ALSO: All that piece, parcel or lot of land, with buildings and improvements thereon, situate on the north side of W. Gay Street, being designated as 304 W. Gay Street, in the Town of Lancaster, Lancaster County, South Carolina, commencing at a corner or stake in the former property line of Ben C. Hough and Lillian Robinson and running thence N 24-00 W 201 feet to a stake in the property line of Mrs. Pauline M. Crawford, thence S 66 W 55.1 feet to a stake in the property of Pauline M. Crawford and formerly Ben C. Hough; thence S 24-00 201 feet to a stake or corner in Gay Street and the former property of Ben C. Hough, and thence along with W. Gay Street N 66 E 55.1 feet to the beginning corner. Bounded now or formerly on the North by lot of Pauline M. Crawford; East by Herman L. Jordan; South by Gay Street; and on the West by lot of Mrs. Bessie R. Plyler. Said lot being shown on Plat of Survey made by J.M. Bailes, LS, dated March 30, 1937.

Being property conveyed to William H. Adams, Jr. by deed dated September 1, 1993 and September 7, 2001 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book Q-11, at Page 323 and Deed Book 131, at Page 201.

TAX MAP: 68O-Y-6.00

All that piece, parcel or lot of land, lying, being and situate in the eastern suburbs of the Town of Lancaster, County of Lancaster, State of South Carolina, lying North of and adjacent to the Old Redfield or Chesterfield road containing 38/100 of an acre, as this day surveyed off by Surveyor M. Bailes of Lancaster being bounded and

described as follows: Beginning as is indicated by the survey and plat made by surveyor Bailes, at the southeast corner of lot upon which is located the residence of Joseph Kershaw Connors, and running east with said Chesterfield road a distance of eighty (80') feet, to lot of said Joseph K. Connors, and having a depth of one hundred ninety-two (192') feet on the east side, two hundred and thirty (230') feet on west side, being bounded on the North by lot and residence of Crawford Rutledge; on the east by lands of Joseph K. Connors; on the south by said Chesterfield road; and on the west by lot upon which the said Joseph K. Connors now resides.

Being property conveyed to William Heyward Adams, Jr. a/k/a William H. Adams, Jr. by deed dated July 9, 1985 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book F-6, at Page 2355.

TAX MAP: 81H-G-6.00

All that piece, parcel or lot of land, with improvements thereon, consisting of a four room house, fronting 63 feet on the northeasterly line of Fifteenth Street, southeast of its junction with Brooklyn Avenue, in Lancaster Plant Village, Lancaster County, South Carolina, containing .15 acre, more or less, the same being Lot No. 15, in Block 'F' on map of said area, prepared November, 1956, and recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 8, at Page 246.

Being property conveyed to William Heyward Adams, Jr. a/k/a William H. Adams, Jr. by deed dated April 15, 1991 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book U-9, at Page 304.

TAX MAP: 81H-J-1.00

All that piece, parcel or lot of land fronting 79.5 feet on the southwesterly line of Fourteenth Street at its junction with South Avenue, in Lancaster Plant Village, Lancaster County, South Carolina, having courses and distances as follows: Beginning at a point the northwesterly corner of the junction of South Avenue and Fourteenth Street; thence with the northwesterly line of South Avenue S 67-24 W 96.6 feet; then N 32-35 E 52 feet; thence N 50-38 E 87.4 feet to a point in the southwesterly line Fourteenth Street; thence with the southwesterly line of Fourteenth Street S 38-34 E 79.5 feet to the point of beginning, containing .13 acres, more or less; the same being lot number 9 in block 'L' on map of said area, prepared January 1957, and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 9, at Page 7; subject to all existing right of way.

Being property conveyed to William H. Adams, Jr. by Tax Deed dated August 5, 1996 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book W-15, at Page 30.

TAX MAP: 68J-E-2.00; 68J-E-2.01; 68J-E-2.04; and 68J-H-17

All that piece, parcel or tract of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, at the rear of the property conveyed Grantees by Deed recorded in the Office of the Clerk of Court for Lancaster County, South Carolina in Deed Book E-6, at Page 542, which property is designated for tax purposes as 68J-E-2.04. The subject property is approximately 65 feet wide and extends back to a branch which marks all the property owned by Grantor at this location. The subject property is designated for tax purposes as 68J-E-2.00.

ALSO: All that piece, parcel or tract of land fronting 40 feet on the East side of North Gregory Street, and being more particularly described as 207 N. Gregory on a plat entitled 'Plat showing property of Teresa Trammell & Betty C. Robinson' by Jack Smith, Surveyor, dated September 8, 1979 and filed as Plat No. 5195. (68J-E-2.01)

ALSO: All that piece parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, fronting approximately 65 feet on the East side of North Gregory Street and extending back approximately 92.5 feet and being bounded on the South by 40 foot lot #207 Gregory Street. See Plat recorded in the Office of the Register of Deeds for Lancaster County, South Carolina, in Deed Book Q, at Page 200. Being known as 209 North Gregory Street. (68J-E-2.04)

ALSO: Fronting on the east side of South Gregory Street for a distance of 56 feet, being more particularly described as Lot Number 107 on South Gregory Street on plat of the property of E.W. Caskey Estate by Jack Smith, Surveyor, dated November 20, 1979, and recorded in the said office as Plat No. 4587 (68J-H-17.00)

Being property conveyed to Woody Adams a/k/a William H. Adams, Jr. by Tax Deed recorded December 10, 1998 in the Office of the Register of Deeds for Lancaster County in Deed Book 30, at Page 217.

TAX MAP: 82J-B-42.00

All that certain piece, parcel or lot of land with any and all improvements thereon, lying, being and situate in Cane Creek Township, Lancaster County South Carolina in Greenbriar Subdivision, and being the identical property shown, described and designated as Lot Number Twenty-Eight (28) on plat of survey entitled 'SUBDIVISION PLAT OF GREENBRIAR', prepared by Wm. D. Enfinger & Assoc., P.A., dated November 20, 1972 and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina as Plat Number 10187. For a more minute description, reference to said plat is craved.

Being a portion of the property conveyed to William H. Adams, Jr. by deed dated July 7, 1989 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book N-8, at page 329.

TAX MAP: 81B-F-5.00

All those certain pieces, parcels or lots of land, with any and all improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, State of South Carolina, being shown, described and designated as Lots Number Nineteen (19) and Twenty (20) as shown on that certain plat of survey entitled 'Plat Showing Property of Frank D. Truesdale' made by Jack Smith, RLS, dated December 6, 1979, and recorded in the Office of the Clerk of Court for Lancaster County as Plat No. 4575, which plat is incorporated herein by reference.

Being property conveyed to William Adams by deed dated August 20, 1998 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book 19, at Page 269.

TAX MAP: 81B-J-14.02

All that certain piece, parcel or lot of land situate lying and being in the State of South Carolina, County of Lancaster, City of Lancaster, in Gills Creek Township, fronting east on Hampton Street for a distance of 79.2 feet and containing $\frac{3}{8}$ of an acre. For a more complete description see plats recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 7, at page 231.

Being property conveyed to William H. Adams, Jr. by Tax Deed recorded December 11, 1998 in the Office of the Register of Deeds for Lancaster County in Deed Book 30, at Page 269.

TAX MAP: 81A-D-13.00

All that piece, parcel or lot of land, with the buildings and improvements thereon, lying, being and situate in the Town of Lancaster, Lancaster County, South Carolina, fronting 50 feet, more or less, on the East side of a fourteen foot alleyway on Ray Street, having a uniform depth of 100 feet, more or less, bounded on the North by lot of Farris L. Blackmon, formerly Lewis Bank; on the East by lots of Kathleen Maynard Brown, formerly Estate lands of R.B. Robinson; on the South by a 14 foot alleyway; and on the West by a 14 foot alleyway, and being the identical property conveyed to Milton Snipes by deed recorded in Deed Book H-4, page 246, and willed to Beatrice R. Snipes by will recorded in Will Book G, at Page 61, and willed to Nellie E. Robinson by will recorded in Will book K, at Page 367.

Being property conveyed to William Adams a/k/a William H. Adams, Jr. by deed dated October 6, 1997 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book N-15, at Page 288.

TAX MAP: 81H-L-9.00

All that piece, parcel or lot of land with improvements thereon, consisting of a three room house and a garage, fronting 66 feet on the northeasterly line of Tenth Street, northwest of its junction with South Avenue, in Lancaster Plant Village, Lancaster County, South Carolina, having courses and distances as follows: Beginning at a point in the northeasterly line of Tenth Street which point lies N 36 - 52 W 288.1 feet from the northerly corner of the junction of Tenth Street and South Avenue; thence with the northeasterly line of Tenth Street N 36 - 52 W 66 feet; thence N 53 - 07 E 173 feet; thence S 36 - 52 E 66 feet; thence S 53 - 07 W 173 feet to the point of beginning, containing .26 acres, more or less; the same being lot number 6 in block 'D' on map of said area, prepared January, 1957, and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 9 at Page 7.

Being property conveyed to William H. Adams, Jr. by deed dated September 26, 1994 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book O-12, at Page 33.

TAX MAP: 67N-E-7.00

All that piece, parcel or lot of land lying, being and situate in the City of Lancaster and recorded in Plat Book 3 at Page 239 as Lot #8 on the Northwest side of Woodland Drive, fronting Woodland Drive for a distance of 142' depth of 175'. For a more complete description see Deed Book Z-3, at Page 275.

Being property conveyed to Woody Adams a/k/a William H. Adams, Jr. by Tax Deed recorded December 10, 1998 in the Office of the Register of Deeds for Lancaster County in Deed Book 30, at Page 220.

TAX MAP: 68J-E-10.00

All those certain lots of land, situate, lying and being in the State of South Carolina, County of Lancaster, City of Lancaster, in Subdivision known as Sinclair Heights, fronting two hundred, fifteen (215') feet approximately East on an ally and having a uniform depth of seventy-five (75') feet, and being bounded on the North by lot formerly of George Payseur, Jr., deceased; East by 16 foot alley; South by lot of Foster Robinson; and West by lots of Will Allen, Curtis Duncan, formerly Ernest Horton, Melvin L. Flournoy and Curtis Duncan, formerly James Myers. For a more complete description, reference is craved to plat of E.S. Clyburn dated March 29, 1947, recorded in Plat Book 2, at Page 259.

Being property conveyed to Heyward Adams, Jr. a/k/a William H. Adams, Jr. by deed dated July 2, 1979 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book D-6, at Page 2984.

TAX MAP: 81H-J-19.00 and 81H-J-5.00

All that piece, parcel or tract of land lying, being and situate in Lancaster Plant Village, Lancaster County, South Carolina, being designated as Lot No. 10, Block K, on that certain plat of survey by L.J. Jordon, dated January, 1957, recorded in Plat Book 9, at Page 7, in the Office of the Clerk of Court for Lancaster County, which plat is incorporated herein by reference. Said property being located at the northwest corner of the intersection of Thirteenth (13th) Street and South Avenue. Being property devised to Estelle B. Wilson for life with remainder to Grace B. Brodie according to the Last will and Testament for Waldo Evans Blakeney, who died October 2, 1987, Roll No. 87-ES29-00268, Office of the Probate Court for Lancaster County, South Carolina. See also Deed from Lema B. Tolbert to Waldo Blakeney dated August 6, 1976, and recorded October 18, 1976 in Deed Book C-6, at Page 2390, Office of the Clerk of Court for Lancaster County, South Carolina.

ALSO: All that certain piece, parcel or lot of land, together with any and all improvements thereon, lying, being and situate in the Lancaster Plant village, Cane Creek Township, Lancaster County, South Carolina, being shown, described and designated as Lot Number Thirteen (13) in Block 'L' on Plat of Survey of the Lancaster Plant Village as found recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 9, at Page 7, reference to which said plat is craved for a more minute description to the metes and bounds.

Being property conveyed to William Adams a/k/a William H. Adams, Jr. by deed dated July 8, 1997 and recorded in the Office of the Register of Deeds for Lancaster County in Deed book F-15, at Page 253.

TAX MAP: 81H-K-8.00

All that certain piece, parcel or lot of land together with any and all improvements located thereon, lying, being and situate in Lancaster County, South Carolina, being all of Lot Number five (5) in Block 'H', as shown and described on a map of Brooklyn West of Fifteenth Street, dated January 1957, and found recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 9, at Page 7. Said lot also known as House #1116, Eleventh Street, Lancaster, South Carolina, for a more minute description, reference to said plat is craved.

Being property conveyed to William H. Adams, Jr. by deed dated May 8, 1986 and recorded in the Office of the Register of Deeds for Lancaster County in Deed book I-6, at Page 92.

TAX MAP: 101-00-44.13

All those certain pieces, parcels or lots of land, lying, being and situate in Pleasant Hill Township, Lancaster County, South Carolina, containing a total of 9.25 acres and being shown, described and designated as Lots Number Four (4) and Five (5) on Plat of Survey made by J. B. Fisher, RLS, dated May 20, 1976, entitled 'Property of Michael Williams and Johnny Williams', and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat Number 2449, reference to which plat is craved for a more minute description.

Being property conveyed to Heyward Adams, Jr. a/k/a William H. Adams, Jr. by deed dated May 24, 1976 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book C-6, at Page 1713.

TAX MAP: 81A-N-4.00

All that piece, parcel or lot of land with improvements thereon, consisting of a five room house and a garage, fronting 80.8 feet on the southerly line of a 20 foot alley, at its junction with City Avenue, in Lancaster Plant Village, Lancaster County, South Carolina, having courses and distances as follows: Beginning at the southeasterly corner of the junction of City Avenue and said 20 foot alley; thence S 10-29 E 117.1 feet crossing a branch; thence S 83-13 W 83 feet; thence N 8-54 W 100.7 feet, crossing a branch to a point in the southerly line of said alley; thence with the southerly line of said alley N 71-40 E 80.8 feet to the point of beginning, containing .20 acres, more or less; the same being lot No. 1 in Block 'H' on map of said area, prepared September, 1955, and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina in Plat Book 8, at Page 133.

Being property conveyed to William H. Adams, Jr. by deed dated October 13, 1995 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book L-13, at Page 81.

TAX MAP: 68I-G-13.00

All that certain piece, parcel or tract of land, together with any and all improvements thereon, situated, lying and being in the Town of Lancaster in the County of Lancaster, State of South Carolina, said parcel being shown as

Lot No. 3 on a plat by Jack Smith, RLS, dated August 23, 1985. Said Lot No. 3 having the metes and boundaries as shown on said plat; a copy of which is attached hereto and made a part hereof by reference as Exhibit A. Said plat having been recorded in the Office of the Lancaster County RMC as Plat Number 8155.

Being property conveyed to William H. Adams, Jr. and Dennis Bowers by deed dated August 31, 1989 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book Q-8, at Page 56.

TAX MAP: 80O-C-11.00

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Lancaster, located about one mile South of Lancaster, on the East side of Lynwood Drive, designated as Lot Number 10 as shown on Plat made by Jack Smith, RLS, on September 19, 1981, recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat Number 5571. For a more complete description, reference to said plat is craved.

Being property conveyed to William H. Adams, Jr. by deed dated March 20, 1985 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book F-6, at Page 1641.

TAX MAP: 68J-E-8.00

All that certain piece, parcel or lot of land, together with any and all improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, being the Western sixty (60') feet frontage of Lot Number Ten (10) in Block Six (6) on Plat of Subdivision known as Sinclair Heights, recorded in Deed Book Q, at Pages 220-221, in the Office of the Clerk of Court for Lancaster County, said lot fronting Sixty (60') feet on Meeting Street and running back in a uniform width for a distance of Thirty-three (33') feet to Lot Number 9 on said Plat. Being bound on the North 60 feet by Lot No 9; on the West by 33 foot Alley; on the South 60 feet by Meeting Street; and on the East 33 feet of other property of Richard K. McGriff.

Being property conveyed to William Heyward Adams a/k/a William H. Adams, Jr. by deed dated October 10, 1979 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book D-6, at Page 3736.

TAX MAP: 68J-F-33 and 68J-E-3.02

All those certain pieces, parcels or lots of land situate, lying and being in the State of South Carolina, County of Lancaster, in Gills Creek Township, in the City of Lancaster, as follows:

1. Fronting on the west side of Washington Street for a distance of 60 feet, and known as 605 Washington Street on plat of the Property of E.W. Caskey Estate by Jack Smith, Surveyor, dated October 17, 1979, recorded as Plat Number 4589. (68J-F-33)

2. All that piece, parcel or lot of land fronting on the north side of Washington Street for a distance of 34.0 feet and known as 704 Washington Street and shown as the western 34.0 feet of Lot #11R on Plat made by Jack

Smith, RLS, on January 25, 1979, recorded as plat Number 3920. For a more complete description reference to said plat is craved. (68J-E-3.02)

Being property conveyed to William H. Adams, Jr. by Tax Deed recorded January 8, 1998 in the Office of the Register of Deeds for Lancaster County in Deed Book W-15, at Page 36.

TAX MAP: 68J-G-3.00

All that certain piece, parcel or tract of land with the buildings and improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, South Carolina on East Meeting Street Extension, said lot fronts on said East Meeting Street for a distance of 62 feet, more or less, and extends back therefrom in a uniform width for a distance of seventy-five (75) feet.

Being property conveyed to William H. Adams, Jr. by deed dated October 24, 1990 and recorded in the Office of the Register of Deeds for Lancaster County in Deed book L-9, at Page 188.

TAX MAP: 68J-C-8.00

All that certain piece, parcel or lot of land, with any and all improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, fronting on 'Proposed Dunlap Street' for a distance of 158 feet, and being the identical property shown, described and designated as Lot Number Five (5) on Plat of Survey entitled 'PLAT OF PROEPRTY OF LEDELL STEELE & J.D. CARNES', prepared by R.H. Iseley, dated October 26, 1965 and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat No. 5134. For a more minute description, reference to said plat is craved.

Being property conveyed to William H. Adams, Jr. by deed dated March 15, 1996 and recorded in the Office of the Register of Deeds for Lancaster County in Deed Book U-13, at Page 137.

LANCASTER COUNTY ASSESSOR

Tax Map:

0068H 0B 012 00
0067J 0C 025 00
0068O 0M 018 00
0101 00 044 18
0068P 0G 010 04
0068J 0E 003 01
0068J 0C 012 00
0068J 0C 012 01
0068J 0C 037 00
0068J 0F 018 00
0068J 0F 019 00
0068J 0F 021 00
0068J 0F 024 00
0068J 0F 032 00
0068J 0F 009 00
0068J 0F 029 00
0068J 0H 020 00
0068J 0H 021 00
0068J 0D 002 00
0068J 0H 022 00
0087 00 089 00
0068P 0B 006 00
0081B 0F 001 00
0081B 0E 001 00
0086C 0J 005 00
0068P 0G 029 00
0068I 0G 014 00
0068I 0N 025 00
0081B 0A 001 00
0068P 0P 012 00
0068P 0P 013 00
0068P 0P 016 00
0068O 0Y 006 00
0081H 0G 006 00
0081H 0J 001 00
0068J 0E 002 00
0068J 0E 002 01
0068J 0E 002 04
0068J 0H 017 00
0082J 0B 042 00
0081B 0F 005 00
0081B 0J 014 02
0081A 0D 013 00

LANCASTER COUNTY ASSESSOR

Tax Map:

0081H 0L 009 00
0067N 0E 007 00
0068J 0E 010 00
0081H 0J 005 00
0081H 0K 008 00
0101 00 044 13
0081A 0N 004 00
0088I 0G 013 00
0081O 0C 011 00
0068J 0E 008 00
0068J 0E 003 02
0068J 0G 003 00
0068J 0C 008 00
0081H 0J 019 00

Agenda Item Summary

Ordinance # / Resolution#:

Contact Person / Sponsor: Bryan Cook, CPO Reviewed by: Veronica C. Thompson, County CFO

Department: Finance

Date Requested to be on Agenda: Admin Committee 5/12/16

Issue for Consideration:

Amendment to the County Procurement Code

Points to Consider:

On 8/10/2015, the Council approved Ordinance 1363 which amended the thresholds for procuring items. The threshold of \$2,500 was not changed in P-Card sections 2-270 & 2-276 of the code. There are also changes to several sections, reflected in red, which are needed to improve the Code & clear any discrepancies.

Funding and Liability Factors:

Funding will not be adversely affected and some of the changes will help ensure taxpayers funds are used wisely and efficiently. The Code will be reviewed on an annual basis beginning this fall to ensure effectiveness.

Council Options:

Recommended or not recommended submittal to full Council for approval.

Recommendation:

Recommend approval to keep Code current.



**LANCASTER COUNTY
PURCHASING
ETHICS POLICY**

I. Purpose

The County of Lancaster is committed to upholding the highest level of integrity and ethical conduct. It is required that all Lancaster County employees who participate in the purchasing process follow procedures and policy to eliminate conflict of interest, personal purchases, gratuities, and relationships with vendors.

Lancaster County requires those who do business with the county to follow strict ethical guidelines in accordance with Section 8-13-705 of the Code of Laws of South Carolina which states:

OFFERING, GIVING, SOLICITING, OR RECEIVING ANYTHING OF VALUE TO INFLUENCE ACTION OF PUBLIC EMPLOYEE, MEMBER OR OFFICIAL, OR TO INFLUENCE TESTIMONY OF WITNESS; EXCEPTIONS; PENALTY FOR VIOLATION; SHALL BE SUBJECT TO THE PUNISHMENT PROVIDED BY SECTION 16-9-210 AND SECTION 16-9-220.

II. Detailed Policy Statement

A. Conflict Of Interest

Lancaster County employees must not make any attempt to influence any purchase if the employee has a financial stake in the outcome of the purchasing decision.

B. Gratuities

Lancaster County employees must not accept gifts, entertainment, favors or services from present or potential suppliers to the County that could influence, or appear to influence purchasing decisions. Employees may accept trivial courtesy items valued below fifty dollars, but may not solicit them.

C. Employee-Vendor Relationship

Purchases or lease of goods or services must not be made from any employee or near relative (spouse, child, parent, brother, sister, grandparent, grandchild, in-laws and step-relatives) who has an employee-vendor relationship unless there has been a specific determination by the Purchasing Director that the goods or services are not available from other sources or the contract was won through a competitive sealed bid.

D. Personal Purchases

Lancaster County employees must not use county credit, purchasing power, or facilities to make purchases of goods or services for themselves or for non-county activities.

E. Unauthorized Purchases

Lancaster County employees must not make a purchase for which (1) the employee has not been delegated the authority to make a purchase against the specified fund; (2) the employee has not been delegated the authority to make a purchase of a particular item; (3) the item to be purchased cannot be

purchased against the specified fund; (4) there are insufficient funds to cover the expenditure; or (5) the proper purchasing procedures have not been followed.

F. Vendor Relationships

Lancaster County employees must: Promote fair and open competition, refrain from use of restrictive specifications, and remain aware to the legal ramifications of purchasing decisions.

G. Violation of Policy

Employees who violate this policy may be subject to disciplinary actions.

ARTICLE VI. - LANCASTER COUNTY PROCUREMENT CODE¹³

Footnotes:

--- (13) ---

Editor's note—Ord. No. 1076, § 1, adopted Dec. 13, 2010, added provisions as Art. VI, Divs. 1—8, §§ 2-280A—2-324A. In order to avoid conflicts in section numbering and to conform to the format of numbering used in the Code, the editor has renumbered the provisions of Ord. No. 1076 as §§ 2-251—2-295 as herein set out.

DIVISION 1. - GENERALLY

Sec. 2-251. - Citation.

This article may be cited as the "Lancaster County Procurement Code."

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-252. - Purpose.

The purpose of the Lancaster County Procurement Code is to:

- (a) Establish policies and procedures for the Lancaster County government that embody sound principles of competitive procurement as required by Section 11-35-50 of the Code of Laws of South Carolina 1976, as amended (the South Carolina Consolidated Procurement Code);
- (b) Develop an efficient and effective means of delegating roles and responsibilities to departments, elected officials, boards, and component units;
- (c) Ensure fair and equitable treatment of all persons who do business with the county;
- (d) Provide a mechanism of controlling all purchases of supplies, materials, equipment and services required by the county;
- (e) Prescribe the manner in which the county shall dispose of surplus real and personal properties in an effective manner; and
- (f) Provide safeguards to ensure ethical behavior on the part of all persons engaged in the public procurement process.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-253. - Application of procurement code.

The Lancaster County Procurement Code applies to:

- (a) All procurements solicited after December 31, 2010;
- (b) All expenditure of funds by the county for public procurement irrespective of the source of the funds;

- (c) Procurement involving the expenditure of federal or state funds, except that the county shall comply with federal or state law that is mandatorily applicable to the procurement; and
- (d) All county departments, agencies, commissions, boards, or officials appropriated funds by the county.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-254. - Legal counsel; contract review.

- (a) The county attorney shall serve as legal counsel to the procurement officer.
- (b) The county attorney shall review any proposed contract: (i) with a term that extends beyond June 30 of the fiscal year following the fiscal year in which the contract is proposed to be entered; or (ii) with an automatic renewal clause.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-255. - Right to reject.

In all solicitations made under the Lancaster County Procurement Code, the county shall reserve the right to reject any and all responses to the solicitation. A solicitation may be cancelled, or any or all bids or proposals received may be rejected, in whole or in part as may be specified in the solicitation, when it is in the best interest of the county. The reasons for rejection must be documented and kept on file. Each solicitation request by the County shall state this section of the code.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 2. - PROCUREMENT OFFICER

Sec. 2-256. - Procurement officer.

- (a) There is created the position of procurement officer who shall be the county's principal contact for procurement services. The procurement officer shall be under the supervision of the finance director and the county administrator.
- (b) The procurement officer shall not incur any obligation on behalf of the county if sufficient funds have not been appropriated by the county council.
- (c) Responsibilities of the procurement officer include, but are not limited to:
 - (1) Procuring supplies, materials, equipment and services needed by county government and its officials;
 - (2) Coordinating the disposal of all surplus property and equipment;
 - (3) Assisting grant recipients in ensuring proper procurement procedures are followed;
 - (4) Maintaining a complete record of all purchasing transactions;
 - (5) Conducting pre-bid conferences and bid openings;
 - (6) Handling bid advertisements, logging bids, mailing and posting notice of awards and rejection notices;
 - (7) Properly maintaining records of all bid information;

- (8) Establishing and updating a bidders list;
 - (9) Assisting county government entities with writing bid specifications;
 - (10) Developing, reviewing, and updating procurement and contract procedures to ensure effective and efficient operations;
 - (11) Receiving and responding to inquiries from county government entities and vendors regarding procurement procedures; and
 - (12) Providing instruction and guidance to county government entities and officials.
- (d) The procurement officer, subject to approval by the finance director, is authorized to develop, prepare and publish rules, regulations, manuals, guidelines, interpretations and other directives to aid in the implementation and use of the Lancaster County Procurement Code.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 3. - SOURCE SELECTION AND CONTRACT INFORMATION

Sec. 2-257. - Methods of source selection.

Unless otherwise provided by law, all Lancaster County contracts shall be awarded by competitive sealed bidding, pursuant to section 2-258, except as provided in:

- (a) Section 2-260 (purchases under \$25,000);
- (b) Section 2-263 (sole source procurement);
- (c) Section 2-262 (emergency procurement);
- (d) Section 2-264 (architect-engineering, construction management, land surveying services and other professional services);
- (e) Section 2-261 (Use of state contract and cooperative purchasing);
- (f) Section 2-265 (Authority to contract auditing services);
- (g) Section 2-259 (Competitive sealed proposals); and
- (h) Section 2-264.1 (Special/unusual procurements).

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1363, § 1, 8-10-2015)

Sec. 2-258. - Competitive sealed bidding.

- (a) Conditions for use. Contracts more than twenty-five thousand dollars (\$25,000.00) shall be awarded by competitive sealed bidding except as otherwise provided in section 2-257.
- (b) Invitation for bids. An invitation for bids shall be issued and shall include a description of the purchase and all contractual terms and conditions applicable to the procurement.
- (c) Notice. The county shall give notice of the invitation for bids at least ten (10) calendar days before the date set in it for the opening of bids. The notice shall be published on the County's website. A notice may also be published in the South Carolina Business Opportunities (SCBO) publication.
- (d) Pre-bid conference. A pre-bid conference may be held to clarify information or ask questions concerning the solicitation. Attendance at the pre-bid conference may or may not be mandatory.

When mandatory attendance is required, only bids from those attending the conference will be accepted at final bid time.

- (e) Receipt and safeguarding of bids. All bids (including modifications) received prior to the time of bid opening shall be kept secure and unopened. It is the responsibility of bidders to make sure all bids are delivered to the proper place and at the proper time. Bids received after the time set in the Invitation for Bids shall not be considered and shall be noted as "late".
- (f) Bid opening. Bids shall be publicly opened. Questions on the contents of the bids shall not be answered until after evaluations are completed. A bid tabulation must be kept and shall be open for public inspection.
- (g) Bid acceptance and bid evaluation. Bids shall be evaluated based on the criteria set forth in the solicitation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article.
- (h) Correction, cancellation or withdrawal of a bid. After bids are opened, no changes in bid prices or other provisions of the bids prejudicial to the interest of the county or fair competition shall be permitted.
- (i) Discussion with bidders. As provided in the invitation for bids, discussions may be conducted with apparent responsive bidders for the purpose of clarification to assure full understanding of the requirements of the invitation for bids. Clarification on any bidder's bid must be documented in writing by the procurement officer.
- (j) Tie bids. If two (2) or more bidders are tied in price while otherwise meeting all of the required conditions, awards shall be determined in the following order of priority:
 - (1) In-state vs. out-of-state firms. If there is a tie with a South Carolina and an out-of-state firm, the award shall be made to the South Carolina firm;
 - (2) Lancaster County firm vs. other South Carolina county firms. If there is a tie with a firm located in Lancaster County and a firm located in another county of South Carolina, the award shall be made to the Lancaster County firm; and
 - (3) In all other situations in which bids are tied, the award must be resolved by the flip of a coin by the procurement officer with a witness.
- (k) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bid. Notice of award must be posted on the county's website. If the contract is at least fifty thousand one dollars (\$50,001.00) ~~dollars~~, notice of award must be sent to all bidders on the same day.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-259. - Competitive sealed proposals.

- (a) Conditions for use. A contract may be entered into by competitive sealed proposals when the procurement officer or county administrator determines in writing that the use of competitive sealed bidding is either impractical or not advantageous to the county.
- (b) Request for proposals. Proposals shall be solicited through a request for proposal.
- (c) Public notice. Public notice for request for proposals shall be given in the same manner as provided in subsection 2-258(c) for competitive sealed bids.
- (d) Receipt and safeguarding of proposals. All proposals (including modifications) received prior to the time of opening shall be kept secure and unopened. It is the responsibility of persons submitting proposals to make sure their proposal is delivered to the proper place and at the proper time.

Proposals received after the time set in the request for proposals shall not be considered and shall be noted as "late".

- (e) Proposal opening. Proposals shall be publicly opened. Questions on the contents of the proposals shall not be answered until after evaluations are completed. A proposal tabulation must be kept and shall be open for public inspection.
- (f) Evaluation factor. The request for proposals must state the relative importance of factors to be considered in evaluating the proposals.
- (g) Discussion with responsible offerors. Discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification.
- (h) Award. Award shall be made to the responsible offeror whose proposal is determined in writing to be most advantageous to the County, taking into consideration the evaluation factors set forth in the request for proposals. The contract file must contain the basis on which the award is made.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-260. - Procedures for procurements not exceeding twenty-five thousand dollars (\$25,000.00).

- (a) Purchases under \$2,500.00. Small purchases not exceeding two thousand five hundred dollars (\$2,500.00) may be accomplished without securing competitive quotations if the prices are considered to be reasonable.
- (b) Purchases from \$2,500.01 to \$25,000.00. Purchases between from two thousand five hundred dollars and one cent (\$2,500.01) to twenty-five thousand dollars (\$25,000.00) may be accomplished by solicitation of quotes from a minimum of three (3) qualified sources and documentation of the quotes submitted with the purchase requisition.
- (c) All purchases of technology including computer hardware, computer software, servers, printers and audio visual equipment must be approved by IT Director.

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1363, § 2, 8-10-2015)

Sec. 2-261. - Use of state contract and cooperative purchasing.

- (a) When it is advantageous to the county, purchases may be made through the State of South Carolina's Materials Management Office. Sections 2-258 2-259 and 2-260 are waived when purchasing from the state contract.
- (b) The procurement officer may enter into an agreement, independent of sections 2-258 2-259 and 2-260, with any public procurement entity for the cooperative use of supplies or services under the terms agreed upon by the parties.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-262. - Emergency procurements.

Notwithstanding any other provision of this article, the county administrator or designee may make or authorize emergency procurements of supplies, services or construction items when an emergency condition arises and the need cannot be met through normal procurement methods. An emergency condition is a situation which creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, equipment failures, fire loss, or other reason as may be proclaimed by either the County Administrator or designee. The existence of emergency conditions must create an

immediate and serious need for supplies, services, or construction that cannot be met through normal procurement methods and the lack of which would seriously threaten: (i) the functioning of county government; (ii) the preservation or protection of property; or (iii) the health or safety of any person. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written determination (Emergency Procurement Form) of the basis for the emergency and for the selection of the particular contractor or vendor shall be made and shall set forth the contractor's or vendor's name, amount, and a listing of the items procured under the contract.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-263. - Sole source procurement.

A contract may be awarded for a supply, service, or construction item by the procurement officer without competition, subject to the approval of the County Administrator or designee. Procurements made with grant funds must receive written approval from the grantor agency. Written documentation (sole source justification form) must include the determination and basis for the proposed sole source procurement. A sole source purchase must be based upon one or more of the following criteria: (i) there is a lack of competition for a product or service; (ii) it is a unique, one-of-a-kind service offer; or (iii) the product has patented or proprietary rights that provide superior capabilities that are not obtainable from similar products, and the product is not marketed through other wholesalers or distributors whose competition could be encouraged.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-264. - Architecture, engineering, construction management, land surveying and other professional services.

- (a) The county administrator may negotiate contracts for architect-engineer, construction management, land surveying and other professional services valued at fifty thousand dollars (\$50,000.00) and below.
- (b) It is the policy of Lancaster County to publicly announce requirements for architect-engineer, construction management, land surveying and other professional services at fifty thousand dollars (\$50,000.00) or more and to negotiate contracts for such services on the basis of demonstrated competence and qualification at fair and reasonable prices. The date for submission from interested persons or firms in response to an invitation shall not be less than ten (10) days after publication of the invitation. An evaluation panel, the procurement officer, and the county administrator shall conduct interviews with no less than two (2) firms regarding the proposed contract. The procurement officer and the county administrator shall negotiate a contract with the highest qualified firm or person. The county administrator shall present the contract to county council for its approval.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-264.1. - Special/unusual procurements.

A special/unusual procurement is the acquisition by Lancaster County of personal property, services and improvements to real property without competition, subject to the approval of the county administrator or designee. Lancaster County is justified in utilizing a special/unusual procurement when it has a need that has a unique requirement that the use of the procurement methods would not responsibly satisfy or further the interests to Lancaster County.

(Ord. No. 1363, § 1, 8-10-2015)

Sec. 2-264.2. - Local vendor preference.

The lowest local responsible and responsive bidder who is within three (3) percent, with a cap of six thousand dollars (\$6,000.00), of the lowest non-local responsible and responsive bidder, may match the bid submitted by the non-local responsible and responsive bidder and thereby be awarded the contract. The local preference as set forth in this section shall only be applied to responses to solicitations of written quotes and invitations to bid in excess of ten thousand dollars (\$10,000.00). The local preference as set forth in this section shall only be given to local responsible and responsive bidders who have a physical business address located and operating within Lancaster County for a minimum of six (6) months prior to the solicitation of quotes and/or bids, and who have met all other requirements of the solicitations of written quotes or the invitation to bid, including, without limitation, payment of all duly assessed state and local taxes. If state or federal guidelines prohibit or otherwise limit local preference, then the county shall not use local preference in awarding the contract. If there are multiple responsible and responsive bidders who meet the local preference guidelines as set forth in the section, the county shall use standard procurement practice and procedure as set forth in the article to determine the priority of selection. The local preference as set forth in this section does not waive or otherwise abrogate the county's unqualified right to reject any and all bids or proposals or accept such bids or proposals, as appears in the county's own best interest.

(Ord. No. 1363, § 3, 8-10-2015)

Sec. 2-265. - Authority to contract auditing services.

County council must approve all contracts for auditing services.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-266. - Procurement procedures exemptions.

The following specific supplies or services are exempt from the procurement procedures:

- (a) Published books, periodicals, ~~and~~ pamphlets; DVDs and other media
- (b) Professional dues, membership fees and seminar registration fees;
- (c) Utilities including gas, electricity, water, and sewer;
- (d) Postage stamps and postal fees;
- (e) Travel;
- (f) Bank payments;
- (g) Legal services, subject to the approval of the county administrator; and
- (h) Brand name fleet operations equipment. and services.
- (i) Maintenance Agreements

(Ord. No. 1076, § 1, 12-13-10; Ord. No. 1326, § 1, 3-9-2015)

DIVISION 4. - PURCHASING CARD PROGRAM

Sec. 2-267. - Purchasing card program.

The procurement officer is authorized to establish a purchasing card program ("P-Card" of "P-Card Program"). The P-Card is a VISA charge card issued to ~~full-time~~ county employees to make small value purchases of supplies, materials, equipment, and services for county business use. The objective of the program is to streamline payments by eliminating the administrative burdens and costs associated with traditional methods of payment. The use of the P-Card is intended to eliminate the need for issuing small dollar purchase orders and petty cash. The P-Card Program also provides a simplified purchasing and payment process and provides for an expedited delivery of goods. The P-Card is issued by ~~Bank of America~~ a vendor under the umbrella of a contract awarded by the State Materials Management Office which permits county governments to participate in the program. Use of the P-Card is subject to the small purchase procedures established in this article, unless otherwise authorized.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-268. - P-Card administration and responsibilities.

- (a) The procurement ~~officer is~~ office employees will serve as the P-Card administrators and is the liaisons between accounts payable, the issuing bank, and county entities.
- (b) The county's accounts payable office shall reconcile and ensure transactions are paid in accordance with the requirements of this division and the P-Card Program.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-269. - Recordkeeping.

Department heads and supervisors are responsible for:

- (a) Recordkeeping;
- (b) The monthly transactions including obtaining and submitting receipts for the purchases with the monthly statement;
- (c) Determining that the purchases are reasonable;
- (d) Approving the billing statement;
- (e) Maintaining knowledge of the P-Card policy and procedures;
- (f) Requesting P-Cards for employees under the ~~person's~~their supervision;
- (g) Notifying the P-Card administrator when a cardholder resigns, transfers, or is terminated from employment;
- (h) Monitoring transactions and card activity to ensure that all purchases are for legitimate county business use;
- (i) Reviewing all documentation and ensuring original receipts are sent to accounts payable in a timely manner; and
- (j) ~~Signing the monthly billing statement (only original signature accepted).~~ Approving the monthly transactions for card holders within their department using P-Card software from the issuing bank.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-270. - Cardholder responsibilities.

Persons who are issued a P-Card must use the P-Card solely for legitimate county business purposes. Cardholders may make purchases of ~~seven hundred fifty dollars (\$750.00)~~ two thousand five hundred dollars (\$2500) or less without obtaining competitive quotes. Certain types of vendors may be blocked from use. Misuse of the card subjects the cardholder to disciplinary action. Cardholders must:

- (a) Maintain the P-Card in a secure location;
- (b) Prevent the use of the P-Card by anyone other than the approved cardholder;
- (c) Maintain knowledge of the P-Card policy and internal policies and procedures;
- (d) Ensure all purchases are allowable purchases according to the County's P-Card policy;
- (e) Ensure all purchases comply with purchasing requirements of the Lancaster County Procurement Code;
- (f) Obtain "best value" for the county when making any purchase;
- (g) ~~Sign the monthly billing statement and any other form the county may use such as a transaction log. Only original signatures shall be accepted; and Approve monthly transactions using P-Card software from the issuing bank; and~~
- (h) Immediately investigate any discrepancies and resolve the discrepancy in a timely manner to ensure that the county is not assessed a late fee for non-payment of a charge.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-271. - Accounts payable responsibilities.

The accounts payable specialist is responsible for reviewing signed supporting documents submitted from county entities and reconciling documents with the monthly bill. The accounts payable specialist must review the credits and returns on the P-Card statements with the supporting documentation submitted by the county entity to assess the validity and completeness of the transaction. Any lack of documentation or support must be communicated immediately to the county entity and resolved in a timely manner. Payments must be made in a timely manner.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-272. - P-Card administrator.

The procurement ~~officer is office employees are~~ designated as the P-Card administrators and ~~is are~~ responsible for the overall P-Card program. Responsibilities of the P-Card administrator include:

- (a) Acting as the county's liaison with the issuing bank;
- (b) Utilizing the P-Card software from the issuing bank;
- (c) Reviewing department approved applications for completeness of required information;
- (d) Submitting completed applications to the issuing bank and receiving P-Cards from it;
- (e) Training supervisors and cardholders before releasing P-Cards;
- (f) Ensuring each cardholder signs the cardholder agreement, signifying agreement with the terms of the P-Card Program;
- (g) Handling disputed charges and discrepancies not resolved by the cardholder or supervisor;
- (h) ~~Securing revoked P-Cards and~~ submitting information to the issuing bank; to deactivate P-Cards;
- (i) Reviewing usage of P-Card data for appropriateness;

- (j) Ensuring lost or stolen cards have been blocked by the issuing bank; and
- (k) Assisting supervisors with erroneous declines and emergency transactions.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-273. - Issuance of P-Cards.

The P-Card Administrator issues P-Cards to authorized personnel who have signed the P-Card agreement that covers the code of conduct and the terms and conditions of the program. The issuance of a P-Card to an employee is strictly prohibited if the employee has not signed the agreement. The P-Card administrator shall maintain a copy of the signed P-Card agreement and shall forward a copy to human resources and the accounts payable specialist. The P-Card administrator must maintain the following information: (i) name of the employee issued a P-card; (ii) date of issue; (iii) card number; and (iv) limits. Access to the P-Card data base is restricted to authorized personnel and any misuse is strictly prohibited and shall subject the employee to immediate termination and possible prosecution. The P-Card is the property of the County and must be retained in a secure location.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-274. - Authority to use P-Card.

Only the employee issued the P-Card is authorized to use it. Delegating the use of the P-Card to another employee or person is strictly prohibited and may result in the termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-275. - P-Card cancellation.

A P-card must be immediately cancelled when an employee terminates employment with the county or assumes another position that does not require the use of the P-Card. The employee's supervisor is responsible for immediately notifying the P-Card administrator ~~and for returning it to the P-Card Administrator~~. If an employee is taking a leave of absence, then the P-Card shall be placed in an inactive status during the leave and may only be reactivated when the employee's return to work is confirmed in writing by the employee's department head or supervisor.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-276. - P-Card dollar limits.

Each P-Card has a single transaction limit of ~~seven hundred fifty dollars (\$750.00)~~ two thousand five hundred dollars (\$2500). Requests to raise the limit must be submitted in writing to the P-card administrator. For purchases in amounts greater than the single transaction limit, a purchase order must be processed. Transaction limits more than ~~seven hundred and fifty dollars (\$750.00)~~ two thousand five hundred dollars (\$2500) must be approved by the county administrator and finance director. As used in this section, "single transaction limit" means one or more items purchased from the same vendor at the same time on the same day. Any intentional circumvention of the single transaction limit is strictly prohibited and may result in the immediate termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-277. - P-Card purchases.

(a) A P-Card may be used to purchase:

- (1) Airline tickets;
- (2) Hotel accommodations for travel;
- (3) Car rental for travel;
- (4) Registrations for conferences;
- (5) Ground transportation for travel;
- (6) Facsimile charges when traveling;
- (7) Business meals; must attach agenda or meeting minutes to receipt;
- (8) Authorized memberships or subscriptions; and
- (9) Supplies.

(b) In addition to the goods and services listed in subsection (a), the P-Card administrator may designate other goods and services that may be purchased with a P-Card.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-278. - Prohibited purchases.

(a) The following is a list of charges that are not allowed as purchases using the P-Card:

- (1) Personal purchases of any kind;
- (2) Cash advances;
- (3) Gift cards, calling cards, pre-paid cards of any type or similar products;
- (4) Employee travel expenses such as meals and transportation (except airline tickets);
- (5) Entertainment, including in-room movies;
- (6) Alcoholic beverages;
- (7) Tobacco products;
- (8) Fuel (maintenance to be arranged by the county garage department);
- (9) Professional services;
- (10) Food for consumption by county employees; and
- (11) Computers. unless purchased by IT.
- (12) Services conducted on county owned property.

(b) In addition to the goods and services listed in subsection (a), the P-Card administrator may designate other goods and services that may not be purchased with a P-Card.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-279. - Documentation.

All charges on a P-Card must be documented with an original receipt from the vendor as support for the transaction. Receipts must include at a minimum: (i) vendor name; (ii) amount of the purchase; (iii) date of the transaction; and (iv) a description of the items purchased. Receipts that do not include this minimum documentation are not considered acceptable.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-280. - P-Card statements.

A copy of a cardholder's P-Card statement shall be sent directly to the cardholder's business address. The master copy of P-Card statements shall be sent to accounts payable by the issuing bank and shall contain a detailed listing of charges by cardholder name and department.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-281. - Deadlines.

Cardholder must approve transactions by 12:00PM on the first (1st) day of the following month. The accounts payable specialist must receive the cardholder's statement and supporting documentation by 12:00PM the seventh (7th) day of the following month. If the information received is incomplete, a notice shall be sent to the cardholder. Failure of the cardholder to respond to the notice by the fifteenth (15th) calendar day, then the cardholder's account shall be deactivated and no more transactions shall be allowed.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-282. - Lost cards.

Cardholders must immediately notify the issuing bank and the P-Card Administrator if the cardholder's P-Card is lost or stolen.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-283. - Card violations.

- (a) The following is a list of violations of the P-Card Program:
- (1) Prohibited purchases (see section 2-277);
 - (2) Unacceptable documentation (see section 2-280);
 - (3) Missed deadlines for submitting the P-Card documentation (see section 2-276);
 - (4) Unresolved credits or disputes; and
 - (5) Intentional circumvention of the authorized limits, such as splitting transactions to avoid the single transaction limit (see section 2-276).
- (b) Repeated violations of the P-Card program's requirements, including the violations listed in subsection (a), may result in the deactivation of a P-Card and discipline including possible termination of employment.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 5. - RISK MANAGEMENT

Sec. 2-284. - Bid security.

- (a) Bid security is required for all competitive sealed bidding for construction contracts in excess of fifty thousand dollars (\$50,000.00) and other contracts as may be prescribed by the procurement officer. Bid security shall be a certified cashier's check or a bond provided by a surety company licensed in South Carolina with an "A" minimum rating of performance as stated in the most current publication of "Best Key Rating Guide, Property Liability," which company shows a financial strength rating of at least five (5) times that portion of the contract price that does not include operations, maintenance, and finance. Each bond shall be accompanied by a "power of attorney" authorizing the attorney in fact to bind the surety.
- (b) Bid security must be in an amount equal to at least five (5) percent of the amount of the bid at a minimum.
- (c) When the invitation for bids requires security, noncompliance requires that the bid be rejected except that a bidder who fails to provide bid security in the proper amount or a bid bond with the proper rating must be given one working day from bid opening to cure the deficiencies. If the bidder is unable to cure these deficiencies within one working day of bid opening, the bid must be rejected.
- (d) After the bids are opened, they must be irrevocable for the period specified in the invitation for bids.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-285. - Contract performance payment bonds.

- (a) The following bonds or security must be delivered to the county and become binding on the parties upon the execution of the contract for construction:
 - (1) A performance bond satisfactory to the county, executed by a surety company meeting the criteria established in section 2-284, or otherwise secured in a manner satisfactory to the county, in an amount equal to one hundred percent of the portion of the contract price that does not include the cost of operation, maintenance, and finance;
 - (2) A payment bond satisfactory to the county, executed by a surety company meeting the criteria established in Section 2-284, or otherwise secured in a manner satisfactory to the county, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the construction work provided for in the contract. The bond must be in an amount equal to one hundred percent of the portion of the contract price that does not include the cost of operation, maintenance, and finance; and
 - (3) in the case of a construction contract valued at fifty thousand dollars (\$50,000.00) or less, the county may waive the requirements of (1) and (2) above;
- (b) The county may require a performance bond or other security in addition to the security listed in subsection (a).

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-286. - Insurance requirements.

The county may require a vendor or contractor performing services under contract with the county to file with the procurement officer a certificate of insurance evidencing workers compensation coverage, general liability coverage, errors and omissions coverage or other types of insurance coverage as may be appropriate for the type of goods or services being procured by the county. The amount and scope of any insurance coverage for a specific contract shall be determined by the procurement officer after consultation with the county's risk management official.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 6. - SMALL AND MINORITY BUSINESS ENTERPRISES

Sec. 2-287. - Participation in procurements.

The procurement officer shall facilitate the participation of small business enterprises (SBE) and minority business enterprises (MBE) in the procurement transactions of the county. The procurement officer shall assist any SBE or MBE in understanding county solicitations.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 7. - SURPLUS PROPERTY

Sec. 2-288. - Disposal of personal property.

- (a) All items of personal property belonging to the county may be declared surplus property to be sold, transferred, traded, or placed in storage by the county. Each department shall report all surplus property to the procurement officer on an annual basis.
- (b) Surplus personal property shall be disposed of in the following manner:
 - (1) County personal property may be sold by public auction or by competitive sealed bidding to the highest bidder. The sale of property not in actual public use shall be conducted by the procurement officer. Sales may be held on an as needed basis. The procurement officer shall deposit the proceeds from the sales, less the expense of the sales, in the fund from which the item was originally paid from.
 - (2) Surplus supplies, inventory, or capital assets may be transferred between departments. The procurement officer must document all transfers of assets and give proper documentation to the accounting office.
 - (3) Certain personal property may be held in storage until an appropriate time for disposal in accordance with this article.
 - (4) Certain property deemed by the procurement officer and the using department to be of no value and not suitable for disposal through the above methods, may be dismantled and disposed of permanently and in an appropriate fashion.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-289. - Disposal of real property.

- (a) Surplus real property is property owned by the county and declared surplus by the county council. The county administrator may make recommendations to the county council. Disposal of property declared surplus by the county council shall be disposed of in accordance with this section.
- (b) All surplus real property must be appraised to determine its fair market value.
- (c) The sale of any surplus real property must be approved by county council by passage of an ordinance and with a public hearing held prior to final approval of the ordinance.
- (d) County council shall determine the method of disposal of the surplus real property in the ordinance authorizing the sale of the property.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 8. - LEGAL AND CONTRACTUAL REMEDIES

Sec. 2-290. - Right to protest; exclusive remedy.

- (a) A prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the solicitation of a contract shall protest to the procurement officer in the manner stated in Section 2-291 within ten (10) days of the date of issuance of the invitation for bids or requests for proposals or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue. An invitation for bids or request for proposals or other solicitation document, not including an amendment to it, is considered to have been issued on the date it is posted on the county's website.
- (b) Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall protest to the procurement officer in the manner stated in section 2-291 within ten (10) days of the date of award or notification of intent to award, whichever is earlier, is posted in accordance with this article; except that a matter that could have been raised pursuant to subsection (a) as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.
- (c) The rights and remedies granted in this division to bidders, offerors, contractors, or subcontractors, either actual or prospective, are to the exclusion of all other rights and remedies of the bidders, offerors, contractors, or subcontractors against the county.
- (d) The rights and remedies granted by this section are not available for contracts with an actual or potential value of up to twenty-five thousand dollars (\$25,000.00).

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-291. - Protest procedure.

- (a) A protest pursuant to section 2-290 must be in writing, filed with the procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the procurement officer within the time provided in subsection 2-290(a).
- (b) A protest pursuant to subsection 2-290(b) must be in writing and must be received by the procurement officer within the time limits established by subsection 2-290(b). At any time after filing a protest, but no later than ten (10) days after the date of award or notification of intent to award, whichever is earlier, is posted in accordance with this article, a protestant may amend a protest that was first submitted within the time limits established by subsection 2-290(b). A protest, including amendments, must set forth both the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-292. - Attempt to settle.

Before commencement of an administrative review as provided in section 2-293, the procurement officer or designee may attempt to settle by mutual agreement a protest of an aggrieved bidder, offeror, contractor, or subcontractor, actual or prospective, concerning the solicitation or award of the contract. The procurement officer or designee has the authority to approve any settlement reached by mutual agreement.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-293. - Administrative review; decision; and finality.

- (a) If in the opinion of the procurement officer, after reasonable attempt, a protest cannot be settled by mutual agreement, the procurement officer shall immediately notify the county administrator who shall conduct promptly an administrative review. The county administrator or designee shall commence the administrative review no later than fifteen (15) business days after the deadline for receipt of a protest has expired and shall issue a decision in writing within ten (10) days of completion of the review. The decision must state the reasons for the action taken.
- (b) A copy of the decision under subsection (a) must be mailed or otherwise furnished immediately to the protestant and other party intervening. The procurement officer or designee shall post a copy of the decision at a date and place communicated to all parties participating in the administrative review, and the posted decision must indicate the date of posting on its face.
- (c) A decision pursuant to subsection (a) is final and conclusive, unless fraudulent.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-294. - Automatic stay.

In the event of a timely protest pursuant to section 2-290, the county shall not proceed further with the solicitation or award of the contract until ten (10) days after a decision is posted by the procurement officer except that solicitation or award of a protested contract is not stayed if the procurement officer, after consultation with the head of the using department or agency, makes a written determination that the solicitation or award of the contract without further delay is necessary to protect the best interests of the county.

(Ord. No. 1076, § 1, 12-13-10)

Sec. 2-295. - Procurement officer address.

Notice of the address of the procurement officer must be included in every notice of an intended award and in every invitation for bids, request for proposals, or other type solicitation.

(Ord. No. 1076, § 1, 12-13-10)

DIVISION 9. - REAL PROPERTY ACQUISITION

Sec. 2-296. - Acquisition of real property.

All transactions involving real property, made for or by the county, must be approved by county council by passage of a resolution or ordinance to that effect. If the transaction is for the purchase of real property the resolution or ordinance must include the purchase price. Prior to acting on the resolution or ordinance, county council shall be provided a phase I environmental assessment and an appraisal completed by an MAI certified appraiser. For right-of-ways and easements, a phase I environmental assessment is not required and a valuation by the county tax assessor's office may be provided to county council in lieu of an MAI appraisal.

(Ord. No. 1099, § 1, 6-27-11)

Agenda Item Summary

Ordinance # / Resolution#:

Contact Person / Sponsor: Darren Player

Department: Fire Rescue

Date Requested to be on Agenda: Public Safety Committee – May 10, 2016 Meeting
Administration Committee – May 12, 2016 Meeting

Issue for Consideration: New Fire Apparatus has been purchased by Lancaster County for its Fire Rescue Service. The new apparatus necessitates the removal of older apparatus from the fleet once it arrives. The Fire Commission, as part of its purchase plan presented to Council in 2015, requested to be able to sell the apparatus coming off line with funds from the sale being dedicated to Rich Hill Fire Department for a needed building addition. The sale of the apparatus is anticipated to bring in \$200,000 to \$250,000. The Commission approved providing up to \$250,000 to Rich Hill FD for its building addition need in place of fire apparatus. The proposal was provided to Public Safety Committee in its July 14th, 2015 meeting. This request is for permission to proceed with bidding out the apparatus that will be decommissioned allowing time to explore all avenues and getting the best sale price available from the market to include dealers who purchase whole groups of used vehicles for resale. No sale will be made but anticipated revenue from a sale can be much better anticipated with this process moving forward.

Points to Consider: The decommissioned apparatus still has value due to the way the vehicles have been maintained and while they have passed their useful life in our firefighting system, there are agencies and organizations who are very much interested in the apparatus. Seeking bidders and dealers of used apparatus as well as listing the apparatus where other fire departments will be aware of its sale, will result in a much better sale value for the county and will hopefully provide the needed funds to fulfill the Fire Commissions plan for Rich Hill FD.

Funding and Liability Factors: This request does not require funding, however, it will deviate from the normal method of vehicle decommissioning in that the funds would be dedicated for a Volunteer Fire Department once they became available. The sale will occur in the next budget year and may need to be addressed in the budget documents as they are done so that an amendment would not be needed later on in the fiscal year. No liability will be incurred. All apparatus will be advertised and sold on an "As Is, Where Is" basis.

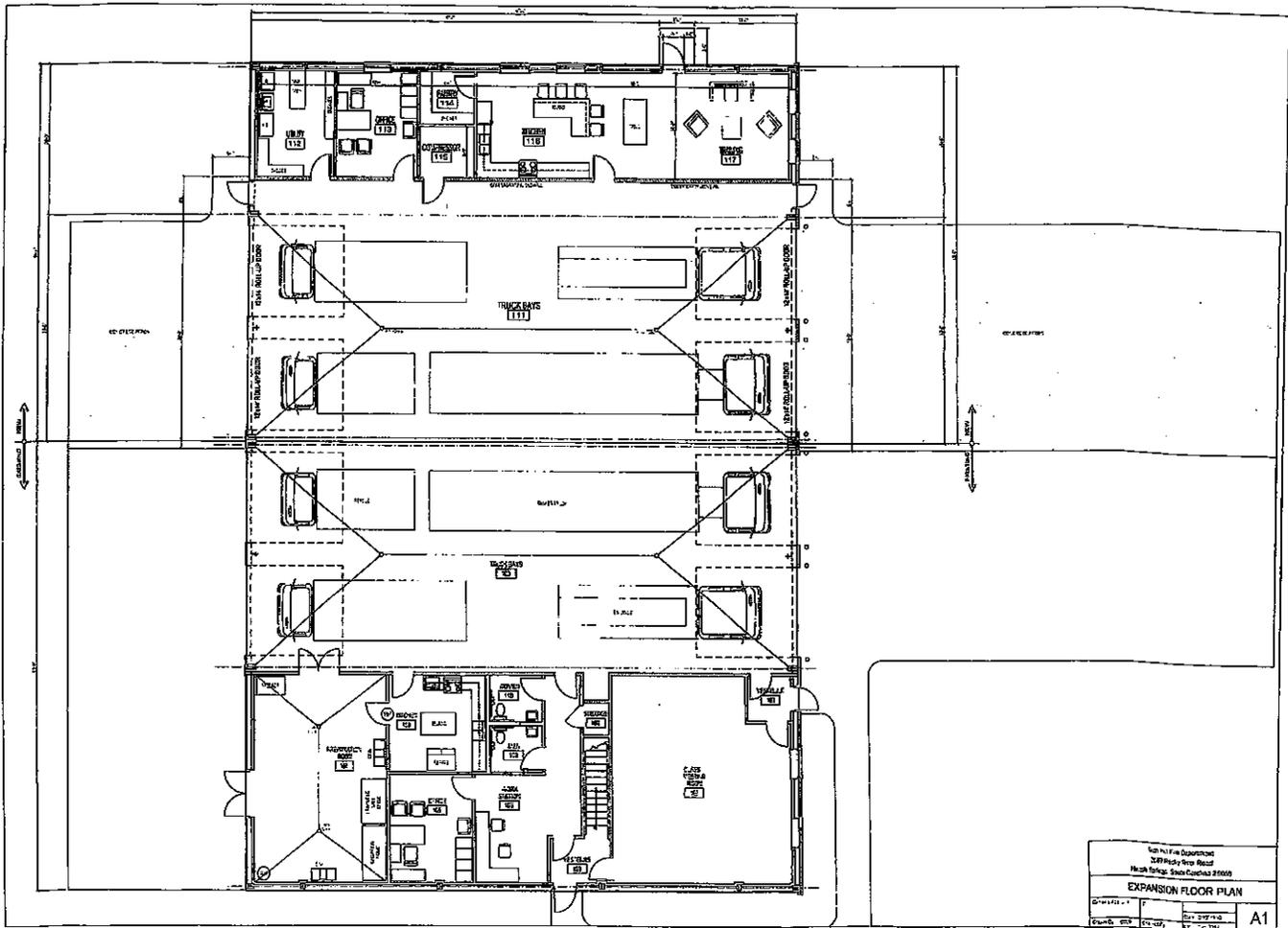
Council Options: Council may choose to allow permission to proceed with the plan to get pricing and prepare for the sale of the apparatus or Council can choose to dispose of the equipment in a usual manner once it is taken out of service.

Recommendation: Staff recommends the Fire Commission requested permission to explore sale to dealers and Fire Departments be allowed. The Fire Commission has voted unanimously to proceed with the maximum value sale of the apparatus that will be decommissioned.

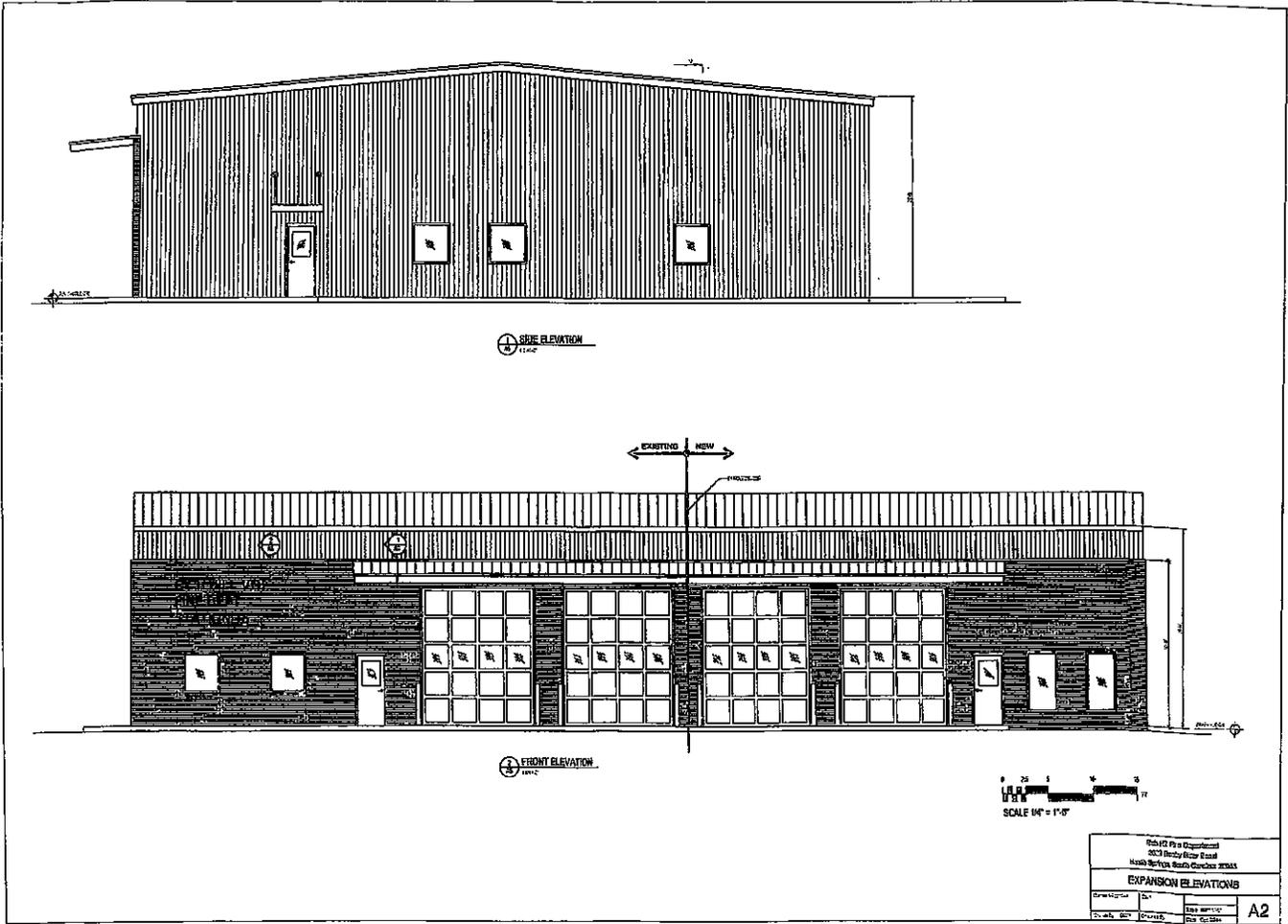
2015 Apparatus Transition Plan

<u>Fire Dept. Name:</u>	<u>Receive:</u>	<u>Move Out:</u>	<u>Move In:</u>	<u>Sale:</u>
Antioch:	Engine			E-102 - 1993
Bell Town:	Engine	E-201 - 1998		
Buford:	Engine			E-302 - 1993
Camp Creek:	Engine			E-402 - 1993
Charlotte Rd.:	Rescue	R-531 to EMS		
Elgin:	Rescue			R-633 **
Flat Creek:	Engine			E-702 - 1987
Gooches:	Rescue	R-831 - 1991	E-201 - 1998	E-802 - 1993
Heath Springs:	Engine	E-901 - 1998		
Indian Land:	Tanker			T-1021 - 1998
Kershaw:	Engine	E-1102 - 1998		
McDonald Green:	Engine		R-831 - 1991	E-1202 - 1993
Pleasant Valley:	Tanker	T-1421 - 1998		
Rich Hill:	Building Funds?			
Riverside:	Engine			E-1602 - 1987
Shiloh Zion:	Engine			E-1702 - 1987
Tradesville:	Tanker		E-1102 - 1998	T-1821 ** E-1802 - 1987
Unity:	Rescue		T1421 - 1998	R-1931 - 1995 T-1922 - 1998
Spare:	N/A		E-901 - 1998	Spare Engine- 1987

** Indicates a department owned vehicle.



South West Fire Department 228711th Street West Maple Ridge, British Columbia V6W 0B6	
EXPANSION FLOOR PLAN	
Date: 11/11/11 Drawn: [Name]	Scale: 1/8" = 1'-0" Sheet: A1



⊕ SIDE ELEVATION
1/4" = 1'-0"

⊕ FRONT ELEVATION
1/4" = 1'-0"

0 25 50 75
1" = 25'-0"
SCALE 1/4" = 1'-0"

105410 Pine Capital 3033 Perry Way East North Myrtle Beach, South Carolina 29578	
EXPANSION ELEVATIONS	
Drawn by:	EL
Checked by:	EL
Scale:	1/4" = 1'-0"
A2	



Integrity in People-Products-Performance

BUDGET ESTIMATE for 50' X 80' Addition

**Rich Hill Fire Department
3089 Rocky River Rd.
Heath Springs, SC**

August 14, 2015

FROM:

**MCON Construction Co., Inc.
PO Box 10
Richburg, SC 29729
Contact: Gary Howell**

Thank you for allowing MCON Construction Co., Inc. the opportunity to provide pricing for the above referenced project. We will submit a user friendly proposal identifying items that may not be specified or totally identified, and in a few cases, an allowance will be given for those items.

**P.O. BOX 10 RICHBURG,
SC 29729**

GENERAL CONDITIONS (Included):

- 1) Project Superintendent to supervise, schedule, coordinate and insure quality workmanship for duration of the project.
 - 2) Temporary toilet facilities for all construction workers.
 - 3) Mobilization, daily clean-up, trash haul, final clean, required insurance and associated general conditions cost for our portion of the work.
 - 4) Allowance of \$10,500 Included for architectural plans for building permits.
 - 5) Allowance of \$3,500 included for site plans sealed by a Civil Engineer.
 - 6) Building Permits fees are not included (we assume the county will waive those);
- Budget Amount: \$ 38,329.00**

SITE WORK:

- 1) No site work included, It is understood that the county will provide all site work.
- 2) No water, sewer or storm water drainage included.

CONCRETE:

- 1) We include the 6" concrete slab using 3000 psi fiber-mesh, reinforced concrete.
 - 2) Footings and foundation as required to meet local codes.
 - 3) 1 - 30'x60'x6" and 1-30'x25'x6" concrete pads at exterior sectional doors.
- Budget Amount: \$ 46,106.00**

Masonry:

Brick veneer front of building to match existing.

Budget Amount: \$ 15,451.00

FINISHES:

We include an allowance of \$32,000 to build the office/kitchen/training area as shown. This includes walls, ceilings, flooring, doors, cabinets, plumbing, electrical and HVAC.

Budget Amount: \$36,800.00
(Includes builders overhead and mark-up)

METAL BUILDINGS: Furnish and erect a 4,000 SF NUCOR pre-engineered metal building.

- 1) Roof to be 1/12 pitch galvalume standing seam with 20' eave.
- 2) Wall to be 26GA color multi-rib panels(color selected from color chart)
- 3) Roof insulation to be R-26, walls R-19.
- 4) 5' canopy to match existing across front of building as shown.
- 5) 3-3070 pre-hung steel walk doors with hardware.
- 6) 2-2060 and 3-3030 storefront insulated windows
- 7) 4- 12x14 all glass and aluminum sectional doors, new doors to be installed on the front of the building with two existing doors being removed and installed on the rear of the building .

BUDGETED AMOUNT: \$ 109,225.00

Contingency Amount: \$ 25,000.00

This Contract is subject to arbitration pursuant to the South Carolina Uniform Arbitration Act.

- Prices are good for 30 days from date of quote.
- MCON Terms and Conditions of Sale shall apply and is included with this proposal.

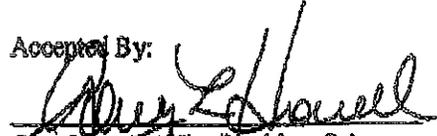
TOTAL BUDGET AMOUNT FOR THIS PROJECT: \$ 270,911.00

Thank you for contacting MCON and we look forward to working with you on your project.

Accepted By:

Date: _____

Accepted By:



Gary Howell / Vice President-Sales
MCON Construction Company, Inc.

Date: _____

8-14-15

Alternate #1:

Add allowance to furnish and install new septic system. The price is based on common practice, firm number to be established after permit has been pulled.

Allowance \$5,500.00

Agenda Item Summary

Ordinance # / Resolution#:	Potential Ordinance
Contact Person / Sponsor:	Steve Willis/ Hal Hiott
Department:	Admin/ Parks and Recreation
Date Requested to be on Agenda:	Admin Committee – May May 23, 2016 – County Council

Issue for Consideration:

Transfer of property to the Town of Kershaw.

Points to Consider:

The property is located inside the town limits of the Town of Kershaw.

The property was acquired in 1991 using recreational grant funding. It was never developed as a park as the Mullinax site became available.

The Town of Kershaw desires to develop a passive park on the parcel.

The property should have been conveyed to the Town of Kershaw in 1991 per the County Code (24-24(a)(2)) but never was.

Staff recommends transferring the parcel to the Town of Kershaw in compliance with our code.

Funding and Liability Factors:

The land was acquired with grant funding as far as we can tell from records. They admittedly are not complete that far back.

Council Options:

To comply with the County Code the land should be transferred. Council always retains the right to amend the Code.

Staff Recommendation:

Transfer the parcel to the Town of Kershaw.

Committee Recommendation:

To be determined.

LANCASTER COUNTY ASSESSORS OFFICE

[Search Sales In Area](#)
 [Search Sales In Neighborhood](#)
 [Previous Parcel](#)
 [Next Parcel](#)
 [Return to Main Search Page](#)
 [Lancaster Home](#)

Owner and Parcel Information

Owner Name	LANCASTER COUNTY	Today's Date	May 2, 2016
Mailing Address	PO BOX 1809	Parcel Number	0156J-0G-004.00 (Account#:25620)
	LANCASTER, SC 29721-0000	Millage Group	Town of Kershaw (01K)
Location Address	S OF E MARION STREET	Plat Book/Page	B831 / 0000
		Lot # / Block #	/
Property Usage	Exempt (EX)	Land Size	10.02 AC
Homestead	No	Parcel Map	Show Parcel Map
Legal Description	EXCESS LAND		

Value Information

Year	Land Value	Building Value	Yard Item Value	Total Market Value	Aq Credit	Taxable Land Value	Total Taxable Value	Capped Taxable Value	Total Assessment
2015	\$ 39,600	\$ 0	\$ 0	\$ 39,600	\$ 0	\$ 39,600	\$ 39,600	* \$ 36,455	0
2014	\$ 39,600	\$ 0	\$ 0	\$ 39,600	\$ 0	\$ 39,600	\$ 39,600	* \$ 36,455	0
2013	\$ 39,600	\$ 0	\$ 0	\$ 39,600	\$ 0	\$ 39,600	\$ 39,600	* \$ 36,455	0
2012	\$ 39,600	\$ 0	\$ 0	\$ 39,600	\$ 0	\$ 39,600	\$ 39,600	* \$ 36,455	0
2011	\$ 39,600	\$ 0	\$ 0	\$ 39,600	\$ 0	\$ 39,600	\$ 39,600	* \$ 36,455	0

*This parcel is subject to the value cap

Land Information

Land Use	Land Code	Number Units	Unit Type	Land Type	Frontage	Depth	Notes
Exempt (EX)	6	10.02	AC	P			

Building Information

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
NULL	0	0	00			0	0	NA
Foundation	Roof Type	Roof Coverage	Flooring Type	Heating Type	Bathrooms	Grade	Number Fire Pl	Sketch
00					0.0		0	NA

Miscellaneous Information

Building Type	Quantity	Units	Year Built
No miscellaneous information available for this parcel.			

Sales Information

OR Book/Page	Sale Date	Sale Price	Instrument	Qualification	Vacant/Improved	Grantor	Grantee
C010/0001	1991-08-30	\$ 20,000		TRUE SALE (0)	Vacant	LYNCHEs TIMBER CO INC	

[Search Sales In Area](#)
 [Previous Parcel](#)
 [Next Parcel](#)
 [Return to Main Search Page](#)
 [Lancaster Home](#)

The Lancaster County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. All assessment information is subject to change before the next certified tax roll. Website Updated: May 1, 2016

© 2008 by the County of Lancaster, SC | Website design by [qpublic.net](#)

INST # 11007

22.00

TITLE TO REAL ESTATE
The R. L. Bryan Company, Columbia, S.C.

Form 14
(Revised 4-1-55)

State of South Carolina,

BOOK C10 PAGE 1

COUNTY OF LANCASTER.

44.00



COUNTY DOCUMENT STAMPS COLLECTED

Know All Men by These Presents, That Lynchess Timber Company, Inc.,

(hereinafter whether singular or plural the "Grantor")



FILED
OFFICE OF CLERK
OF COURT
AUG 30 1 28 PM '91
OF S.C.

In the State aforesaid, _____ for and _____ in consideration of the sum of Twenty Thousand and no/100 (\$20,000.00) Dollars to the Grantor paid by Lancaster County (hereinafter whether singular or plural the "Grantee") has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee the following described property.

LANCASTER COUNTY, its successors and assigns, the following described property, to wit:

"ALL that certain piece, parcel or tract of land, containing 9.816 acres, lying, being and situate in the Town of Kershaw, Lancaster County, formerly Kershaw County, SC, and being more particularly bounded and described as follows: On the NORTH by S.C. Highway #157 (Marion St.), and property of Gaynell P. Clark, Leonard Lee Mickle, Curtis Taylor, and John A. Clark; On the EAST by property of Melinda L. Richardson; On the SOUTH by property of Howard Hegler and of Bobby Gregory; and, On the WEST by property of Ernest C. West. The above described property is more particularly shown and described on a Plat prepared for Lynchess Timber Company by Kenneth A. Johnson, RLS, dated March 27, 1987, and recorded as Plat # 11831, in the Office of the Clerk of Court for Lancaster County. Reference to said Plat is made for a more accurate description."

The above described property is a portion of that conveyed to Lynchess Timber Company, Inc., by Deed recorded in Deed Book D-6, at Page 1451, Deed Book E-6, at Page 1062, and Deed Book X-6, at Page 182, in the Office of the Clerk of Court for Lancaster County. Reference is made to Judgment Roll #91-CP-29-101.

LIMITATIONS: This property has been acquired with State financial assistance provided by the Recreation Land Trust Fund. This property may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the South Carolina Department of Parks, Recreation and Tourism Commission. The SCPRT Commission shall approve such conversion only if it finds such conversion to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as it deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

RECORDED IN THE

9-3-91
1567-G-4

BOOK C-10

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

To HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee, Lancaster County, its successors and assigns,

~~his heirs and assigns~~ forever.

And the Grantor does hereby bind itself, its successors and assigns, ~~his heirs and assigns~~ to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee's ~~heirs and assigns~~ successors and Assigns, against the Grantor and the Grantor's ~~heirs and assigns~~ successors and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the Hand and Seal of the Grantor this 30th day of August, in the year of our Lord one thousand nine hundred and Ninety-one (1991), and in the two hundredth and sixteenth (216th) year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Judy Armb
Notary Public

Lynchco Timber Company, Inc.

Steve G. Williams, Sr. (SEAL)
By: Steve G. Williams, Sr.
Its: President (SEAL)

STATE OF SOUTH CAROLINA }
LANCASTER COUNTY. }

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named Grantor sign, seal and, as the Grantor's act and deed, deliver the within-written Deed for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above witnessed the execution thereof.

SWORN to before me this 30th

day of August, 19 91.
Notary Public of S.C. (L.S.)

Judy Armb
Witness

My Commission Expires: 10-09-95

FILED
OFFICE OF CLERK
OF COURT

of the
-Dollars
reinafter
grant,
wit:
being
, and
ighway
aylor,
by
rnest
n a
27,
caster

any,
2, and
ity.

vided
an
) with-
ation
if it
de out-
the
id of

Sec. 24-24. - Duties.

(a) The commission shall perform the following functions:

- (1) Make bylaws for the management and regulation of its affairs.
- (2) Acquire land and facilities by gift or purchase, provided title to the acquired property be held by the governments where the property is located.
- (3) Expend monies which it shall receive within budgeted amounts and subject to the final controls herein contained.
- (4) Acquire and operate any apparatus or equipment useful in the accomplishment of its duties.
- (5) Prescribe rules and regulations governing the use of public recreation and park properties, facilities, and/or programs operated by the commission. Any violations of rules and regulations that may be established by said commission will be declared unlawful and any person violating the provisions of said rules and regulations shall be punished as provided for in section 24-5 of said Code of Laws of Lancaster County.
- (6) Fix rates and charges for the use of any facility or program operated by the commission.
- (7) Make contracts and execute instruments that are necessary or convenient for the discharge of the function of the commission including agreements with independent recreation program and entities for use of nongovernmental facilities. The commission is authorized to apply for and accept funds from the federal government, state government, and other nongovernment sources which may be available for the accomplishment of programs consistent with the objectives of this article. However, the commission shall not be authorized to commit either governmental entity to any contractual responsibility which might be required by the acceptance of federal, state or nongovernmental funds or which involve the leasing of nongovernmental facilities without first receiving approval from county council.
- (8) *Reserved.*
- (9) Operate, manage, maintain, supervise, and control the county's farmers' market.

(b) Employees of the parks and recreation department are county employees for purposes of employment and discipline. The director of the parks and recreation department shall be appointed by the county administrator. The director is responsible for the prompt and faithful execution of programmatic directives from the joint recreation commission.

(Ord. No. 828, 6-4-07; Ord. No. 1092, § 2, 4-26-11; Ord. No. 1213, § 1, 5-13-2013)

DRAFT

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **ORDINANCE NO. 2016-**

AN ORDINANCE

TO APPROVE THE TRANSFER OF APPROXIMATELY 10.02 ACRES OF LAND LOCATED ON THE 600 BLOCK OF EAST MARION STREET IN THE TOWN OF KERSHAW, TAX PARCEL NO. 0156J-0G-004.00, TO THE TOWN OF KERSHAW; AND TO AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) in 1991 Lancaster County, using state recreational grant funding, acquired 10.02 acres of land located on the 600 block of East Marion Street in the Town of Kershaw, Tax Parcel No. 0156J-0G-004.00 (the "Land"), to be used as the location for a recreational site;

(b) the land was never developed for recreational use as the Mullinax site became available;

(c) per County Code section 24-24(a)(2) real property controlled by the Parks and Recreation Commission is to be titled to the government where the property is located;

(d) the Town of Kershaw is desirous of acquiring title and developing the tract for passive recreational use; and

(e) title should have been transferred to the Town of Kershaw in 1991 but that never occurred.

Section 2. Approval of Transfer; Authority to Execute; Termination of Authority.

A. The County Administrator is authorized, empowered and directed, in the name of and on behalf of Lancaster County, to execute, acknowledge, and deliver a deed conveying the Land to the Town of Kershaw (the "Deed"). The form of the Deed is attached hereto as Exhibit A and all terms, provisions and conditions of the Deed are incorporated herein by reference as if the Deed were set out in this

ordinance in its entirety. By adoption of this ordinance, Council approves the Deed and all of its terms, provisions and conditions. The Deed is to be in substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of Lancaster County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Deed attached to this ordinance.

B. Council authorizes and approves the transfer of the Land to the Town of Kershaw.

Section 3. Authority to Act.

The Council Chair, Secretary and Clerk, the County Administrator and County Attorney, each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

Section 4. Severability.

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

Section 5. Conflicting Provisions.

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

Section 6. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

DRAFT

AND IT IS SO ORDAINED, this 27th day of June, 2016.

LANCASTER COUNTY, SOUTH CAROLINA

DRAFT

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading:	May 23, 2016	Tentative
Public Hearing:	June 13, 2016	Tentative
Second Reading:	June 13, 2016	Tentative
Third Reading:	June 27, 2016	Tentative

Approved as to form:

County Attorney

Exhibit A to Ordinance No. 2016-_____

**Form of Deed
Transfer of Tax Parcel No. 0156J-0G-004.00**

See attached.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

May 5, 2016

To: Administration Committee
From: Hal Hiott, Director of Parks and Recreation
Re: Information asked to compile at April Committee meeting

The Committee asked for information on cost upgrades for three specific Parks operated by LCPR. These three parks would qualify for tourism type activities. The three parks are Springdale/Melvin Steele Complex, Buford Recreation Complex, and Walnut Creek Park.

Staff has compiled the estimates for upgrades at the three locations. These figures are best guestimates after talking with contractors and comparable past work completed at sites.

The Committee also asked for information and figures about a New Outdoor Sports Complex. Wood and Partners Inc. has provided as much information as possible. Wood and Partners specializes in Recreation and Park planning and are highly respected throughout the state. They are located out of Hilton Head South Carolina and have designed numerous facilities within the state. The New North Myrtle Beach facility and Heritage Park in Simpsonville are just a couple of examples. The North Myrtle Beach facility is one of the nicest outdoor complexes in the Country and Heritage Park in Simpsonville is home to Freedom Weekend aloft, one of the largest Hot Air Balloon gatherings in the world. The Park also features a huge outdoor lawn concert venue and state of the art outdoor stage and lights. Top Rock, Country and Pop acts perform to crowds in excess of 10,000 people on a regular basis. Not to mention the first class playing fields and facilities.

Wood and Partners has supplied information based on information gathered and recommended by the Clemson PRT needs study. Please take into consideration that land costs and land prep are not included in these figures. There has been a 25 % contingency built in. Once land has been picked out and topo maps are looked at, specific recommendations and detailed designed drawings can be made to fit the lay of the Land.

Early figures seem to be much lower than anticipated. Hope this helps the Committee in moving forward and making decisions and recommendations.



Hal Hiott, Director, LCPR



April 21, 2016

Hal Hiott
Lancaster County Park & Recreation Director
P.O. Box 243
Lancaster, SC 29721

Re: Cost Analysis for the Lancaster County Sports Complex

Via: E-mail to: hhiott@lancastercountysc.net

Hal:

Kyle and I enjoyed talking with you about your possible new sports complex in north Lancaster County.

As discussed, we have prepared a construction cost estimate for a prototypical park including the facilities and program elements outlined in your email and as follows:

1. At least 4 multipurpose diamond fields to accommodate both youth and adult baseball and softball games, practices, and tournaments. Room to add 2 additional fields for future. Fields to have portable fencing so can be used for Youth and Adult. 310 ft. maximum for Adults.
2. At least 4 multiuse rectangle fields that are able to accommodate both youth and adult soccer, football, lacrosse, etc. At least two of these artificial turf. Field sizes 120 X 65 to have room for bleachers. Room to expand for 2 more fields in the future.
3. All athletic fields to have outdoor sports lighting.
4. Open Green space to accommodate a variety of informal Recreation activities and events (everything from family gatherings, festivals, concerts to movies in the park).
5. Paved walking trails through the park property. Not ovals. Potential exercise stations located around trail. Low level lighting for night walking.
6. Picnic Pavilions for family gatherings, birthday parties, etc. Available for rental.
7. Other appropriate amenities to include restrooms, concessions, adequate parking, playgrounds, and some office space for staff (i.e. tower area between fields).
8. Maintenance shed for equipment storage and Park maintenance staff.
9. Maybe a special feature like a splash Pad area, fenced with office and bathhouse.
10. Park should be designed so that there is something for everyone. It should be multiuse and multi-generational, and designed to accommodate people with disabilities

As you can see in the attached estimate, costs for a park including these elements could be in the range of \$9.8 million, which includes a 25% contingency. Generally speaking, you may want to budget somewhere between \$8.5 and \$10.5 million depending on which of the elements outlined above are included. On the other hand, you could get a good start with less if you have a limited budget. The master planning and cost estimating process should be used to help map out phasing alternatives and possible areas for cost savings.

Prices will vary depending on the level in which each facility is developed and the extent of site work required once you have selected a site. We have found it to be worthwhile to conduct site feasibility assessments on potential sites prior to purchase to determine which is most suitable and least expensive to develop.

You also asked for information on what to budget for planning, design and permitting costs, in addition to construction costs listed above. I would suggest you generally budget for the phases as follows, plus reimbursable expenses:

1. Pre-design, programming, master planning and schematic design services would be in the range of \$55,000 to \$75,000 depending on the level of complexity and services provided.



2. Detailed design development and construction documents would be in the range of 4.5% of construction costs.
3. Bidding and Negotiation and Construction Administration will be would be in the range of 1.5% of the construction cost of the proposed improvements.

Permitting, land surveying, testing and geotechnical survey costs would be in addition to the fees listed above and would vary depending on the site selected.

We welcome the opportunity to meet with your Council, County Staff or members of your Joint Recreation Commission to talk in more detail about ranges in costs, the planning and design process, trends in sports complex design, revenue and funding opportunities and lessons learned on other projects.

Feel free to call me or Kyle if you have any questions or need any additional information on this exciting project.

Wood+Partners Inc.

A handwritten signature in black ink that reads "Mark L. Baker".

Mark L. Baker, ASLA
President

Cc: Kyle Theodore, ASLA

G:\Marketing_and_Job_Development\Proposals\PARKS\HH\Lancaster County Sports Complex\Proposals & Contracts\Contracts\Lancaster Sports Complex Cost Analysis

Lancaster County Sports Complex
 General Estimate for Park Prototype
 Date: April 20, 2016



DESCRIPTION	QUANT.	UNIT	UNIT COST	TOTAL
1. Demolition				
			Subtotal:	\$125,000.00
2. Utilities - Sanitary Sewer & Water				
			Subtotal:	\$275,000.00
3. Grading & Stormwater System				
			Subtotal:	\$750,000.00
4. Concessions, Pavilions, Band shell & Restroom Buildings				
			Subtotal:	\$862,000.00
6. Sidewalks & Trails				
			Subtotal:	\$260,000.00
6. Parking, Roads & Drives				
			Subtotal:	\$715,000.00
7. Open Space Meadow, Landscaping & Grassing				
			Subtotal:	\$525,000.00
8. Site Furnishings & Signage				
			Subtotal:	\$193,000.00
9. Playground, Splash Play Area & Pavilion				
			Subtotal:	\$700,000.00
10. Baseball/Softball Fields (4 Total)				
			Subtotal:	\$1,834,000.00
11. Soccer Fields (2 Grass & 2 Artificial Turf)				
			Subtotal:	\$1,076,000.00
12. Site Electrical/Lighting				
			Subtotal:	\$140,000.00
13. Maintenance, Staff Work Area, Parking & Storage Area				
			Subtotal:	\$274,200.00

Subtotal:	\$7,820,100.00
25% Contingency:	\$1,955,025.00
Grand Total:	\$9,775,125.00

- Notes:**
1. This estimate is general in nature and includes allowances only
 2. No site has been selected and this estimate is for a prototypical park
 3. No park plans have been drawn for this estimate
 4. Land costs are not included
 5. Cost to extend utilities to site are not included
 6. Cost to mitigate poor soils or environmental conditions are not included
 7. Cost are based on a fairly level site without extensive grading

Estimate on Park Upgrade Costs

Springdale Park and Melvin Steele Soccer

Re Rock Parking Area at Melvin Steele	\$50,000
New sod for fields (soccer) and irrigation	\$80,000
New fence a Springdale (wire only)	\$30,000
Re Pave Parking and proper drainage	\$190,000
Siding on Concession Restrooms	\$10,000
Heating and Air concession	\$8,000
Remodel Restrooms	\$5,000
Add batting cages	\$20,000
New safety fence topper	\$3,000
Ticket booth	\$4,500
Portable mounds	\$4,800
Shade structures	\$20,000
Landscaping	\$40,000
<hr/>	
Totals	\$465,300

Buford Recreation Center

Add Field Lights	two 200 ft. fields	\$150,000
Add Field Lights	one 300 ft. field	\$100,000
Add Field Lights	one Regulation Soccer/multipurpose	\$100,000
Pave and Finish Parking lots		\$225,000
Add batting cages		\$20,000
Build Restrooms and Concessions for Outdoor use		\$65,000
Add playground and fencing		\$50,000
Outdoor Picnic shelter		\$40,000
Landscaping		\$20,000
Add fencing to soccer/multi purpose		\$60,000
Bleachers and Pads		\$42,000
Shade Structures		\$20,000
Score Boards	10 fields	\$50,000
<hr/>		
Totals		\$942,000

Walnut Creek Upgrades

Add field lights	one 300 ft. field	\$100,000
Add field lights	one multipurpose field	\$100,000
Add field lights	Two small T-Ball fields	\$75,000
Add Restrooms	for lower fields	\$40,000
Shade Structures		\$20,000
Score Boards	10 fields	\$50,000
Redo pickle ball courts correctly		\$40,000
Resurface Tennis Courts		\$15,000
Update irrigation		\$8,000
Fence lower multipurpose field		\$10,000
<hr/>		
Totals		\$458,000

M E M O R A N D U M

TO: Council Administration Committee

FROM: Steve Willis, County Administrator *SW*

TODAY'S DATE: April 25, 2016

DUE DATE: N/A

SUBJECT: **Hospitality Tax Question**

I checked with Kevin Yokum, Florence County Finance Director and the SCAC representative to the TERC (the state Tourism Expenditure Review Committee), about the Hospitality Tax applying to charitable events such as fire department BBQ's and here is his reply.

Steve,

Based on my reading of SC Code of Laws Section 6-1-710(2), it is my opinion that a Fire Department BBQ fundraiser does not meet the definition of "establishment" as included in this section and therefore moneys collected from such a fundraiser would not be subject to the local hospitality tax.

Kevin V. Yokim, CPA, CGFO
Florence County Finance Director

Please advise if any additional information is needed.

SW

cc: Veronica Thompson, CFO, Financial Management Director

ARTICLE V. - LOCAL HOSPITALITY TAX

Sec. 28-60. - Declaration of policy, purpose, intent.

This article is enacted to preserve the general health, safety, and welfare of the general public and to promote the tourism industry within the County of Lancaster, South Carolina, by imposing a local tax for the purpose of creating a fund which will be utilized for purposes enumerated in Section 6-1-730(A) of the Code of Laws of South Carolina as such may be amended.

Sec. 28-61. - Imposition of a two percent local hospitality tax.

There is hereby imposed within the County of Lancaster, except within the city limits of the City of Lancaster, a two (2) percent local hospitality tax upon the gross proceeds derived from the sale of all prepared meals and beverages served within the County of Lancaster, except within the city limits of the City of Lancaster, by any establishment. In addition, the tax shall be imposed on all prepared foods and beverages sold in establishments licensed for the consumption of alcoholic beverages, beer, or wine within the County of Lancaster, except within the city limits of the City of Lancaster.

Sec. 28-62. - Payment of tax.

(a) Responsibility for collecting the tax established herein shall be the liability of the provider of the services for items described in section 28-61. The tax shall be paid at the time of delivery of the services or items to which the tax applies and shall be collected by the provider or seller of the service, services, or items.

(b) The tax collected by the seller or provider of services or items as required under section 28-61 shall be remitted to the Lancaster County Finance Department as follows:

(1) On a monthly basis when the estimated amount of tax collected is more than fifty dollars (\$50.00) a month (annual gross revenue in excess of thirty thousand dollars (\$30,000.00)).

(2) On a quarterly basis when the estimated amount of tax collected is between twenty-five dollars (\$25.00) a month to fifty dollars (\$50.00) a month (annual gross revenue between fifteen thousand dollars (\$15,000.00) and thirty thousand dollars (\$30,000.00)).

(3) On an annual basis when the estimated amount of average tax collections is less than twenty-five dollars (\$25.00) a month (annual gross revenue receipts less than fifteen thousand dollars (\$15,000.00)).

(c) Total collections and required reports shall be submitted to the Lancaster County Finance Department by the twentieth day of each month and shall cover sales for the previous month. Payments covered under the provision of subsection (b)(2) shall be submitted quarterly by the twentieth day of January, April, July, and October and shall cover sales for the previous quarter. Payments covered under the provision of subsection (b)(3) shall be submitted by January 20th and shall cover sales for the

previous year. Any collections not remitted by the above stated deadlines shall be subject to a penalty of five (5) percent of the unpaid amount for each calendar month, or portion thereof, after the due date until paid. The failure to collect from patrons the amount imposed by this article shall not relieve any establishment subject to this article from making the required remittance.

Sec. 28-63. - Payment.

Payment of the accommodations tax established herein shall be remitted by the vendor to the County of Lancaster as provided in section 28-62, along with such return or form as may be established by the county for such purposes. Any tax not timely remitted shall be subject to a penalty of five (5) percent of the sum owed for each month or portion thereof until paid.

Sec. 28-52. - Failure to remit.

The failure of any vendor subject to this ordinance to remit to the County the tax imposed by the provisions of this article shall constitute a misdemeanor punishable as provided for in section 1-10 of the Lancaster County Code of Ordinances; and each day a violation continues to exist shall constitute a separate offense.

Sec. 28-53. - Special account.

There is hereby established a special account to be known as the local hospitality account into which the taxes remitted shall be deposited by the county and used solely for the purposes provided by law.