

ordinances, resolutions, interpretation of Council rules; monitoring new legislation and compliance requirements. Provide legal consultation with County departments, Elected Officials, and certain Boards and Commissions. Provide labor and employment advice on human resource issues. Involved professionally with the SC Bar, Lancaster County Bar, SCAC, SCACA and IMLA.

Section 2-104 – Authorization required for use of other attorney.

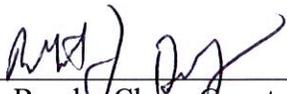
No county agency, commission, board, department, committee, utility district, service district or fire district shall employ an attorney other than the county attorney unless specifically authorized by the county Administrator.

Section 2-105 – Other legal representation.

Notwithstanding any conflicting employee policy of Lancaster County relating to outside employment, the County Attorney shall be considered a full-time employee and shall not solicit, accept or participate in any legal representation other than that associated with the duties and responsibilities of County Attorney.

And it is so ordained, this 24th day of August, 2015.

LANCASTER COUNTY, SOUTH CAROLINA



Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

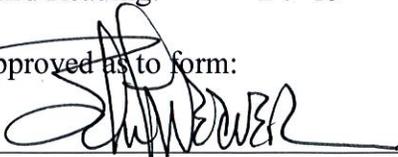
ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading: 1-12-15
Second Reading: 1-26-15
Third Reading: 2-9-15

Approved as to form:



County Attorney

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 0885 -R2015

A RESOLUTION

TO ACKNOWLEDGE A RECORDING ERROR AND TO CORRECT THE MISTAKE SO AS TO AUTHORIZE AND APPROVE THE RECORDING OF THE CORRECT VERSION OF ORDINANCE NO. 2015-1327.

WHEREAS, on February 11, 2015, following 3rd Reading passage of Ordinance No. 2015-1327, the legislation was recorded in the office of the Lancaster County Clerk of Court (Exhibit A); and

WHEREAS, it has been made known to the Council that the version recorded, in fact, was the 1st Reading version rather than the final 3rd Reading version; and

WHEREAS, on January 12, 2015, during discussion by Council of the Ordinance, a motion was made to add an additional provision to the ordinance, that motion receiving a second and passed by Council (Exhibit B); and

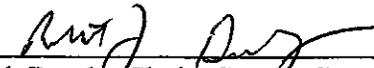
WHEREAS, at 3rd Reading on February 9, 2015, Council reviewed and passed the version that included the provision added by the earlier motion (Exhibit C).

THEREFORE, BE IT RESOLVED, Council reaffirms its support for the complete 3rd Reading version of Ordinance No. 2015-1327 and approves the Clerk's recording of the correct legislative version.

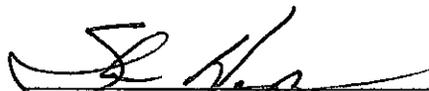
AND IT IS SO RESOLVED

Dated this 24th day of August, 2015

LANCASTER COUNTY, SOUTH CAROLINA



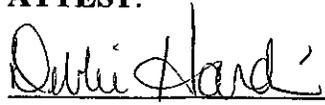
Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

(SEAL)

ATTEST:



Debbie Hardin, Clerk to Council

Exhibit A

FILED
OFFICE OF CLERK
OF COURT
2015 FEB 11 AM 11:11
CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1327

AN ORDINANCE

TO AMEND LANCASTER COUNTY ORDINANCE NUMBER 851, ADOPTED SEPTEMBER 24, 2007 SO AS TO DEFINE THE SELECTION, STATUS AND DUTIES OF THE ATTORNEY RESPONSIBLE FOR THE COUNTY'S LEGAL ISSUES.

WHEREAS, during 2014, the County Council and Administrator determined that Lancaster County would best be served by the addition of an in-house attorney upon the roll of county employees, and

WHEREAS, it is necessary to amend the prior Ordinance and the existing Lancaster County Code of Ordinances so as to appropriately outline the status and tasks assigned to the County Attorney.

THEREFORE, the Lancaster County Code is amended to the following extent:

Section 2-101 – Selection.

The County Administrator shall select a qualified attorney to serve as County Attorney. The County Attorney shall serve at the pleasure and discretion of the county and the salary of the County Attorney shall be determined by the County Administrator.

Section 2-102 – Status as employee.

The County Attorney is an employee of the county but not an officer of the county. He has no authority except that specifically authorized by the County Administrator or County Council.

Section 2-103 – Duties.

The County Attorney provides the delivery and coordination of legal services for the County; processing and managing tort claims; handling County litigation through direct representation or coordination of retained counsel; prosecution of code and zoning violations and vehicle forfeitures; court appearances; representation before regulatory agencies; processing public finance and economic development issues; attendance at conferences and meetings; legal opinions; legal research; drafting ordinances, resolutions, interpretation of Council rules; monitoring new legislation and compliance requirements. He provides legal consultation with County departments, Elected Officials, and certain Boards and Commissions. He provides labor

and employment advice on human resource issues. He is involved professionally with the SC Bar, Lancaster County Bar and the South Carolina Association of Counties.

Section 2-104 – Authorization required for use of other attorney.

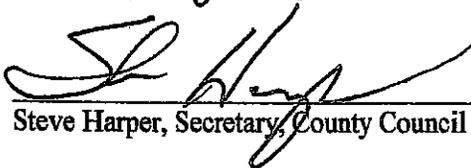
No county agency, commission, board, department, committee, service district or fire district shall employ an attorney other than the county attorney unless specifically authorized by the County Administrator.

And it is so ordained, this 9th day of February, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

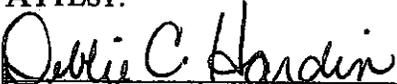


Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading: 1-12-15

Second Reading: 1-26-15

Third Reading: 2-9-15

Approved as to form:



County Attorney

Exhibit B

Low Density Residential/Agr. Residential/Manufactured
Housing/Agricultural District; and to provide for other matters related thereto.

MOTION was made by Larry Honeycutt to approve 1st Reading of Ordinance 2015-1325.
SECONDED by Jack Estridge. Passed 7-0.

1st Reading of Ordinance 2015-1326 amend the procurement process regarding use of brand names

Ordinance Title: An Ordinance to amend Section 2-266 of the Lancaster County Code of Ordinances related to procurement process exemptions so as to add use of Brand Name or Equal purchase descriptions; and to provide for other matters related thereto.

MOTION was made by Brian Carnes to approve 1st Reading of Ordinance 2015-1326.
SECONDED by Charlene McGriff. Passed 7-0.

1st Reading of Ordinance 2015-1327 amendment to define the selection, status and duties of the county attorney

Ordinance Title: An Ordinance to amend Lancaster County Ordinance Number 851 adopted September 24, 2007 so as to define the selection, status and duties of the attorney responsible for the County's legal issues.

Larry Honeycutt moved to approve Ordinance 2015-1327. SECONDED by Charlene McGriff.

Larry McCullough moved to amend the motion by adding Section 2-105: Notwithstanding any conflicting employee policy of Lancaster County relating to outside employment, the County Attorney shall be considered a full-time employee and shall not solicit, accept or participate in any legal representation other than that associated with the duties and responsibilities of County Attorney. SECONDED by Charlene McGriff. Passed 7-0.

The main motion to approve Ordinance 2015-1327 as amended was approved by a vote of 7-0.

1st Reading of Ordinance 2015-1328 amendment regarding temporary dependent care residences

Ordinance Title: An Ordinance to amend Chapter 4, Conditional and Special exception Uses, Section 4.1.23 Subsection 2, Temporary Dependent Care Residences of the Lancaster County Unified Development Ordinance.

Andy Rowe reported to Council that the Planning Commission voted to approve the text amendment with the following condition: The Zoning Administrator is authorized to order the removal of the structure at the termination of the dependent care with a period of up to 90 days.

Larry Honeycutt made a MOTION to approve 1st Reading of Ordinance 2015-1328 as recommended by the Planning Commission with the condition that the Zoning Administrator is

Exhibit C

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1327

AN ORDINANCE

TO AMEND LANCASTER COUNTY ORDINANCE NUMBER 851, ADOPTED SEPTEMBER 24, 2007 SO AS TO DEFINE THE APPOINTMENT, STATUS AND DUTIES OF THE ATTORNEY RESPONSIBLE FOR THE COUNTY'S LEGAL ISSUES.

WHEREAS, during 2014, the County Council and Administrator determined that Lancaster County would best be served by the addition of an in-house attorney to the roll of county employees, and

WHEREAS, it is necessary to amend the prior Ordinance and the existing Lancaster County Code of Ordinances so as to appropriately outline the status and tasks assigned to the County Attorney.

THEREFORE, the Lancaster County Code is amended to the following extent:

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The County Administrator shall appoint a qualified attorney to serve as County Attorney. The County Attorney shall serve at the pleasure and discretion of the county and the salary of the County Attorney shall be determined by the County Administrator.

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The County Attorney is an employee of the county but not an officer of the county and has no authority except that specifically authorized by the County Administrator or County Council.

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The Office of the County Attorney provides the delivery and coordination of legal services for the County; processing and managing tort claims; handling County litigation through direct representation or coordination of retained counsel; Prosecution of code and zoning violations and vehicle forfeitures; court appearances; representation before regulatory agencies; processing public finance and economic development tax issues; attendance at conferences and meetings; legal opinions; legal research; drafting

ordinances, resolutions, interpretation of Council rules; monitoring new legislation and compliance requirements. Provide legal consultation with County departments, Elected Officials, and certain Boards and Commissions. Provide labor and employment advice on human resource issues. Involved professionally with the SC Bar, Lancaster County Bar, SCAC, SCACA and IMLA.

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And it is so ordained, this ____ day of _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading: 1-12-15
Second Reading: 1-26-15
Third Reading: 2-9-15

Approved as to form:

County Attorney