

**CITY OF LANCASTER  
WORK SESSION  
TUESDAY, NOVEMBER 14, 2023**



**CITY OF LANCASTER  
WORK SESSION  
TUESDAY, NOVEMBER 14, 2023  
7:00 P.M.**

- I. Invocation & Pledge of Allegiance – Mayor DeVenny**
- II. Roll Call**
- III. Citizen Comments\***
- IV. Employee Comments**
- V. Approval of Minutes**
  - A. Regular Meeting – October 24, 2023 **Pg. 1**
- VI. Discussion and Action Items**
  - A. Lancaster Housing Authority Board Appointment (*Hutfles*) **Pg. 5**
- VII. Resolution**
  - A. R23-19 A Resolution Authorizing the Submission and Acceptance of a South Carolina Department of Public Safety, Office of Highway and Justice Programs, School Resource Officer Program Grant (*Roper*) **Pg. 7**
  - B. R23-20 A Resolution Authorizing the Sale of One Ladder Truck and One Fire Rescue Truck to the Fairfield County Fire Department (*McLellan*) **Pg. 18**
- VIII. Ordinance**
  - A. O23-26 (Second Reading) An Ordinance Amending the 2022 Business License Ordinance, Incorporated by Reference, of the City of Lancaster to Update the Class Schedule as Required by Act 176 of 2020 (*Hutfles*) **Pg. 20**
  - B. O23-27 (First Reading) An Ordinance to Grant an Easement to the Lancaster Water & Sewer District on a Portion of Land at the City of Lancaster Wastewater Treatment Plant Identified as Tax Map #0067-00-026.00, and Owned by the City Of Lancaster, South Carolina (*Hutfles*) **Pg. 25**
- IX. Adjournment**

\*Persons desiring to speak should notify the City Clerk prior to the beginning of the meeting. All persons wishing to speak must be signed in and present prior to the start of the meeting. Please begin by stating your name and address. You will have up to 3 minutes to address Council. The entire Citizen Comments portion of the agenda shall not extend longer than thirty (30) minutes. All statements should be addressed to Council as a body and not to individual Council Members. Please be advised that this is not a period of dialogue with Council or a question-and-answer period.



Any person requiring special accommodations should contact the Office of the City Administrator at (803) 289-1453 at least 24 hours prior to the scheduled meeting.

**CITY OF LANCASTER  
REGULAR MEETING  
TUESDAY, OCTOBER 24, 2023**

A meeting of the Lancaster City Council was held in the City Hall Council Chambers on Tuesday, October 24, 2023 at 7:00 p.m.

Mayor T. Alston DeVenny called the meeting to order. A notice of the meeting was posted at City Hall and placed on the City's website. The local news media was contacted about the meeting time and place. The meeting was open to the public and streamed live on the City's YouTube channel.

**I. Invocation & Pledge of Allegiance**

Council Member Tomonica Marsh offered the invocation and led the Pledge of Allegiance.

**II. Roll Call**

**Present:** Mayor Alston DeVenny, Council Member Harris, Council Member Marsh, Council Member Sowell, and Council Member Taylor

**Absent:** Council Member Hood and Council Member Jones

**Others Present:** City Administrator Flip Hutfles, City Attorney Mitch Norrell, Building, Planning, Zoning, & Licensing Director Louis Streater, Court Administrator Cammie Heath, Finance Director James Absher, Fire Chief Justin McLellan, Police Chief Don Roper, Sanitation & Maintenance Operations Director Matt Berry, Human Resource Director Angela Roberson, and IT Director Melissa Izzard, Public Works Field Superintendent for Public Works Director Rendell Mingo, Deputy Police Chief Steven Rice and the Lancaster News.

**III. Citizen Comments**

Dominick DePaola addressed Council to thank Building, Planning, Zoning, & Licensing Director Louis Streater for assisting him through the annexation process and the rezoning of his property in a professional and personable manner.

**IV. Employee Comments**

There were no employee comments.

**V. Approval of Minutes**

*A. Work Session – October 10, 2023*

**Motion:** To approve the minutes for the Work Session October 10, 2023

**Moved by** Council Member Harris, **Seconded by** Council Member Marsh

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

**VI. Monthly Reports for September 2023**

Council Member Harris asked Chief Roper about the calls received noted in the Police Department report versus the number of citations. Chief Roper stated that the increased number of citations is due to a dedicated officer being assigned to traffic violations within the City. Council Member Harris stated it is important to maintain these records for possible future grant opportunities.

Council Member Harris asked Judge Heath about the reported failures to appear in Court and payment of fines. Judge Heath noted that her department follows up with citizens that have fines and if those fines remain unpaid after contact, the fines are sent to the Set-Off Debt program.

Mayor DeVenny asked for an update on the new Court reporting program. Judge Heath stated that the new reporting system, LawTrak, replaced the current system, InCode Court, and is tentatively

scheduled to be operational on November 1, 2023. The merger of all previous InCode data into LawTrak should be completed by January 2024. Judge Heath stated that the decision was made to transition back to LawTrak due to InCode Court being unreliable. Judge Heath noted that they will be using an updated version of LawTrak compared to what was previously used.

Mayor DeVenny asked about the cost to change back to LawTrak. Mr. Hutfles noted that the new InCode Court system was a part of our current InCode software and was thought to be easily integrated without additional cost. However due to the unreliability of InCode Court, and LawTrak's upgrade and added features, it was decided to transition back to LawTrak. Mayor DeVenny recommended staying up to date on the latest programs.

Council Member Harris asked Mr. Berry about the supply chain issues and if it was causing delays in maintenance and repairs. Mr. Berry stated there continue to be supply chain delays, but his department is working diligently to ensure this does not impede regular City business.

Council Member Harris asked for an update on the Red Rose Development Corporation. Mr. Hutfles stated staff is developing a mission statement and the Board is investigating expanding the number of members. Staff has also met with the Arras Foundation to discuss long range goals and possible redevelopment assistance.

Council had no further questions or concerns regarding the Monthly Report for September 2023. The complete report is available for review in the City Clerk's office.

#### VII. **September Cash Management and Finance Report**

Finance Director James Absher presented the September 2023 Cash Management and Finance Report. Council had no questions or concerns.

#### VIII. **Discussion and Action Items**

##### A. *Appointing a Part Time Associate Municipal Judge*

Court Administrator Cammie Heath presented the request to appoint Erika Stinson as the weekend Associate Municipal Judge. Judge Heath stated that Ms. Stinson is currently a certified judge at Maulding Municipal Court and has been employed as a judge in Tega Cay. Judge Heath thanked Associate Municipal Judge Sissy Gardner for stepping up and taking on additional duties during the vacancy.

**Motion:** To appoint Erika Stinson as Associate Municipal Judge for term ending on January 10, 2026.

**Moved by** Council Member Harris, **Seconded by** Council Member Marsh

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

#### IX. **Resolution**

##### A. *R23-18 A Resolution Directing the City of Lancaster to Prepare Such Documents As Necessary and to Take Such Steps as Necessary to Secure a New Rescue/Pumper Fire Truck and a New 107' Quint Fire Engine at Current Market Price to be Paid Upon Delivery*

Fire Chief Justin McLellan presented R23-18 requesting to begin the process of purchasing a new Rescue/Pumper Fire truck and a new 107' Quint Fire Engine for the new Fire Station that is in its planning phase. Chief McLellan noted that the current delivery time for these vehicles would be thirty-two to thirty-six months. Chief McLellan also noted that the cost of the vehicles is scheduled to increase by 1.5% on November 3, 2023. Chief McLellan confirmed that the Fire Department Standing Committee met and

was in favor of beginning the process and signing a contract to preorder the two vehicles prior to the price increase. The purchase price of the quint is \$1,611,344.00 plus \$500.00 in sales tax. The cost of the rescue pumper is \$1,080,001.00 plus \$500.00 in sales tax. Chief McLellan reported that payment will not be due until delivery. Mr. Hutfles noted that by the time of delivery, the City might be able to purchase the vehicle without having to finance.

**Motion:** To approve R23-18 A Resolution directing the City of Lancaster to prepare such documents as necessary and to take such steps as necessary to secure a new Rescue/Pumper Fire Truck and a new 107' Quint Fire Engine at current market price to be paid upon delivery

**Moved by** Council Member Taylor, **Seconded by** Council Member Sowell

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

## X. Ordinance

- A. *023-26 (First Reading) An Ordinance Amending the 2022 Business License Ordinance, Incorporated by Reference, of the City of Lancaster to Update the Class Schedule as Required by Act 176 of 2020*

Building, Planning, Zoning, & Licensing Director Louis Streater presented 023-26 to amend the 2022 Business License Ordinance to update the Class Schedule as required by Act 176 of 2020, the Business License Standardization Act. Mr. Streater stated that the act requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year by December 31<sup>st</sup>. Mr. Streater stated that staff is currently rebalancing class rates to prevent a possible revenue shortfall and noted that the new class schedule must be adopted to collect license tax for the 2024-2025 license tax year.

Mayor DeVenny verified that the passing in 2021 remained revenue neutral and noted that the City can now review the rates and adjust accordingly. Mr. Streater noted that there shouldn't be a significant change in rates.

Mayor DeVenny asked about the amount collected last in Fiscal year 2022-2023. Mr. Hutfles stated that the bulk of the City's revenue is collected by the Municipal Association but he did not know the exact amount. Mr. Hutfles stated that he would research what the Municipal Association collected in the past and would report those findings to Council.

Mayor DeVenny asked about the collection of delinquent business licensing fees through the third-party collection agency HdL. Mr. Streater stated that since beginning in September 2023, the City has collected \$47,000 in delinquency. Half of the revenue collected will stay with the City and the other half will be paid to HdL as their finder's fee.

**Motion:** To approve the first reading of 023-26 an Ordinance amending the 2022 Business License Ordinance, incorporated by reference, of the City of Lancaster to update the Class Schedule as required by Act 176 of 2020

**Moved by** Council Member Harris, **Seconded by** Council Member Sowell

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

**XI. Adjournment**

**Motion:** To adjourn

**Moved by** Council Member Harris, **Seconded by** Council Member Taylor

**Vote:** Motion carried by unanimous roll call vote

**Action:** Adjourned

There being no further business, Council adjourned at 7:47 p.m.

Respectfully submitted,

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Tracy Rabon  
City Clerk

## Agenda Item VI.A

**City of Lancaster  
City Council Meeting  
November 14, 2023**

**TO:** City Council  
**SUBJECT:** Housing Authority Board Appointments  
**INITIATED BY:** City Administrator  
**PREPARED BY:** City Administrator

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**Background:** Mr. Jimmy Glass resigned from the Lancaster Housing Authority Board on October 24, 2023. Mr. Glass' replacement will serve the remainder of his term, which ends in April 2025.

Council Member Taylor recommends appointing Mr. Dale Bentley of 1412 Clark Place. Mr. Bentley is a disable marine sergeant who served in the Vietnam War. He moved to Lancaster two years ago and has a passion for helping others. Mr. Bentley worked at Home Depot and in the past has coached his church youth league baseball and basketball programs.

Veronica Williams, the Lancaster Housing Authority Executive Director has recommended two individuals. The first recommendation is Brenda Thompson of 436 Chester Street. Ms. Thompson served on the Lancaster Housing Authority Board from September 2017 until April 2020, and she currently serves on the Lancaster Housing Authority non-profit board. Ms. Thompson is retired but in the past she was employed with the Council of Aging, was Golden Care's Director of Home Health, and also the Director of LARS Transportation. Ms. Thompson received her Bachelor of Science from Francis Marion College and is presently the College Administrator for Better Covenant Bible College.

The second recommendation is a tenant, Queserie Peay of 245 South Willow Lake Road. Ms. Peay is the former Projects/Programs Coordinator for the Lancaster County Council of Arts with 15 plus years of administrative experience in client relations and support service. She is currently an independent contractor for Working Solutions, LLC as a Product Support Specialist and is also the owner of Peay Creative Solutions. She also serves on the Lancaster County and City Accommodations Tax Advisory Committee. Ms. Peay has a Bachelor of Arts in Organizational Communications from the University of North Carolina at Charlotte. Ms. Peay sees serving on the Lancaster Housing Authority Board as an opportunity to serve and make a positive long-lasting impact on the lives of current/future residents and their families. As an active resident and participant of the Lancaster Housing Authority programs and services, Ms. Peay feels that joining the Board will extend a residential voice to the needs of the residents.

**Willie James Glass, Jr.  
1208 Gladstone Road  
Lancaster, SC 29720**

October 24, 2023

Housing Authority of Lancaster County  
PO Box 1235  
Lancaster, South Carolina 29721

To whom it may concern:

Please accept this letter as my resignation from the Board of Directors of the Lancaster County Housing Authority effective immediately.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. J. Glass, Jr.", written in a cursive style.

Willie James Glass, Jr.



## Agenda Item VII.A

**City of Lancaster  
City Council Meeting  
November 14, 2023**

**TO:** City Council  
**SUBJECT:** Public Safety School Resource Officer Grant  
**INITIATED BY:** Police Chief Don Roper  
**PREPARED BY:** Police Chief Don Roper

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**Background:** The Lancaster County School District has informed the City of Lancaster Police Department of a needed School Resource Officer at the Barr Street Alternative School. Currently, the Lancaster Police Department does not have an SRO position available to be placed at the Barr Street School.

Staff has contacted the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs, and were informed that there is existing funding available for local law enforcement agencies to pay for the cost of a full-time school resource officer for law enforcement agencies that lack adequate resources to hire and equip their own school resource officer.

The Lancaster Police Department has applied for a \$180,907 non-matching grant which will cover the salary and fringe benefits costs of a full-time school resource officer for the Barr Street Alternative School, as well as a vehicle, radar, computer, radios, cameras, uniform, sidearm, and body armor.

If the City is awarded the grant a budget amendment will be required in order to amend the Position Control List, which currently calls for three School Resource Officer Corporals and one School Resource Officer Sergeant. Two School Resource Officer are assigned to the Lancaster High School, one to Clinton Elementary, and the other to North Elementary.

**Financial:** There will be no direct additional cost to the City as there is no matching requirement. However, additional staff time will be required to process the required paperwork.

**Policy Considerations:** Section 2-32 (9) of the City Code states in part that the Council shall provide for the general health and welfare of the city in accordance with the statute law of the state with reference to the general police powers granted to municipalities.

**Recommendations/Actions:** Approve Resolution R23-19.

**Attachments:** Resolution R23-19, grant application, and the grant's terms & conditions.

**RESOLUTION R23-19**

**A RESOLUTION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF HIGHWAY AND JUSTICE PROGRAMS, SCHOOL RESOURCE OFFICER PROGRAM GRANT**

**WHEREAS**, the Lancaster County School District has informed the City of Lancaster Police Department of a needed School Resource Officer at the Barr Street Alternative School; and

**WHEREAS**, the City of Lancaster desires to effectively serve and protect students, teachers, staff, and visitors, and to ensure schools are a safe environment for learning; and

**WHEREAS**, the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs is authorized, through the South Carolina Appropriation Act, to provide funding to local law enforcement agencies to pay for the cost of a full-time school resource officer for law enforcement agencies that lack adequate resources to hire their own school resource officer; and

**WHEREAS**, the City of Lancaster Police Department has applied for a \$180,907 non-matching grant which will cover the salary and fringe benefits costs of a full-time school resource officer for the Barr Street Alternative School, as well as a vehicle, radar, computer, radios, cameras, uniform, sidearm, and body armor.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the Lancaster Police Chief is hereby authorized to submit, and if approved accept, the South Carolina Department of Public Safety, School Resource Officer Program Grant for \$180,907, and to execute on the City’s behalf all necessary documents related thereto.

**DONE IN MEETING ASSEMBLED** on the 14<sup>th</sup> day of November 2023, and to become effective November 14, 2023.

Requested by: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Police Chief \_\_\_\_\_

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to Form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, City Clerk

## Overview

STATE OF SOUTH CAROLINA  
DEPARTMENT OF PUBLIC SAFETY  
Office of Highway Safety and Justice Programs  
School Resource Officer Program

*The School Resource Officer (SRO) Program is authorized by the South Carolina Appropriation Act which provides that state funds appropriated for the School Safety Program and School Resource Officers in the Act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that shall serve as a full time school resource officer. There is no match requirement for this program.*

Version:

Application Deadline: 2023-11-15

Application #: T24494

Award #:

Award Date:

State Start Date: 2022-10-01

State End Date: 2024-06-30

## Project Details

**Project Title:** LPD School Resource Officer 2023-24

**Project Summary**  
(max. 300  
characters):

This project will allow the Lancaster Police Department to effectively serve and protect Lancaster City Schools. The school resource officers will work with the school administrators, staff, and students to make sure the school is safe for learning each day.

**Type of Application:** Continuation

**Year of Funds:** 3

**Other (explain):**

The Lancaster County School District has informed the Lancaster Police Department of a needed SRO at Barr Street Alternative School located in the City of Lancaster.

## Law Enforcement Agency Details

Agency Name: Lancaster Police Department

Address: 405 E. Arch Street

City: Lancaster

State: AL

9 Digit Zip: 29720

(Area) Phone #: (803) 283-1170

(Area) Fax #:

County: Lancaster

Other county/counties this project will  
serve:

Organization Type: City

Other (specify):

U.S. Congressional District: 5

Has your agency registered in the  
System for Award Management  
(SAM)?  yes  no

(<https://uscontractorregistration.com>):

## Budget

	CATEGORIES	TOTAL
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**PERSONNEL - SALARIES:**

Position Title, School District, School Name	% of Time On Project	Base Salary	Total Fringe Benefits*	
SRO, Lancaster, Barr Street Alternative School	100	\$60,000	\$22,944	\$82,944

**TOTAL SALARIES: \$82,944**

**TRAVEL:**

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Description	Cost	Quantity	
			\$0

**TOTAL TRAVEL: \$0**

**EQUIPMENT (\$1,000 or more per Unit):**

(Itemize - DO NOT USE BRAND NAME. Also, DO NOT include leased, rented items or software)

Description	Cost	Quantity	
SRO New Vehicle and Upfitting	65000	1	\$65,000
MDT Computer	3500	1	\$3,500
Portable Radio	6875	1	\$6,875
In Car Camera	9388	1	\$9,388
Radar	2350	1	\$2,350
Body Worn Camera	1500	1	\$1,500
Uniform	1700	1	\$1,700
In car radio	6250	1	\$6,250

**TOTAL EQUIPMENT: \$96,563**

**OTHER:**

Description	Cost	Quantity	
Fire Arm	600	1	\$600

Body Armor	800	1	\$800
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**TOTAL OTHER: \$1,400**

**TOTAL PROJECT COST: \$180,907**

*\*"Total Fringe Benefits" is the total employer contributions for Social Security & Medicare (FICA), Retirement, Workers Compensation Insurance, and Health Insurance.*

## Budget Narrative

List items under each Budget Category Heading. Explain exactly how each item listed in your budget will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided. However, a statement must be included indicating whether or not the law enforcement agency has any unused funds from previous award years, and if so, an explanation with the total amount of unused funds.

Salary includes for SRO Project Activity hours within a normal range of 2200 - 2236 hrs per year and allowable fringe benefits.

No travel included in the open solicitation.

Equipment for SRO's including body worn camera, body armor, weapon, computer, in car camera, portable radio, in car radio, etc.

Also, to include a new marked vehicle for the SRO on the grant at the Barr Street Alternative School



## Terms & Conditions

### OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS SCHOOL RESOURCE OFFICER PROGRAM TERMS AND CONDITIONS

1. **Availability of Funds:** This grant award is contingent upon the availability of funds approved by the statutory governing body for those funds.
2. **Correspondence:** All correspondence to the State Funding Agency (SFA), regardless of the medium (paper, email, facsimile, etc.), must include either the application number, or in the case of an award, the award number to which the correspondence refers.
3. **Non-Supplanting Agreement:** The implementing law enforcement agency shall not use award funds to supplant state or local funds or other resources that would otherwise have been made available for this program.
4. **Project Implementation:** The implementing law enforcement agency agrees to implement this project within 90 days following the grant award effective date or possibly be subject to automatic cancellation of the award. Evidence of project implementation must be detailed in the first progress report.
5. **Written Approval of Changes:** Any changes to this award that are mutually agreed upon by the applicant and the South Carolina Department of Public Safety (SCDPS) Office of Highway Safety and Justice Programs (OHSJP) must be approved in writing by the OHSJP prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved award is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application. Any change to an application is considered a revision and must be accomplished on the grants management system.
6. **Budget Revision Requirements:** Changes to an application before or after award is considered a revision, and is required under Written Approval of Changes with some very specific exceptions. The major budget categories are: Personnel, Travel, Equipment, and Other. A budget revision will not be required if:
  1. The expended amount in a major budget category does not exceed the amount budgeted for that major budget category by 10%;
  2. The quantity of Personnel or Equipment does not increase;
  3. The item to be purchased is already included in the grant budget.

Final award revisions are requested to be submitted by the 60th day before the close of the project year listed on the grant award documents. Revisions submitted after this date must have thorough justification as to why the revision is needed for the success of the project and why the revision was not accomplished earlier. Revisions must be completed online through the grants management system. Every change made to the original application or subsequent revisions is considered a revision and will require you to create and justify that revision.
7. **Sole Source Procurement:** Use of sole source procurement is strongly discouraged. Sole source purchases will be awarded only under exceptional circumstances and must follow precisely the procedure set forth in the South Carolina Consolidated Procurement Code. All sole source purchases will require the explicit prior written approval of the OFS.
8. **Bidding Requirements:** The awardee must comply with proper competitive bidding procedures as required by the South Carolina Consolidated Procurement Code. On any items, including those bid in the aggregate whose total cost requires a bid, bids must be submitted to the SCDPS Office of Financial Services (OFS) for review and approval prior to acceptance of any quote/bid. Provide a copy of all bids submitted, the bid selected, and the criteria used for selection. If other than the low bid was selected, provide justification. This includes state agencies. Note that approved, budgeted items purchased through State Purchasing (General Services) under a state contract also must be submitted to the OFS for prior approval. Include the state contract number and the contract ending date on the quote when it is submitted for approval and then the invoice when it is submitted with the Request for Payment.
9. **Travel Costs:** Personnel and Travel costs must be consistent with the agency's policies and procedures and must be applied uniformly to all activities and personnel of the agency, regardless of the source funding. If travel costs are included in the grant application, a copy of

the agency's policies and procedures manual, or the agency Board's signed minutes must be submitted with the application, specifically outlining mileage and per diem rates of reimbursement. However, reimbursable amounts for mileage and per diem must not exceed the amount approved by state guidelines, regardless of the agency's policy. Lodging costs must adhere to state guidelines. These rates vary by location and season and are updated annually at [www.gsa.gov](http://www.gsa.gov). Attendees will only be reimbursed up to the maximum allowable rate of the GSA, excluding taxes and surcharges unless a detailed justification is provided. This justification form may be found at [Travel Forms and Mileage Rate | Comptroller General \(sc.gov\)](#).

10. **Training Approval:** All training that award-funded personnel wish to attend that will be paid for with award funds, including registration, lodging, meals, or mileage, must receive prior written approval by submitting the training approval form with an attached copy of the agenda to the OHSJP.
11. **Utilization and Payment of Award Funds:** Funds awarded are to be expended only for purposes and activities covered by the awardee's approved project plan and budget or subsequent approved revisions. Items must be specifically and individually mentioned in the awardee's approved award budget in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Claims for reimbursement must be submitted no more frequently than once per month and no less frequently than once per quarter. Awards failing to meet this requirement, without prior written approval, are subject to cancellation. Claims for reimbursement must be fully documented and substantiated as detailed in the Request for Payment Instructions.
12. **Recording and Documentation of Receipts and Expenditures:** Awardee's accounting procedures must provide for accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. These records must contain information pertaining to awards, obligations, unobligated balances, assets, liabilities, expenditures, and program income. Controls must be established which are adequate to ensure that expenditures charged to the award activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property, and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, award documents, etc. Each award must be accounted for separately. Awardees are prohibited from co-mingling funds on either a program-by-program basis or a project-by-project basis. Funds specifically budgeted and/or received for one award may not be used to support another.
13. **Financial Responsibility:** The financial responsibility of awardees must be such that the awardee can properly discharge the public trust which accompanies the authority to expend public funds. At a minimum, adequate accounting systems should meet the following criteria:
  - a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.
  - b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.
  - c. The accounting system should provide accurate and current financial reporting information.
  - d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
14. **Reports:** The awardee shall submit, at such times and in such form as may be prescribed, such reports as the OHSJP may reasonably require, including quarterly financial reports, progress reports, final financial reports, and evaluation reports.
15. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim, or audit is started before the expiration of the three-year period, then records must be retained for three years after the litigation, claim, or audit is resolved.
16. **Property Control:** Effective control and accountability must be maintained for all personal property. Awardees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Awardees should exercise caution in the use, maintenance, protection, and preservation of such property.
  1. **Title:** Subject to the obligations and conditions set forth by the South Carolina Office of Comptroller General, low value assets acquired in whole or in part with grant funds shall be vested in the awardee. Low value assets is defined as all assets purchased with a value

in excess of \$2,500 that have a useful life within the capitalization criteria (in excess of two years).

2. **Property Control Record Form:** At the time the corresponding request for payment is submitted, the awardee must file with the OFS a copy of the Property Control Record Form (provided by the OFS) listing all such property acquired with grant funds. The awardee agrees to be subject to a biennial audit by the OHSJP and/or its duly authorized representatives for verification of the information contained in the Property Control Record Form.
3. **Use and Disposition:** Equipment shall be used by the awardee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by state funds. When use of the property for project activities is discontinued, the awardee shall request, in writing, disposition instructions from the OHSJP prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to the OHSJP immediately.
17. **Performance:** This award may be terminated or fund payments discontinued by the OHSJP where it finds a substantial failure to comply with the provisions of the Act governing these funds or regulations promulgated, including those award conditions or other obligations established by the OHSJP. In the event the awardee fails to perform the services described herein and has previously received financial assistance from the OHSJP, the awardee shall reimburse the OHSJP the full amount of the payments made. However, if the services described herein are partially performed, and the awardee has previously received financial assistance, the awardee shall proportionally reimburse the OHSJP for payments made.
18. **Deobligation of Award Funds:** All awards must be deobligated within forty-five (45) calendar days of the end of the award period. Failure to deobligate the award in a timely manner will result in an automatic deobligation of the award by the OFS.
19. **Project Evaluation Report:** Any formal evaluation report must be received by the OHSJP not later than 45 days after the end of the reporting period.
20. **Fiscal Regulations:** The fiscal administration of awards shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by the OHSJP Guidelines or "Special Conditions" placed on the award.
21. **Compliance Agreement:** The awardee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by the OHSJP. Failure to comply could result in a "Stop Payment" being placed on the grant.
22. **Suspension or Termination of Funding:** The OHSJP may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a awardee for any of the following reasons:
  1. Failure to adhere to the requirements, standard conditions, or special conditions.  
Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.
  2. Failure to submit reports.
  3. Filing a false certification in this application or other reports or documents.
  4. Other good cause shown.



## City of Lancaster Fire Department

# Memo

To: City Council  
From: Justin McLellan, Fire Chief  
Date: November 10, 2023  
Re: Resolution 23-20 Selling of Ladder & Rescue Trucks

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With the replacement of our 1997 KME ladder truck and 2003 International rescue truck our department has no need for these vehicles anymore. The Fairfield County Fire Department has inquired about purchasing both vehicles for a total purchase price of \$220,000. We researched what other vehicles in similar condition and date of manufacture were selling for online to come up with the asking price. As of right now the only vehicle that could be sold is the rescue truck because its replacement has arrived and is in service. Once the new ladder truck arrives and is in service then the ladder truck could be sold as well.

Our department is asking to have the funds received from the sell of these two vehicles placed in our materials and supplies account to be used to purchase needed gear & equipment to finish outfitting our new vehicles. With the rising cost of equipment, I feel confident that we will deplete these funds.

Thank you in advance for your consideration of this request.

**RESOLUTION R23-20**

**A RESOLUTION AUTHORIZING THE SALE OF ONE LADDER TRUCK AND ONE FIRE RESCUE TRUCK TO THE FAIRFIELD COUNTY FIRE DEPARTMENT**

**WHEREAS**, Section 5.01 of the City of Lancaster Purchasing Policy Manual allows for the disposal of surplus property from time to time; and

**WHEREAS**, the City Administrator shall select the disposal method that is in the best interest of the City; and

**WHEREAS**, the City of Lancaster Fire Department has one 1997 KME Aerial Cat Ladder Truck and one 2003 International Rescue Truck that the City of Lancaster Fire Chief has deemed to no longer being needed by the Lancaster Fire Department due to the delivery of the 2023 Pierce Heavy Rescue Truck and once the 2023 Pierce Aerial Ladder Truck is delivered; and

**WHEREAS**, the City of Lancaster Fire Chief has calculated that the resale value of the abovementioned vehicles in as is condition is at least \$220,000; and

**WHEREAS**, the Fairfield County Fire Department is in dire of a ladder truck and rescue vehicle and has offered \$220,000 for the abovementioned vehicles; and

**WHEREAS**, the Lancaster City Council has determined it is necessary and appropriate to sell the abovementioned surplus equipment to Fairfield County.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the Fire Chief is authorized to sell one 1997 KME Aerial Cat Ladder Truck (a.k.a Vehicle #336) and one 2003 International Rescue Truck (a.k.a. Vehicle #422) to the Fairfield County Fire Department, after the 2023 Pierce Aerial Ladder Truck is put into operational service, for \$220,000.

**BE IT FURTHER RESOLVED**, that the proceeds of the sale will be used to supplement the Fire Department’s material and supply budgetary line item.

**DONE IN MEETING ASSEMBLED** on the 14th day of November 2023, and to become effective November 14, 2023.

Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Requested by:

Fire Chief \_\_\_\_\_

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, City Clerk

## Agenda Item VIII. A

**City of Lancaster  
City Council Meeting  
November 14, 2023**

**TO:** City Council  
**SUBJECT:** Business License Class Schedule- Ordinance O23-26  
**INITIATED BY:** Director of Building, Planning, Zoning, & Licensing  
**PREPARED BY:** Director of Building, Planning, Zoning, & Licensing

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**Background:** South Carolina's Act 176, the Business License Standardization Act, requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year by December thirty-first to go into effect the following licensing year. Specifically, municipalities levying a business tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina and adopted by the Director of the Revenue and Fiscal Affairs Office. As such, 2023 is the time to update our licensing practices to remain in compliance with state law.

Council unanimously approved the first reading of Ordinance O23-26 at the October 24, 2023 City Council meeting.

**Financial:** Staff are currently working on rebalancing class rates to prevent a possible revenue shortfall. The new class schedule must be adopted to collect license tax for the 2024-2025 license tax year.

**Policy Considerations:** South Carolina General Assembly, Standardization Act 176 of 2020, Codified at South Carolina Code Sections 6-1-400 to -420.

**Recommendations/Actions:** Approve ordinance O23-26.

**Attachments:** Ordinance O23-26 and Appendix B 2021 v. 2023 Business License Class Schedule

**ORDINANCE O23-26**

**AN ORDINANCE AMENDING THE 2022 BUSINESS LICENSE ORDINANCE,  
INCORPORATED BY REFERENCE, OF THE CITY OF LANCASTER TO UPDATE  
THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.**

**WHEREAS**, the City of Lancaster is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income; and

**WHEREAS**, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the "Standardization Act"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes; and

**WHEREAS**, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the "Association") and adopted by the Director of the Revenue and Fiscal Affairs Office; and

**WHEREAS**, following the enactment of the Standardization Act, the City of Lancaster enacted Ordinance No. O21-17 on November 9, 2021, in order to comply with the requirements of the Standardization Act (the "2022 Business License Ordinance"); and

**WHEREAS**, the City Council of the City of Lancaster now wishes to amend the 2022 Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Lancaster, as follows:

**SECTION 1. Amendments to Appendix A.** Appendix A to the 2022 Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows:

- (a) Class 8.3 is hereby amended by deleting the NAICS Codes and replacing them with NAICS 517111, 517112, 517122 – Telephone Companies.
- (b) Class 8.6 is hereby amended and restated in its entirety to read as follows: "**8.6 NAICS Code Varies – Billiard or Pool Tables**. A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business licenses pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that."
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

**SECTION 2. Amendments to Appendix B.** Appendix B to the 2022 Business License Ordinance, the “Business License Class Schedule,” is hereby amended as follows:

- (a) Classes 1 through 8 in Appendix B to the 2022 Business License Ordinance, the “Business License Class Schedule,” are hereby amended and restated as set forth on the attached Exhibit A.
- (b) Class 9 in Appendix B to the 2022 Business License Ordinance, the “Business License Class Schedule,” shall remain in full force and effect as set forth in the 2022 Business License Ordinance.
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

**SECTION 3. Repealer, Effective Date.** All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2024.

**DONE IN MEEETING ASSEMBLED** on the 14<sup>th</sup> day of November 2023, and to become effective November 14, 2023.

Yeas\_\_\_\_ Nays\_\_\_\_

Requested by:

Building & Zoning Director

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to Form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, Municipal Clerk

First Reading: October 24, 2023  
Second Reading: November 14, 2023



**APPENDIX B**  
**Classes 1 – 8: Business License Class Schedule by NAICS Codes**

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1
21	Mining	2
22	Utilities	1
31 - 33	Manufacturing	3
42	Wholesale trade	1
44 - 45	Retail trade	1
48 - 49	Transportation and warehousing	1
51	Information	4
52	Finance and insurance	7
53	Real estate and rental and leasing	7
54	Professional, scientific, and technical services	5
55	Management of companies	7
56	Administrative and support and waste management and remediation services	3
61	Educational services	3
62	Health care and social assistance	4
71	Arts, entertainment, and recreation	3
721	Accommodation	1
722	Food services and drinking places	2
81	Other services	4
<b>Class 8</b>	<b>Subclasses</b>	
23	Construction	8.1
482	Rail Transportation	8.2
517111	Wired Telecommunications Carriers	8.3
517112	Wireless Telecommunications Carriers (except Satellite)	8.3
517122	Agents for Wireless Telecommunications Services	8.3
5241	Insurance Carriers	8.4
5242	Insurance Brokers for non-admitted Insurance Carriers	8.4
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries ( pool tables)	8.6

*2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.*

**APPENDIX B**  
**2021 v. 2023 BUSINESS LICENSE CLASS SCHEDULE**

NAICS Sector/Subsector	Industry Sector	2021 Class	2023 Class	CHANGE
11	Agriculture, forestry, hunting and fishing	2	1	-1
21	Mining	4	2	-2
22	Utilities	---	1	
31-33	Manufacturing	2	3	1
42	Wholesale trade	1	1	0
44-45	Retail trade	1	1	0
48-49	Transportation and warehousing	2	1	-1
51	Information	4	4	0
52	Finance and insurance	7	7	0
53	Real estate and rental and leasing	7	7	0
54	Professional, scientific, and technical services	5	5	0
55	Management of companies	7	7	0
56	Administrative and support and waste management and	4	3	-1
61	Educational services	4	3	-1
62	Health care and social assistance	4	4	0
71	Arts, entertainment, and recreation	3	3	0
721	Accommodation	3	1	-2
722	Food services and drinking places	1	2	1
81	Other services	5	4	-1

**Agenda Item VIII.B**

**City of Lancaster  
City Council Meeting  
November 14, 2023**

**TO:** City Council  
**SUBJECT:** Easement Ordinance  
**INITIATED BY:** Lancaster County Water & Sewer District  
**PREPARED BY:** City Administrator

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**Background:** The Lancaster County Water & Sewer District has requested an easement at the Wastewater Treatment Plant in order to install a 24” force main. The reason for the installation of this new force main is for the Gallo Project. This force main will run parallel to the existing force main and enter the property near the southwest corner. The easement will run adjacent to the fence line and turn east for 784.24 feet and then turn south to the proposed future wastewater treatment plant headworks. The bulk of the easement will be 30 feet in width.

The City will benefit from the new force main as it will not only be serving Gallo but also future industries in the Air/Rail Park and the proposed Airport Industrial Park.

W.K. Dickson has reviewed and approved the easement as it is the agreed-upon route.

**Financial:** There is no direct cost to the City in granting the easement nor will the City receive any financial compensation for granting the easement.

**Policy Considerations:** Section 2-47 of the City Code.

**Recommendations/Actions:** Approve Ordinance O23-27.

**Attachments:** Ordinance O23-27, easement agreement, and easement map.

**ORDINANCE O23-27**

**AN ORDINANCE TO GRANT AN EASEMENT TO THE LANCASTER WATER & SEWER DISTRICT ON A PORTION OF LAND AT THE CITY OF LANCASTER WASTEWATER TREATMENT PLANT IDENTIFIED AS TAX MAP #0067-00-026.00, AND OWNED BY THE CITY OF LANCASTER, SOUTH CAROLINA.**

**WHEREAS**, the Lancaster Water & Sewer District requests a perpetual and non-exclusive easement for the purpose of construction, operating, and maintaining a 24” wastewater force main on property identified as Tax Map #0067-00-026.00; and

**WHEREAS**, the easement, while varies in width, has a total area of 65,970.82 square feet from the southwest property line to the proposed future headworks; and

**WHEREAS**, Section 5-7-40 of the South Carolina Code of Laws grants all municipalities the right to own and possess property; and

**WHEREAS**, Section 2-47 of the City of Lancaster City Code states in part that Council shall act by ordinance in all matters including granting rights on public property; and

**WHEREAS**, it appears to the Lancaster City Council that granting this easement would be in the best interest of the residents and the City of Lancaster.

**NOW, THEREFORE, BE IT ORDAINED**, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the City of Lancaster grants an easement to the Lancaster County Water & Sewer District on the aforementioned property, and that the City Administrator is authorized to execute, on behalf of the City of Lancaster, the attached easement agreement and any other necessary documents.

**DONE IN MEETING ASSEMBLED** on the 28<sup>th</sup> day of November 2023, and to become effective November 28, 2023.

Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Requested by:

Lancaster Water & Sewer District

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to Form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, Municipal Clerk

First Reading: November 14, 2023  
Second Reading: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LANCASTER )

**EASEMENT AGREEMENT**

**THIS EASEMENT AGREEMENT** (this "Easement") is made and entered into this \_\_\_ day of \_\_\_\_\_, 2023, by and between **Lancaster County Water and Sewer District**, a special purpose district created under the laws of the state of South Carolina, with an address of 1400 Pageland Hwy, Lancaster, South Carolina, 29720 ("Grantee"), and the City of Lancaster, South Carolina with an address of 216 S. Catawba Street, Lancaster, SC 29720 ("Grantor").

**RECITALS:**

- A. Grantor is the owner of that certain real property located off of Lockwood Lane in Lancaster County, South Carolina, more particularly described in Deed Book C-6, Page 6260 in the Office of the Register of Deeds, Lancaster County (the "Servient Estate").
- B. Grantee is a special purpose district which intends to construct and install sanitary sewer lines that traverse a portion of the Servient Estate and connect to other infrastructure of Grantee.
- C. Grantor has agreed to grant and convey to Grantee, for the benefit of the Grantee, certain easement rights as set forth below in the Easement.

NOW, THEREFORE, for and in consideration of the payment of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby covenant and agree as follows:

1. Grant of Easement. Grantor hereby grants, bargains, sells and conveys to Grantee, its successors and assigns forever, a perpetual, non-exclusive appurtenant easement over, through, under and across the Easement Area (defined below) for the purpose of laying, constructing, installing, inspecting, operating, using, maintaining, repairing, removing, replacing, enlarging, and/or reconstructing the sewer lines and related facilities, including, without limitation, pipes, fixtures, equipment, meters, pumps, connections and other personal property (collectively, "Facilities") for the collection of sewer, as may be reasonably necessary, appropriate or desirable for Grantee's use of the sewer lines, TOGETHER WITH (i) a perpetual, non-exclusive appurtenant easement and right for access, ingress, and egress over and across the Easement Area for Grantee's exercise of the easement rights herein conveyed; and (ii) a perpetual, non-exclusive appurtenant easement and right to clear and keep the Easement Area free of trees, structures, buildings, fixtures, wells, septic tanks, underground storage tanks, garbage, or any type of personal property which may interfere in any way with or endanger the sewer lines, the Facilities or Grantee's rights under this Easement

provided, however, Grantor may pave over the Easement Area in connection with the construction of a roadway, driveway or parking lot (if such paving does not interfere with the rights given to Grantee hereunder).

The “Easement Area” consists of that certain crosshatched strips of land being shown as “HATCHED AREA SANITARY SEWER FORCE MAIN EASEMENT R/W VARIES AREA = 65,970.82 sq. ft. AREA = 1.514 AC.” on that certain plat of survey prepared by J.C. Crumpler, SCPLS No.: 6574, Iseley Surveying, entitled “Force Main Easement for Lancaster County Water & Sewer District” dated September 20, 2023 (the “Plat”), with the courses and distances shown on the Plat, a copy of which is attached hereto as **Exhibit A**.

2. Covenants and Certifications of Grantor. Grantor hereby covenants to Grantee that (i) it is lawfully seized and presently possessed of both the Servient Estate and the Easement Area, (ii) it has a good and lawful right to convey the rights granted to Grantee under this Easement, (iii) both the Servient Estate and the Easement Area are free from encumbrances except for encumbrances and restrictions of record and such other matters as are set forth in this Easement Agreement, (iv) Grantor does hereby bind the Grantor and the Grantor’s successors and assigns to warrant and forever defend all and singular the Servient Estate and the Easement Area unto Grantee, and Grantee’s successors and assigns, against Grantor and Grantor’s successors lawfully claiming, or to claim the same, or any part thereof, but against no others, and (v) Grantor has not done or suffered anything whereby the Servient Estate and the Easement Area have been encumbered by Grantor, except as disclosed in this Easement Agreement.

3. Reservation by Grantor. Subject to the rights of Grantee hereunder, Grantor reserves the right to use the Easement Area for any purposes not inconsistent with or detrimental to Grantee’s rights under this Easement; provided, however, no buildings or similar structures may be constructed on or within the Easement Area.

4. Covenants and Duties of Grantee. Grantee agrees to: 1) restore all areas within the Easement Area that are disturbed as a result of construction or maintenance activities to a manageable condition, including grading such areas to a smooth surface free of ruts, with uniform slope to prevent ponding, but such restoration shall not be required to result in adequate compaction for paving or require repair and / or replacement of areas that may be paved after installation of the sewer lines and other related facilities; and 2) comply with all applicable federal, state and other governmental laws and regulations regarding wetlands, hazardous materials, endangered species, navigable streams, and potential burial and other archaeological sites (collectively, the “Applicable Laws”) in the installation and maintenance of the sewer lines.

5. Miscellaneous.

(a) Binding Effect. The rights granted herein shall be non-exclusive and shall run with title to the Servient Estate, and shall be binding upon and inure to the benefit of and be enforceable by the heirs, legal representatives, successors and assigns of Grantor and Grantee.

(b) Remedies; Attorneys’ Fees. If either Grantor or Grantee breaches any of its obligations under this Easement, the non-breaching party will have available to it all remedies

available at law or equity, including the right to recover reasonable costs and expenses of suit, including, without limitation, reasonable attorneys' fees.

(c) Severability. The invalidity of any one of the covenants, agreements, conditions or provisions of this Easement or any portion thereof shall not affect the remaining portions thereof and this Easement shall be construed as if such covenant, agreement, condition or provision had not been inserted herein.

(d) Entire Agreement. This Easement constitutes the entire agreement and understanding between Grantor and Grantee relating to the subject matter hereof and may not be amended, waived or discharged, except by instrument in writing executed by the party against which enforcement of such amendment, waiver or discharge is sought.

(e) Authority. Each party hereto represents and warrants to the other parties that the execution of this Easement and any other documents required or necessary to be executed pursuant to the provisions hereof are valid, binding obligations and are enforceable in accordance with their terms.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, Grantor and Grantee have caused this Easement to be executed and delivered by their respective undersigned officer(s) and/or representative(s), they being duly authorized, effective as of the date first above written.

Signed, sealed and delivered  
in the presence of:

**GRANTOR:**

City of Lancaster, South Carolina

\_\_\_\_\_  
Witness #1

By: \_\_\_\_\_  
Steven Hutfles, City Administrator

\_\_\_\_\_  
Witness #2

State of \_\_\_\_\_  
County of \_\_\_\_\_

**ACKNOWLEDGEMENT**

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Steven Hutfles, the City Administrator of the City of Lancaster, South Carolina, who provided satisfactory evidence of his identification to be the person whose name is subscribed to this instrument and he acknowledged that he, on behalf of the City of Lancaster, South Carolina executed the foregoing instrument by his signature here.

\_\_\_\_\_  
*Steven Hutfles*

Sworn to (or affirmed) and subscribed before me this the \_\_\_\_ day of \_\_\_\_\_, 2023.

(Official Seal)

\_\_\_\_\_  
*Official Signature of Notary*

\_\_\_\_\_, Notary Public  
*Notary's printed or typed name*

\_\_\_\_\_ County, \_\_\_\_\_  
My commission expires: \_\_\_\_\_



Signed, sealed and delivered  
in the presence of:

**GRANTEE:**

**LANCASTER COUNTY WATER AND  
SEWER DISTRICT**

\_\_\_\_\_  
Witness #1

By: \_\_\_\_\_  
Bradley H. Bucy, Manager

\_\_\_\_\_  
Witness #2

State of South Carolina  
County of Lancaster

**ACKNOWLEDGEMENT**

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Bradley H. Bucy, who provided satisfactory evidence of his identification to be the person whose name is subscribed to this instrument and he acknowledged that he executed the foregoing instrument by his signature here.

\_\_\_\_\_  
*Bradley H. Bucy*

Sworn to (or affirmed) and subscribed before me this the \_\_\_\_ day of \_\_\_\_\_, 2023.

(Official Seal)

\_\_\_\_\_  
*Official Signature of Notary*

\_\_\_\_\_, Notary Public  
*Notary's printed or typed name*

Lancaster County, South Carolina  
My commission expires: \_\_\_\_\_

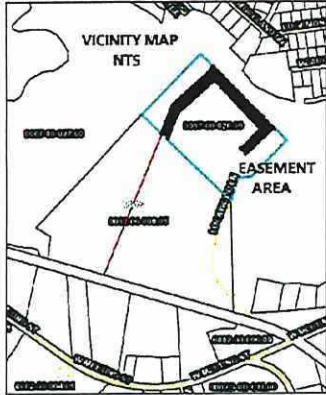
**EXHIBIT A**

**[Attach Plat]**

THIS PLAT DOES NOT CREATE ANY NEW LOTS OR PROPERTY LINES.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AND RESTRICTIVE COVENANTS OF RECORD.

#5 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.



LINE	LENGTH	BEARING
L165	36.69	S47°35'04"E
L167	105.77	S47°35'04"E
L18	32.24	S22°34'00"E
L180	30.00	N44°25'05"W
L190	7.65	N22°34'00"W
L191	93.34	N47°35'04"W
L192	24.78	N47°35'04"W
L193	40.79	S44°25'47"W
L194	34.63	S18°23'00"E
L195	8.65	S07°42'48"E
L196	92.92	S14°23'38"W
L197	149.53	S19°23'38"W
L198	43.11	S17°18'48"W
L199	38.10	N48°23'05"W
L1102	9.95	S89°07'07"W
L1103	78.82	S44°28'42"W

LINE	LENGTH	BEARING
L167	28.18	N16°48'26"E
L168	65.34	N29°09'38"E
L169	73.41	N29°01'50"E
L170	27.47	N16°23'25"E
L171	24.66	N83°28'25"E
L172	24.53	N11°06'02"W
L173	31.74	N00°04'12"W
L174	52.12	N06°40'25"E
L175	18.87	N57°23'19"E
L176	56.36	N39°24'58"E
L177	28.19	N41°44'07"E
L178	74.44	N42°13'07"E
L179	79.06	N45°06'03"E
L180	48.71	N45°18'56"E
L181	71.29	N44°37'12"E
L182	12.57	N67°44'52"E
L183	25.06	N44°25'47"E
L184	90.95	N44°28'44"E
L185	34.18	N89°07'07"E

Note: A portion of the property does lie within a designated flood area. As shown on Map 45057COZ33D as Zone AE and has an effective date of 06/16/11 & 45057COZ31E as Zone AE and has an effective date of 05/16/17. Also there are no encroachments or projection other than as shown on this plat.

"I hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "B" survey as specified therein"

DRAWN BY:	RKB	DATE:	9/20/2023
CHECKED BY:	JCC	A PORTION OF TAX ID: 0067-00-026.00	
JOB NO.:	23-05-2	SHEET	1 of 1

HATCHED AREA  
SANTARIARY SEWER  
FORCE MAIN BASEMENT  
R/W VARIES  
ARBA = 65,970.82 sq.ft.  
AREA = 1.514 AC.

CITY OF LANCASTER  
LOCKWOOD LN.  
DBK: C-6 PG. 6260  
PLAT: 2003-350  
PLAT: 3225  
TAX ID: 0067-00-026.00  
CITY ZONED: INDUSTRIAL

MARC & MEGAN VENTURELLA  
1147 LOCKWOOD LN.  
DBK: 1375 PG. 232  
PLAT: 98-197  
TAX ID: 0082-00-006.05  
ZONED MDR

MARC & MEGAN VENTURELLA  
1147 LOCKWOOD LN.  
DBK: 1375 PG. 232  
PLAT: 98-197  
TAX ID: 0082-00-006.05  
ZONED MDR

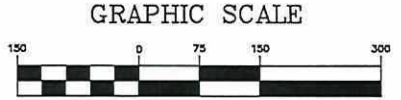
Legal description of a Sanitary Sewer Force Main easement that has a right of way that varies in width for Lancaster County Water and Sewer District over property owned by The City of Lancaster, as shown in that deed recorded in the Lancaster County Register of Deeds Office, in deed book C-6 page 6260 and on plats 2003-350, 9180, & 3225.

Beginning at a point on the Eastern side of said Force Main Easement and on the property line between The City of Lancaster and Marc & Megan Venturella and is located North 59 degrees 45 minutes 54 seconds West for 742.25 feet from an old 18" iron pipe, thence running North 48 degrees 29 minutes 03 seconds West for 38.10 feet to the Western edge of said Force Main Easement; thence running the following bearings and distances: North 16 degrees 46 minutes 26 seconds East for 28.18 feet, North 20 degrees 09 minutes 38 seconds East for 65.34 feet, North 20 degrees 01 minutes 50 seconds East for 73.41 feet, North 16 degrees 23 minutes 25 seconds East for 27.47 feet, North 03 degrees 28 minutes 25 seconds East for 24.66 feet, North 01 degrees 06 minutes 02 seconds West for 24.33 feet, North 00 degrees 04 minutes 12 seconds West for 33.74 feet, North 06 degrees 40 minutes 25 seconds East for 52.12 feet, North 37 degrees 23 minutes 19 seconds East for 18.87 feet, North 39 degrees 34 minutes 58 seconds East for 56.36 feet, North 41 degrees 44 minutes 07 seconds East for 58.19 feet, North 42 degrees 13 minutes 07 seconds East for 74.44 feet, North 45 degrees 06 minutes 03 seconds East for 79.06 feet, North 45 degrees 18 minutes 36 seconds East for 48.71 feet, North 44 degrees 37 minutes 12 seconds East for 71.29 feet, North 07 degrees 44 minutes 52 seconds East for 12.57 feet, North 44 degrees 25 minutes 47 seconds East for 25.06 feet, North 44 degrees 26 minutes 44 seconds East for 90.95 feet, North 89 degrees 07 minutes 07 seconds East for 34.18 feet, South 47 degrees 35 minutes 04 seconds East for 36.69 feet, South 47 degrees 33 minutes 49 seconds West for 784.24 feet, South 47 degrees 25 minutes 04 seconds East for 125.77 feet, South 02 degrees 34 minutes 00 seconds East for 32.24 feet, South 43 degrees 33 minutes 55 seconds West for 207.33 feet, North 48 degrees 22 minutes 05 seconds West for 30.00 feet, North 41 degrees 33 minutes 55 seconds East for 195.17 feet, North 02 degrees 34 minutes 00 seconds West for 7.65 feet, North 47 degrees 35 minutes 04 seconds East for 98.34 feet, North 47 degrees 33 minutes 49 seconds West for 784.24 feet, North 47 degrees 35 minutes 04 seconds East for 34.78 feet, South 89 degrees 07 minutes 07 seconds West for 9.95 feet, South 44 degrees 25 minutes 42 seconds West for 78.62 feet, South 44 degrees 25 minutes 47 seconds West for 40.79 feet, South 44 degrees 25 minutes 42 seconds West for 191.78 feet, South 41 degrees 32 minutes 45 seconds West for 190.46 feet, South 18 degrees 25 minutes 20 seconds East for 34.63 feet, South 07 degrees 42 minutes 48 seconds East for 8.65 feet, South 14 degrees 25 minutes 38 seconds West for 92.92 feet, South 19 degrees 25 minutes 38 seconds West for 169.53 feet, South 17 degrees 18 minutes 48 seconds West for 43.11 feet to a point that is also the point of beginning.

### Force Main Easement For LANCASTER COUNTY WATER & SEWER DISTRICT

Located About  
2.1+/- Miles East of the City Of  
Lancaster, South Carolina  
Lancaster County

Scale 1"=150' Date 9/20/2023



### GRAPHIC SCALE

( IN FEET )  
1 inch = 150 ft.

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