

**TOWN OF BATESBURG-LEESVILLE
REGULAR COUNCIL MEETING AGENDA**

March 11, 2019 7:00 P. M.

**TOWN HALL COMPLEX
120 West Church Street (Bldg. B)**

**PUBLIC HEARING - Ordinance to Amend the Animal Control Ordinance to Reflect Changes Made by Lexington County
PUBLIC HEARING - Ordinance Rezoning Two Parcels of Property Located NE of Mitchell Street from R-1 "Single Family Residential" to C-2 "Office and Institutional Commercial. Lexington County TMS #5900-06-025 Consist of 13.77 Acres and TMS #5900-06-026 consist of .73 Acres for a Total of 14.50 Acres.**

I CALL TO ORDER

II INVOCATION – Kent Suits (Christ Community Church)

III PLEDGE OF ALLEGIANCE

IV APPROVAL OF AGENDA

V ADOPTION OF MINUTES

- A. Regular Council Meeting – February 11, 2019**
- B. Council Work Session – February 25, 2019**

VI MAYOR'S REPORT

- A. Next Regular Council Meeting – April 8, 2019**
- B. Council Committee's Report**
 - 1. Central Midlands – Councilman Olin Gambrell**
 - 2. Environmental Planning Advisory Committee – Councilman Jason Prouse**
 - 3. Joint Municipal Water/Sewer Commission – Mayor Lancer Shull**
- C. B-L Chamber of Commerce Update – Mike Taylor, President of B-L Chamber of Commerce**

VII PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA

VIII UNFINISHED BUSINESS

- A. Second Reading – Ordinance to Amend the Animal Control Ordinance to Reflect Changes by Lexington County**
- B. Second Reading – Ordinance Rezoning Two Parcels of Property Located NE of Mitchell Street from R-1 "Single Family Residential" to C-2 "Office and Institutional Commercial. Lexington County TMS #5900-06-025 Consist of 13.77 Acres and TMS #5900-06-026 consist of .73 Acres for a Total of 14.50 Acres.**
- C. Approval of Funds Related to Relocation of Sewer Line in Alley in Downtown Leesville District**
- D. Approval of Funds Related to Relocation of Water Line Along Pershing Street & Skyline Drive**

IX NEW BUSINESS

- A. Proclamation – Autism Awareness Month April 2019**
- B. Proclamation – Parkinson's Awareness Month April 2019**

X MANAGER'S REPORT

- A. Survivor Coin Presentation – Presented by Lexington County, Magen Hallman**
- B. Updates – SCDOT TAP Grant, Police Dispatch System, Bike/Pedestrian Study, Comet Transportation Rural Pilot Study, Electronic Recycling Event, Revised DHEC Consent Order, H-Tax Collection**
- C. Fire Department End of Year Presentation**

XI EXECUTIVE SESSION

- A. Discussion of Contractual Matters Relating to Building Inspections Services for the Town**
- B. Discussion of Contractual Matters Relating to the Selection of Consulting Firm to Perform Water Project Alternative Study**
- C. Discussion of Contractual Matters Relating to the Selection of Consulting Firm to Perform Master Plan Study**

XII POSSIBLE ACTIONS BY COUNCIL IN FOLLOW UP TO EXECUTIVE SESSION

- A. Possible Action for Matters Relating to Building Inspection Services for the Town**
- B. Possible Action for Matters Relating to Selection of Consulting Firm for Water Project Alternative Study**
- C. Possible Action for Matters Relating to Selection of Consulting Firm for Master Plan Study**

XIII POTENTIAL AGENDA ITEMS FOR NEXT MONTH'S MEETING – April 8, 2019

XIV ADJOURNMENT

In compliance with the Freedom of Information Act, the news media and the public was notified of the time, date, and place along with a copy of the agenda of this meeting and a notice was posted on the outdoor bulletin board at the Batesburg-Leesville Town Hall and the Town's website no later than twenty-four hours prior to the meeting.

PUBLIC HEARING

FEBRUARY 11, 2019

Mayor Shull opened the first Public Hearing at 7:02 P.M. for citizen input on an **Ordinance to Establish a Budget for the B-L Local Hospitality Tax**. Since no one appeared before Council, Mayor Shull closed the Public Hearing at 7:03 P.M.

Mayor Shull opened the second Public Hearing at 7:03 P.M. for citizen input on an **Ordinance to Amend Title 7 Chapter 1 (Business License) of the Current Code of Ordinances of the Town of B-L**. Since no one appeared before Council, Mayor Shull closed the Public Hearing at 7:04 P.M.

REGULAR COUNCIL MEETING

The Regular Council Meeting for the Town of Batesburg-Leesville, held in Building B of the Town Hall Complex, was called to order by Mayor Shull at 7:04 P. M. Members present were Mayor Shull, Council Members Etheredge, Gambrell, Cain, Simpkins, Mitchell, Whittle, Prouse, and Hallman.

INVOCATION

The invocation was given by Rev. Kent Suits, Christ Community Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Council Member Gambrell, retired veteran.

APPROVAL OF AGENDA

A motion was made by Council Member Simpkins with a second by Council Member Hallman to approve the agenda. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

ADOPTION OF MINUTES

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to adopt the minutes from the January 14, 2019 Regular Council Meeting. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

A motion was made by Council Member Prouse with a second by Council Member Simpkins to adopt the minutes from the January 28, 2019 Council Work Session. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

MAYOR'S REPORT

Mayor Shull reported the next Regular Council Meeting will be March 11, 2019.

CENTRAL MIDLANDS - Council Member Gambrell

Council Member Gambrell reported there was no meeting.

ENVIRONMENTAL PLANNING & ADVISORY COMMITTEE (E. P. A. C.)

Council Member Prouse reported that the Committee met last month. He said that the entirety of the meeting revolved around the discussion of the Central Midlands 208 Plan which is a plan for management of Sewer/Wastewater Discharge, no action taken, just discussion.

JOINT MUNICIPAL WATER/SEWER COMMISSION - Mayor Shull

Mayor Shull reported that the Commission did not have a meeting since the last time we meet here. He said that another meeting will be held tomorrow night.

B-L Chamber of Commerce - Mike Taylor, President

- ≈ The Batesburg-Leesville Chamber of Commerce & Visitor's Center provides a calendar of events throughout the year. Our first event of 2019 will be our Batesburg-
- ≈ Leesville/Saluda Relay for Life/Chamber dance on March 15, 2019 at T&S Farms. All proceeds will be split with Relay For Life. The other major events are the SC Poultry Festival Golf Tournament in May, Annual Auction in August, Fashion Show in October, Annual Banquet in November, and of course the Christmas Parade. We take the toll free calls for the SC Poultry Festival and calls related to the Peachtree 23 Yard Sale. These are coming in now for events in May and June. Busy year for our community.
- ≈ FYI - The Midlands Business Leadership Group, which is made up of the top 50+ executives of the midlands, has reached out to the chambers to be a part of several of their committees. Of their seven priority initiatives two pertain to chambers. One is to build a Midlands chamber coalition to tackle multi-regional issues, drive priority regional projects, and engage elected officials. The other is to convene a new "Coordinating Council" for regional collaboration that, among other things, will lead the charge to integrate more diverse, young people into positions of leadership.
- ≈ The B-L Ministerial Alliance met this past Wednesday at the chamber and heard a presentation from the Dream Catchers and planned for the upcoming Community Good Friday Service. The Dream Catchers are having a Valentine Raffle and will have their meet and greet for the parents and family of the youth members at the B-L Leisure Center on March 14th.

PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA - None

UNFINISHED BUSINESS -

A. Second Reading - Ordinance to Establish a Budget for the B-L Local Hospitality Tax

A motion was made by Council Member Gambrell with a second by Council Member Prouse to adopt on second reading. With no discussion a vote was taken.

VOTE: 7 Approved 2 Denied - Council Members Cain and Mitchell

B. Second Reading - Ordinance to Amend Title 7 Chapter 1 (Business Licenses) of the Current Code of Ordinances of the Town of B-L

A motion was made by Council Member Prouse with a second by Council Member Simpkins to adopt on second reading. With no discussion a vote was taken.

VOTE: 9 Approved 0 Denied

C. Second Reading - Ordinance to Adopt Low Income Senior Assistance Program

A motion was made by Council Member Simpkins with a second by Council Member Hallman to adopt the ordinance. Council Member Simpkins asked could administration refresh council on this ordinance. Manager Luckadoo stated that since 2007 we have been operating a Senior Assistance Program in the town. He said that the purpose of the program is to help low income seniors with their water and sewer bills. He stated that when the program was initially created, it allocated \$14,000 dollars toward this program and that was the cap for the income that we used then. He said that in the previous work session through our discussion, we came back and looked at different ways we could do this because the Federal Poverty Level fluctuates. He stated that we were staying stagnate in the poverty line and so what we did is we codified the Senior Assistance Program to define low income as someone who has an income of less than or equal to 130% of the Federal Poverty Level, which will be recalculated each January. He said that we have made this to follow the Federal Poverty Levels. So, as the Cost of Living increases are given, the level will increase as well to meet the requirements of the program of the town. Council Member Simpkins asked what the Income Requirement was for 2019? Town Manager Luckadoo stated it was over \$16,000, where previously we were set in stone at \$14,000. Council Member Simpkins stated, all senior citizens need to be made aware of this change. Town Manager Luckadoo stated that all question should be directed to Cindy Apple at the town hall. No further discussion a vote was taken.

VOTE: 9 Approved 0 Denied

NEW BUSINESS

A. Proclamation - Proclaiming March 2019 at the 17th Annual March for Meals Month

Mayor Shull read the Proclamation after which a motion was made by Council Member Simpkins with a second by Council Member Gambrell to approve Proclamation. With no discussion, a vote was taken.

VOTE: 9 Approved 0 Denied
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B. First Reading - Ordinance to Amend the Animal Control Ordinance to Reflect Changes Made by Lexington County

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to adopt the first reading. Mayor Shull asked for any discussion. Manager Luckadoo stated tonight they wanted to amend the ordinance to include changes made by Lexington County for us to participate in the Lexington County Animal Control Program. We must adopt their ordinance and any changes they make, since they are doing the enforcement in town. We have been participating in the animal control program since 2003. Services provided include picking up stray dogs, enforcing animal control ordinance and other animal control needs as they arise. The changes they recently made are:

- ≈ Mandatory sterilization and micro chipping of animals impounded at the shelter due to violation of restraint and confinement.
- ≈ Managed intake for owner surrender dogs. This allows the implementation of alternatives to immediate surrender of owned dogs by offering service referrals and surrender by appointment.
- ≈ Lexington County Animal Services will no longer accept owner surrender cats.

For those wishing to surrender a cat I think the nearest location for that would Palmetto Life Line in Irmo. A few minor clerical changes were made to clean the ordinance up. After a brief discussion a vote was taken.

VOTE: 7 Approved 2 Denied (Council Member Cain & Mitchell)

C. First Reading - Ordinance Rezoning Two Parcels of Property Located NE of Mitchell Street from R-1 "Single Family Residential" to C-2 "Office and Institutional Commercial Lexington County TMS #5900-06-025 Consist of 13.77 Acres and TMS #5900-06-026 Consist of .73 Acres for a Total of 14.50 Acres.

A motion was by Council Member Gambrell with a second by Council Member Prouse to adopt the first reading. Mayor Shull asked for discussion and clarification from the Town Manager. Manager Luckadoo stated we do have the agent here tonight Mr. Harvey Sauls. The Lynn Goodman family has put in the request for these two parcels to be rezoned. The two parcels we are talking about are on the NE side of Mitchell Street, the big field that runs adjacent to the Wal-Mart property. It is currently R-1 Single Family Residential Zoning and

they have requested to change to C-2 Office and Institutional Commercial for both properties. The Planning Commission did met on January 22, 2019 and they voted to recommend
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approval of rezoning to council. Mr. Sauls addressed council and stated that the property was across from the library. The landowners have had several requests from different individuals. Council Member Cain cautioned council once again that we decided that we were not going to spot zone properties in Batesburg. Council Member Mitchell stated also that council stated they would not spot zone. Council Member Simpkins asked was this an unanimous decision from the Planning Commission? Patricia Saeed stated she was filling in for Ms. Judy tonight, I will speak because I am Zoning Administrator. It was unanimous. For property to be considered spot zoning it would have to be less than two acres. The ordinance states that in order for a piece of property or properties to be rezoned it has to consist of at least two acres or more. The only way it could be considered spot zoning is if it was less than two acres. If you have an existing area that was already zoned and there is a piece of property adjacent to it, that could be rezoned as an extension of that zoning district or if property consist of two acres or more then it meets the requirement of the ordinance to be rezoned. But the only way it would be spot zoned was if it was less than two acres and this property is a total of 14.5. It is adjacent to Wal-Mart and Wal-Mart is C-1, so it is adjacent to commercial property. After discussion, a vote was taken.

VOTE: 7 Approved 1 Denied -Council Member Cain
 1 No Vote Council Member Mitchell

D. Approval of Contractor and Funds Related to Four Utility Relocation Projects

A motion was made by Council Member Prouse with a second by Council Member Gambrell to approve funds. Town Manger Luckadoo gave a recap of the projects:

- ≈ Windmill Road Water Line - part of DOT requested relocation in conjunction with US HWY-1 widening.
- ≈ Windmill Road Water Line - part of DOT requested relocation in conjunction with US HWY-1 widening.
- ≈ East Alley gravity sewer line (Economy Furniture) relocate sewer line to allow for Economy Furniture building expansion.
- ≈ Pershing Street Water Line - water line relocation to provide service to serve new development.

award was read. Holloway stated he had written a grant and they have awarded the police department \$1,000 to purchase some equipment.

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C. Event Updates - March Electronic Recycling Event, Town Egg Hunt

Town Manager Luckadoo stated he had a few event updates:

- ≈ March 23 - Recycling Event - On a Saturday from 9AM - 1 PM
- ≈ Annual Easter Egg Hunt - April 17 - 5:30 - 7:00 PM - 30th Year

D. Project Update - SCDOT Sidewalk Grant, CDBG Sewer Lift Station Project, CDBG Brodie Mill Pump Station Project, Walk/Bike Ability Study, Alternate Water Source Study, Master Plan RFP, Comprehensive Plan Update

- ≈ DOT Tap Grant - waiting to hear from them on Phase 1 start date, Highway 1 from Livingston Place to N. Lee Street portion, Phase 2 in the process of completing this grant located on Highway 23 from N. Lee Street to Wal-Mart.
- ≈ CDBG Sewer Lift Station - this project has been completed.
- ≈ CDBG Brodie Mill Pump Station - County Council gave final approval on January 22 to award the town \$240,000 in left over CDBG funds from other projects.
- ≈ Walk/Bike Ability Study - March 07th the project team hopes to come back here at the town hall, council chambers and have another public, stakeholder, town hall session to talk about where they are at based on all the feedback they received and where they are at in the study once we have the time we will get out the public.
- ≈ Water Project Study in follow up to the council work session on the 25th, we have interviewed two of the four firms. At this time will be interviewing the others in the next week or two and we hope to be back on February 25th with the findings on the interviews and further information to try and make a final selection to perform the study for alternative water source.
- ≈ With regards to the Master Plan the request for proposals have been received and opened. Just to remind everyone this is the one we received a \$25,000 grant for from the Municipal Association Economic Development Grant. We had a total of nine firms to submit for that RFP. We are currently reviewing all this and we do have this on the February 25 Work Session to go through our findings.
- ≈ Comprehensive Plan Update - Central Midlands Council of Governments has been working for the past few months on the Comprehensive Plan Update which is a annual

action plan item for this year. Their focus has been on updating on the existing conditions at the time and to update the census data that is in the Towns

Comprehensive Plan. We did have a meeting about a month ago to discuss the next Regular Council Meeting

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≈ steps of this plan update and we have been providing them with a good bit of information relating to the existing conditions. On February 25th, they would like to meet jointly with the Planning Commission and the Town Council to do an update because the Comprehensive Plan is actually a function that not only falls on the Council but also the Planning Commission. They want to update their progress on the Comprehensive Plan. They are still planning on being done with this by June 2019.

E. Police & Fire End of Year Updates

Chief Wallace Oswald stated everyone had received the Year in Report. At this time Chief Oswald went over the statistics. (copy attached)

Fire department responded to a structure fire unable to give report at this time.

EXECUTIVE SESSION

A. Discussion Of Contractual Matters Relating to Auditing Services

B. Discussion Of Contractual Matters Relating to Indigent Defense Services

C. Discussion Relating to Town Manager Annual Evaluation

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to go into Executive Session at 8:35. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

Return to Regular Council Meeting

A motion was made by Council Member Etheredge with a second by Council Member Prouse to return to the Regular Council Meeting at 9:50 P. M. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

POSSIBLE ACTIONS BY COUNCIL IN FOLLOW UP TO EXECUTIVE SESSION - None

POTENTIAL AGENDA ITEMS FOR MARCH 11, 2019 MEETING

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Council Member Simpkins stated he would like the Fire Department Year End Report be done at the February 25, Work Session. Council Member Hallman stated to place the Coin Presentation also. Council Member Cain wanted the Chase Policy also for the Work Session.

ADJOURNMENT

A motion was made by Council Member Simpkins with a second by Council Member Hallman to adjourn at 9:52 P. M. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

Approved this 11th day of March 2019.

Lancer D. Shull, Mayor

ATTEST:

Patricia G. Saeed

In compliance with the Freedom of Information Act, the news media and the public was notified of the time, date, and place along with a copy of the agenda of this meeting and a notice was posted on the outdoor bulletin board at the Batesburg-Leesville Town Hall and the Town's website no later than twenty-four hours prior to the meeting.

COUNCIL WORK SESSION

FEBRUARY 25, 2019

The Work Session for the Town of Batesburg-Leesville, held in Building B of the Town Hall Complex, was called to order by Mayor Shull at 6:10 P. M. Members present were Mayor Shull, Council Member Etheredge, Cain, Mitchell, Whittle, Prouse and Hallman. Council Member Gambrell arrived at 6:20 P. M. Council Member Simpkins was absent.

INVOCATION

The invocation was given by Council Member Prouse.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was held.

APPROVAL OF AGENDA

A motion was made by Council Member Prouse with a second by Council Member Hallman to approve the agenda. Mayor Shull asked for any discussion, Council Member Cain asked about the reason the Chase Policy was not on the agenda, after Town Manager Luckadoo explained a vote was taken.

VOTE: 6 Approved 2 Denied (Council Member Cain & Mitchell)

DISCUSSION TOPICS

A. Presentation by Central Midlands Council of Governments to Council and Planning Commission Regarding Comprehensive Plan Update

Town Manager Luckadoo introduced and turned the meeting over to Gregory Sprouse and John Newman with Central Midlands Council of Governments. Presentation was given to Town Council and Planning Commission Members. (Information attached)

RECESS

At 7:05 P. M. Mayor Shull called for a recess to get a quick snack. Mayor Shull called for the recess to end at 7:21 P. M.

B. Discussion Regarding 2019/2020 Annual Action Plan

Town Manager Luckadoo stated that when we created this we wanted a document that would not be set on the shelf and collect dust, rather we wanted every year to come back and talk about what our priorities are and what we want to focus on the next year. (Information attached) After a presentation, Town Manager asked that Council Members give him one, or two things that you think are important going into this budget year. Items listed as priority:

- ≈ Water/Sewer Projects
- ≈ Revitalization of Downtown - Batesburg
- ≈ Workforce Technical Skills Training
- ≈ Public Safety Tackle Trouble Areas
- ≈ Sidewalks in Neighborhood Connecting to Downtown
- ≈ Bike/Pedestrian Study
- ≈ Update Zoning Ordinance
- ≈ Compensation Study

Priorities were assigned as follows: 1) Water/Sewer Infrastructure, 2) Revitalization of Downtown Batesburg, 3) Partnering for Workforce Technical Skills Training, 4) Public Safety in Trouble Areas, 5) Sidewalks Connecting Neighborhoods, 6) Finalize Bike/Pedestrian Study, 7) Update Zoning Ordinance

Council Member Hallman left the meeting at 8:13 P.M.

ADJOURNMENT

A motion was made by Council Member Prouse with a second by Council Member Whittle to adjourn at 8:15 P. M. With no discussion, all members were in favor.

Approved this 11th day of March 2019.

Lancer D. Shull, Mayor

ATTEST:

Patricia G. Saeed, Town Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)
TOWN OF BATESBURG-LEESVILLE)

AN ORDINANCE ADOPTING THE ANIMAL
CONTROL ORDINANCE CURRENTLY IN
USE BY THE COUNTY OF LEXINGTON.

**BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
BATESBURG-LEESVILLE, SOUTH CAROLINA, IN COUNCIL ASSEMBLED AND BY THE
AUTHORITY THEREOF:**

Section One. The current Animal Control Ordinance heretofore promulgated by County of
Lexington is hereby adopted by the Town of Batesburg-Leesville and shall
hereafter govern the control of animals in the Town. A copy of said Ordinance is
attached hereto and made a copy hereby reference.

Section Two. If any provision in any other Town Ordinance is inconsistent with the County
Ordinance, then the County Ordinance shall control. Nothing herein shall be
construed, however, to mean that any Town Ordinance or any provision contained
in any Town Ordinance is repealed by implication.

Enacted this 11th Day of February, 2019.

Lancer D. Shull, Mayor
Town of Batesburg-Leesville

ATTEST:

Judy E. Edwards, Clerk/Treasurer

First Reading: _____

Public Hearing held: _____

Second and Final Reading: _____

Approved as to form: _____
Christian G. Spradley, Town Attorney

County of Lexington

County Council
212 South Lake Drive, Suite 601
Lexington, South Carolina 29072
TELEPHONE: (803) 785-8103 FAX: (803) 785-8101

January 3, 2019

Scotty R. Whetstone
District 1
Parliamentarian

Paul L. Brigham, Jr.
District 2
Vice Chairman

Darrell Hudson
District 3

Debra B. Summers
District 4
Chairman

Bobby C. Keisler
District 5

Erin Long Bergeson
District 6

Beth M. Carrigg
District 7

Glen M. Conwell
District 8

M. Todd Cullum
District 9

The Honorable Lancer Shull
Mayor, Town of Batesburg-Leesville
120 West Church Street
Batesburg-Leesville, South Carolina 29006

Re: Lexington County Animal Control Ordinance 18-21

Dear Mayor Shull:

On November 27, 2018, Lexington County Council approved Ordinance 18-21 to amend the Lexington County Animal Control Ordinance. The amended ordinance includes the implementation of new program initiatives. These initiatives include the following:

- Mandatory sterilization and microchipping of animals impounded at the shelter due to violation of restraint and confinement. (Sec 10-38)
- Managed intake for owner surrender dogs. This allows the implementation of alternatives to immediate surrender of owned dogs by offering service referrals and surrender by appointment. (Sec 10-36c)
- Lexington County Animal Services will no longer accept owner surrender cats. (Sec 10-36d)

Also included in this new ordinance are clerical changes that clarify the purpose of certain provisions and definitions. A copy of the new ordinance, along with a copy the previous ordinance indicating all changes are included in this letter.

If you wish to participate with these new Lexington County Animal Services initiatives, your municipality will need to adopt Lexington County Animal Control Ordinance 18-21 as amended.

Upon adoption by your municipality of the County's amended Animal Control Ordinance, please provide to County Council signed documentation (as in the past) acknowledging your adoption of the ordinance, by reference of the County of

Lexington's Animal Control Ordinance, into the Town's Code of Ordinances. The implementation of this program will begin immediately upon adoption.

Should you have any questions please feel free to contact me or the Animal Services Director, Roy Mefford, at 803-785-8149.

Kindest regards,

A handwritten signature in cursive script, reading "Debra B. Summers".

Debra B. Summers, Chairman
Lexington County Council

DBS/dwb

Enclosures:

1. Ordinance 18-21 – Lexington County Animal Control Ordinance
2. Ordinance 17-01 – Previous Lexington County Animal Ordinance with changes identified

STATE OF SOUTH CAROLINA)

COUNTY OF LEXINGTON)

TOWN OF BATESBURG-LEESVILLE)

)

ORDINANCE

AMENDING ZONING MAP AND

REZONING PROPERTY ALONG

MITCHELL STREET FROM R-1,

SINGLE FAMILY RESIDENTIAL, TO C-

2, OFFICE AND INSTITUTIONAL

COMMERCIAL

WHEREAS, Lynn H. Goodman ET ALS, as the property owner, has requested that the Town of Batesburg-Leesville amend the Zoning Map to re-designate as C-2, Office and Institutional Commercial, two (2) properties located along North East Mitchell Street, which runs adjacent to Wal-Mart's property; Lexington County TMS#005900-06-025, which consist of 13.77 acres and Lexington County TMS#5900-06-026, which consist of .73 acres for a total of 14.50 acres, now zoned as Single Family Residential, R-1; and

WHEREAS, the Planning Commission held a public meeting on January 22, 2019 to review the rezoning request and voted to recommend this change in the existing zoning.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Batesburg-Leesville, in Council, duly assembled, that the properties hereinafter listed is hereby rezoned and reclassified on the Zoning Map of the Town as C-2, Office and Institutional Commercial.

This Ordinance shall take effect on the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this day of , 2019.

Lancer D. Shull, Mayor

ATTEST:

Patricia Saeed, Town Clerk

First reading:

Second reading and adoption:

Public Hearing:

Approved as to form: Christian G. Spradley, Town Attorney



Amendment #: _____

Zoning Permit #: _____

Fee Paid \$: 100.00 Rpt# 21466

Office of Zoning Administration

Zoning Amendment Application

The undersigned hereby request that the Batesburg-Leesville Zoning Ordinance be amended as described below:

1. This is the request for a change in the (check one)
 - a. ☒ Zoning Map (fill in items 2,3,4 and 6 only)
 - b. ☐ Zoning Text (fill in items 5 and 6 only)

NOTE: Plat of property must be attached.

2. Give exact address and description of property for which you propose a zoning change: TMS 005900-06-025, 005900-06-026

3. How is this property presently zoned? (circle one)
☒ R-1 ☐ R1-A ☐ R-2 ☐ R-3 ☐ C-1 ☐ C-2 ☐ C-3 ☐ I-1

4. What new zoning do you propose for this property? (circle one)
☐ R-1 ☐ R1-A ☐ R-2 ☐ R-3 ☐ C-1 ☒ C-2 ☐ C-3 ☐ I-1

5. If this involves a change in the Zoning Text, what section or sections will be affected?
 - a. Section(s): N/A

6. Explanation why this area should be zoned as you propose: This property is a nice transition between single family and larger commercial. The property is across the street from the library and backs up to Walmart.

(If more space is needed, you blank piece of paper)

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

Date: 1/4/19

Phone: 803-348-3491

Name: Carroll Hoover

Signature: [Signature]

Address: Box 2070, Leesville, S.C.
330 Mitchell St (Batesburg) 29070
Are you ☒ owner or ☐ agent? (please check box)
29006

agent Harvey Sayls
803-9120-1524

DO NOT WRITE ON THIS SIDE – FOR OFFICIAL USE ONLY

Date received by Zoning Administrator: January 4, 2019

Date forwarded to Planning Commission: January 22, 2019

Date referred to Town Council: _____

Date advertised: _____

Date posted: _____

Date public hearing held: _____

Date Town Council action: _____

Date applicant notified: _____

Planning Commission Recommendations: _____

Town Council Action: _____

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Addendum Signature page to Batesburg-Leesville zoning
Application for TMS Parcels 005900-06-0025 and 005900-06-
026, Changing Zoning From R1-C2

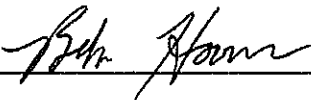
Name Barbara H. Crysel

Signature _____

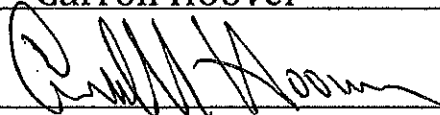
Name Lynn H. Goodman

Signature 


Name Bobs Hoover

Signature 

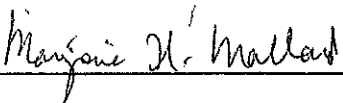
Name Carroll Hoover

Signature 

Name Kathryn H. Hurd

Signature 

Name Marjorie H. Mallard

Signature 

Name Frances H. Watts

Signature 

Addendum Signature page to Batesburg-Leesville zoning
Application for TMS Parcels 005900-06-0025 and 005900-06-
026, Changing Zoning From R1-C2

Name Barbara H. Crysel

Signature Barbara H. Crysel

Name Lynn H. Goodman

Signature Lynn H. Goodman

Name Bobs Hoover

Signature Bobs Hoover

Name Carroll Hoover

Signature Carroll Hoover

Name Kathryn H. Hurd

Signature Kathryn H. Hurd

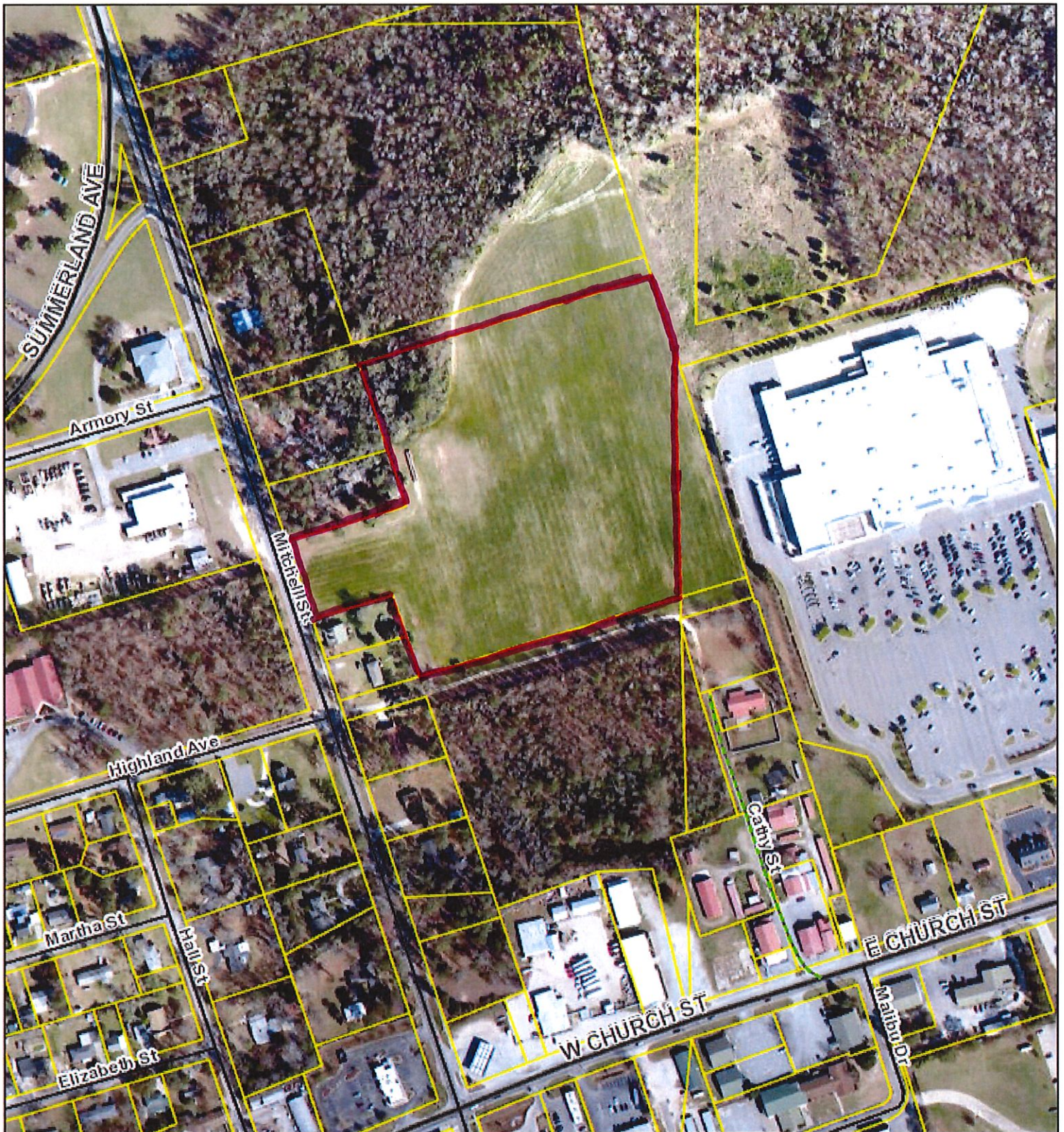
Name Marjorie H. Mallard

Signature _____

Name Frances H. Watts

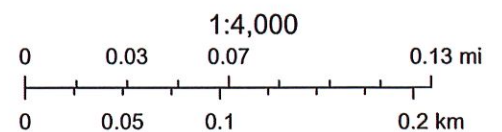
Signature _____

Carroll Hoover TMS# 005900-06-025 - 13.77 ACRES



1/8/2019, 8:32:52 AM

Road Maintenance	
—	<Null>, <Null>
—	Dirt, Unknown
—	Dirt, Municipality
—	Dirt, Developer
—	Dirt, Richland County
—	Dirt, Private
--	Dirt, State
—	Pavement, Unknown
—	Pavement, Municipality





South Carolina County of Lexington

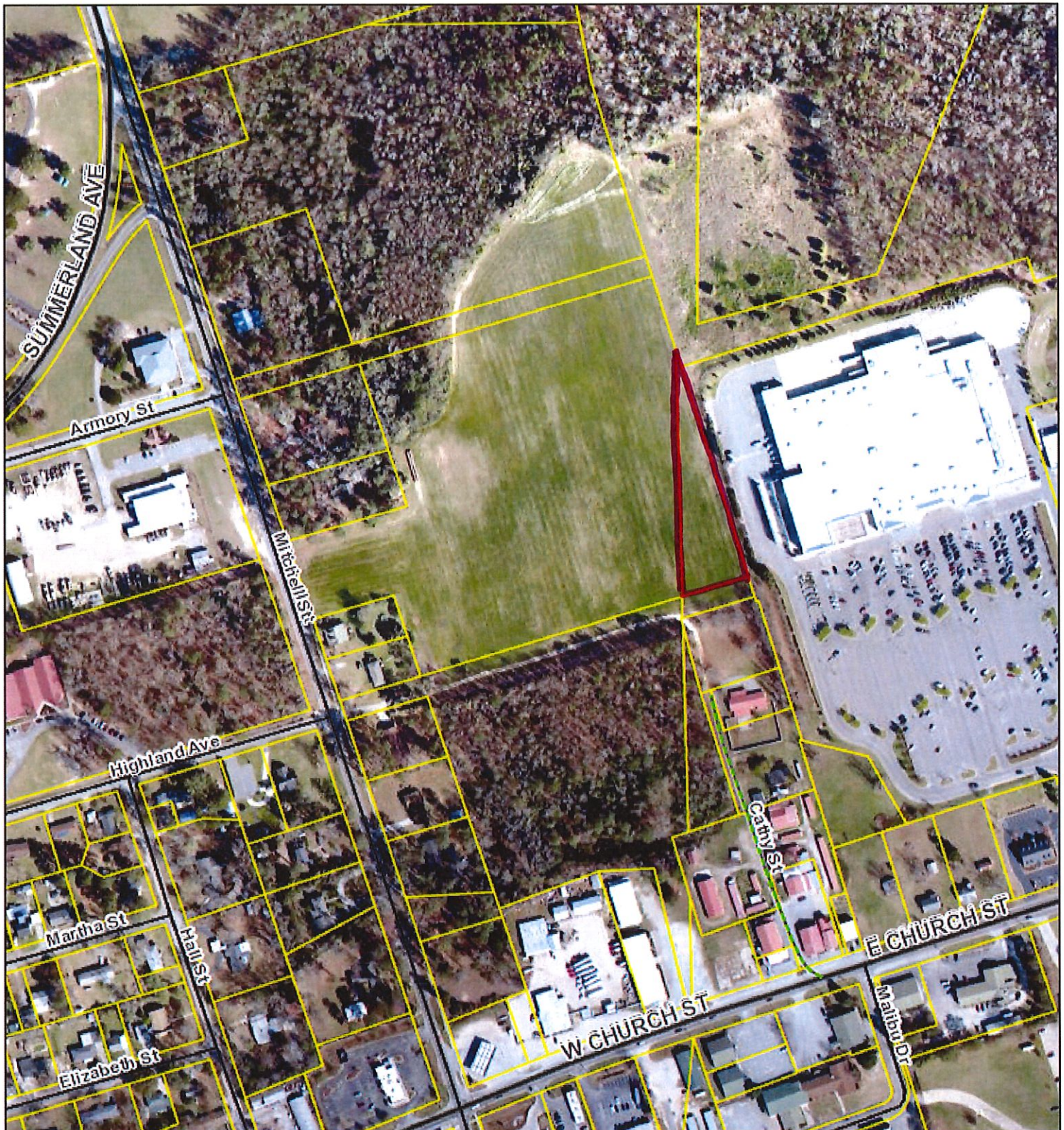
Data last updated: 01/03/2019

TMS#: <u>005900-06-025</u> Show Map TAX YEAR: 2018 OWNER: GOODMAN, LYNN H ET ALS ADDRESS: 320 MITCHELL ST BATESBURG , SC 29006 PROPERTY ADDRESS: MITCHELL STREET LEGAL DESCRIPTION: NONE DEED BOOK & PAGE: <u>9508-135</u> PLAT: 127G-3 LAND USE: 0002:RURAL - UNIMPROVED TAX DISTRICT: 3B
--

<u>ASSESSMENT INFORMATION</u>	<u>BUILDING INFORMATION</u>
LOTS:	SQUARE FOOT LIVING AREA:
ACRES: 13.77	UNFINISHED AREA:
TAXABLE LAND: 54636	YEAR BUILT:
TAXABLE BUILDING: 0	NUMBER OF BEDROOMS:
ASSESSMENT LAND: 170	NUMBER OF FULL BATHS:
ASSESSMENT BUILDING: 0	NUMBER OF HALF BATHS:
HOMESTEAD EXEMPT ASSESSMENT: 0	HEATING SYSTEM:
TAX RELIEF EXEMPT ASSESSMENT: 0	HEAT:

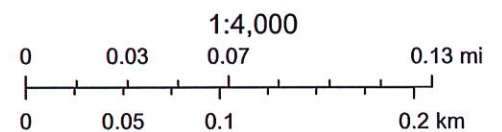
<u>SALES INFORMATION</u>			
<u>SALE DATE</u>	<u>SELLER</u>	<u>BUYER</u>	<u>PRICE BOOK/PAGE</u>
04/08/2004	GOODMAN, LYNN H ET ALAS	GOODMAN, LYNN H ET ALS	1 <u>9508-135</u>
07/01/1990	HOOVER M ESTATE	HOOVER W E ETAL	1 <u>1625-324</u>
06/01/1989	HALLMAN C M ESTATE	HOOVER W E ETAL	1 <u>1368-137</u>

Carroll Hoover TMS# 005900-06-026 - .73 ACRES



1/8/2019, 8:28:20 AM

Road Maintenance	---	Dirt, Richland County
<Null>, <Null>	---	Dirt, Private
Dirt, Unknown	---	Dirt, State
Dirt, Municipality	---	Pavement, Unknown
Dirt, Developer	---	Pavement, Municipality
Dirt, Other	---	





South Carolina

County of Lexington

Data last updated: 01/03/2019

TMS#: 005900-06-026 [Show Map](#)

TAX YEAR: 2018

OWNER: GOODMAN, LYNN H ET ALS

ADDRESS: 320 MITCHELL ST
BATESBURG, SC 29006

PROPERTY ADDRESS: MITCHELL STREET

LEGAL DESCRIPTION: NONE

DEED BOOK & PAGE: 9508-135

PLAT: 127G-3

LAND USE: 0001:RESIDENTIAL - UNIMPROVED

TAX DISTRICT: 3

ASSESSMENT INFORMATION

LOTS:

ACRES: .73

TAXABLE LAND: 5796

TAXABLE BUILDING: 0

ASSESSMENT LAND: 10

ASSESSMENT BUILDING: 0

HOMESTEAD EXEMPT ASSESSMENT: 0

TAX RELIEF EXEMPT ASSESSMENT: 0

BUILDING INFORMATION

SQUARE FOOT LIVING AREA:

UNFINISHED AREA:

YEAR BUILT:

NUMBER OF BEDROOMS:

NUMBER OF FULL BATHS:

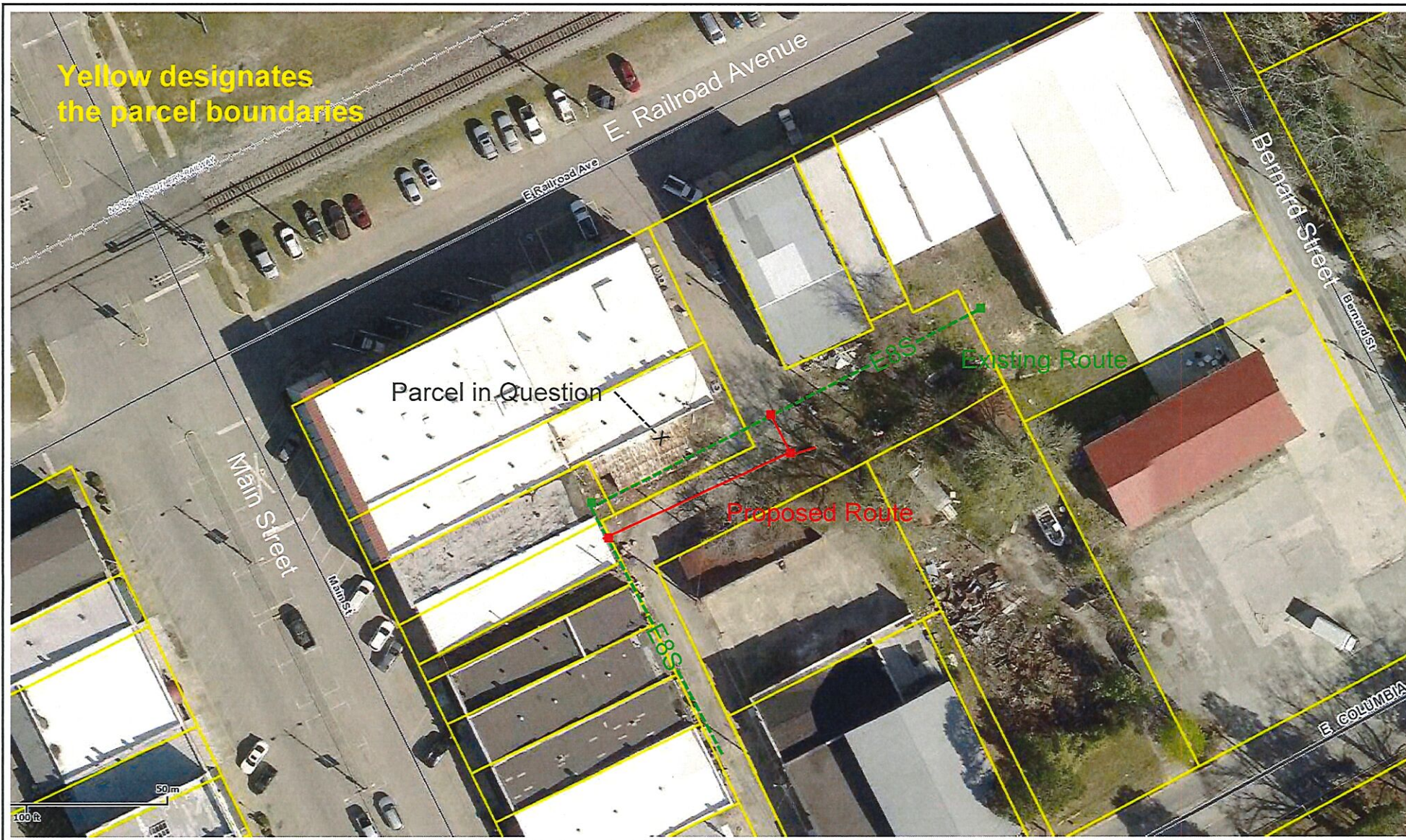
NUMBER OF HALF BATHS:

HEATING SYSTEM:

HEAT:

SALES INFORMATION

<u>SALE DATE</u>	<u>SELLER</u>	<u>BUYER</u>	<u>PRICE</u>	<u>BOOK/PAGE</u>
04/08/2004	HOOVER, W E ETAL	GOODMAN, LYNN H ET ALS	1	<u>9508-135</u>
07/01/1990	HOOVER M H ESTATE	HOOVER W E ETAL	1	<u>1625-324</u>
06/01/1989	HALLMAN C M ESTATE	HOOVER W E ETAL	1	<u>1368-137</u>



East Alley Gravity Sewer Existing and Proposed Routes

Printed: Mar 01, 2019



0 100
Feet

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February 8, 2019

Mr. Tim Schumpert, P.E., Director of Utilities
Town of Batesburg-Leesville
120 West Church Street
Batesburg-Leesville, SC 29006

Re: Utility Relocations
Project No. 18048

Dear Mr. Schumpert:

Bids for the Utility Relocations project were received, publicly opened and read aloud on February 5, 2019 at the Batesburg-Leesville Town Hall. The bids have been checked and the results summarized below. A full tabulation of the Bids is enclosed.

Bids for construction of the project were received from ten Contractors as follows:

<u>CONTRACTORS</u>	<u>BID AMOUNT</u>	<u>BID ORDER</u>
SM Grading & Excavating, LLC Jonesville, SC	\$ 93,220.00	1
Lake Murray Utility Co. Inc. Chapin, SC	\$109,535.00	2
Abdella Services, Inc. Harleyville, SC	\$127,471.26	3
Stutts & Williams, LLC Lexington, SC	\$173,916.00	4
Hammerhead Utilities, LLC Columbia, SC	\$194,386.00	5
Holzheimer Construction, Inc.	\$259,204.00	6
Corley Construction, LLC Columbia, SC	\$329,724.48	7
DS Utilities, Inc. Little Mountain, SC	\$368,713.00	8
R&T Grading, Inc. Pelion, SC	\$381,345.00	9
Wiley Easton Construction, Co. Lexington, SC	\$538,675.00	10

Tim Schumpert, P.E., Director of Utilities
February 8, 2019
Page 2

We have evaluated the bids and have found them to be both responsible and responsive.

The bids received are within the project budget.

Based on the above information, it is our recommendation that a contract for the Utility Relocations project be awarded to SM Grading & Excavating, LLC in the amount of \$93,220.00.

Please contact me if you have any questions.

Sincerely,
Summit Engineering Group



James M. Longshore, P.E.
President

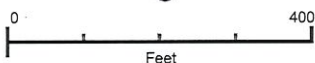
Enclosure



Pershing Street Water Line Relocaiton Existing and Proposed Routes

Printed: Mar 01, 2019

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ORIGINAL

BOD

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 COUNTY OF LEXINGTON) FILED CIVIL ACTION NO. 2010-CP-32-02590

Joan T. Caughman,

2012 JAN 10 2 1:16

Petitioner)
 WETH A. CARRIGG)
 CLERK OF COURT)
 LEXINGTON SC)

versus

South Carolina Department of)
 Highways and Transportation,)
 County of Lexington, Town of)
 Batesburg-Leesville, South Carolina,)

Respondents.)

2012001656 FILED, RECORDED, INDEXED
 2012-01-13 09:14:07:983
 REC FEE: \$0.00 ST FEE: \$0.00
 CO FEE: \$0.00 Pages: 5
 Lexington County R.O.D. Debra M. Gunter
 COURT ORDER BK:Pg 15275:103

ORDER

2012 JAN 10 2 1:16

This is an action for the closing of a road in the Town of Batesburg-Leesville, County of Lexington, State of South Carolina.

This matter came before me pursuant to an Order of Reference on November 29, 2011. Present were the Plaintiff, Joann Caughman, represented by her counsel, Julius H. Baggett, Esquire; also present were Carey M. Ayer, Esquire, who represents the Town of Batesburg-Leesville, and its manager, Joan Taylor.

Pursuant to statute authorized by South Carolina Code, Section 57-57-9-10, a Notice of Intention to close this road was published in the Twin City News, a weekly publication in Batesburg-Leesville, South Carolina. No formal objection was presented to the Court.

The road in question is shown on the plat referred to as Exhibit A and is an unpaved dirt road extending from a paved portion of Pershing Street in the Town of Batesburg-Leesville and extends approximately 2100 feet, being 40 feet wide comprising a total area of 84,000 square feet or 1.92 acres.

A TRUE COPY

The road has been in place for many years, is unlit and connects on both ends to paved roads.

The Plaintiff owns land on both sides of the roadway sought to be closed and there are no houses or utilities along the road except a water main for a portion of the road from the paved portion of Pershing Street to the its intersection with Skyline Drive. The Plaintiff has shown a subdivision plat indicating future plans for development of this area to result in many lots being made available and which would result in considerable more income to the Town and to the County by way of taxes and tap fees.

The Plaintiff has proved to the satisfaction of the Court that it is in the best interest of all concerned that the portion of Pershing Street be closed as indicated in the Complaint and that the Plaintiff should be allowed to close the road in order to better use the property for development.

IT IS THEREFORE ADJUDGED AND DECREED:

1. That the unpaved portion of Pershing Street extending from the paved street referred to as Pershing Street approximately 2100 feet to a branch crossing under the roadway.
2. That title to the lands occupied by this road shall revert to and shall be vested in Joann P. Caughman in fee simple.
3. That, notwithstanding the closure of this road, the Town of Batesburg-Leesville and its agents shall have a right to ingress and egress to enter upon the road for purposes of maintaining the waterline which extends now from the paved portion of Pershing Street to its intersection with Skyline Drive.
2. That a copy of this Order closing the road shall be filed with the Office of the Register of Deeds for Lexington County and appropriately indexed.

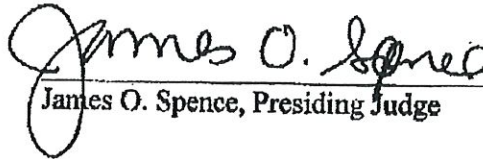
Page 2 of 3

AND IT IS SO ORDERED.

SETH A. CARRIGS
CLERK OF COURT
LEXINGTON COUNTY, SC

2012 JUN 10 9 11:16

FILED

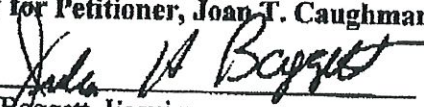

James O. Spence, Presiding Judge

Lexington, South Carolina

December 22, 2011

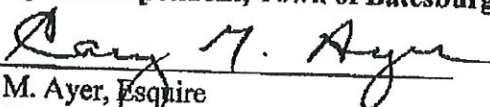
I PROPOSE:

Attorney for Petitioner, Joan T. Caughman


Julius H. Baggett, Esquire
Post Office Box 3070
Batesburg-Leesville, SC 29070
(803) 532-4100

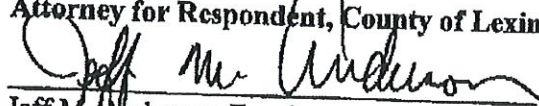
I CONSENT:


Attorney for Respondent, Town of Batesburg-Leesville


Carey M. Ayer, Esquire
Davis, Frawley, Anderson, McCauley, Ayer, Fisher & Smith, LLC
140 East Main Street
P.O. Box 489
Lexington, SC 29071-0489
(803) 359-2512

NO OBJECTION:

Attorney for Respondent, County of Lexington


Jeff M. Anderson, Esquire
Davis, Frawley, Anderson, McCauley, Ayer, Fisher & Smith, LLC
140 East Main Street
P.O. Box 489
Lexington, SC 29071-0489
(803) 359-2512


ABC REPORTING
(At Back & Call)
Deidre M. Bonnette
257 Summerland Ave. • Batesburg-Leesville, SC 29006
E-Mail: owiz1959@aol.com
Phone (803) 532-5255
Fax (803) 532-5255
Witness: _____

FILED
2011 JAN 10 7 1:16
BETH A. CARRIGG
CLERK OF COURT
LEXINGTON SC

ORIGINAL

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

FILED

CASE NO. 2010 CP-32-02590

Joan T. Caughman

2012 JAN 10 1:18

SC Department of Highways & Transportation,
County of Lexington,
Town of Batesburg-Leesville, South Carolina

PLAINTIFF(S) BETH A. CARRIGG CLERK OF COURT LEXINGTON SC	DEFENDANT(S)
Submitted by: Julius H. Baggett	Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Joan T. Caughman	To close a portion of Pershing Street in the Town of Batesburg-Leesville, County of Lexington	\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order: 48.16 Acres in the area of Pershing Street in the Town of Batesburg-Leesville, County of Lexington, State of South Carolina. TMS# 006000-03-043,056		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest

or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

James O. Sprue
Circuit Court Judge

3068

Judge Code

1-6-12

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Julius H. Baggett

P.O. Box 3070

Batesburg-Leesville, SC 29070

Carey Ayer, Attorney for Town of Batesburg-Leesville

P.O. Box 489

Lexington, SC 29071

Jeff Anderson, Attorney for County of Lexington

P.O. Box 489

Lexington, SC 29071

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: Deidre Bonnett, ABC Court Reporting (803) 532-5255

SETH A. CARRICO
CLERK OF COURT
LEXINGTON, SC

2012 JAN 10 3 1:17

FILED

Skyline Drive Water Line Isolation Worksheet

		Skyline Water Line in Service			Skyline Water Line Out of Service (Valve at Pershing Closed)					% Flow Reduction
			Hydrant Data			Field Hydrant Data		Available Flow at 20 psi		
			Flow	Pressure		Flow	Pressure	Flow	Pressure	
Test Hydrant			gpm	psi		gpm	psi	gpm	psi	
FH Identifier	Location Description	Date			Date					
L48	Perhsing St. Cul-de-sac	4/4/2014	839	25	7/28/2017	605	13	548	20	
L50	Skyline St. and Woodridge Ct.	4/4/2014	888	25	7/28/2017	650	15	605	20	
L111	End of line on Windmill Rd.	4/4/2014	750	20	7/28/2017	581	12	524	20	
New	New F.H. @ Ind. Park				7/28/2017	671	16	647	20	



February 8, 2019

Mr. Tim Schumpert, P.E., Director of Utilities
Town of Batesburg-Leesville
120 West Church Street
Batesburg-Leesville, SC 29006

Re: Utility Relocations
Project No. 18048

Dear Mr. Schumpert:

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Tim Schumpert, P.E., Director of Utilities
February 8, 2019
Page 2

We have evaluated the bids and have found them to be both responsible and responsive.

The bids received are within the project budget.

Based on the above information, it is our recommendation that a contract for the Utility Relocations project be awarded to SM Grading & Excavating, LLC in the amount of \$93,220.00.

Please contact me if you have any questions.

Sincerely,
Summit Engineering Group



James M. Longshore, P.E.
President

Enclosure

THE TOWN OF Batesburg-Leesville

Proclamation

WHEREAS, autism spectrum disorder is a severely incapacitating, lifelong developmental disability, resulting in significant impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, autism spectrum disorder is the third most common developmental disability, affecting an estimated 1.5 million Americans and approximately 24,000 individuals in the State of South Carolina; and

WHEREAS, although a cure for autism spectrum disorder has not been found, accurate, early diagnosis and the resulting appropriate education and intervention can help persons with autism spectrum disorder reach their maximum potential; and

WHEREAS, support groups throughout South Carolina and the nation are dedicated to supporting the rights, humane treatment, and appropriate education of all persons with autism spectrum disorder; and

WHEREAS, the annual observance of Autism Awareness Month educates families, professionals, and the general public to better understand this lifelong disability.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of Batesburg-Leesville, do hereby proclaim April 2019 as

AUTISM AWARENESS MONTH

throughout the Town of Batesburg-Leesville and encourage all citizens to work together to ensure that individuals with autism spectrum disorder are accurately diagnosed and appropriately treated throughout their lives.

Dated this 11th Day of March 2019.

TOWN OF BATESBURG-LEESVILLE

Lancer D. Shull, Mayor

ATTEST:

Judy E. Edwards
Town Clerk

THE TOWN OF Batesburg-Leesville

Proclamation

WHEREAS, Parkinson's disease is a chronic, progressive neurological disorder that affects an estimated 1.5 million Americans; and

WHEREAS, Parkinson's disease has four major symptoms, including trembling in the hands, arms, legs, jaw and face, stiffness of the limbs and trunk, slowness of movement, and impaired balance and coordination, which generally lead to difficulty in walking, talking, or completing other simple tasks; and

WHEREAS, even though there is presently no cure for this disease, medications are available to help manage the symptoms; and

WHEREAS, research continues into the causes and possible cure and is contributing to the development of improved treatment options that can help enhance the quality of life for people affected by Parkinson's disease.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of Batesburg-Leesville, do hereby proclaim April 2019 as

PARKINSON'S AWARENESS MONTH

throughout the Town of Batesburg-Leesville and encourage all citizens to work together to raise awareness and understanding of this debilitating disease.

Dated this 11th Day of March 2019.

TOWN OF BATESBURG-LEESVILLE

Lancer D. Shull, Mayor

ATTEST:

Judy E. Edwards
Town Clerk