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Agenda

Fountain Inn, South Carolina
FORMAL MEETING OF CITY COUNCIL

Thursday, March 9, 2023 at 6:00 p.m.

Judicial Building, Council Chambers
300 Wall Street, Fountain Inn

Citizens may access the meeting at the following YouTube address:
https://www.youtube.com/channel/UC6JiylrM1NUcM8Ea8BLXCfA

Thursday, March 9, 2023 - 6:00 PM

1. Call to Order - Mayor McLeer

2. Invocation and Pledge of Allegiance

3. Special Recognition
   a. Gloretta Beverly's Retirement after 20 years with the City of Fountain Inn

4. Public Hearing
   a. The City of Fountain Inn will conduct a hearing to receive input from the public regarding proposed changes to the City Council wards to reflect the population and demographic information compiled and released as part of the 2020 Census. This process of redrawing the ward boundaries to reflect population shifts occurring since the last Census count is referred to as redistricting and is required by the United States Constitution, the Voting Rights Act of 1965, as amended, and other federal and state laws and regulations.

5. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.

6. Consent Agenda
   a. Minutes from February 9, 2023 Regularly Scheduled Council Meeting

7. City Administrator’s Report - Shawn M. Bell

a. February Reports

8. New Business

   a. First Reading of Ordinance 2023-4- Providing for (A) the creation and establishment of election districts for the election of a governing body of the City of Fountain Inn, South Carolina, as provided for in the South Carolina Code annotated sections 5-15-20 and 5-15-50, and contemplated by Chapter 8 of the Fountain Inn City Code, 1992, based on the 2020 Decennial Census; and (B) other related matters.
   b. First Reading of Ordinance 2023-5 Providing for th Grant of a Franchise According to South Carolina Code Annotated Section 58-12-10, ET SEQ.; Providing for limitations related to the same; providing for the payment of compensation related to the same; and providing for other related matters, Knology of Charleston, Inc.
   c. First Reading of Ordinance Z 2023-1, An ordinance to amend the official zoning map of the City, for the purpose of changing the zoning classification of the property described in this ordinance (Putman Street).
   d. First Reading of Ordinance Z 2023-2, An Ordinance to amend the official zoning map of the City, for the purpose of changing the Zoning classification of the property described in this ordinance (Nash Street).
   e. First Reading of Ordinance AX 2023-1, An Oridinance to provide for the annexation of the property described herein to the City limits of the City of Fountain Inn; to establish a Zoning Classification therefore; to assign the annexed property to a Council Ward; and other related matters (Hunter Road-Club Drive).
   f. Approval to Authorize the City Administrator to Execute an Engagement Agreement with Mauldin & Jenkins, LLC to provide auditing services for the City of Fountain Inn.

9. Executive Session

   a. Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of one or more employees in the Community Relations and Planning & Development departments.

10. Adjourn

FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the Freedom of Information Act and the City of Fountain Inn's requirements.

CERTIFICATE OF APPRECIATION

Congratulations upon your retirement from the City of Fountain Inn
Presented In Appreciation of Twenty Years of Dedicated Service to the City of Fountain Inn

March 17, 2003 to March 25, 2023

GLORETTA BEVERLY

Given at Fountain Inn, South Carolina
this 9th day of March 2023.

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City Administrator

Mayor

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MINUTES
FORMAL MEETING OF CITY COUNCIL

Thursday, February 9, 2023
5:45 p.m. for a Presentation from Greenville County Redevelopment Authority
6:00 p.m. for the Regularly Scheduled Meeting

Judicial Building, Council Chambers,
300 Wall Street Fountain Inn, SC 29644

Citizens may access the meeting at the following YouTube address:
https://www.youtube.com/channel/UC6JiyIrM1NUcM8Ea8BLXCfA

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1. Presentation at 5:45 p.m.

a. 2023 Annual Action Plan, Imma Nwobodu, GCRA
Ms. Nwobodu, program director for GCRA, presented the annual action plan.

2. Call to Order- Mayor McLeer
Mayor McLeer called the meeting to order at 6:03pm.

The following members of City Council were in attendance: GP McLeer, Jay Thomason, Phil Clemmer, Mack Blackstone, John Don, and Joey Garrett.

Staff present: Shawn Bell, Naomi Reed, Austin Watters, Russell Haltiwanger, Michael Hamilton, Eduardo Noriega, Russell Slatton, Rebecca Mejia-Ward and Elizabeth Adams.

3. Invocation and Pledge of Allegiance
Mayor McLeer gave the invocation

4. Public Hearing

a. 2023 Annual Action Plan- GCRA
Motion by Councilmember Blackstone, seconded by Mayor Pro Tem Clemmer to approve 2023 Annual Action Plan- GCRA.

The motion carried unanimously 6/0.

5. Introduce New Employees

Ms. Naomi Reed introduced Robbi Thompson as the staff accountant. Mr. Eduardo Noreiga introduced Mario Nitti as the Underground Technician. Mr. Russell Slatton introduced Buddy Branscombe as the Sewer Stormwater Manager.

6. Proclamation

a. Black History Month

Mayor McLeer read the 2023 Black History Month proclamation. The Proclamation will be presented to Goldenview Baptist Church on Feb 19, 2023.

7. Presentations

a. FY22 Audit Presentation by Manley Garvin

David McAllister presented the 2023 Audit report including the Certificate of Excellence.

8. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.

No one signed up to speak.

9. Consent Agenda- There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.

Motion by Councilmember Garrett, seconded by Councilmember Blackstone to approve the Consent Agenda. The motion carried unanimously 6/0.

a. Approval of January 12, 2023 Regularly Scheduled Council Meeting Minutes

b. Approval of January 24, 2023 Special Called Meeting Minutes

c. Approval of January 28, 2023 Annual Council Retreat Minutes

10. City Administrator's Report- Shawn M. Bell

a. January 2023 Reports

Mr. Bell covered the following items: Public Works facility is behind due to weather, Main Street streetscape is still being evaluated, Sanctified Hill construction update, the Daddy Daughter Dance will take place on Saturday from 6-8pm, and April 15th will be the annual Mac Arnold Bluegrass Festival. Business license specialist and gas billing specialist positions have both been filled along with the stormwater/sewer position. January 2023 the FING had the third lowest rates in the southeast, while we had record low temperatures December 3-27, 2022. The annual natural gas phone survey will start on February 16, 2023. Parks and Recreation update- basketball is about to conclude, Jr. Fury wrestling concluded, and Spring baseball and softball hit record numbers. Fire Department will receive their new airpacs in approximately 12 weeks, and training center land was cleared. The Mill property will hold their groundbreaking on February 28, 20232.

11. Unfinished Business

a. **Second and Final reading of Z 2022-10 An ordinance to amend the official zoning map of Fountain Inn, said amendment being for the purpose of changing the zoning classification of the property located at Milacron Drive and Greenpond Road containing approximately 14.02 acres, Greenville County Tax Map 0562010102800, 0562010102820, 0562010102815.**
Motion by Councilmember Blackstone, seconded by Councilmember Thomason to approve the Second and Final reading of Z 2022-10 and AX 2022-2. The motion carried 6/1 with Mayor McLeer voting in opposition.

b. **Second and Final Reading AX 2022-2 An Ordinance To Provide For The Annexation Of The Property Described Herein To The City Limits Of The City Of Fountain Inn; To Establish A Zoning Classification Therefore; To Assign The Annexed Property To A Council Ward; And Various Matters Related Thereto For Greenville County Tms #0562010102801**

c. **Second and Final Reading of 2023-1 An ordinance to amend Article III, Building Codes, to achieve uniformity with mandatory building codes adopted for use in South Carolina; and to amend code references as found in section 6-46.**
Motion by Councilmember Thomason, seconded by Councilmember Garrett to approve Second and Final Reading of 2023-1. The motion carried unanimously 6/0.

12. New Business

a. **First and Final Reading for the Approval of Fox Hill Business Park Sewer Lift Station**

Motion by Mayor Pro Tem Clemmer, seconded by Councilmember Blackstone to approve First and Final Reading for the Approval of Fox Hill Business Park Sewer Lift Station. The motion carried unanimously 6/0.

13. Adjourn

Motion by Councilmember Blackstone, seconded by Councilmember Don to adjourn the Council meeting at 6:50 p.m. The motion carried unanimously 6/0.

CITY ADMINISTRATOR REPORT

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Agenda Date: March 9, 2023

To: Mayor and City Council

From: Shawn M. Bell, ICMA-CM
City Administrator

Administration

- New Utilities Complex (FING/Public Works Facility)
  - Pad sub-contractor is on-site; the pad area has been rocked & packed
  - Weather permitting, pad should be poured within the next two weeks
- Main Street Streetscape (Jones to 418)
  - Still waiting on full design (have received cost estimates)
  - The GLDTC is expected to have their funds replenished by the State by the third quarter of 2023; City will apply for construction funding at that time
- Sanctified Hill Park
  - Fencing around the basketball courts has been constructed
  - Playground equipment has begun arriving on-site
- Fairview Street Basketball Court
  - Contract has been reviewed and submitted to contractor (Sossamon Construction)
- Woodside Connector
  - Awaiting Let Date from SCDOT
  - Project is expected to commence by November 2023
- Woodside Streetscape
  - Project has been redesigned to include alternates/additives to give the City more flexibility if bids come in drastically over budget again
- ESSC ADA Restroom
  - GCRA executed a contract with Satchel Construction on 3/1 for the Miracle League restroom facility
- Security Camera System
  - New security camera system has been installed at City Hall
  - The next building to receive the new system will be the Police Station
  - Sanctified Hill Park and the new Utilities Complex will also have the security camera system in place prior to construction completion
- Interstate Signage
  - Still waiting on SCDOT encroachment permit approval; City has requested to have our permit reviewed ASAP; Representative Willis has been asked to assist

Community Relations

- Upcoming Events
  - 17th Annual Mac Arnold Cornbread & Collard Greens Blues Festival/Jeep Jam/Spring Market
    - 4/15 from 12:00 – 6:00 p.m.
  - 2nd Annual Italian American Heritage Festival
    - 4/29 from 12:00 – 6:00 p.m.
  - Sounds of Summer
    - 5/19 – 7/28
  - Farmers Market
    - 5/20 – July 29
  - 2nd Annual Juneteenth Soul Food Festival on 6/17
    - First committee meeting to held on 4/15
  - Fireworks Spectacular
    - 7/1 from 6:00 p.m. – Dark
- Main Street
  - Merchant Meeting co-hosted by the Chamber held on March 7
    - *Promoting Your Business* meeting topic
  - Value of active Main Street renovations: $4,207,091

Human Resources

- Administration/Finance:
  - Staff Accountant – One vacancy; interviews scheduled for 3/17
  - Gas Billing Customer Service Representative – One vacancy; currently filled by a temporary employee
- Community Relations:
  - Director – One vacancy; recruitment under review
- Police:
  - Patrol Officer – Six vacancies; **five offers accepted** and are in the post offer screening phase
  - Dispatch – One vacancy; interview process underway
- Fire:
  - Fire Marshal/Training Officer – One vacancy; **offer accepted** with a start date of 4/4
- Planning & Development
  - Planning & Development Manager – One vacancy; **offer accepted** and in the post offer screening phase
- Public Works:
  - CDL Truck Driver – One vacancy; posted & reviewing applications

    - Streets & Grounds Maintenance Worker – One vacancy, posted & reviewing applications
    - Sewer/Stormwater Technician – One vacancy; **offer accepted** and in the post offer screening phase
- Recreation:
    - Part-time support for growing programming; campaign pending

Natural Gas

- Gas Supply
    - Deliveries for February 2023
        - Gas volume of 110,555 Dekatherms
        - Gas consumption for February 2023 was down 14% from February 2022, and down 5% from the February five-year average.
    - Gas Prices/Rates
        - The price of natural gas for March 2023 settled at $2.451 per Dekatherm, which represents a $0.66 decrease from February 2023's price of $3.109 per Dekatherm
        - FING has been monitoring prices closely and has hedged future gas for the coming summer and winter months
- Gas Operations
    - Key Indicators
        - 21,995 feet of new gas main lines installed in February 2023
            - 33,292 feet installed Y-T-D
        - 2,223 feet of new service lines (64) installed in February 2023
            - 6,513 feet (118) installed Y-T-D
    - Annual Phone Survey was completed
        - Purpose is to measure the effectiveness of FING's public awareness campaign as federally required
    - FING and our pipeline contractor are still awaiting approval from the railroad for crossing permits for the installation of a one-mile, six-inch high-pressure steel line

Parks & Recreation

- Basketball
    - Season concluded on 2/28
    - All-Stars:
        - 8U – Western District Runner-up
        - 10U – Western District Runner-up
        - 12U – Eliminated in the first round
- Spring Baseball/Softball
    - 662 participants – another record number

    - All practices started the week of 3/6 at ESSC & PD Terry City Park
- 55+
    - Pickleball at the Activities Center every Wednesday from 1-4 p.m.
    - Half-day luncheon trip to Travelers Rest on 4/20
    - Trip to the Statehouse in Columbia on 6/15

Planning & Development

- February 2023 Building & Codes
    - 81 permits issued with a total valuation of $15,805,968
    - 443 inspections
    - 136 residential plan reviews; 6 commercial plan reviews
    - 24 certificates of occupancy issued
- Comprehensive Plan (INNvision) update
    - Steering Committee meeting #2 to be held on 3/30 at 5:15 p.m.
    - Survey is being finalized and will be released to the public shortly
    - https://www.fountaininn.org/311/INNvision-Comprehensive-Plan is the project webpage; additional information will be added as the project progresses

Fire

- 177 calls for service
- Chief Alexander graduated from the UNC-Charlotte Fire Management Leadership Institute
- New bunker gear order is being placed
- New uniforms fitting has been scheduled

Police

- 3rd Annual Superhero 5K Run to be held on 4/19 at 8:00 a.m.
    - Proceeds to benefit The Little White House, a local non-profit organization dedicated to creating a safe and loving place for children on the autism spectrum
- 24th Annual Golf Tournament to be held on 5/24 with a shotgun start at 12:00 p.m. at Carolina Spring Country Club
- Have requested South Carolina Law Enforcement Accreditation (SCLEA) to perform their on-site accreditation assessment
    - Previously completed the self-assessment; mock phase & visit; and have completed corrections from the mock on-site visit

Chamber of Commerce

- Annual Membership Dinner on 3/16 at the Activities Center
  - Lt. Governor Pamela Evette will be the Guest of Honor
- Taste INN on 5/4 on Depot Street
- Hosting a monthly Business Before/After Hours and First Fridays for Nonprofit Organizations
  - Go to https://www.fountaininnchamber.org/ for details

Younts Center

- Departure: The Journey Tribute Band
  - April 1 at 7:30 p.m.
- The Kingsmen
  - April 14 at 7:30 p.m.

History Museum

- Remembering Golden Strip Speedway Exhibit
  - April 18 – July 29

February 2023 Council Report

Website
by the Numbers

Sessions

#22.6K

Top Metrics

16.8K Users

51.9% Bounce Rate

00:01:24 Average Session Duration

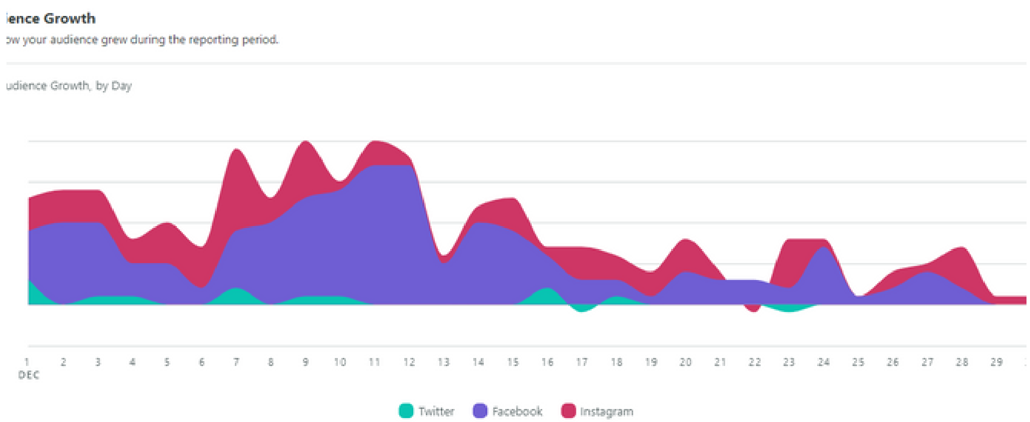
Social Connection

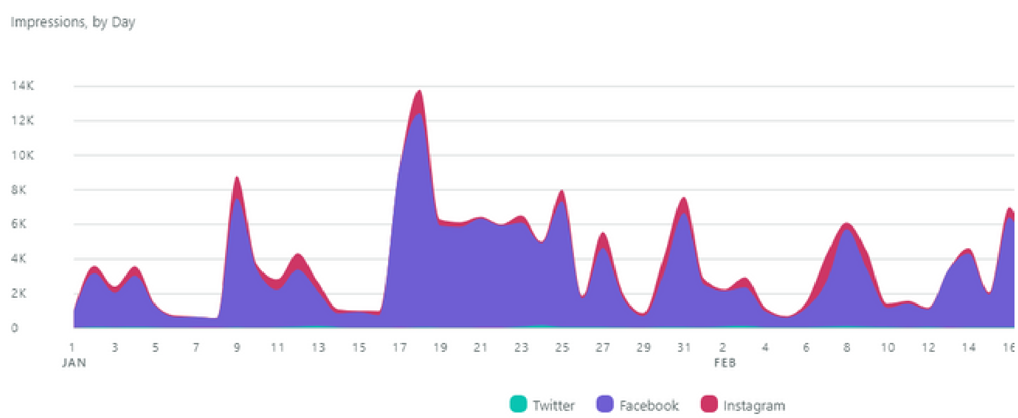
Impressions

237,109

Engagements

19,407





February Numbers

Impressions

109,400

Engagements

9,282

Post Clicks

709

Fountain Inn in the News

- Historic renovation at Mill in Fountain Inn to include brewery, restaurants, and greenspace. | FOX Carolina | www.foxcarolina.com
- City of Fountain Inn Recognizes Top Employees |Laurens County Buzz | whosonthemove.com
- Fountain Inn City Council Notes: Police get 21% pay increase |Greenville Journal | www.greenvillejournal.com

February 2023 Council Report

Main Street Buildings in Façade Grant Program

#23

1. Swanky Steer
2. Voodoo Brewing
3. Bundle of Joy
4. Longevity Pilates
5. Earthwise
6. Burdette's
7. Ms. Patsy's
8. The Sock Ministry
9. 110 N Main
10. 108 S Main
11. 216 S Main
12. 116 N Main
13. 218 S Main
14. 103 S Main
15. Inn the Attic
16. Carol Cooley CPA
17. Treasure Bay
18. The Clock
19. Abercrombie
20. El Patron
21. Tacos Blah Blah Blah
22. Venus Poe Law
23. 300 S Main St

Total Value of Awarded Grants
$78,377.03

Facade Grant Update

Facades Rendered with Main Street Architect

17

Grant Applications Awarded

7

Renovations

9

Swanky Steer
Voodoo Brewing
Bundle of Joy
Longevity Pilates

Earthwise
103 S Main
Sweet Catherine's
Trade Co
Inn the Attic

Value of Active Main Street Renovations

$4,207,091

Febuary 2023 Council Report

Downtown in February

Visits
#71.1K

Visitors
#42.4K

Visit Frequency 1.91

In 2023

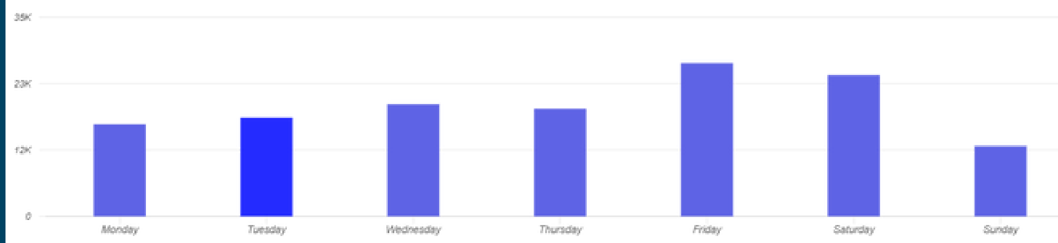
Visits
#136.8k

Visitors
#64.2k

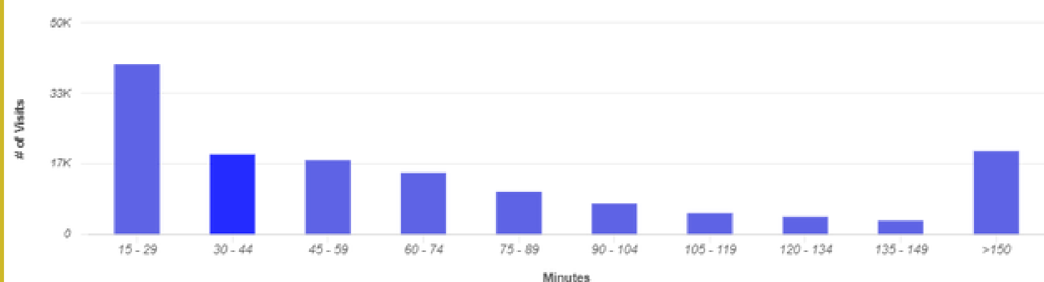
Average Dwell Time
96 Min

Visitor Information

Daily Visits



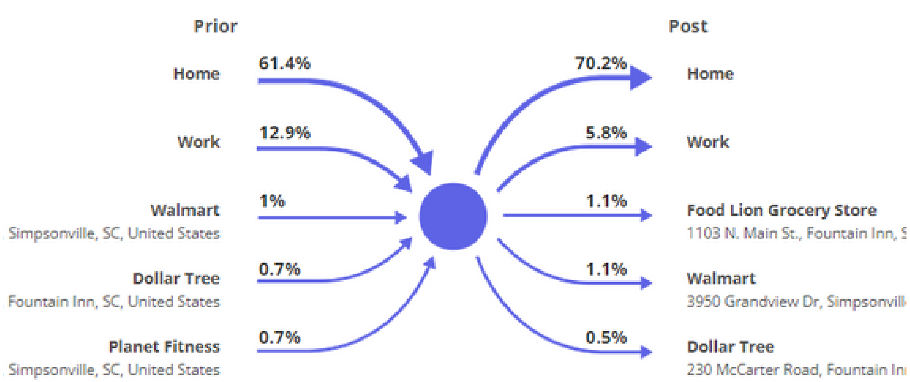
Length of Stay



Visitor's Favorite Places

Name	Distance	Visitors
Fairview Corners I & II / 404 Fairview Rd, Simpsonville, SC 29680	3.4 mi	30.2K (47.1%)
Walmart / 3950 Grandview Dr, Simpsonville, SC 29680	3.3 mi	25.8K (40.1%)
Martin Farm / 704 Fairview Road, Simpsonville, SC 29680	3.5 mi	23.2K (36.2%)
Magnolia Park / 1025 Woodruff Rd, Greenville, SC 29607	11.6 mi	22.9K (35.7%)
Haywood Mall / 700 Haywood Road, Greenville, SC 29607	13.3 mi	19.3K (30%)

Visitor Journey



MAIN STREET FOUNTAIN INN

Febuary 2023 Council Report

Upcoming Events

Mac Arnold Cornbread and Callard Greens Blues Festival/Jeep Jam/Spring Market

- April 15, 12 pm-6 pm
- Mac Arnold and Plate Full of Blues + 3 other bands
- 8 Food Trucks Booked
- Marketing begins March 15
- 35 Vendors at the Spring Market

Italian American Heritage Festival

- April 29th, 12pm-6pm

Sounds Of Summer

- May 19-July 28
- 10 bands contracted 1 pending.

Farmers Market

- May 20 - July 30
- Application open March 13

Juneteenth

- June 17
- First Committee Meeting takes place on April 15

Fireworks Spectacular

- July 1 6pm - Dark
- Cravin Melon Confirmed
- Fireworks Booked

All Kids games are booked for the Spring and Summer

Febuary 2023 Council Report

Website Updates

Completed

Planning and Development
Finance
Redistricting

Easier to understand. More interactive.

In Progress

Public Works

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FIRE – FIRE DEPARTMENT SUMMARY

Summary of Monthly Events

- 177 calls for February
- Multiple trainings completed
- 23% overlapping calls
- Chief Alexander graduated from UNC-C Fire Management Leadership Institute

DEPARTMENT HIGHLIGHTS

Current Projects

- Bunker Gear order is being placed
- Lion is sending a uniform fitting set for new uniforms
- Multiple plan reviews and building surveys are being completed

Upcoming

- Training land being cleared
- Hydrant Maintenance to begin in March
- Made an offer for the Fire Marshal/Training Officer position

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City of Fountain Inn - Human Resources Monthly Report - February 2023

Home Department**	January Headcount	February Hires / Transfers In	February Terms	February Transfers Out	February Headcount	DIVERSITY: Asian	Black or African American	Hispanic or Latino	White	Pacific Islander
000411 / Administration	7	**1**	**1**	0	7	0	1	0	6	0
000412 / Judicial	5	0	0	0	5	0	0	0	4	1
000413 / Council	7	0	0	0	7	0	0	1	6	0
000414 / Special Events	5	0	0	0	5	0	0	0	5	0
000417 / Human Resources	2	0	0	0	2	0	0	1	1	0
000421 / Police	35	0	0	0	35	0	2	1	32	0
000422 / Fire	30	0	0	0	30	0	2	0	28	0
000424 / Public Works	6	0	0	0	6	0	2	0	4	0
000425 / Planning & Development	3	0	**1**	0	2	0	0	0	2	0
000431 / Streets & Grounds	3	0	0	0	3	0	2	0	1	0
000432 / Sanitation	9	0	0	0	9	0	3	0	6	0
000434 / Sewer	4	**1**	0	0	5	0	0	0	5	0
000451 / Recreation	36	**1**	0	0	37	0	10	0	27	0
000453 / Facilities Maintenance	2	0	0	0	2	0	0	0	2	0
000510 / Gas Billing	4	**1**	0	0	5	0	1	0	4	0
000510 / Gas Field	18	0	0	0	18	0	0	1	17	0
Totals:	**176**	**4**	**2**	**0**	**178**	**0**	**23**	**4**	**150**	**1**

**Based on Home Departments

FULL TIME 138 / PART TIME 40

Recruitment Status

411 Administration/Finance: Staff Accountant (1) Vacancy; posted & reviewing applications

411/510 Gas Billing: Customer Service Representative (1) Vacancy; (*currently filled by a temporary employee*)

414 Community Relations: Director of Community Relations (1) Vacancy; **[recruitment under review]**

421 Police: Patrol Officer (6) Vacancies; **2 OFFERS ACCEPTED; 3 OFFERS PENDING ACCEPTANCE (recruiting until filled)**

421/422 Dispatch: Dispatcher (1) Vacancy; Interview process underway

422 Fire: Fire Marshal/Training Officer (1) Vacancy; **OFFER ACCEPTED**

425 Planning & Development: Planning & Development Manager (1) Vacancy; Interview process underway

431 Street & Grounds: Maintenance Worker I (1) Vacancy; posted & reviewing applications

432 Sanitation: CDL Driver (1) Vacancy; posted & reviewing Applications

434 Sewer: Sewer/Stormwater Technician (1) Vacancy; posted & reviewing applications

451 Recreation: Part-time support for growing programming; campaign pending

February HIRES:

Name	Department	Title
French, Erica Jane	FINANCE	Billing Specialist
Hindman, Jessica Lynn	FINANCE	Business License Specialist
Sheltz, Brian Keith	SEWER	Sewer/Stormwater Maintenance Technician
Rosemond, Dale Erron	RECREATION	Sports Official

UPCOMING EVENTS:

Month	Event
MAR	PEBA Preventative Health Screening
MAR	Final Employee Performance Appraisal Mtgs

Planning and Development Department
Monthly Report
February 2023

PLANNING & ZONING DIVISION ACTIVITY

Comprehensive Plan Project Update

The Steering Committee will meet on March 30, 2023, at 5:15p. To stay Inn the know related to this project please visit our website. We are looking forward to future public engagement session in the local churches and schools.

Annexations and Rezoning Activity Summary

DOCKET NUMBER: FI-2023-002
APPLICANT: LUIS TABARES
LOCATION: PUTMAN ROAD
REQUEST: REZONE TO R-M, RESIDENTIAL MULTIFAMILY
TAX MAP: 904-05-01-001
APPROVED

DOCKET NUMBER: FI-2023-003
APPLICANT: TELLUS, LLC
LOCATION: 108/110 NASH STREET
REQUEST: REZONE TO C-2, COMMERCIAL DISTRICT
TAX MAP: 0350000100404, 0350000100403
APPROVED

DOCKET NUMBER: FI-2023-004
APPLICANT: TELLUS, LLC
LOCATION: HUNTER ROAD
REQUEST: ANNEX, REZONE TO R-15 RESIDENTIAL
TAX MAP: P/O 0555020101000
APPROVED

DOCKET NUMBER: FI-2023-005
APPLICANT: JAKE DICKENS
LOCATION: 407 NORTH MAIN STREET
REQUEST: REZONE TO FRD, FLEXIBLE REVIEW DISTRICT
TAX MAP: 0344000200600
TABLED

DOCKET NUMBER: FI-2022-036 SAC
APPLICANT: DORAN COMPANIES, LLC
LOCATION: 110 LAYFAYETTE AVENUE
REQUEST: SAC REPORT APPROVAL
TAX MAP: 0556010100400
APPROVED WITH CONDITIONS

Board of Zoning Appeals

The Fountain Inn Board of Zoning Appeals upcoming meetings: **March 21, 2023**

FI-2022-038BZA PUBLIC HEARING
Request: Variance from Dimensional Requirements (front, side setback)
5:12.5. DIMENSIONAL REQUIREMENTS
Tax Map: 0350000100408
303 McCarter Road

Planning and Development Department
Monthly Report
February 2023

BUILDING AND CODES DIVISION

INSPECTIONS	CURRENT	LAST MONTH	LAST YEAR
ALL CONSTRUCTION	443	393	x
REINSPECTIONS	5	5	x
SAFETY INSPECTIONS	0	0	x
COMPLAINT INSPECTIONS	0	0	x
TOTAL INSPECTIONS	443	393	x
PERMITS			
PERMITS ISSUED	81	37	x
NEW SINGLE FAMILY	59	12	x
NEW MULTI-FAMILY (UNITS)	0	0	x
NEW COMMERCIAL	1	4	x
CERTIFICATES OF OCCUPANCY -ISSUED	24	25	x
REMODEL/ADD. RESIDENTIAL	4	6	x
REMODEL/ADD. COMMERCIAL	0	0	x
SIGN/ROOFING/SOLAR/MISC TRADE	17	15	x
PLAN REVIEWS			
COMMERCIAL PLAN REVIEWS	6	4	x
RESIDENTIAL PLAN REVIEWS	136	47	x

CODE COMPLIANCE

BUILDING CODE COMPLAINTS	CURRE NT	LAST MONTH	LAST YEAR
OPEN COMPLAINTS	5	6	x
PENDING INSPECTION	0	0	x
RESOLVED COMPLAINTS	3	8	x
PENDING COURT	1	1	x
TOTAL COMPLAINTS	9	15	x
ACTIVE COMPLAINTS BY TYPE			
BUILDING – UNSAFE CONDITIONS	2	2	x
POTHOLES AND ROADS	1	0	x
NOISE AND ANIMAL CONTROL	2	0	x
PROPERTY MAINTENANCE	1	1	x
VEHICLES/OTHER	2	-	x

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DEPARTMENT HIGHLIGHTS

Financial Summary

FINANCIAL STATISTICS	CURRENT	LAST MONTH	LAST YEAR
TOTAL VALUATION	$15,805,968	$8,292,815	X
TOTAL PERMIT FEES	$28,148	$17,929	X
TOTAL PLAN REVIEW REVENUE	$13,585	$20,167	X
CONTRACTED BUILDING SERVICES	$ 0 *	$22,018	x

**SAFEbuilt – invoice has not been received for this month. Last month's total has been updated to reflect the total amount paid to SafeBuilt for January 2023 services.*

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POLICE DEPARTMENT

Crimes Against Property

Burglary	**February**	**YTD**	
Total:	**3**	**15**	**February Clearance Rate 0%**
Active	3	6	**YTD Clearance Rate 7%**
Administratively Closed	0	8	
Cleared By Arrest	0	1	
Exceptionally Cleared	0	0	
Unfounded	0	0	

Includes 7 from January that were Active, now Adm.Closed

Larceny	**YTD**	**YTD**	
Total:	**12**	**32**	**February Clearance Rate 25%**
Active	4	17	**YTD Clearance Rate 13%**
Administratively Closed	5	11	
Cleared By Arrest	0	1	
Exceptionally Cleared	0	0	
Unfounded	3	3	

Motor Vehicle Theft	**YTD**	**YTD**	
Total:	**0**	**2**	**February Clearance N/A**
Active	0	0	**YTD Clearance Rate 50%**
Administratively Closed	0	1	
Cleared By Arrest	0	0	
Exceptionally Cleared	0	0	
Unfounded	0	1	

Includes 1 from January that was Active, now Adm.Closed

Property Value	**YTD**	**YTD**	
Grand/Petit Larceny/Fraud	$144,948.00	$191,699.00	
Cleared/Recovered	$ 48,000.00	$ 70,130.00	*Includes $18,130 from January*

	YTD	**YTD**	
Total Calls for Service	1129	2441	
Business/Security Checks	9,632	21,587	
Number of Reports Written	233	468	*Includes 1 from January, not submitted*

Assault & Battery (Simple)	February	YTD	
Total:	**6**	**16**	**February Clearance Rate 83%**
Active	1	1	**YTD Clearance Rate 75%**
Administratively Closed	0	3	
Cleared by Arrest	3	7	
Exceptionally Cleared	2	4	
Unfounded	0	1	

Includes 1 from January that was Active, now Adm.Closed

Includes 1 from January that was Adm.Closed, now Arrested(1)

Aggravated Assault	February	YTD	
Total:	**1**	**4**	**February Clearance Rate 0%**
Active	1	2	**YTD Clearance Rate 25%**
Administratively Closed	0	1	
Cleared by Arrest	0	1	
Exceptionally Cleared	0	0	
Unfounded	0	0	

Domestic Violence	February	YTD	
Total:	**6**	**10**	**February Clearance Rate 100%**
Active	0	0	**YTD Clearance Rate 100%**
Administratively Closed	0	0	
Cleared by Arrest	5	9	
Exceptionally Cleared	1	1	
Unfounded	0	0	

Icludes 1 from January that was Adm.Closed, now Arrested(1)

Robbery	February	YTD	
Total:	**1**	**1**	**February Clearance Rate 0%**
Active	1	1	**YTD Clearance Rate 0%**
Administratively Closed	0	0	
Cleared by Arrest	0	0	
Exceptionally Cleared	0	0	
Unfounded	0	0	

Murder	February	YTD	
Total	**0**	**0**	**February Clearance Rate N/A**
Active	0	0	**YTD Clearance Rate N/A**
Administratively Closed	0	0	
Cleared by Arrest	0	0	
Exceptionally Cleared	0	0	
Unfounded	0	0	

Traffic

	February	YTD
Citations	105	215
Warnings	111	219
Accidents	32	49
Accidents/Private Property	5	15
Driving Under Influence 1st Offense	1	3
Driving Under Influence 2nd Offense	0	0
Driving Under Influence 3rd Offense+	0	0
Driving Under Suspension 1st Offense	7	15
Driving Under Suspension 2nd Offense	2	4
Driving Under Suspension 3rd Offense+	0	4
Fail to Stop for Blue Light	0	2

Narcotics Violations

	February	YTD
Marijuana		
Simple Possession	3	9
Possession W/Intent to Distribute	2	2
PWID w/i 1/2 mile of School	1	1
Cocaine		
Possession	0	0
Possession W/Intent to Distribute	0	1
PWID w/i 1/2 mile of School	0	1
Methamphetamine		
Possession	1	1
Possession W/Intent to Distribute	0	3
PWID w/i 1/2 mile of School	0	1
Distribution	1	1
Controlled Substance		
Possession	1	1

Public Works – February 2023 Council Report

Work Orders

PERFORMANCE INDICATORS	CURRENT	Y-T-D	PRIOR YEAR
Animal Control	1	1	16
Facilities Maintenance	9	13	88
Sanitation	31	71	336
Streets and Grounds	5	17	53
Utilities	5	9	22

DEPARTMENT HIGHLIGHTS

Current Projects

- **Utilities Complex**. Working diligently to get the pad poured but rain continues to be an issue. Pad sub-contractor on site and pad area has been rocked and packed. Hope to have pad poured in next two weeks, weather permitting.
- **Interstate Signage**. Still awaiting encroachment permit to be approved for SCDOT. Touched base with SCDOT and requested to have our permit reviewed soonest.
- **Main Street, Street Scape**. Have received cost estimates from COTRANSCO. Estimated prices was $6,819,294. Was advised to wait due to a projection of additional funding being received by GLDTC. Will submit for GLDTC grant cone additional funding is received.
- **Woodside Street Scape**. Project has been redesigned with additives 1 and 2 to give more options to the project. Last bid came in over bid by $565,746. New plans currently with SCDOT for project routing.
- **Woodside Connector**. Awaiting let date from SCDOT. According to SCDOT flow charts, the project will start roughly November 2023.
- **Sanctified Hill Park**. Fencing around court has been constructed. Play ground pieces will be received the week of 27 Feb 23. The project will start to move quickly until completion in April 2023.
- **Fairview Basketball Court.** Contract has been reviewed and submitted to contractor, Sossoman Construction. Contractor is same team that is doing Sanctified Hill Park renovation.
- **Security Camera System**. New security camera system has been installed at City Hall. The next building to receive the new system will be the Police station. Sanctified Hill and the new Utility Complex will also be addressed before construction completion.
- **Emanual Sullivan ADA Bathroom.** GCRA signed a contract with Satchel Construction on 1 March 23 for the ADA bathroom. Project exceeded budget by $211,227 and GCRA has fronted our CBDG funds for the next cycles to bridge the shortage. Next steps are signed contract and preconstruction meeting.

FOUNTAIN INN
est 1886

Recreation Department
Monthly Report
March 2023

RECREATION – DEPARTMENT SUMMARY

SPORTS / UPCOMING EVENTS:
Youth Basketball – Regular season wrapped up 2/28. Great season! All-Stars: 8U Western District Runner-up 10U Western District Runner-up 12U eliminated first round
Spring Baseball / Softball Registration: Another record number of Spring Baseball / Softball participants: 662. Does "another record number" ever get old?? Nope 😊 However, it creates challenges every year to get all kids and coaches accommodated with a reasonable practice timeslot. We implemented 5:45, 6:45, and 7:45 timeslots to accommodate the growth. All practices start the week of 3/6 at ESSC and City Park 8U – 13U Softball Evaluations – 3/1 at 6pm at ESSC 8U - 14U Baseball Evaluations had to be moved indoors to the Activities Center on 3/2 due to inclement weather.
SENIOR ADULT PROGRAM / ACTIVITIES:
Exercise class schedule: Monday from 8:30 – 9:15am (Group Fit 2 Medium level Aerobics with weights & bands) Wednesday/Friday from 8:30 – 9:15am (Group Fit 3 High Aerobics with weight & bands/ Group Fit 2) Tuesday/Thursday from 10:30 – 11:15am (Group Fit 1 Low level seated, Arthritis – no weights or bands)
Senior Bingo – 3/14
Pickle Ball continues to be held at the Activities Center on Wednesday from 1-4pm
Chair Yoga is scheduled on Mondays at 10:45 & Floor Yoga on Wednesdays at 10:45 in Community Room
Tai'Chi Chih with Adabelle on Mondays from 9:30 – 10:30 in Community Room
SCHEDULED RENTALS: **March 4 – Adult Birthday Party – Community Room 2pm – 11pm** **March 5 – Rec Basketball Banquet – Community Room 4pm – 7pm**

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: Providing for (A) the creation and establishment of election districts for the election of a governing body of the City of Fountain Inn, South Carolina, as provided for in South Carolina Code annotated sections 5-15-20 and 5-15-50, and contemplated by Chapter 8 of the Fountain Inn City Code, 1992, based on the 2020 decennial census; and (B) other related matters.

Summary Background: Redistricting is the process of redrawing the lines of districts from which public officials are elected. It typically takes place after each census (2020) to accommodate population changes over the previous decade. S.C. Code of Laws §4-9-90 requires municipalities to redistrict within a reasonable time prior to the next general election following the federal decennial census.

South Carolina Revenue and Fiscal Affairs (RFA) Office staff presented the City of Fountain Inn with a 2020 Redistricting Benchmark Report dated November 3, 2021 indicating a deviation range of 45.97% (RFA recommends a deviation range of 5%). RFA presented this report at the December 9, 2021 City Council meeting where City Council adopted Resolution 2021-11 adopting the criteria to be used in developing the Redistricting Plan.

In 2022, RFA provided the City with some updated benchmark data indicating the deviation range was 61.71%. Using the updated benchmark data, RFA then provided the City of Fountain Inn with a redrawn ward map (Draft 1) indicating a deviation range of 2.61%. Upon staff and Council review, one slight change was proposed to RFA and the City received an updated ward map (the one being considered for adoption today) indicating a range deviation of 3.78%.

Impact If Denied: Council would need to provide RFA with proposed changes as soon as possible for there to be enough time to adopt a new ward map prior to election filing.

Impact If Approved: The new Council ward map would be in place prior to the City of Fountain Inn's next election filing period (July 17, 2023 – August 15, 2023).

Financial Impact: Not applicable.

CITY OF FOUNTAIN INN, SOUTH CAROLINA
ORDINANCE 2023-4

PROVIDING FOR (A) THE CREATION AND ESTABLISHMENT OF ELECTION DISTRICTS FOR THE ELECTION OF A GOVERNING BODY OF THE CITY OF FOUNTAIN INN, SOUTH CAROLINA, AS PROVIDED FOR IN SOUTH CAROLINA CODE ANNOTATED SECTIONS 5-15-20 AND 5-15-50, AND CONTEMPLATED BY CHAPTER 8 OF THE FOUNTAIN INN CITY CODE, 1992, BASED ON THE 2020 DECENNIAL CENSUS; AND (B) OTHER RELATED MATTERS.

WHEREAS, pursuant to South Carolina Code Annotated section 5-15-10, *et seq.*, specifically, section 5-15-20 and section 5-15-50, and chapter 8 of the Fountain Inn City Code, 1992, the City of Fountain Inn City Council is required to set all voting wards for the election of its council members;

WHEREAS, the City Council intends to comply with the 1965 United States Voting Rights Act, as amended;

WHEREAS, the City Council has considered the information set forth in the 2020 Decennial Census, which is attached as Exhibit A to this Ordinance ("2020 Census Information");

WHEREAS, the City Council has held a public hearing, considered all comments and all appropriate criteria for reapportioning districts; and

WHEREAS, the City Council has determined that the redistricting plan, which has been reviewed and recommended by the South Carolina Revenue and Fiscal Affairs Office and which is attached as Exhibit B to this Ordinance ("Redistricting Plan"), most fully complies with the criteria set forth above as considered and reviewed by the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council, duly assembled, based on the information described in the recitals above and in the 2020 Census Information (Exhibit A), that there are hereby created and established a district for each member of City Council, and a single City-wide district for the Mayor, all of which is consistent with the current councilmember district plan for the City Council. The council districts are more fully delineated and depicted on the Redistricting Plan (Exhibit B).

The Mayor, and the City Clerk, for and on behalf of the City, are each authorized and directed to do any and all things reasonably necessary and prudent to affect this Ordinance's intent.

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

This Ordinance is effective immediately on enactment by City Council.

[ONE SIGNATURE PAGE AND TWO EXHIBITS FOLLOWS]
[REMAINDER OF PAGE INTENTIONALLY BLANK]

CITY OF FOUNTAIN INN, SOUTH CAROLINA

____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

____
Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading:	March 9, 2023
Second Reading / Final Approval:	April 13, 2023

EXHIBIT A

2020 CENSUS INFORMATION

2020 REDISTRICTING BENCHMARK REPORT

CITY OF FOUNTAIN INN

REPORT PREPARED BY:

South Carolina Revenue and Fiscal Affairs
Rembert Dennis Building, Room 419
1000 Assembly Street
Columbia, South Carolina 29201
(803)-734-3793
www.rfa.sc.gov

November 3, 2021

REDISTRICTING REPORT 2020
PRESENTED TO: CITY OF FOUNTAIN INN

The South Carolina Revenue and Fiscal Affairs Office (RFA) has prepared the following analysis and accompanying maps regarding the redistricting for the City of Fountain Inn Council.

RFA strives to release data that is complete, accurate, and useful. However, we ask that you notify us, either by email (redistricting@rfa.sc.gov) or phone (803-734-3793), of any discrepancies.

ITEMS TO NOTE PRIOR TO REVIEWING THIS REPORT:

- The 2020 Census presents new challenges regarding redistricting as the data below the state level will be affected by the U.S. Census Bureau's efforts with respect to differential privacy. The Bureau has stated that the total population in each state will be "as enumerated," but that all other levels of geography could have some variance from the raw data. This variance is referred to by the Census Bureau as "injecting noise" into the data and is an attempt to improve privacy. The bureau has indicated that no "noise" will be injected into the state total population, but it is likely that noise will be injected for every other level of geography. More noise is injected as the geography levels get smaller. In other words, population counts at the county, city, or block level may not be "as enumerated".
- Race is defined following the guidance provided in OMB Bulletin No. 00-02 which allocates population counts of a "minority race and white" category to the minority race. In Tables 2 and 3, NH DOJ Black is the sum of Non-Hispanic Black and Non-Hispanic Black and White as recommended by the Department of Justice (DOJ).

Considerations for Preliminary Plan:

In developing a preliminary plan, RFA recommends following constitutional and statutory provisions:

- The requirement of “one person, one vote” under the Equal Protection Clause of the 14th Amendment and accepted variances.
- The Voting Rights Act, primarily Section 2, which protects the interest of the racial minority population.
- Other applicable court decisions and federal and state law.

Further, RFA recommends the following set of traditional redistricting principles be considered:

- Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
- Districts or wards will be drawn to minimize the division of voting precincts.
- Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
- Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.

2020 Census Benchmark Report

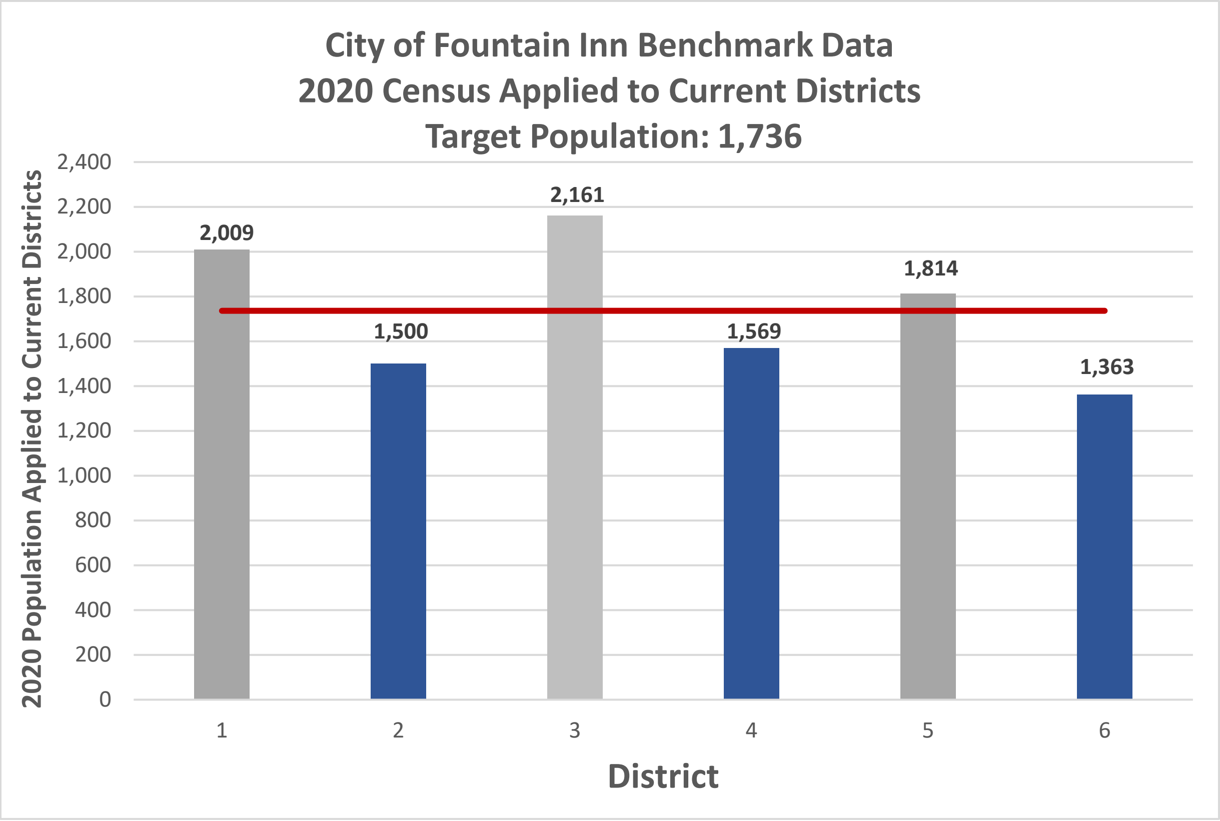
The population of the City of Fountain Inn has increased 33.6% from 7,799 to 10,416. As a result, the ideal district changed from 1,300 to 1,736. The Benchmark Report noted a deviation range of 45.97% (the sum of the highest deviation, 24.48%, and the absolute value of the lowest deviation |-21.49%|) which is above the maximum range of 10%. RFA recommends a deviation range of 5%.

The following table and chart show which districts are (under-) or over-populated indicating potential adjustments needed to be within the allowable deviation range.

TABLE 1: 2020 CENSUS COUNTS APPLIED TO CURRENT DISTRICTS

District	2020 Census	Goal	Over/(Under)	% Deviation
1	2,009	1,736	273	15.73%
2	1,500	1,736	(236)	-13.59%
3	2,161	1,736	425	24.48%
4	1,569	1,736	(167)	-9.62%
5	1,814	1,736	78	4.49%
6	1,363	1,736	(373)	-21.49%
Lowest	-21.49%			
Highest	24.48%			
Range	45.97%			

CHART 1:



MAP 1:

Council District Lines and Addresses of Incumbents

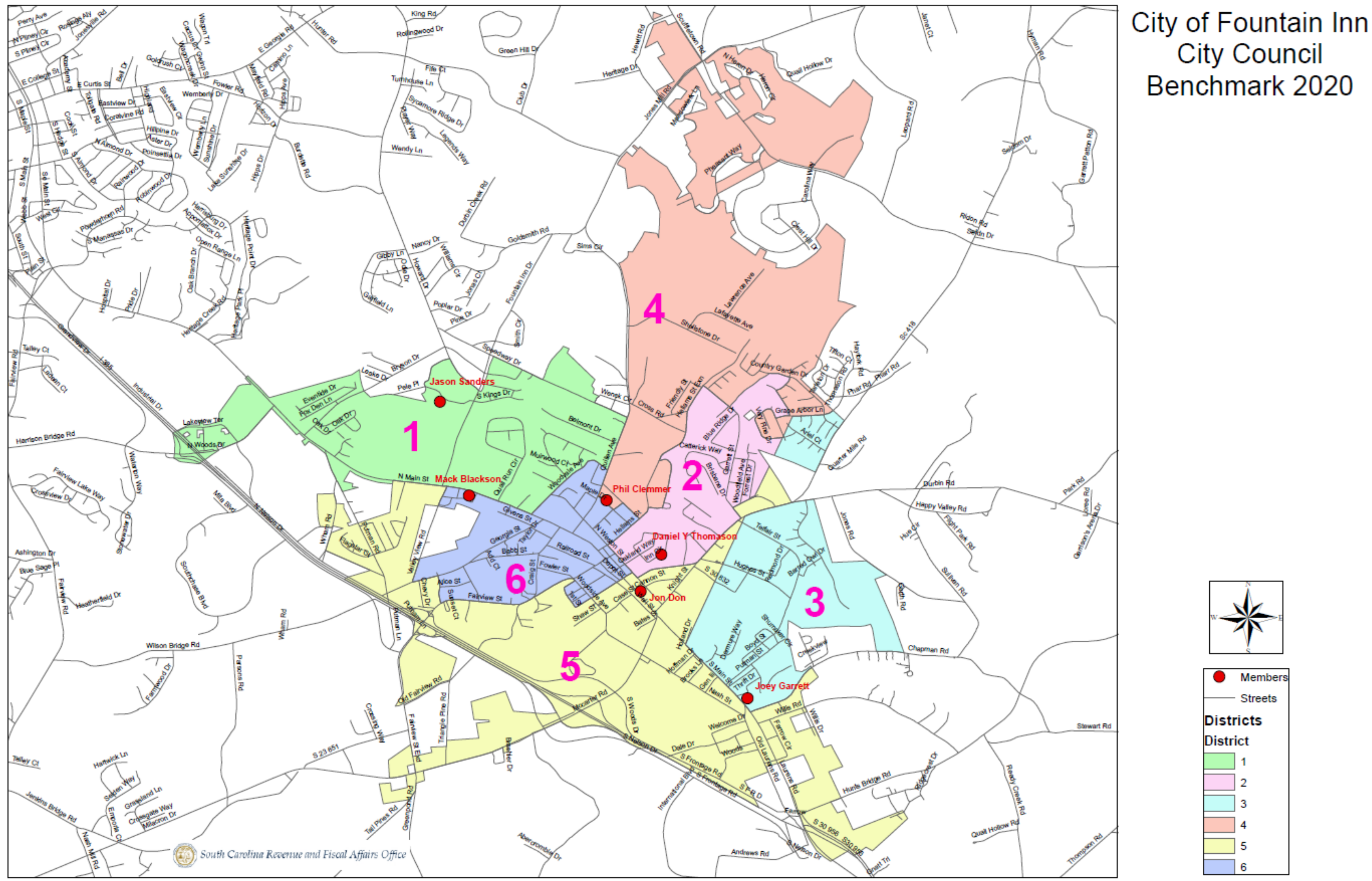


TABLE 2: TOTAL POPULATION BY RACE *RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total	Hispanic	% Hispanic	NH White	% NH White	NH DOJ Black*	% NH DOJ Black	NH Other Race	% NH Other Race
1	2,009	210	10.45%	1,193	59.38%	543	27.03%	63	3.14%
2	1,500	100	6.67%	900	60.00%	463	30.87%	37	2.47%
3	2,161	283	13.10%	911	42.16%	897	41.51%	70	3.24%
4	1,569	141	8.99%	906	57.74%	457	29.13%	65	4.14%
5	1,814	186	10.25%	1,081	59.59%	452	24.92%	95	5.24%
6	1,363	99	7.26%	892	65.44%	310	22.74%	62	4.55%
Total	10,416	1,019	9.78%	5,883	56.48%	3,122	29.97%	392	3.76%

TABLE 3: VOTING AGE POPULATION BY RACE *RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total VAP	Hispanic VAP	% Hispanic VAP	NH White VAP	% NH White VAP	NH DOJ Black* VAP	% NH DOJ Black VAP	NH Other Race VAP	% NH Other Race VAP
1	1,573	140	8.90%	977	62.11%	412	26.19%	44	2.80%
2	1,090	71	6.51%	692	63.49%	311	28.53%	16	1.47%
3	1,545	195	12.62%	700	45.31%	597	38.64%	53	3.43%
4	1,147	89	7.76%	679	59.20%	337	29.38%	42	3.66%
5	1,387	113	8.15%	890	64.17%	315	22.71%	69	4.97%
6	1,044	67	6.42%	727	69.64%	205	19.64%	45	4.31%
Total	7,786	675	8.67%	4,665	59.92%	2,177	27.96%	269	3.45%

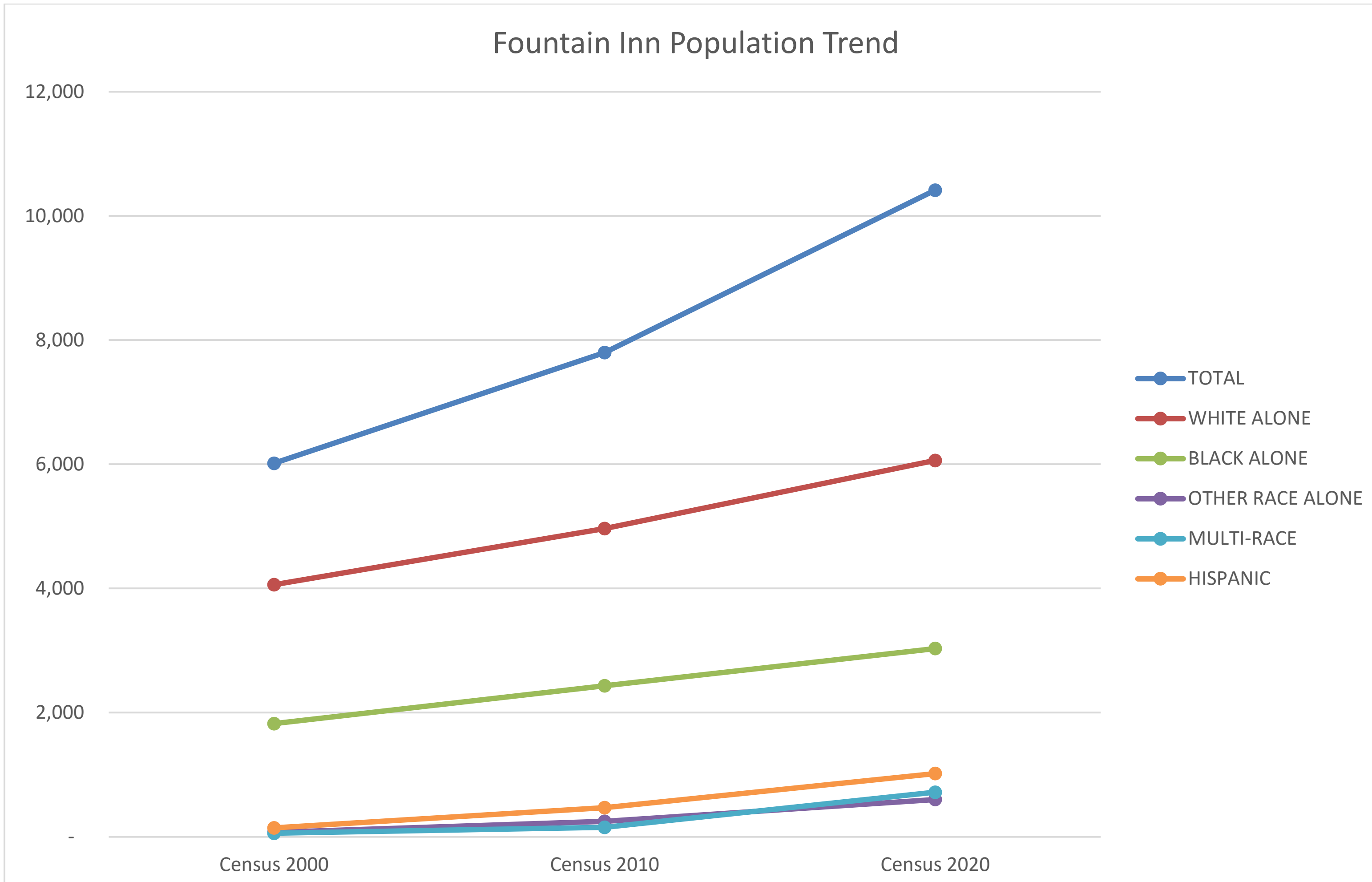
RFA ANALYSIS RESULTS:

Due to data limitations, RFA has not yet completed the voting analysis. If the data becomes available, we will provide the results to Council.

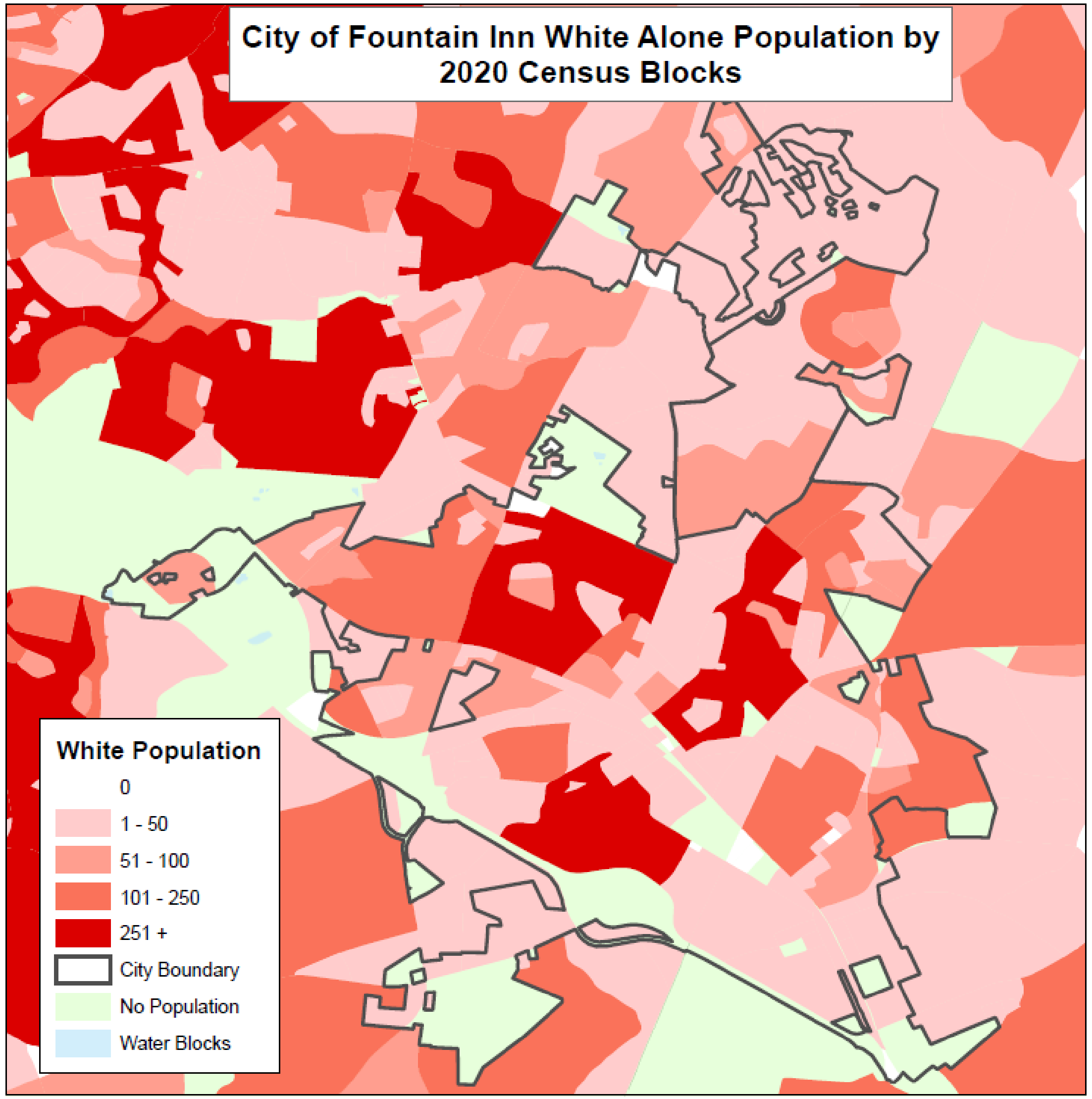
RFA RECOMMENDATIONS:

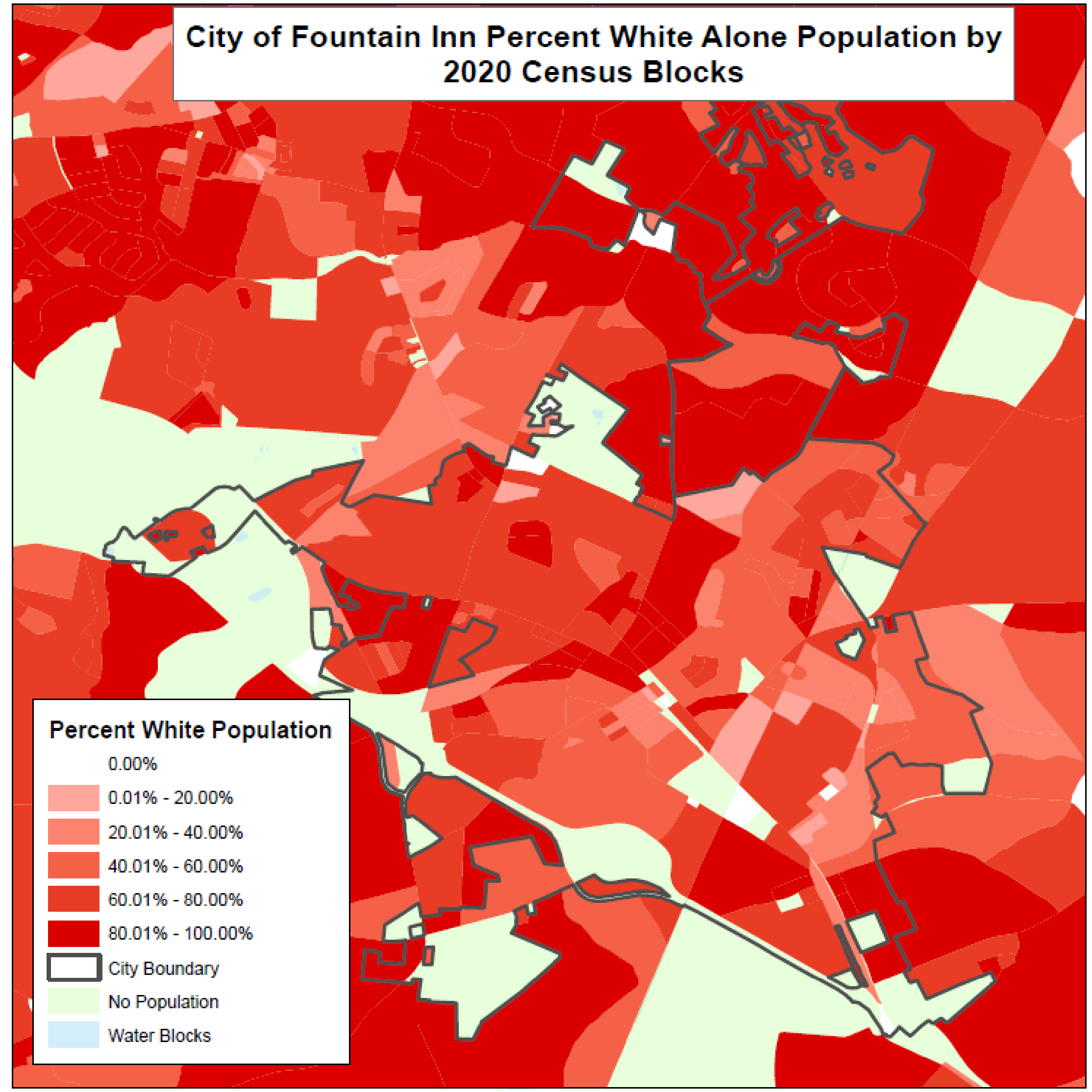
- RFA requests Council conduct a public meeting to discuss this report and solicit feedback from the public.
- RFA recommends Council adopt, through either a resolution or acceptance of this plan, the following traditional redistricting principles:
  - Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
  - Districts or wards will be drawn to minimize the division of voting precincts.
  - Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
  - Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.
  - Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- RFA recommends Council give careful consideration to minority districts for compliance with Section 2 criteria of the Voting Rights Act.
- Because of the potential effects of differential privacy, RFA recommends Council adopt a deviation range of 5%.

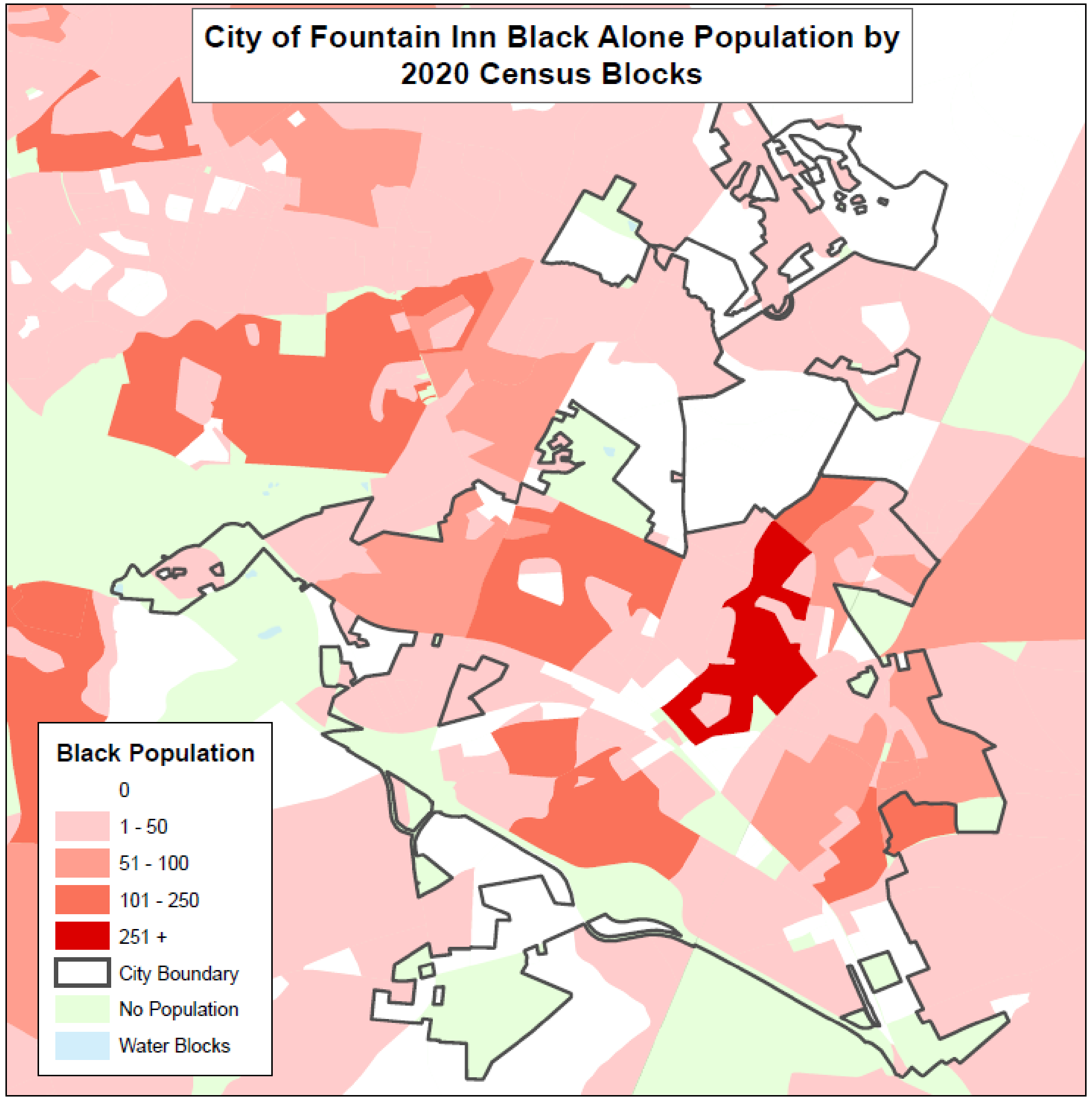
CHART A-1 POPULATION TREND BY SINGLE RACE, 2000 - 2020

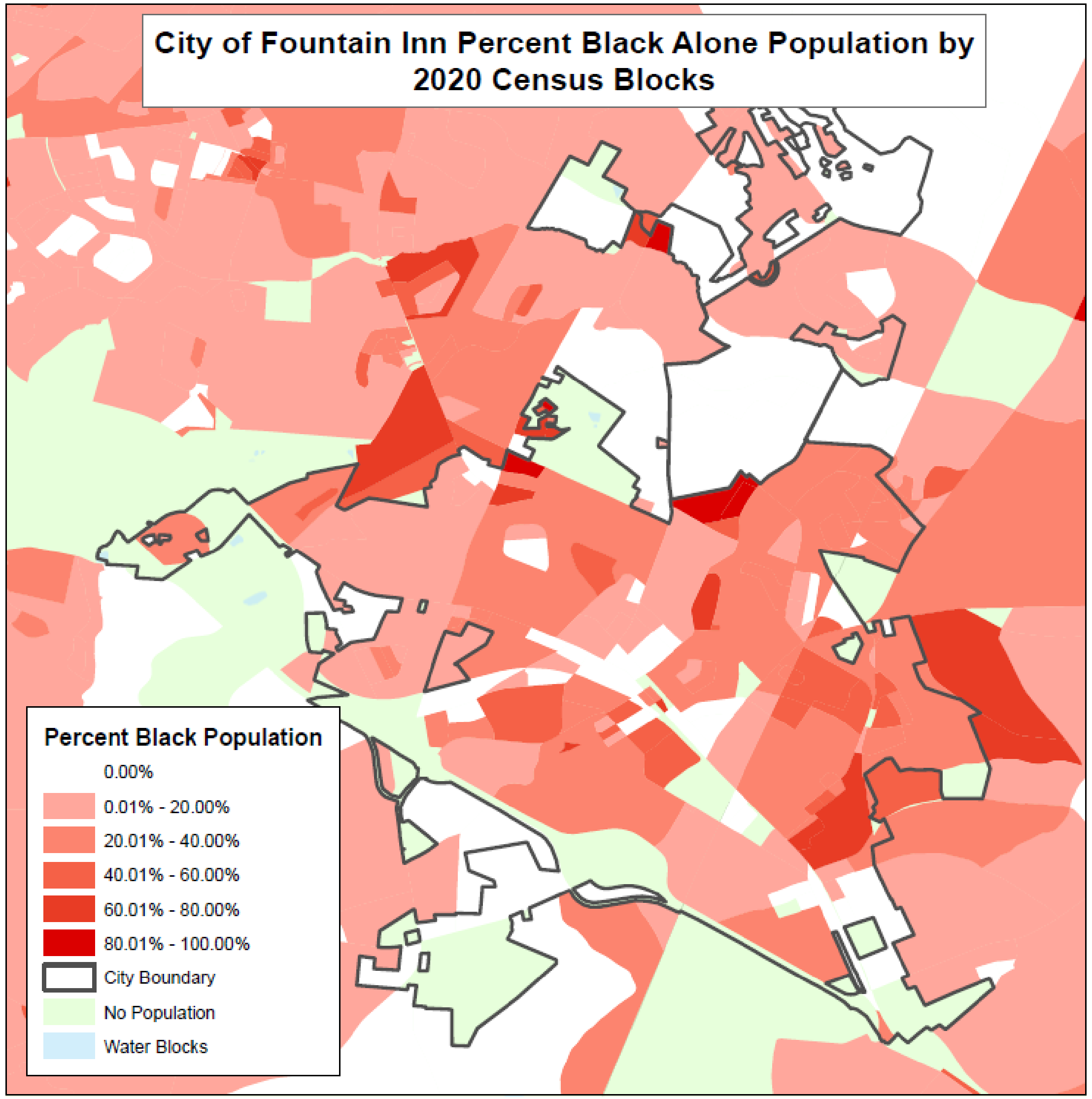


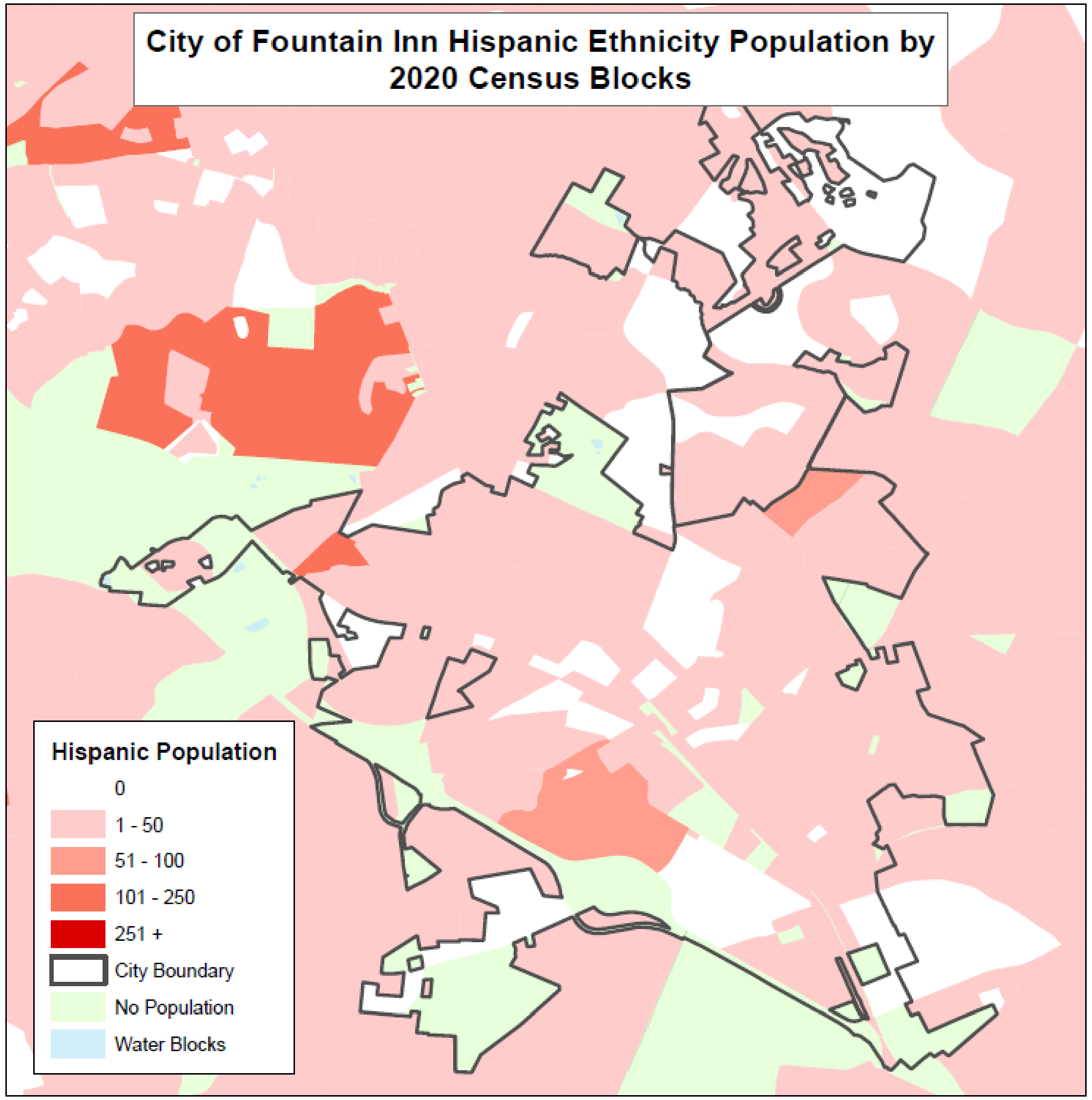
MAPS BY SINGLE RACE CATEGORY - WHITE

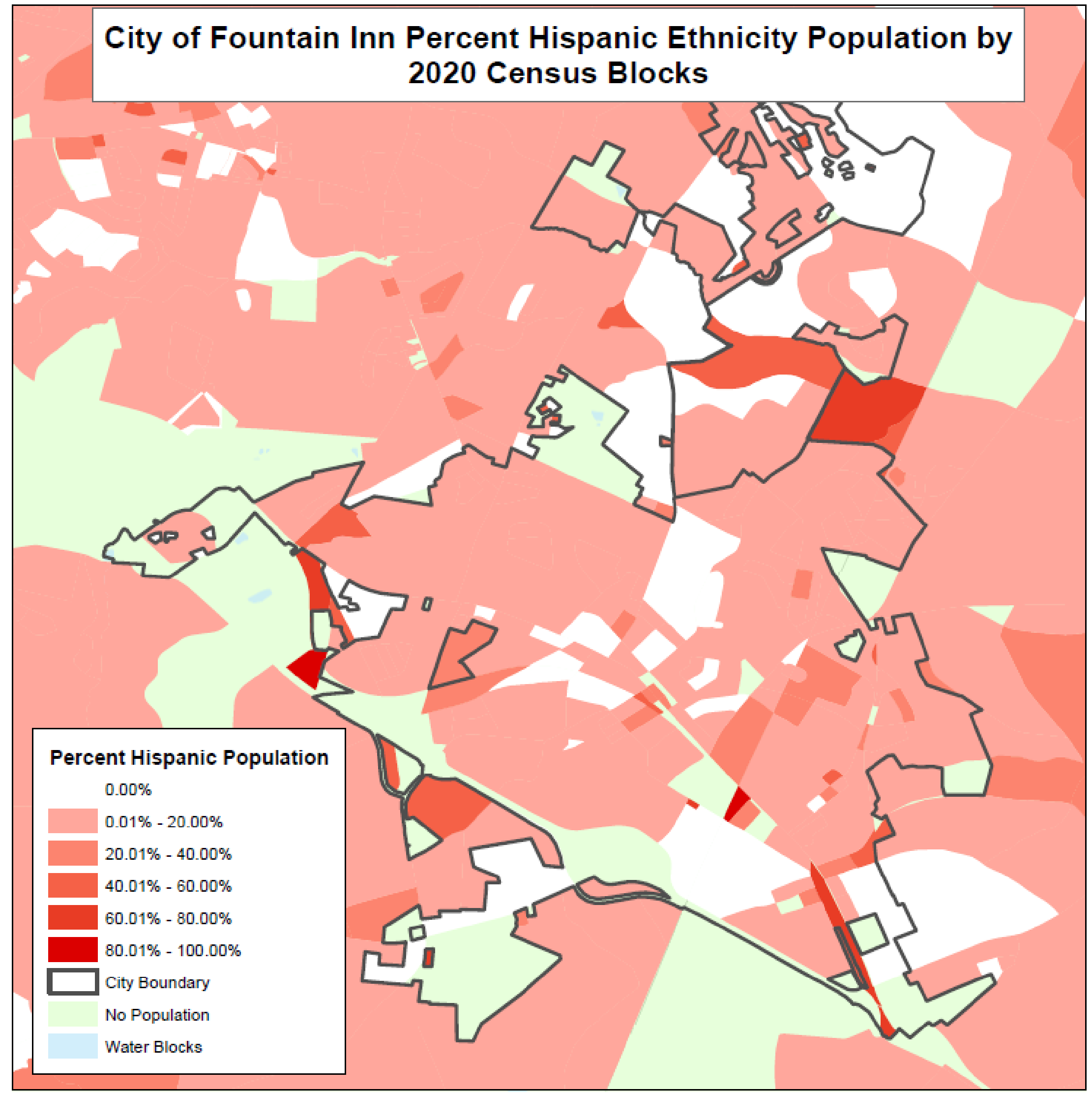




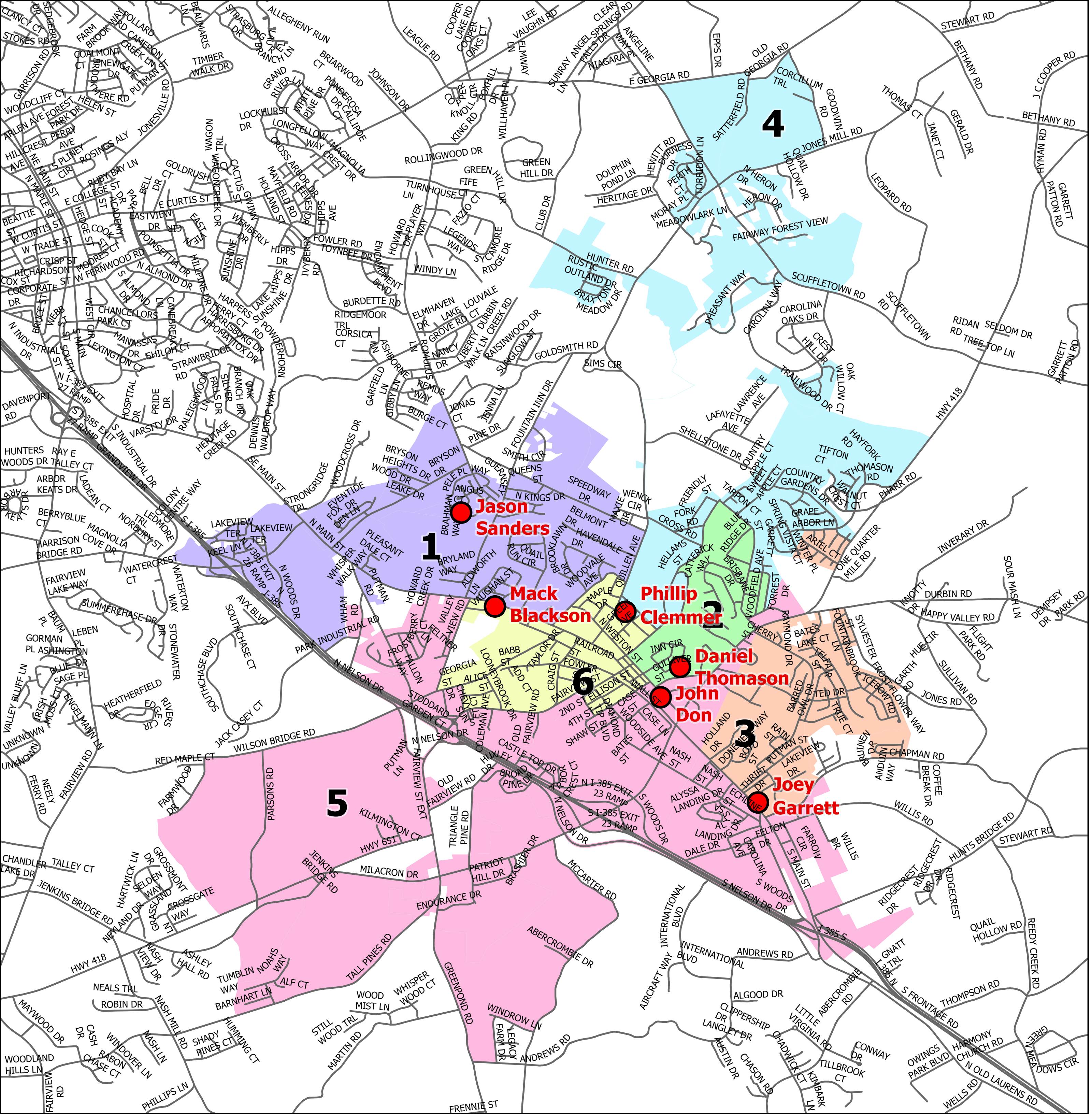

City of Fountain Inn Black Alone Population by 2020 Census Blocks
Black Population
0
1 - 50
51 - 100
101 - 250
251 +
City Boundary
No Population
Water Blocks


City of Fountain Inn Percent Black Alone Population by 2020 Census Blocks
Percent Black Population
0.00%
0.01% - 20.00%
20.01% - 40.00%
40.01% - 60.00%
60.01% - 80.00%
80.01% - 100.00%
City Boundary
No Population
Water Blocks


City of Fountain Inn Hispanic Ethnicity Population by 2020 Census Blocks
Hispanic Population
0
1 - 50
51 - 100
101 - 250
251 +
City Boundary
No Population
Water Blocks


City of Fountain Inn Percent Hispanic Ethnicity Population by 2020 Census Blocks
Percent Hispanic Population
0.00%
0.01% - 20.00%
20.01% - 40.00%
40.01% - 60.00%
60.01% - 80.00%
80.01% - 100.00%
City Boundary
No Population
Water Blocks

City of Fountain Inn City Council Additional Blocks Benchmark



N
W
E
S

Legend

- Members
- Streets

Districts

City_Dist

- 1
- 2
- 3
- 4
- 5
- 6

Fountain Inn **Table 2: Total Population by Race** *Race defined using DOJ definitions. Not Hispanic or Latino is abbreviated as NH

Municipality	District	Total	Hispanic	% Hispanic	NH White	% NH White	NH DOJ Black*	% NH DOJ Black	NH Other Race	% NH Other Race
Fountain Inn	1	2,113	215	10.18%	1,238	58.59%	596	28.21%	64	3.03%
Fountain Inn	2	1,215	81	6.67%	708	58.27%	396	32.59%	30	2.47%
Fountain Inn	3	2,161	283	13.10%	911	42.16%	897	41.51%	70	3.24%
Fountain Inn	4	2,052	179	8.72%	1,243	60.58%	550	26.80%	80	3.90%
Fountain Inn	5	2,375	222	9.35%	1,568	66.02%	481	20.25%	104	4.38%
Fountain Inn	6	1,363	99	7.26%	892	65.44%	310	22.74%	62	4.55%
	Total	11,279	1,079	9.57%	6,560	58.16%	3,230	28.64%	410	3.64%

Table 3: Voting Age Population by Race *Race defined using DOJ definitions. Not Hispanic or Latino is abbreviated

Municipality	District	Total VAP	Hispanic VAP	% Hispanic VAP	NH White VAP	% NH White VAP	NH DOJ Black* VAP	% NH DOJ Black VAP	NH Other Race VAP	% NH Other Race VAP
Fountain Inn	1	1,670	145	8.68%	1,017	60.90%	463	27.72%	45	2.69%
Fountain Inn	2	884	54	6.11%	543	61.43%	272	30.77%	15	1.70%
Fountain Inn	3	1,545	195	12.62%	700	45.31%	597	38.64%	53	3.43%
Fountain Inn	4	1,478	113	7.65%	921	62.31%	395	26.73%	49	3.32%
Fountain Inn	5	1,818	142	7.81%	1,268	69.75%	332	18.26%	76	4.18%
Fountain Inn	6	1,044	67	6.42%	727	69.64%	205	19.64%	45	4.31%
	Total	8,439	716	8.48%	5,176	61.33%	2,264	26.83%	283	3.35%

Row Labels	Sum of total	Sum of Hispanic_O	Sum of NH_WHT	Sum of NH_DOJ_BLK	Sum of NH_OTHER	Sum of VAP_TOTAL	Sum of VAP_HISPAN	Sum of VAP_NH_WHT	Sum of VAP_NH_DOJ	Sum of VAP_NH_OTH
1	2113	215	1238	596	64	1670	145	1017	463	45
2	1215	81	708	396	30	884	54	543	272	15
3	2161	283	911	897	70	1545	195	700	597	53
4	2052	179	1243	550	80	1478	113	921	395	49
5	2375	222	1568	481	104	1818	142	1268	332	76
6	1363	99	892	310	62	1044	67	727	205	45
Grand Total	**11279**	**1079**	**6560**	**3230**	**410**	**8439**	**716**	**5176**	**2264**	**283**

Table 1: 2020 Census Counts Applied to Current Districts

District	2020 Census	Goal	Over/(Under)	% Deviation
1	2,113	1,880	233	12.40%
2	1,215	1,880	(665)	-35.37%
3	2,161	1,880	281	14.96%
4	2,052	1,880	172	9.16%
5	2,375	1,880	495	26.34%
6	1,363	1,880	(517)	-27.49%

Lowest	-35.37%
Highest	26.34%
Range	61.71%

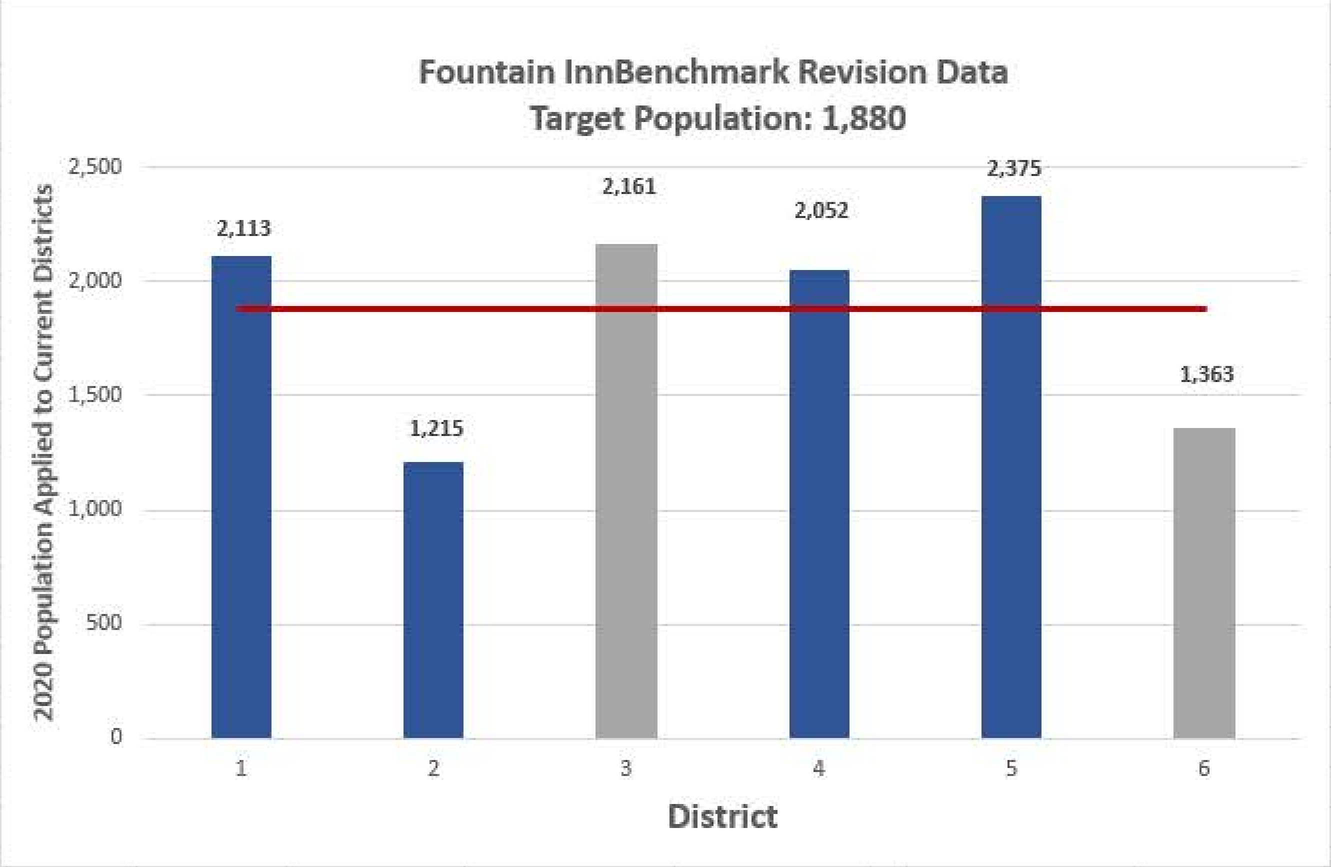
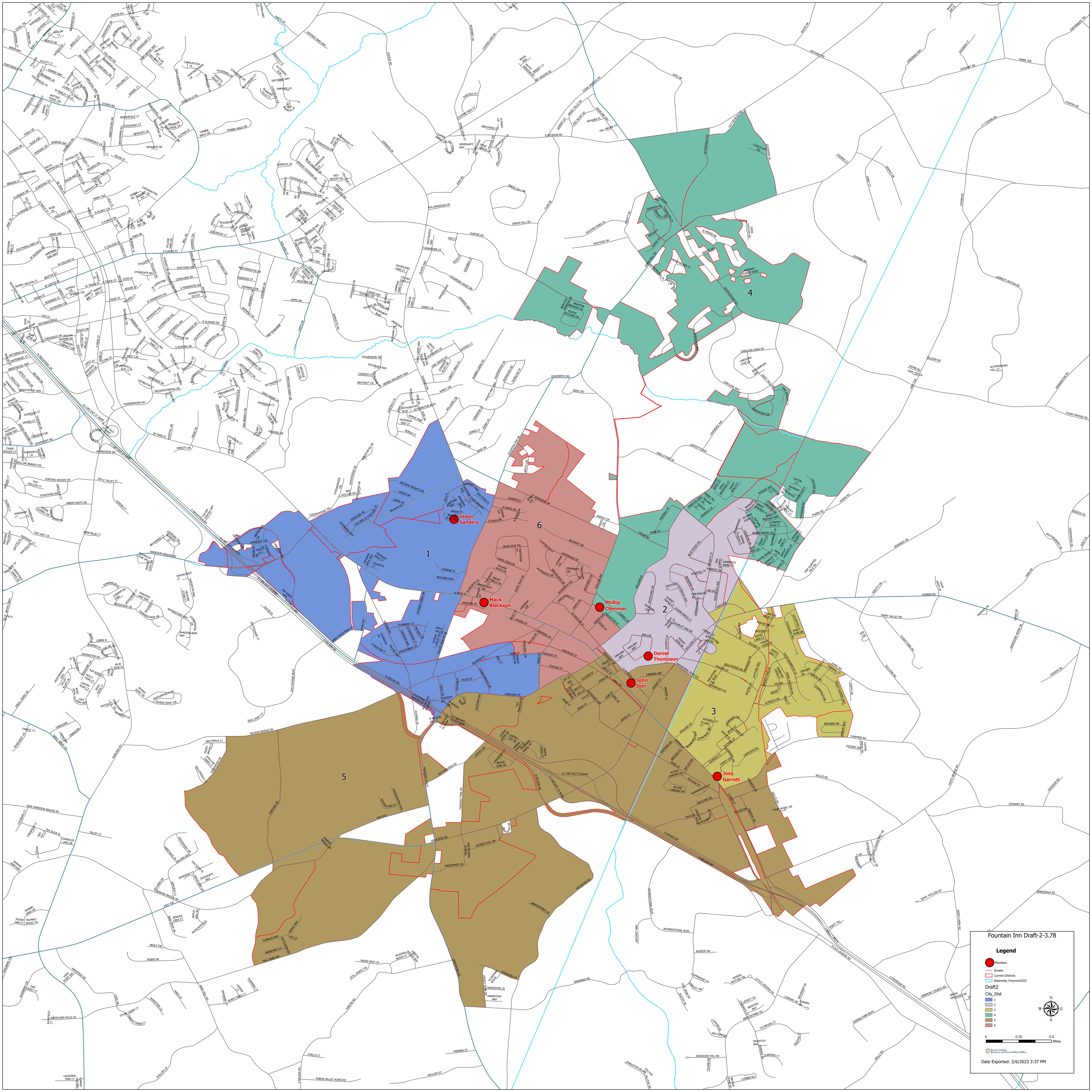


EXHIBIT B

REDISTRICTING PLAN


Fountain Inn Draft-2-3.78
Legend
Members
Streets
Current Districts
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Revenue and Fiscal Affairs Office
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Jason Sanders
Mack Blackson
Phillip Clemmer
Daniel Thomason
John Don
Joey Garrett

Fountain Inn **Table 2: Total Population by Race** *Race defined using DOJ definitions. Not Hispanic or Latino is abbreviated as NH.

Municipality	District	Total	Hispanic	% Hispanic	NH White	% NH White	NH DOJ Black*	% NH DOJ Black	NH Other Race	% NH Other Race
Fountain Inn	1	1,870	225	12.03%	1,126	60.21%	477	25.51%	42	2.25%
Fountain Inn	2	1,854	131	7.07%	1,073	57.87%	595	32.09%	55	2.97%
Fountain Inn	3	1,856	235	12.66%	759	40.89%	791	42.62%	71	3.83%
Fountain Inn	4	1,925	194	10.08%	1,147	59.58%	509	26.44%	75	3.90%
Fountain Inn	5	1,870	200	10.70%	1,194	63.85%	385	20.59%	91	4.87%
Fountain Inn	6	1,904	94	4.94%	1,261	66.23%	473	24.84%	76	3.99%
	Total	11,279	1,079	9.57%	6,560	58.16%	3,230	28.64%	410	3.64%

Table 1: 2020 Census Counts Applied to Current Districts

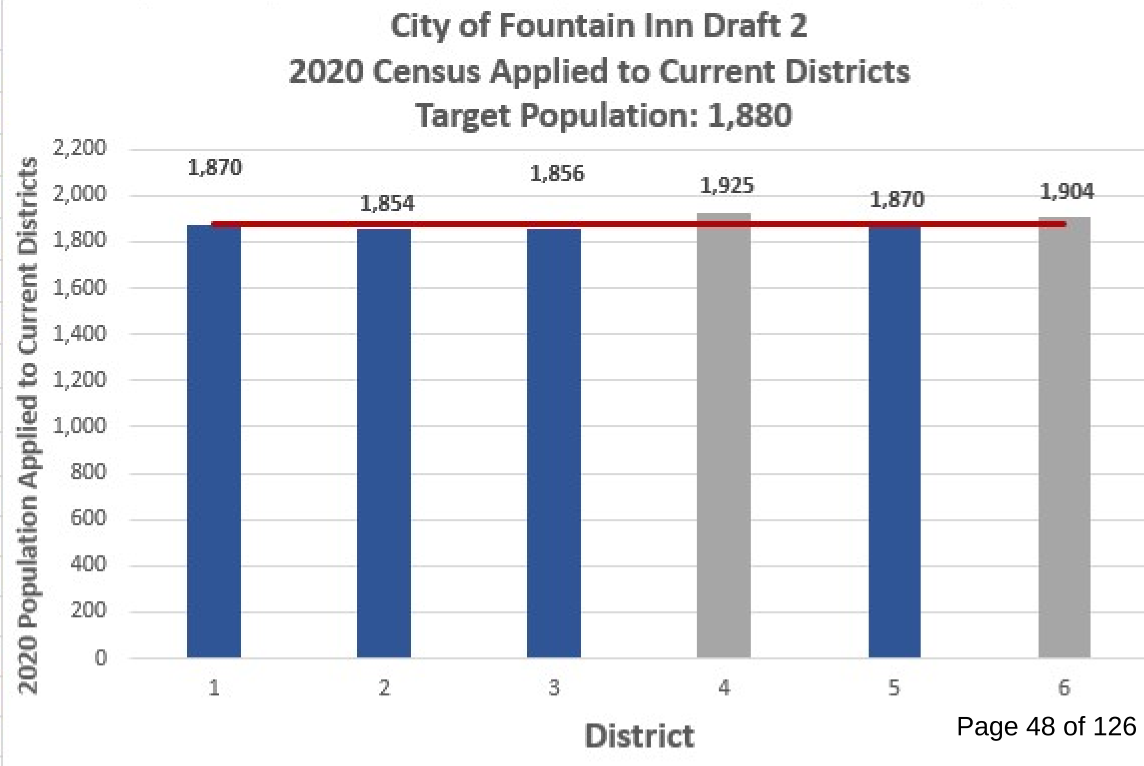
District	2020 Census	Goal	Over/(Under)	% Deviation
1	1,870	1,880	(10)	-0.52%
2	1,854	1,880	(26)	-1.37%
3	1,856	1,880	(24)	-1.27%
4	1,925	1,880	45	2.40%
5	1,870	1,880	(10)	-0.52%
6	1,904	1,880	24	1.29%

Lowest	-1.37%
Highest	2.40%
Range	3.78%

Table 3: Voting Age Population by Race *Race defined using DOJ definitions. Not Hispanic or Latino is abbreviated as NH.

Municipality	District	Total VAP	Hispanic VAP	% Hispanic VAP	NH White VAP	% NH White VAP	NH DOJ Black* VAP	% NH DOJ Black VAP	NH Other Race VAP	% NH Other Race VAP
Fountain Inn	1	1,428	147	10.29%	903	63.24%	345	24.16%	33	2.31%
Fountain Inn	2	1,351	89	6.59%	817	60.47%	415	30.72%	30	2.22%
Fountain Inn	3	1,331	154	11.57%	590	44.33%	530	39.82%	57	4.28%
Fountain Inn	4	1,390	131	9.42%	849	61.08%	363	26.12%	47	3.38%
Fountain Inn	5	1,423	130	9.14%	963	67.67%	263	18.48%	67	4.71%
Fountain Inn	6	1,516	65	4.29%	1,054	69.53%	348	22.96%	49	3.23%
	Total	8,439	716	8.48%	5,176	61.33%	2,264	26.83%	283	3.35%

Row Labels	Sum of total	Sum of Hispanic_O	Sum of NH_WHT	Sum of NH_DOJ_BLK	Sum of NH_OTHER	Sum of VAP_TOTAL	Sum of VAP_HISPAN	Sum of VAP_NH_WHT	Sum of VAP_NH_DOJ	Sum of VAP_NH_OTH
1	1870	225	1126	477	42	1428	147	903	345	33
2	1854	131	1073	595	55	1351	89	817	415	30
3	1856	235	759	791	71	1331	154	590	530	57
4	1925	194	1147	509	75	1390	131	849	363	47
5	1870	200	1194	385	91	1423	130	963	263	67
6	1904	94	1261	473	76	1516	65	1054	348	49
Grand Total	11279	1079	6560	3230	410	8439	716	5176	2264	283



No. 2021-11

A RESOLUTION

TO ADOPT REDISTRICTING CRITERIA TO BE USED IN DEVELOPING THE 2020 REDISTRICTING PLAN.

WHEREAS, Section 4-9-90 of the Code of Laws of South Carolina, as amended, requires that all city council districts be reapportioned as to population by each county council within a reasonable time prior to the next scheduled general election which follows the adoption by the State of each federal decennial census; and

WHEREAS, the City of Fountain Inn Council ("City Council") is responsible for City Council redistricting (the "Redistricting Plan") in conjunction with the 2020 U.S. Census; and

WHEREAS, City Council has determined that certain criteria should be followed in developing the Redistricting Plan and desires to adopt those criteria by this resolution.

NOW, THEREFORE, BE IT RESOLVED by Fountain Inn City Council that the following criteria are hereby established for use in the development of the Redistricting Plan based on 2020 census figures:

1. Districts shall be of equal population, or as nearly as practical, to comply and adhere to the Constitutional requirement of "one person, one vote."

2. The population variance between County Council districts shall not exceed 10% as required by S.C. Code Ann. Section 4-9-90.

3. Comply with the Federal Voting Rights Act and all other applicable court decisions and federal and state laws.

4. Ensure that districts are contiguous.

5. Districts should be drawn to minimize the division of voting precincts and communities of interest to the extent possible.

6. Districts should be geographically compact so that nearby areas of population are not bypassed for a more distant population.

7. Solicit public input.

DONE IN REGULAR MEETING THIS 9th DAY OF December, 2021.

George Patrick McLeer, Jr
Mayor

ATTEST:

Sandra H. Woods

Sandra H. Woods
City Clerk

APPROVED AS TO FORM:

David H. Holmes
City Attorney

RFA REDISTRICTING PROCESS WITH LOCAL GOVERNMENTS

1. PROJECT INITIATION
   - Local Government requests either consultation or redistricting services from RFA
   - RFA sends confirmation letter
   - Council may adopt a resolution engaging RFA

2. PRIOR TO RELEASE OF THE 2020 CENSUS DATA AND BEFORE PROJECT IS STARTED, LOCAL GOVERNMENT WILL PROVIDE RFA WITH:
   - A primary contact
   - Any foreseen issues that may affect project timeline (filing deadline, next election)
   - Names and addresses of incumbents
   - Verification of current districts (municipalities verify municipal boundaries as well)
   - Council will verify RFA has the GIS data accurately reflecting current districts

3. RFA WILL COORDINATE A TENTATIVE PROJECT TIMELINE

4. AT THE FIRST PUBLIC MEETING
   - RFA will provide a briefing for the council and public on redistricting
     - Traditional Redistricting Principles
     - Constitutional and Statutory Requirements
   - RFA will provide a report to include:
     - A proposed set of criteria
     - An analysis (Benchmark Plan) of existing districts with 2020 Census data
     - A preliminary draft plan
   - RFA will solicit feedback from council and public
   - Council has the option to adopt proposed plan or delay and recommend changes for adoption at next meeting

5. AFTER THE FIRST PUBLIC MEETING
   - Local Government primary contact will notify RFA in writing of any changes to the draft plan or proposed criteria based on input from council

6. AT THE SECOND OR SUBSEQUENT MEETING(S)
   - RFA will prepare a final report incorporating feedback received from council
   - Final plan presented for council to adopt (RFA may or may not need to attend)

7. AFTER ADOPTION
   - Council will provide a letter notifying RFA of adoption of the plan
   - Council will notify local voter registration office and other affected entities

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: Providing for the grant of a franchise according to South Carolina Code annotated section 58-12-10, ET SEQ.; providing for limitations related to the same; providing for the payment of compensation related to the same; and providing for other related matters.

Summary Background: In 2006, the General Assembly passed the South Carolina Competitive Cable Services Act. It provides that cable companies may apply for a statewide franchise agreement. Municipalities may establish a franchise fee payable under the state franchise, but the fee may not exceed 5% of gross revenues. The municipality may not charge any other permit, inspection, or encroachment fee beyond the franchise fee.

For cable providers operating under a statewide franchise, municipalities should adopt an ordinance consenting to such franchise, establishing a local franchise fee rate (not to exceed 5%), and imposing other terms and conditions allowed by law on the provider's activities within the municipality.

Knology of Charleston, Inc. is more commonly known as WOW! Internet, Cable, & Phone (https://www.wowway.com/). WOW! and/or Knology of Charleston, Inc. already has an existing statewide cable franchise with the SC Secretary of State. They are simply seeking to gain approval to make their services available to the residents of Fountain Inn.

Impact If Denied: Wow! would not be permitted inside the City limits of Fountain Inn.

Impact If Approved: Wow! would be permitted into the City of Fountain Inn to provide cable service.

Financial Impact: The City will receive 5% of gross revenues from Knology of Charleston, Inc. and/or WOW! based on customers inside our corporate limits.

CITY OF FOUNTAIN INN, SOUTH CAROLINA
ORDINANCE 2023-5

PROVIDING FOR THE GRANT OF A FRANCHISE ACCORDING TO SOUTH CAROLINA CODE ANNOTATED SECTION 58-12-10, ET SEQ.; PROVIDING FOR LIMITATIONS RELATED TO THE SAME; PROVIDING FOR THE PAYMENT OF COMPENSATION RELATED TO THE SAME; AND PROVIDING FOR OTHER RELATED MATTERS

– KNOLOGY OF CHARLESTON, INC. –

WHEREAS, pursuant to and in accordance with South Carolina Code Annotated section 58-12-10, *et seq.*, Knology of Charleston, Inc., located at 7887 East Belleview Avenue, Suite 100, Englewood, Colorado 80111 ("Company"), has requested the City's consent in using the City's streets and public places to construct, install, maintain, and operate the Company's equipment for use in providing cable and/or video services, and for no other services, to the Company's customers within the City for the Company's own business purposes and profit;

WHEREAS, other providers of cable and/or video services may seek similar grants of consent from the City;

WHEREAS, it is the City's intention to permit such entry into the City's corporate limits and such limited use of only so much of the City's streets and public places as are necessary for use in providing cable and/or video services, and for no other services, subject to the City's duty and authority to manage, including through the use of generally applicable local law, the City's streets, and public spaces, and to require fair and reasonable compensation from each service provider for use of the same on a competitively neutral and nondiscriminatory basis and publicly to disclose the amount of such compensation;

NOW, THEREFORE, BE IT ORDAINED by the City Council, duly assembled, based on the information described in the recitals above and the information contained below:

1. The Company is, as described in this Ordinance and as governed by South Carolina Code Annotated section 58-12-10, *et seq.*, and South Carolina Code Annotated section 5-7-30, granted a limited term, restricted use, non-exclusive franchise to construct, install, maintain, and operate in, over, under, and/or on the City's streets and public spaces, the Company's lines, poles, antennae, wires, cables, cabinets, conduits, converters, and other equipment, and related facilities as are necessary to provide cable and/or video services, and for no other services, in the City's corporate limits.

2. The Company shall engage in all work in, over, under, and/or on the City's streets and public spaces according to all applicable federal, state, and local standards, codes, ordinances, rules, and regulations as now exist and as may exist in the future. New construction and installation of new lines, wires, cables, conduits, and other equipment, and facilities, as and when practicable shall be placed underground. Above-ground construction and installation of new lines, wires, cables, conduits, and other equipment, and facilities, shall use existing utility poles. Neither access of any kind, public or private, or any City street and/or public space shall be obstructed longer than necessary or injured, in any way, during the construction, installation and/or repair. Each access, City street and/or public space shall be restored to the same good order and condition, including the repair of any injury, as when construction, installation, and/or repair commenced. The City is entitled to charge to and collect from the Company any costs arising out of or relating to any obstruction and/or injury of any access, City street, and/or public space.

3. The Company shall defend and save the City harmless from any and all liability or damage (including judgments, decrees, court costs, attorneys fees, and all other fees and/or costs) arising out of or relating to the grant of this franchise, the exercise of the privileges otherwise provided by this Ordinance,

the Company's construction, installation, repair, and operation activities in the City's corporate limits, and/or the acts and/or omissions of the Company's employees, contractors, and/or agents.

4. In consideration of the grant of the franchise as described in this Ordinance, the Company shall pay to the City such lawful franchise fees, business license taxes, administrative fees, and all other taxes and fees as are permitted as of the date of the enactment of this Ordinance, and as may be permissibly imposed in the future. If any limitations on the amount of franchise fees, business license taxes, administrative fees, and any other taxes and fees as may exist as of the date of the enactment of this Ordinance are later amended, then the City is entitled to amend this Ordinance to impose such additional franchise fees, business license taxes, administrative fees, and any other taxes and fees as the City may deem appropriate so long as the City acts in a fair, reasonable, competitively neutral, and non-discriminatory manner.

5. Except as specifically provided in this Ordinance, or otherwise mandated by applicable federal or state law, the privilege granted to the Company by this Ordinance does not (i) exempt or excuse the Company from the general police power and all other lawfully imposed laws, regulations, rules, and other authority vested in the City, including, for example, matters relating to zoning, permitting, traffic control, construction, excavation, planning, aesthetics, and the environment, and (ii) provide the Company with any contractual rights or other rights vis-a-vis the City.

6. The limited term, restricted use, non-exclusive franchise, and consent granted by this Ordinance remains in force and effect for an initial term of two years, and thereafter may be renewed by the City pursuant to and in accordance with applicable federal, state, and local standards, codes, ordinances, rules, and regulations as now exist and as may exist in the future.

7. The Mayor, and the City Clerk, for and on behalf of the City, are each authorized and directed to do any and all things reasonably necessary and prudent to affect this Ordinance's intent.

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

This Ordinance is effective immediately on enactment by City Council.

[One Signature Page and One Exhibit Follow]
[Remainder of Page Intentionally Blank]

CITY OF FOUNTAIN INN, SOUTH CAROLINA

____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

____
Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading:	March 9, 2023
Second Reading / Final Approval:	April 13, 2023

EXHIBIT A

FRANCHISE REQUEST INFORMATION – SC SECRETARY OF STATE

(FEBRUARY 13, 2023)
[SEE 6 PAGES, ATTACHED]

1205 PENDLETON STREET, SUITE 525
COLUMBIA, SC 29201

803-734-2170
sos.sc.gov

February 13, 2023

Shawn M. Bell, City Admin
City of Fountain Inn
200 N. Main St.,
Fountain Inn, SC 29644

RE: Amend a State-Issued Certificate

Dear Mr. Bell:

Enclosed please find a Notice of Application for a State-Issued Certificate of Franchise Authority and Request for Information. This Notice is in regards to an Application for a State-Issued Certificate of Franchise Authority filed with this office by Knology of Charleston, Inc., a copy of which is attached.

S.C. Code Ann., Section 58-12-310(C) requires that, within five days of receipt of an application or amended application, the Secretary of State must notify each affected municipality and county of its receipt of the application and request certain information. Section 58-12-310(D) provides that the county or municipality must respond to the request issued by the Secretary of State within sixty-five (65) days of the date of such request. Please return the Notice, completed, dated and signed, to the address on the filing instructions.

If you have any questions, please contact me at (803) 734-0367.

With kindest regards,

Allyson Green

Allyson Green

/amg

Enclosures

STATE OF SOUTH CAROLINA
SECRETARY OF STATE

NOTICE OF APPLICATION FOR STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY AND REQUEST FOR INFORMATION

Pursuant to S.C. Code Section 58-12-310(C), the Secretary of State hereby notifies you that:
On February 13, 2023, Knology of Charleston, Inc. filed an application with this Office for a state-issued certificate of franchise authority or an application to amend a certificate of franchise authority to provide cable or video service in your area. Attached is a copy of the application including a description of the area(s) to be served.

You must complete and return this form to the Office of the Secretary of State within sixty-five (65) days from the date of this request. This form must be received by the Secretary of State's Office no later than April 19, 2023.

1. What is the franchise fee rate imposed on the incumbent cable or video service provider, if any, as of the date of the application or amended application?

   ____

2. How many public, educational, and governmental (PEG) access channels does your municipality or county have activated under the incumbent cable or video provider's franchise agreement on the date of the application or amended application?

   ____

3. Does your municipality or county consent to the state-issued certificate of franchise authority sought in the application or amended application?

   ☐ Yes.

   ☐ No.

   If your municipality or county does not consent to the authority sought, you must provide an explanation of the reasons for the denial of the requested consent.

   ____

   ____

Date______________________

____
Signature of Chief Executive of City or County

____
Type or Print Name

____
Address

____

____
Telephone Number

Form Revised by South Carolina Secretary of State January 2014

FILING INSTRUCTIONS

1. This completed form must be returned to the Secretary of State within sixty-five (65) calendar days of the date of the request.

2. If the space in this form is insufficient, please attach additional sheets containing a reference to the appropriate paragraph in this form.

3. Return to: Secretary of State
   Attn: Cable Franchise Division
   1205 Pendleton Street, Suite 525
   Columbia, SC 29201

SPECIAL NOTES

PURSUANT TO STATE LAW, A PERSON OR ENTITY SEEKING TO PROVIDE CABLE OR VIDEO SERVICE MUST HAVE A CERTIFICATE OF FRANCHISE AUTHORITY, EITHER AN EXISTING CERTIFICATE ISSUED BY A LOCAL GOVERNMENT UNDER PRIOR LAW, OR UPON EXPIRATION OF THAT CERTIFICATE ISSUED BY A LOCAL GOVERNMENT, A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY ISSUED BY THE SECRETARY OF STATE UNDER S.C. CODE OF LAWS §58-12-310(B).

PURSUANT TO S.C. CODE §58-12-310(B)(3), A HOLDER OF A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY MUST BEGIN TO DEPLOY SERVICE IN EACH OF THE MUNICIPALITIES AND IN EACH OF THE UNINCORPORATED AREAS OF COUNTIES DESCRIBED IN THE APPLICATION WITHIN ONE YEAR FROM THE DATE OF ISSUANCE OR THE CERTIFICATE BECOMES NULL AND VOID.

PURSUANT TO S.C. CODE §58-12-310(K), THE HOLDER OF A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY MUST GIVE WRITTEN NOTIFICATION TO A MUNICIPALITY OR COUNTY OF THE DATE IT WILL ACTUALLY BEGIN PROVIDING SERVICE IN ANY PART OF SUCH MUNICIPALITY OR COUNTY.

RECEIVED

FEB 13 2023

SC SECRETARY
OF STATE

STATE OF SOUTH CAROLINA
SECRETARY OF STATE

APPLICATION TO AMEND A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY

Pursuant to state law, a person or entity seeking to provide cable or video service must have a certificate of franchise authority, either an existing certificate issued by a local government under prior law, or upon expiration of that certificate issued by a local government, a state-issued certificate of franchise authority issued by the Secretary of State under S.C. Code of Laws §58-12-310(B).

TYPE OR PRINT CLEARLY WITH BLACK INK

Pursuant to S.C. Code Section 58-12-310(B), the undersigned hereby applies for authorization to amend its state-issued certificate of franchise authority to provide cable or video service.

1. The name of the applicant is Knology of Charleston, Inc.

2. The applicant is providing ☒ Cable Service OR ☐ Video Service

3. The street address of the applicant is 7887 E. Belleview Ave., Suite 1000
   Street Address

Englewood	Arapahoe	CO	80111
City	County	State	Zip Code

The mailing address of the applicant is 7887 E. Belleview Ave., Suite 1000
Englewood, CO 80111

3. Date Certificate of Franchise Authority issued by S.C. Secretary of State February 21, 2011

4. The additional municipalities and unincorporated areas of counties that are proposed to be served by the applicant are to be described in the accompanying Affidavit in Support of State-Issued Certificate of Franchise Authority. For each of the additional municipalities and unincorporated areas of counties so described, provide the name, address and telephone number for the person to whom the Notice of Application to Amend a State-Issued Certificate of Franchise Authority should be provided.

Municipality/Area	Name & Title	Address	Telephone Number
City of Fountain Inn,	Shawn M. Bell, City Admin.,	200 N. Main St, Fountain Inn, SC 29644	8648624421
City of Simpsonville,	Jason Knudsen, Planning Dir.,	118 NE Main St., Simpsonville, SC 29680	8649679526

6. This application is accompanied by an affidavit signed by an officer or general partner of the applicant as required by S.C. Code Section 58-12-310(B).

Date February 7, 2023

Officer/General Partner's Signature

Michael S. Healy

Type or Print Name

c/o WOW! 412 E. Maple

Address

La Grange IL 60525

224-339-2512

Telephone Number

APPLICATION TO AMEND CERTIFICATE OF
FRANCHISE AUTHORITY

Form Revised by South Carolina
Secretary of State April 2013

AFFIDAVIT IN SUPPORT OF APPLICATION TO AMEND
STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY

PERSONALLY appeared before me the undersigned who being duly sworn according to law, deposes and says on oath:

My name is Michael Healy and my title/position is Director of Market Relations. This affidavit is based upon my personal knowledge of the facts contained in the Application to Amend the State-Issued Certificate of Franchise Authority and this affidavit. I certify and affirm that all such facts are true and correct. I affirm that the applicant agrees to comply with all applicable federal and state laws and regulations.

In this application the applicant seeks to provide cable or video services in the following additional areas:

City of Simpsonville

City of Fountain Inn

(Written description of the additional municipalities and unincorporated areas of the counties to be served in whole or in part. A map or other graphic representation may supplement, but not substitute for, the written description.)

Dated this 7th day of February, 2023.

SWORN to and subscribed before me, this 7th day of February, 2023

[signature]

Notary Public for Cook County IL Chase

My Commission Expires: July 5, 2026

WIKTORIA BOROWSKI
Official Seal
Notary Public - State of Illinois
My Commission Expires Jul 5, 2026

[signature]

Officer/General Partner's Signature

Michael S. Healy

Type or Print Name

c/o WOW 412 E. Maple Ave.
La Grange IL 60525

Address

224/339-2512

Telephone Number

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: An Ordinance to Amend the Official Zoning Map of the City for the Purpose of Changing the Zoning Classification of the Property Described in this Ordinance (Putnam Street).

Summary Background: Z-2023-01 would rezone approximately 1.15 acres on Putman Street near South Main Street from R-12 to RM. The adopted Future Land Use Map calls for high density residential use for this area, which is consistent with RM zoning. RM zoning allows for townhomes and/or apartments.

The existing land use is vacant (wooded). Land uses vary greatly in this area of Fountain Inn: large lots, small residential lots, and industrial uses are all within the vicinity of the subject parcel. An adjacent parcel southwest of the subject is zoned RM, as are the single-family residences across Putman Street from the subject parcel. The Planning Commission voted 4-1 to approve the rezoning request.

Multiple residents of the Tucker Branch subdivision spoke in opposition to the rezoning at the Planning Commission public hearing on March 2.

Impact If Denied: The subject property would remain zoned R-12.

Impact If Approved: Up to 15 units of multifamily housing could be constructed on the subject site if rezoned as recommended.

Financial Impact: Not applicable.

No. Z 2023-1

ORDINANCE

AN ORDINANCE TO AMEND THE OFFICAL ZONING MAP OF THE CITY, FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE (PUTMAN STREET).

WHEREAS, the City received a petition for re-zoning of the real property described herein;

WHEREAS, the Fountain Inn Planning Commission conducted a public hearing on the re-zoning petition and after having duly considered same and the receiving a staff report, voted to recommend approval of the re- zoning request from R-12: Residential District to R-M: Residential, Multi-Family District;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina:

SECTION 1. That the real property referred to in this Ordinance is more fully described in Docket Number FI-2023-002, located on Rosemary Street between Rosemary Lane and South Main Street, containing approximately 1.15 acres, with Laurens County Tax Map Number 9040501001 ("Property"), and more fully described on Exhibit A, which is attached hereto and made a part hereof by reference.

SECTION 2. The Property is rezoned from R-12: Residential District to R-M: Residential, Multi-Family District.

SECTION 3. This Ordinance shall be effective upon second and final reading by the City Council.

SECTION 4. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the actions authorized by this Ordinance in accordance with the conditions herein set forth.

SECTION 5. This Ordinance shall be effective upon second and final reading by the City Council.

CITY OF FOUNTAIN INN, SOUTH CAROLINA

____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

____
Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading:	March 9, 2023
Second Reading / Final Approval:	April 6, 2023

EXHIBIT A

DEPICTION OF PROPERTY

FOUNTAIN INN
est 1886

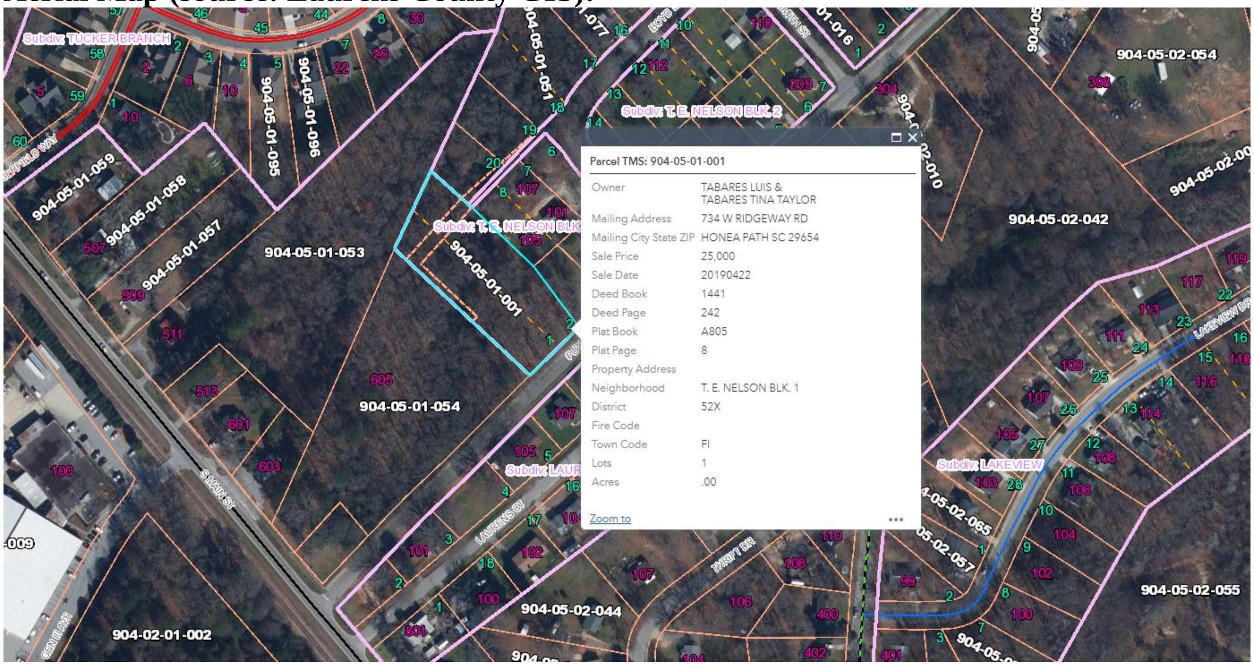
STAFF REPORT
TO THE FOUNTAIN INN PLANNING COMMISSION
FROM PLANNING & ZONING STAFF
March 2, 2023

DOCKET NUMBER:	**FI-2023-002**
APPLICANT:	Luis Tabares
PROPERTY LOCATION:	Putman Street
TAX MAP NUMBER:	904-05-01-001
ACREAGE:	~ 1.15 ac
EXISTING ZONING:	R-12, Residential District
REQUESTED ZONING:	R-M Residential, Multifamily District
Existing Land Use:	Vacant (wooded)
Adjacent Land Use:	North: Single-family Residential East: Single-family Residential South: Vacant; Residential West: Single-family Residential
Adjacent Zoning:	North: R-12, Residential District East: R-M, Residential Multifamily South: R-M, Residential Multifamily West: R-12, Residential District
Future Land Use Map:	2017 Master Plan Recommends **High Density Residential**

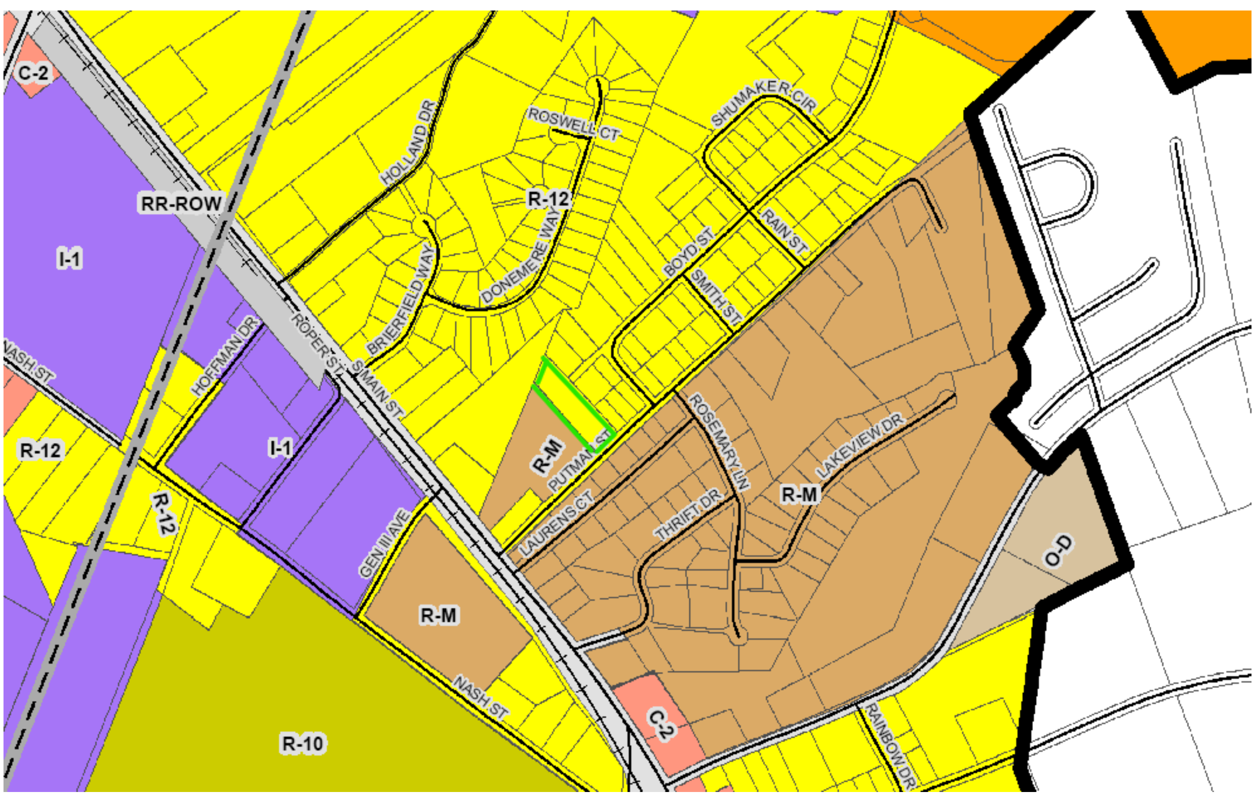
Proposal:

The applicant and landowner, Luis Tabares, is requesting to rezone approximately one acre north of Main Street in Laurens County to allow for multifamily uses. Townhomes and/or apartment buildings would be permitted. It is adjacent to single family detached homes to the north and east to the west (Sanctified Hill) and vacant wooded land to the southwest, also zoned for multifamily use. Sanctified Hill is partially zoned R-M. Existing multifamily development in the area is located on Chapman Road, approximately ¼ mile from the subject property.

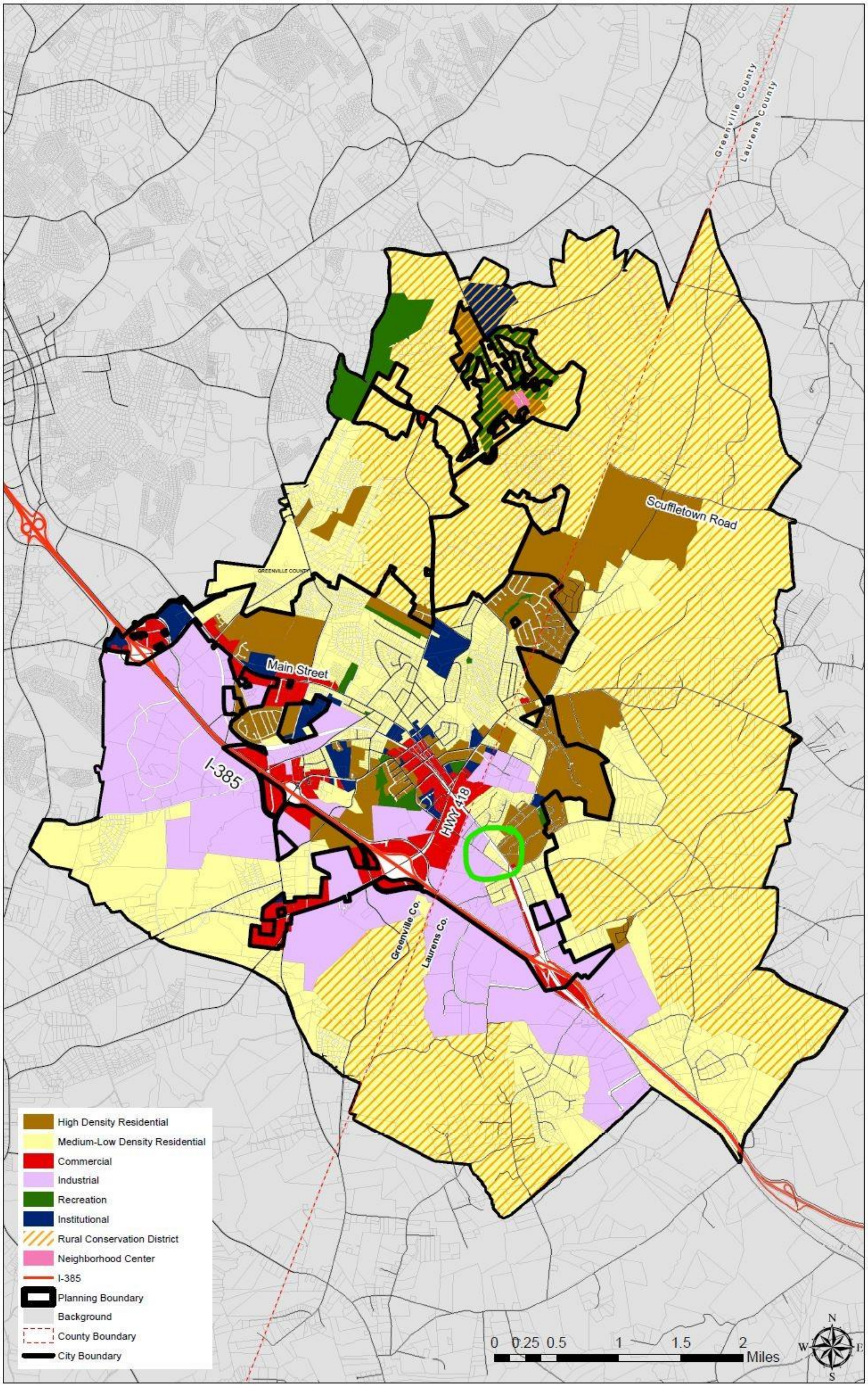
Aerial Map (source: Laurens County GIS):



Zoning Map (Source: Official Zoning Map_



Future Land Use Map:



Greenville County
Laurens County
Scuffletown Road
GREENVILLE COUNTY
Main Street
I-385
HWY 418
Greenville Co.
Laurens Co.
High Density Residential
Medium-Low Density Residential
Commercial
Industrial
Recreation
Institutional
Rural Conservation District
Neighborhood Center
I-385
Planning Boundary
Background
County Boundary
City Boundary
0 0.25 0.5 1 1.5 2
Miles
N
S
W
E

on Putman Street, looking north

Putman Street, looking east

ANALYSIS:
The subject property is located primarily on Putman Street in the Sanctified Hill neighborhood. It is currently a wooded lot. A sewer easement runs through the lot from the north. Land uses vary greatly in this portion of Fountain Inn: large lots, small residential lots, and industrial uses all lie along the corridor. The parcel in close proximity to South Main Street. Across the street are the Sanctified Hill and Lakeview neighborhoods which are zoned for multifamily use but are large detached houses.

The property is currently zoned R-12, Residential District, as are houses to the north.
Similar to zoning, the Future Land Uses indicated in the 2017 Master Plan are also varied. Properties in Tucker Branch are considered Medium-Low Density Residential, while Sanctified Hill as a whole is shown as High Density Residential (R-10, R.7.5, or R-M).

The subject property is recommended for *High Density* land uses on the Future Land Use Map, as included in this report.

> High Density Residential Definition:
> High Density Residential is equivalent to any multi-family zoning district (up to 14.5 units per acre) or single-family districts zoned R-10, single-family residential (4.4 or units per acre or minimum lot sizes of 10,000 square feet) or R-7.5, single-family residential (5.8 or units per acre or minimum lot sizes of 7,500 square feet).

The applicant is requesting R-M, Residential District zoning. This would be considered High Density Residential per the 2017 Future Land Use Map. The proposed rezoning would be consistent with the 2017 Master Plan's recommendation for the parcel.

R-M Residential, Multifamily District allows for up to 14.5 units per acre. Fifteen units both as a attached townhome or multi-story apartment would be permitted upon rezoning. Townhomes are considered single-family (attached) residential and can be rented or owned. As topography slopes downhill, a portion of the parcel may be required by Greenville County to be set aside for stormwater detention/retention.

There are no townhome or apartment units within one block of the site. However, across the street along Nash Street a parcel was rezoned for multifamily (townhomes) in 2022.
Site design should be softened to the east to minimize impact to existing single-family residences to the north. multifamily development of greater than 10 units would be required to provide a Type C buffer in accordance with Section 5:11 of the zoning ordinance on property lines adjacent to low density residential properties. .

Staff Recommendation: Approval

Attachment A

Section 5:2. - R-M Residential, Multifamily District.

This Residential District is established to provide for medium and high population density. The principal use of land is for two-family and multiple-family dwellings, and the recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area are included. The regulations for this district are intended to discourage any use which, because of its character, would interfere with the development of or be detrimental to the residential nature of the area included in the district.

5:2.1. Uses Permitted.

Attached single-family dwelling

Attached single-family dwelling, three or more units

Child care home

Detached single-family dwelling

Dwelling, multifamily

Dwelling, two-family

Home occupation, subject to requirements in Article 8

Library

Manufactured home used as a temporary school classroom

Public park and playground

Signs, subject to the provisions in Article 6.

Temporary building, incidental to the construction or buildings permitted in this district, and which shall be removed when work is completed; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Transportation and utility easement and rights-of-way

Uses and structures customarily accessory to the permitted uses

5:2.2. Uses Permitted by Special Exception. The following uses may be permitted by Special Exception by the Board of Zoning Appeals in accordance with the provisions of Article 9.

Child care center

Church

Family care home

Fire station

Private recreation area

Professional offices

Public utility use and building

School, public and parochial

5:2.3. Height Limitation. No structure shall exceed a height of 45 feet, except as provided in Article 7, Section 7.

5:2.4. Dimensional Requirements.

5:2.4-1. Lot Area. The minimum lot area for a single-family detached dwelling unit shall be 7,500 square feet.

The minimum lot area for a two-family dwelling unit shall be 9,000 square feet.

The minimum lot area for two single-family attached dwelling units on adjoining individual lots shall be 4,500 square feet per lot. Density requirements for a multiple family dwelling or group of dwellings containing three or more dwelling units, or for a group of three or more single-family attached dwelling units, shall be based on 9,000 square feet for the first unit, and 3,000 square feet for each succeeding dwelling unit (14.5 units per acre). No minimum lot area is required.

For nonresidential buildings the lot area shall be adequate to provide the yard area required by this Section and the off-street parking and loading areas required in Article 7, Sections 9 and 10.

5:2.4-2. Lot Width. Residential lots shall have a minimum width of 60 feet for the first dwelling unit and a minimum of 10 feet additional width for each succeeding dwelling unit.

Nonresidential lots shall have a minimum width of 100 feet.

5:2.4-3. Front Yard. The minimum depth of a front yard, measured from the street right-of-way line, shall be 30 feet on a residential service street; 40 feet on a collector street; and 50 feet on an arterial street.

When a lot has double frontage the front yard requirements shall be complied with on both streets.

5:2.4-4. Side Yard. The minimum width of any residential side yard shall be 8 feet, measured from the property line.

The minimum width of any non-residential side yard shall be 15 feet, measured from the property line.

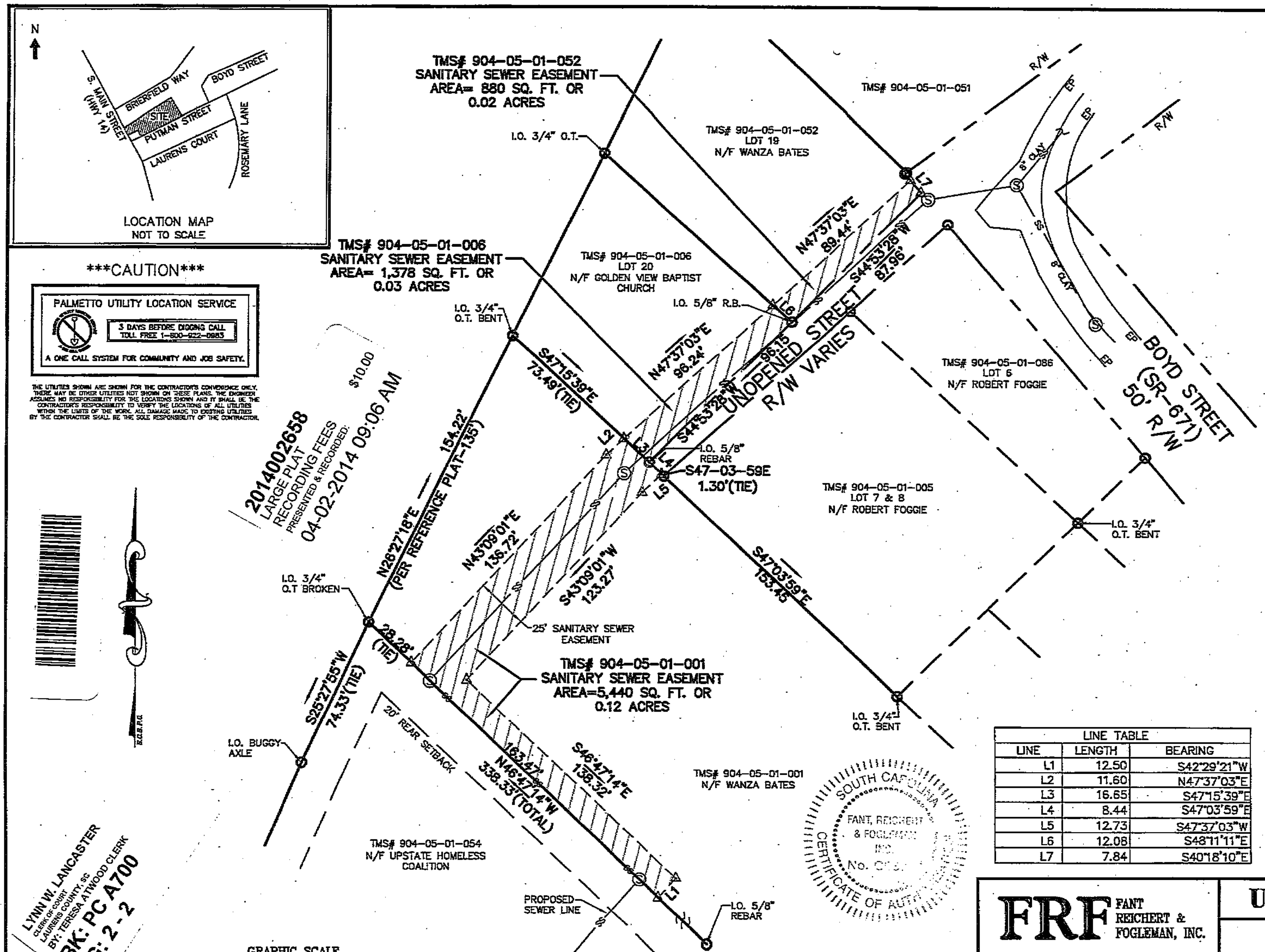
For residences, non-residential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:2.4-5. Rear Yard. The minimum depth of a rear yard shall be 20 feet.

5:2.5. Accessory Building Setback. Accessory buildings may be located in the rear yard, provided they are set back not less than four feet from any lot line and occupy not more than 20 percent of the rear yard.

5:2.6. Off-Street Parking. Off-street parking shall be provided in accordance with the provisions set forth in Article 7, Section 9.

(Ord. No. 2011-001, § 1, 5-12-2011)



LINE TABLE		
LINE	LENGTH	BEARING
L1	12.50	S42°29'21"W
L2	11.60	N47°37'03"E
L3	16.65	S47°15'39"E
L4	8.44	S47°03'59"E
L5	12.73	S47°37'03"W
L6	12.08	S48°11'11"E
L7	7.84	S40°18'10"E

"I HEREBY CERTIFY THAT 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."

NOTES:

1.) TMS# 904-05-01-052
AREA OF SEWER EASEMENT
880 SQ. FT. OR 0.02 ACRES

TMS# 904-05-01-006
AREA OF SEWER EASEMENT
1,378 SQ. FT. OR 0.03 ACRES

TMS# 904-05-01-001
AREA OF SEWER EASEMENT
5,440 SQ. FT. OR 0.12 ACRES

2.) SITE ADDRESS: INTERSECTION OF SOUTH MAIN STREET (HWY 14) AND PUTMAN STREET LAURENS COUNTY, SOUTH CAROLINA

3.) REFERENCES: SCDOT FILE NO. 30.489
PB 29 PG 32
PB A-25 PG 9
DB 670 PG 47
PB 63 PG 503
DB 246 PG 374
DB 239 PG 342
PLAT BY HUGH MARTIN ENTITLED "LOTS OF LAND FOR L.L. SANDERS (2.92 ACRES) AND TELSA WASHINGTON (0.28 ACRES)" DATED SEPTEMBER 10, 1963
DB D-1043 PG 129
PB 21 PG 114

4.) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD

5.) FIELD WORK COMPLETED: 8-12-13

6.) HORIZONTAL DATUM IS S.C.S.P.C. (NAD 83) VERTICAL DATUM IS NAVD 88 DATUMS WERE ESTABLISHED USING STATIC GPS SURVEYING AND "NGS OPUS"

7.) PROPOSED SANITARY SEWER EASEMENT IS 12.5' ON EACH SIDE OF THE SEWER LINE.

8.) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.

LEGEND

——	PROPERTY LINE
- - -	EASEMENT
— —	SETBACK LINE
— - —	RIGHT OF WAY
— — —	ADJACENT PROPERTY LINE
——SS——	SANITARY SEWER LINE
Ⓢ	SANITARY SEWER MANHOLE
△	SEWER EASEMENT CORNER
EP	EDGE OF PAVEMENT
R/W	RIGHT OF WAY
O	PROPERTY PIN
O.T.	OPEN TOP
I.O.	IRON OLD (FOUND)

SEWER EASEMENT PLAT FOR:

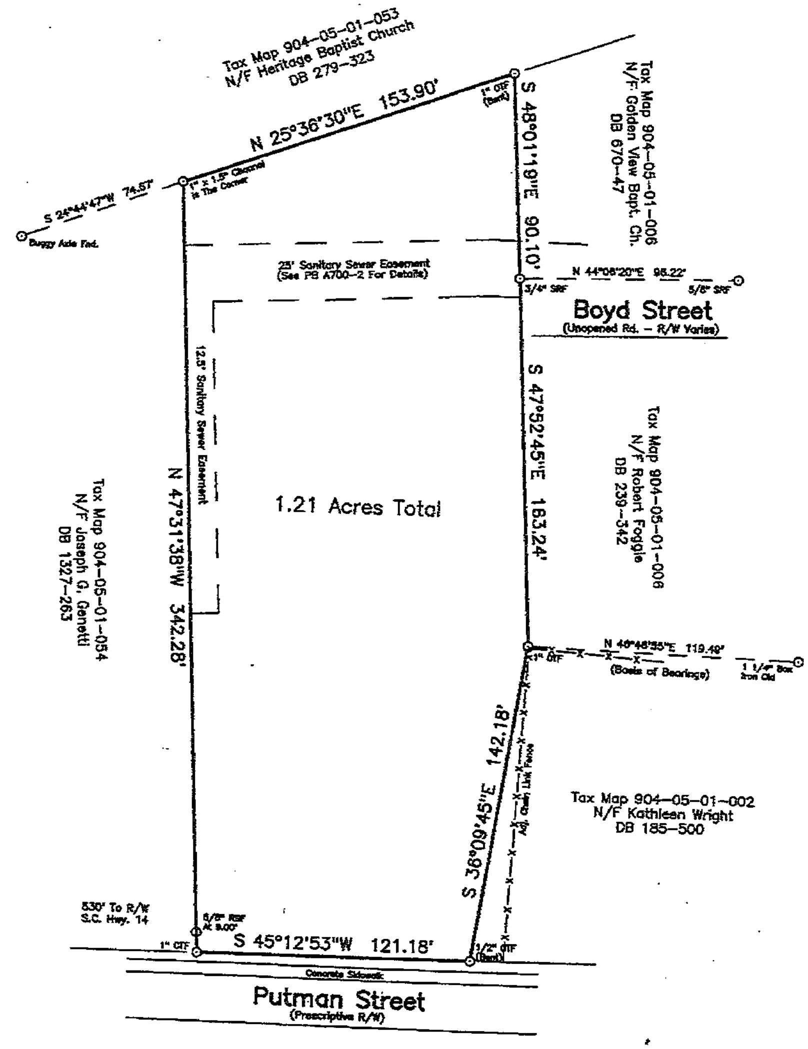
UPSTATE HOMELESS COALITION

PUTMAN STREET
CITY OF FOUNTAIN INN
LAURENS COUNTY
SOUTH CAROLINA

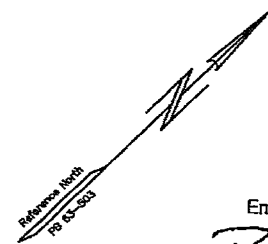
SCALE: 1" = 50'
DATE: 11-7-13
PT. FILE: 13035.TXT
DWG. NO: 13035-SEWER-ESMT

FRF FANT REICHERT & FOGLEMAN, INC.
ENGINEERING & SURVEYING
25 WOODS LAKE ROAD
SUITE 705
GREENVILLE, SC 29607
PH: (864) 271-8633

APPROVED BY: PATRICK N. FOGLEMAN S.C. REG. NO. 26594



2018002201
LARGE PLAT
RECORDING FEES $10.00
PRESENTED & RECORDED:
03-15-2018 01:34 PM
LYNN W. LANCASTER
CLERK OF COURT
LAURENS COUNTY, SC
BY: CLERK 3 CLERK
BK: PC A805
PG: 8



Emergency 911 Office Approval

Designated Official 3/15/18 Date

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with 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; also there are no visible encroachments or projections other than shown."

This property is subject to any and all easements and/or rights-of-way of record or not of record.

Surveyor's Note:
The boundary shown hereon was established from monuments and lines of occupation found on the subject property and on record deeds of adjoining properties. An extensive search for additional monuments or deed records failed to yield additional evidence.

Except as specifically shown or stated on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

Wallace & Associates does not warrant the existence or nonexistence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

This survey is not a true and valid print of the origional document unless it bears an origional signature and raised embossed seal of the Surveyor.

South Carolina Certificate of Authorization
Wallace & Associates
No. C01129

Wallace & Associates Complete Surveying Services Jeffry M. Wallace (864) 297-6989 P.O. Box 903, Taylors, S.C. 29687 25 0 25 50 1" = 50'	State Of South Carolina County Of Laurens Closing Survey For **Francesco Russo & Paige Russo** 1.21 Acres Total Near Fountain Inn, S.C.	South Carolina Registered Land Surveyor Jeffry M. Wallace 12251

Date: Mar. 06, 2018	Tax Map: 904-05-01-001	Reference Deed: 1043-129	Jeffry M. Wallace R.L.S. 12251
Field Book:Ranger, Page 5107	Field Crew: JW,JB	Reference Plat: 21-114	Drawn By: JMW
			Project # 185107

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: An Ordinance to Amend the Official Zoning Map of the City, for the Purpose of Changing the Zoning Classification of the Property Described in this Ordinance (Nash Street).

Summary Background: Z-2023-02 would rezone approximately 2.69 acres at 108 & 110 Nash Street from R-12 Residential to C-2 Commercial. The adopted Future Land Use Map calls for commercial use on the subject parcels, which is consistent with C-2 zoning.

The subject parcels consist of a vacant house at 108 Nash Street and a vacant lot at 110 Nash Street. Surrounding land uses and zoning are industrial to the north, commercial to the south and west, and residential to the east.

The Planning Commission voted unanimously to approve the rezoning request at the March 2 meeting.

Impact If Denied: The subject property would remain zoned R-12.

Impact If Approved: The applicant, Tellus, LLC, is a large and reputable commercial developer in the area. No specific plans for the site have been submitted.

Financial Impact: Not applicable.

No. Z 2023-2

ORDINANCE

AN ORDINANCE TO AMEND THE OFFICAL ZONING MAP OF THE CITY, FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE (NASH STREET).

WHEREAS, the City received a petition for re-zoning of the real property described herein;

WHEREAS, the Fountain Inn Planning Commission conducted a public hearing on the re-zoning petition and after having duly considered same and the receiving a staff report, voted to recommend approval of the re- zoning request from R-12: Residential District to C-2: Commercial District;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina:

SECTION 1. That the real property referred to in this Ordinance is more fully described in Docket Number FI-2023-003, located at 108 Nash Street and 110 Nash Street, containing approximately 2.69 acres in aggregate, with Greenville County Tax Map Numbers 0350000100404 and 0350000100403 (collectively, "Property"), and more fully described on Exhibit A, which is attached hereto and made a part hereof by reference.

SECTION 2. The Property is rezoned from R-12: Residential District to C-2: Commercial District.

SECTION 3. This Ordinance shall be effective upon second and final reading by the City Council.

SECTION 4. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the actions authorized by this Ordinance in accordance with the conditions herein set forth.

SECTION 5. This Ordinance shall be effective upon second and final reading by the City Council.

CITY OF FOUNTAIN INN, SOUTH CAROLINA

____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

____
Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading:	March 9, 2023
Second Reading / Final Approval:	April 6, 2023

EXHIBIT A
DEPICTION OF PROPERTY

FOUNTAIN INN
est 1886

STAFF REPORT
TO THE FOUNTAIN INN PLANNING COMMISSION
FROM PLANNING & DEVELOPMENT STAFF
MARCH 2, 2023

DOCKET NUMBER:	**FI-2023-003**
REQUEST:	Rezone parcels located on Nash Street
APPLICANT:	Tellus, LLC
PROPERTY LOCATION:	108 Nash Street, 110 Nash Street
TAX MAP NUMBER:	0350000100403, 0350000100404
ACREAGE:	~ 2.69 ac
EXISTING ZONING:	R-12, Residential
REQUESTED ZONING:	C-2, Commercial District
Existing Land Use:	Vacant
Adjacent Land Use:	North: Industrial East: Residential South: Commercial West: Commercial
Adjacent Zoning:	North: I-1, Industrial East: R-12, Residential South: C-2, Commercial West: C-2, Commercial

Analysis:
The subject parcels consist of a vacant house located at 108 Nash Street and a vacant lot at 110 Nash Street. The subject property is recommended for Commercial land uses on the Future Land Use Map, as included in this report.

> ***Definition:*** *The commercial designation identifies areas of big box retail stores, restaurants, chain retail centers, and local retailers. This district is established to provide goods and services for the convenience of local residents. Section 5:6.1 Uses permitted allow for the following types of uses: Accountant*
>
> *Air conditioning equipment, sales, and service*
>
> *Airline or transportation ticket office*

Ambulance service

Bakery

Bank or savings and loan

Café

Dental clinic

Department store

Toy store

Used car lot

Utility easement or right-of-way

Veterinary clinic

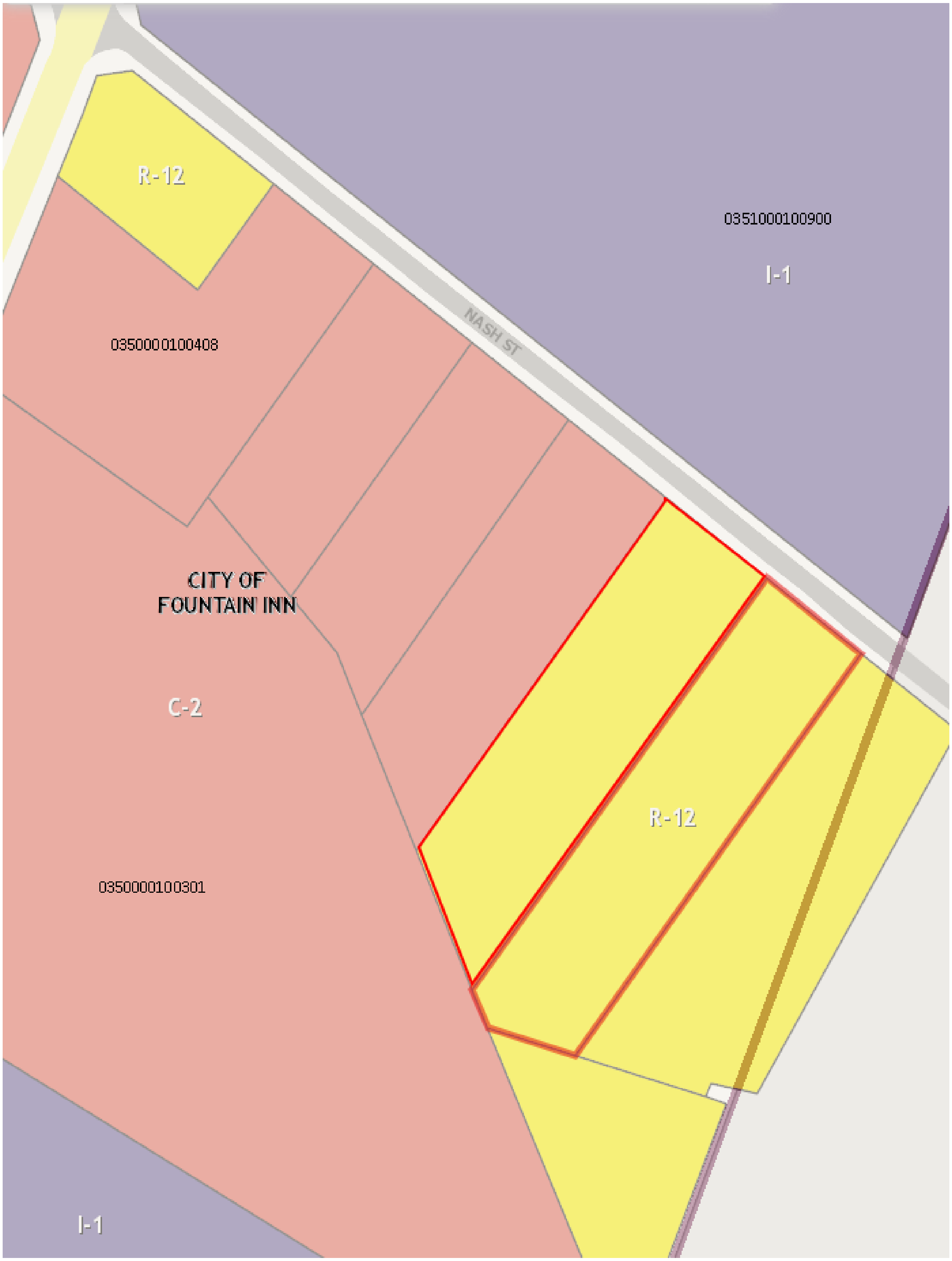
Veterinary office

Accessory buildings and uses customarily incidental to the above uses

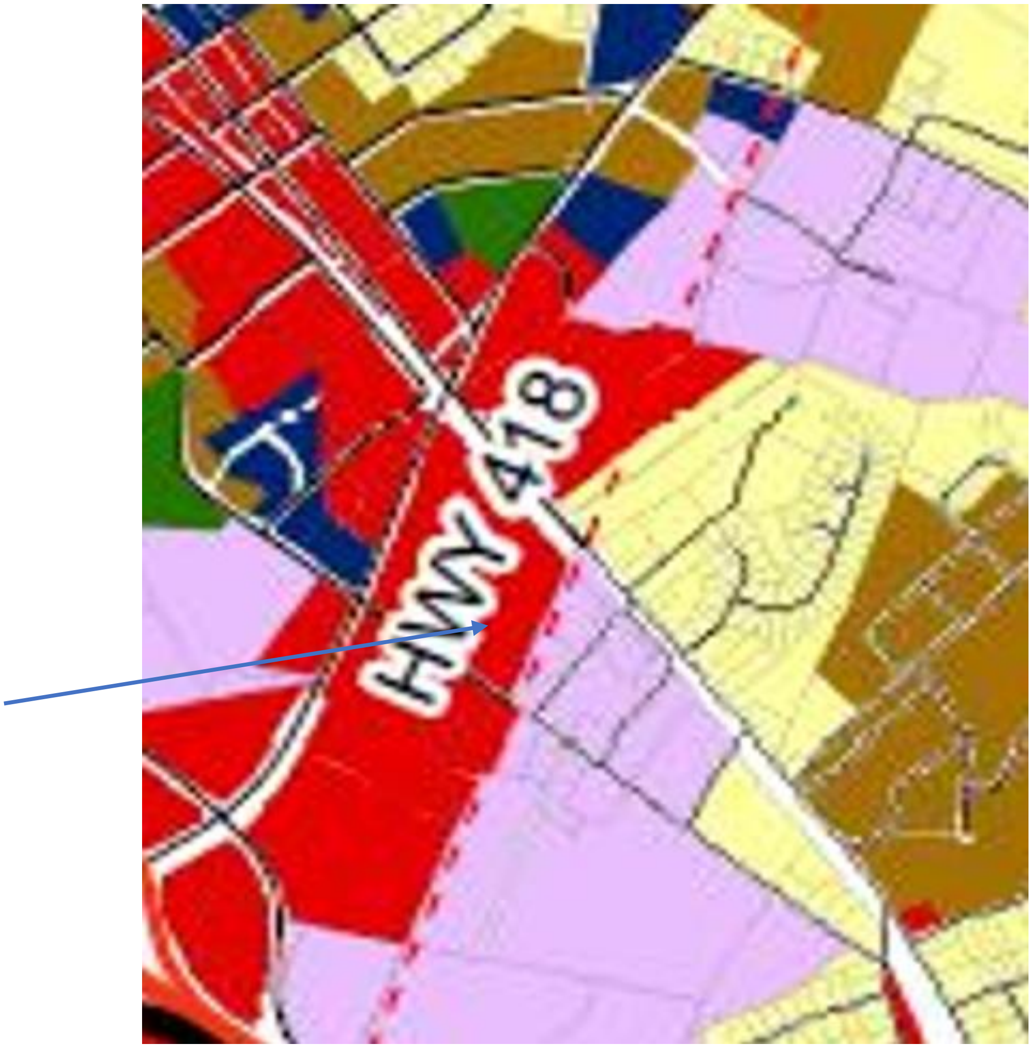
Refer to Fountain inn Zoning Ordinance for other uses which are compatible with the aforementioned uses.

Aerial Map, parcel view (source: Greenville County GIS):

Zoning Map (Subject Area):

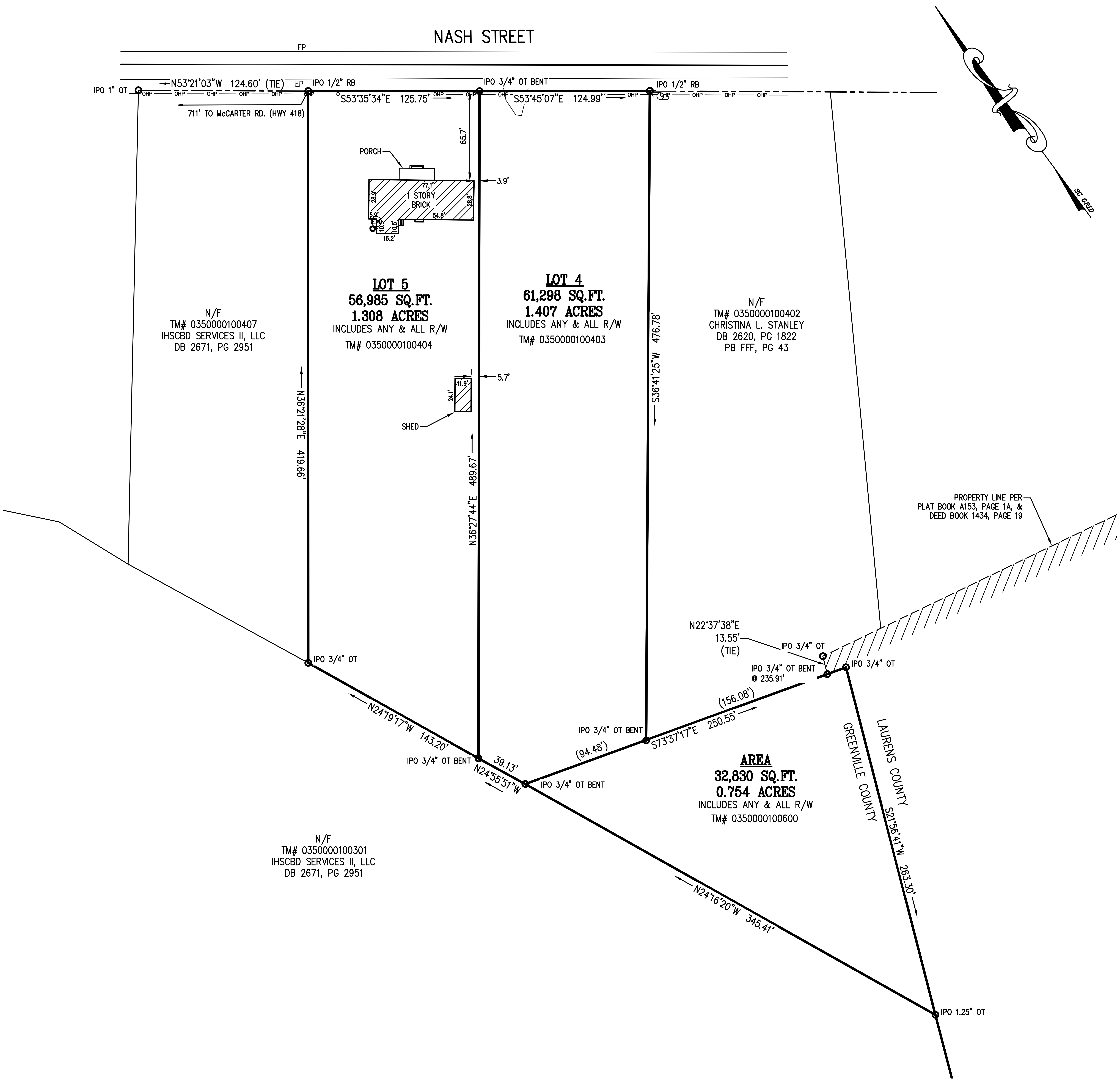


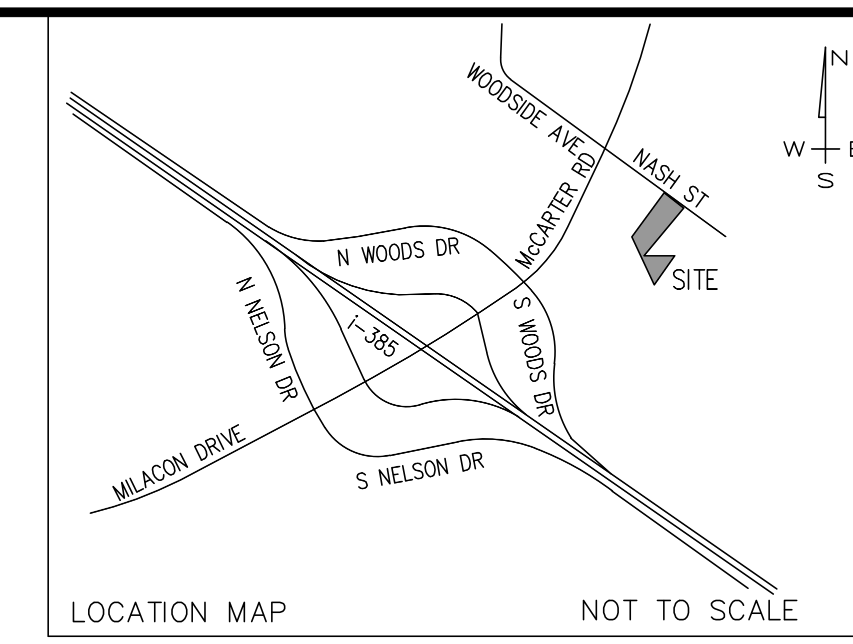
Future Land Use Map (Subject Area):



STAFF RECOMMENDATION: Approval for Rezoning from R-12 to C2.

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS–OF–WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. – ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. – THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.





I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

REFERENCES:
PB 48–F, PG 52
PB 1414, PG 15
PB 17–Z, PG 18

A. CLAY JONES, P.L.S.
S.C. REG. NO. 26210

SOUTH CAROLINA SITE DESIGN, INC. No. C00122 CERTIFICATE OF AUTHORIZATION

LEGEND

BL	BUILDING LINE	CATV	CABLE TV PEDESTAL	TC/BC	TOP/BOTTOM CURB
CL	CENTERLINE	TEL	TELEPHONE PEDESTAL	TW/BW	TOP/BOTTOM WALL
CMP	CORRUGATED METAL PIPE	EM	ELECTRIC METER	VCP	VITRIFIED CLAY PIPE
CT	CRIMP TOP	CB	CATCH BASIN	WM	WATER METER
DE	DRAINAGE EASEMENT	DI	DROP INLET	WV	WATER VALVE
EP	EDGE OF PAVEMENT		ELEC TRANS	—CTV—	CABLE TV
IPO	IRON PIN OLD	90.0	ELEVATION	—X—	FENCE LINE
IPS	IRON PIN SET		FIRE HYDRANT	—FOC—	FIBER OPTIC CABLE
N&C	NAIL & CAP	GM	GAS METER	—GAS—	GAS LINE
OT	OPEN TOP	GV	GAS VALVE	—OHP—	OVERHEAD POWER
RB	REBAR	LP	LIGHT POLE	—OHT—	OVERHEAD TELEPHONE
RCP	REINFORCED CONC PIPE	PP	POWER POLE	—SD—	STORM DRAIN
R/W	RIGHT OF WAY	GP	GUY ANCHOR	—SS—	SANITARY SEWER
SD	STORM DRAIN	SDMH	SD MANHOLE	—UGP—	UNDERGROUND POWER
SS	SANITARY SEWER	SSMH	SS MANHOLE	—UGT—	UNDERGROUND TEL
SSE	SS EASEMENT	TMH	TELEPHONE MANHOLE	—W—	WATER LINE
		CO	CLEAN OUT		

SURVEY FOR

TELLUS, LLC

GREENVILLE COUNTY, SOUTH CAROLINA

SCALE	PROPERTY ADDRESS	TAX PIN	
1"=50'	108, 110 NASH STREET	AS NOTED	
DATE	50 0 50 100	FIELD CREW	DRAWN BY
12/09/22		ADM/WT	DKR

SITE DESIGN, INC.

CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (864)271-0496
www.sitedesign-inc.com

S220304

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: An Ordinance to Provide for the Annexation of the Property Described Herein to the City Limits of the City of Fountain Inn; To Establish a Zoning Classification Therefor; To Assign the Annexed Property to a Council Ward; and Other Related Matters (Hunter Road-Club Drive).

Summary Background: AX-2023-01 would annex and rezone approximately 6.78 acres on Hunter Road (portion of TMS: 0555020101000). Upon annexation, the subject property would be placed into Council Ward 4. Zoning would be changed from R-12, Residential District (Greenville County) to R-15, Residential District in Fountain Inn, which would reduce the permitted density of development.

It is surrounded by Braxton Ridge subdivision to the east, the golf course to the north and west, and undeveloped/vacant residential land to the south across Durbin Creek.

The adopted Future Land Use Map calls for medium-low density residential use adjacent to the subject parcel, which is consistent with R-15 zoning. However, the subject parcel is indicated for recreation use in the Future Land Use Map, as this parcel is currently a part of the 179-acre Fox Run Country Club property. The rest of the Fox Run Country Club property is zoned R-S, Residential Suburban as it is "split zoned" in Greenville County currently. In addition, the property is within the Scuffletown Rural Conservation District (Greenville County).

The Planning Commission voted unanimously to approve the rezoning request at March 2 meeting.

The applicant has indicated that he plans 5 to 6 residential lots for the property.

Impact If Denied: The subject property would remain zoned R-12 and would remain in unincorporated Greenville County.

Impact If Approved: Up to 18 lots could be created under the proposed R-15 zoning. However, the applicant has indicated only 5 to 6 lots will be created. Preliminary discussions with the applicant indicate that access to the 5 to 6 lots would be provided via a private drive.

Financial Impact: Minimal impact.

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF THE PROPERTY DESCRIBED HEREIN TO THE CITY LIMITS OF THE CITY OF FOUNTAIN INN; TO ESTABLISH A ZONING CLASSIFICATION THEREFOR; TO ASSIGN THE ANNEXED PROPERTY TO A COUNCIL WARD; AND OTHER RELATED MATTERS (HUNTER ROAD-CLUB DRIVE).

WHEREAS, Johnny Tong and Ft Inn Simp Country Club Inc. have filed a proper petition with the City using the 100 percent petition method concerning those parcels or tracts of land, which property is contiguous to the City limits petitioning for annexation of said property to the City of Fountain Inn under the provisions of South Carolina Code Annotated section 5-3-150(3) and described as follows:

ALL those certain pieces, parcels or tracts of land containing approximately 6.780 acres more or less, situate, lying and being on Hunter Road near the intersection of Club Drive in Greenville County, South Carolina, and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

GREENVILLE COUNTY TMS # 0555020101000 (~6.780-acre Portion)

WHEREAS, it appears to the City Council that annexation would be in the best interest of the property owners and the City; and

WHEREAS, the notice and public hearing requirements of South Carolina Code Annotated section 5-3-150(1) have been complied with:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina, as follows:

Section 1. **ANNEXATION:** That the property herein described is hereby annexed to and becomes a part of the City effective on the date of the passage of this Ordinance.

Section 2. **ZONING CLASSIFICATION:** The property herein described is hereby assigned the zoning classification of R-15: Single Family Residential.

Section 3. **DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward 4.

Section 4. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

Section 5. **AUTHORIZATION**. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the actions authorized by this Ordinance in accordance with the conditions herein set forth.

Section 6. **EFFECTIVE DATE**. This Ordinance shall be effective upon second and final reading by the City Council.

CITY OF FOUNTAIN INN, SOUTH CAROLINA

____

George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

____

Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

____

Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading:	March 9, 2023
Second Reading / Final Approval:	April 6, 2023

EXHIBIT A

DEPICTION OF PROPERTY

STAFF REPORT
TO THE FOUNTAIN INN PLANNING COMMISSION
FROM PLANNING & DEVELOPMENT DEPARTMENT STAFF
March 2, 2023

DOCKET NUMBER: **FI-2023-004 (rezoning)**

APPLICANT/OWNERS: Johnny Tong;
Ft Inn Simp Country Club Inc

PROPERTY LOCATION: Hunter Road

TAX MAP NUMBER: Portion of 0555020101000

ACREAGE: 6.78

EXISTING ZONING: R-12 Residential District (Greenville County)

REQUESTED ZONING: R-15, Single-Family Residential District

Existing Land Use: Vacant

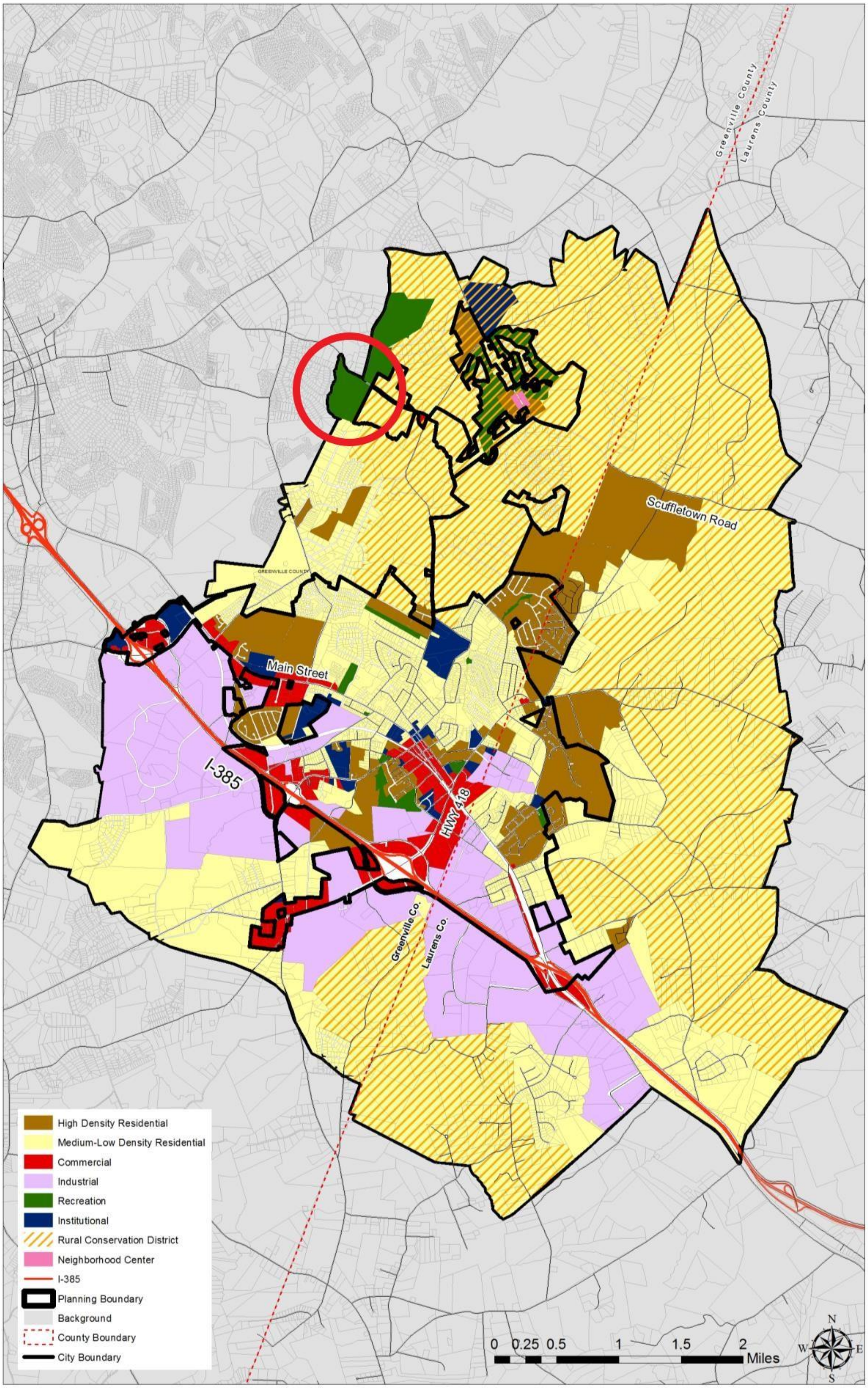
Adjacent Land Use: North: Residential, Recreational
East: Residential
South: Vacant
West: Recreational

Adjacent Zoning:

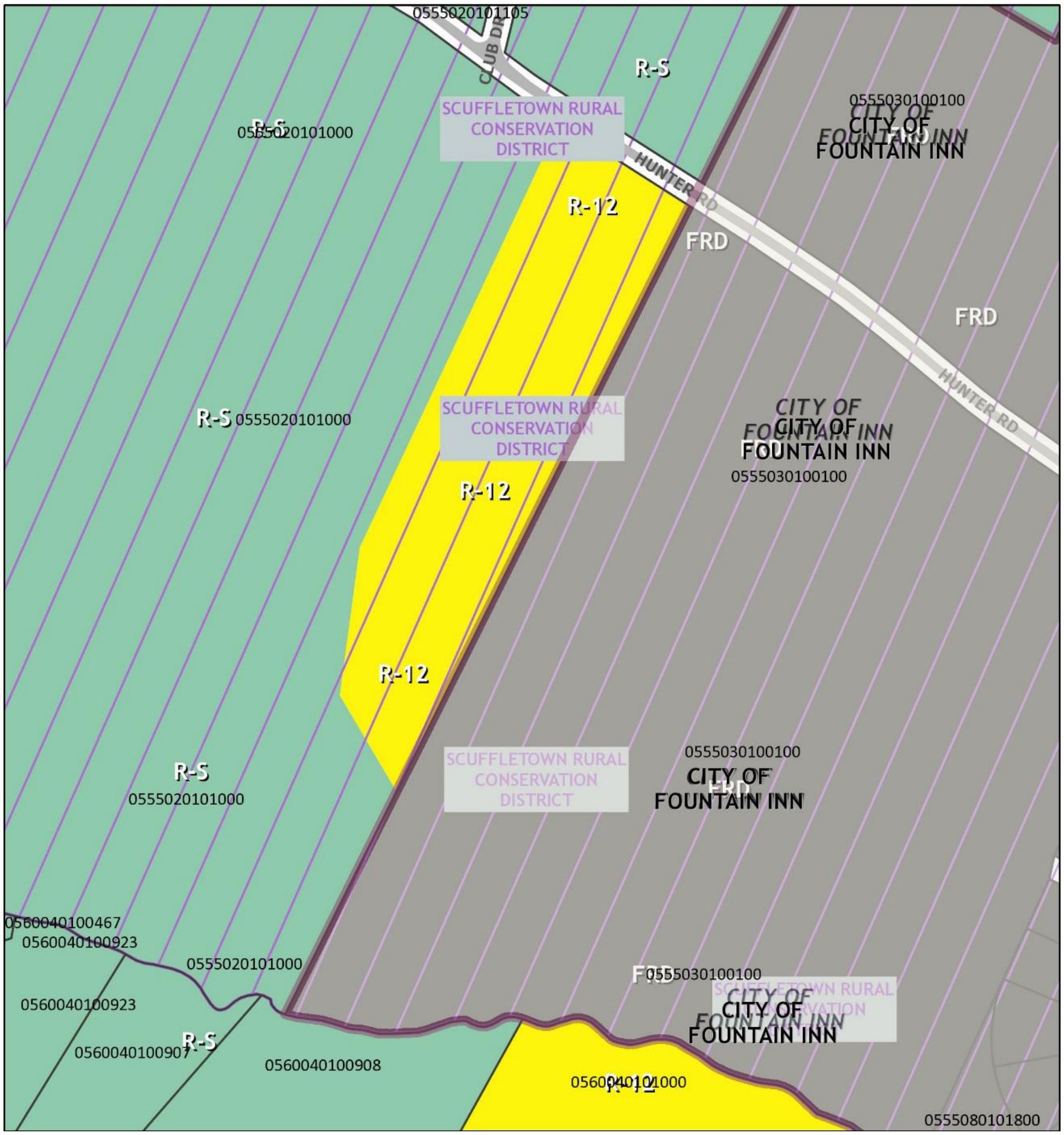
North: R-S, Residential Suburban (Greenville County)
East: FRD, Flexible Review District (City of Fountain Inn)
South: R-S, Residential Suburban District (Greenville County)
West: R-S, Residential Suburban District (Greenville County)

Aerial Map (source: Greenville County GIS):

Future Land Use Map:



Zoning Map (Subject Area):



Hunter Road, north of site

Hunter Road, southwest of site

ANALYSIS:

The subject property is located west of the existing city limits and is near the northernmost portion of the city. The proposed rezoning would consist of 6.78 acres of land out of approximately 179 acres of the Fox Run County Club. It is surrounded by Braxton Ridge subdivision to the east, the golf course to the north and west, and undeveloped/vacant residential land to the south across Durbin Creek. The 6.78 acres is currently wooded property.

The 6.78-acre subject property is currently zoned R-12 (Greenville County); the rest of the Fox Run Country Club property is zoned R-S, Residential Suburban. It is “split zoned” in the county today. In addition, the property is within the Scuffletown Rural Conservation District. This zoning overlay *is intended to provide for residential development that supports the development goals of the Scuffletown Plan Area, protects open space and natural resources, and retains the predominantly rural character of the area.* This overlay applies to County zoning only; it does not apply to property within the City.

The applicant is requesting R-15, Single Family Residential zoning for this site upon annexation.

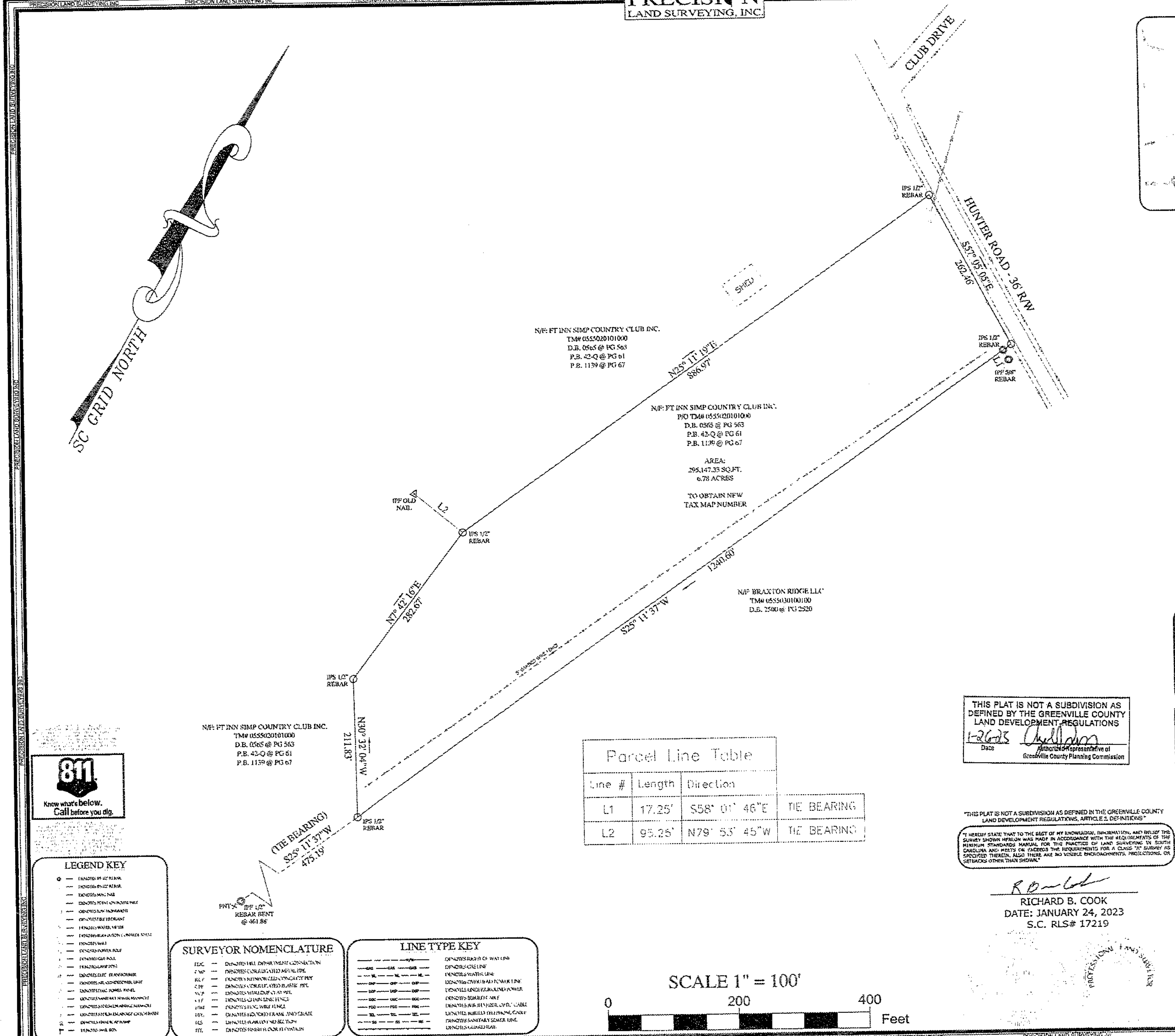
Braxton Ridge is directly east of the site, which is zoned FRD. The other adjacent parcels are all zoned R-S in unincorporated Greenville County.

The immediate property is outside of the City of Fountain Inn, but future land uses call for Recreation on the 2017 Future Land Use Map. However, the subject 6.78 acres would be subdivided from the larger 178-acre parcel, R-15 zoning is considered Low-Medium Density, and Medium-Low Density Residential is recommended for all adjacent areas surrounding the subject property. Medium-Low Density Residential is shown as any single-family residentially zoned district that is 3.6 units per acre or less in density The proposed zoning is consistent with existing residential development along this portion of Hunter Road, and lower density than the existing Greenville County zoning.

The proposed annexation and concurrent rezoning of the subject parcel would join property directly adjacent to the City limits and permit a similar land use to those properties adjacent and within the city. The parcel is adjacent to City limits on the east side and would extend City limits to create a relatively contiguous City boundary.

The request to annex and zone this subject 6.78 acres as R-15 Residential District would be consistent with future land use designations in the vicinity.

STAFF RECOMMENDATION: Approval of annexation and R-15, Residential Single-Family zoning district.



Parcel Line Table		
Line #	Length	Direction
L1	17.25'	S58° 01' 46"E TIE BEARING
L2	95.25'	N79° 53' 45"W TIE BEARING

SURVEYOR'S NOTES

CONTROL NOTES:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CORRECT TITLE SEARCH MAY DISCLOSE.
THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.

THIS PLAT IS NOT A SUBDIVISION AS DEFINED BY THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS

1-26-23
Date

Authorized Representative of Greenville County Planning Commission

"THIS PLAT IS NOT A SUBDIVISION AS DEFINED IN THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS, ARTICLE 2, DEFINITIONS"

"I HEREBY STATE THAT 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 "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS, PROJECTIONS, OR SETBACKS OTHER THAN SHOWN."

RICHARD B. COOK
DATE: JANUARY 24, 2023
S.C. RLS# 17219

PRECISION
LAND SURVEYING, INC.
439 BEULAH CHURCH ROAD
ABBEVILLE COUNTY, SC 29620
(864) 627 - 8067
EMAIL: brucepls@bellsouth.net

Field By: J GRAY, J & D.	AREA: 6.78 ACRES	
Dwn By: E MEJIA		
Aprvd By: B COOK	Date:	
	Revision:	
Field Date: 01-23-2023	Date:	
Sheet: 1 of 1	Revision:	

BOUNDARY SURVEY AT THE REQUEST OF:

FOUNTAIN INN SIMPSONVILLE COUNTRY CLUB INC.

Project Address: HUNTER RD., FOUNTAIN INN, SC
Project Location: GREENVILLE COUNTY, SC
TMS #: P/O: 0555020101000
Job Number: 2023-004

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	March 9, 2023 Regular City Council Meeting

☐ Ordinance/First Reading ☐ Ordinance/Second Reading ☒ Resolution/First & Final Reading

Agenda Date Requested: March 9, 2023

Ordinance/Resolution Caption: Approval to Authorize the City Administrator to Execute an Engagement Agreement with Mauldin & Jenkins, LLC to provide auditing services for the City of Fountain Inn.

Summary Background: The City of Fountain Inn solicited sealed proposals from qualified vendors for financial services for the fiscal periods ending June 30, 2023, 2024, and 2025. The Assistant City Administrator, Accounting Manager, and Natural Gas Director evaluated proposals from six firms.

- Mauldin & Jenkins
- Green Finney
- Phillips CPA
- Manley Garvin
- Love Bailey
- McKinley Cooper

The selection committee determined that Mauldin & Jenkins was the most responsive and advantageous to the City to provide auditing services for FY 2023 with the option to provide services for two subsequent years.

- The firm has the capacity to complete our audit on time, with several other office locations they can pull from if needed.
- The firm prioritizes year around communication and education.
- The firm has a high staff retention rate.
- A lot of experience auditing cities of all sizes, across the Southeast, including South Carolina which includes cities with utilities.
- Very thorough proposal and presentation.

Impact If Denied: State law and city ordinances require an annual audit. If denied, the City will not satisfy the annual requirement.

Impact If Approved: The City will fulfill the requirement to conduct an annual audit and will produce the Annual Comprehensive Financial Report.

Financial Impact: The City budgets $41,000 for audit services and the proposal from Mauldin and Jenkins, LLC was $35,000 and $5,000 if a single audit is required.

March 6, 2023

Honorable Mayor and Members of the
City Council
City of Sample, South Carolina

Attn: Jane Doe, Director of Finance

We are pleased to confirm our understanding of the services we are to provide the City of Sample, South Carolina (the City) for the year ended June 30, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of the City as of and for the year then ended. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis (MD&A).
2. Budgetary Comparison Schedule for the General Fund and Major Special Revenue Funds (if any)
3. Schedule of City's Proportionate Share of the Net Pension Liability.
4. Schedule of City Contributions – Pension Plan.
5. Schedule of Changes in the City's Total OPEB Liability and Related Ratios

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS and will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

1. Schedule of expenditures of federal awards.
2. Combining and individual fund statements and schedules.
3. Schedule of Revenues and Direct Expenditures – General Fund Fire Department Operations
4. Uniform Schedule of Court Fines, Assessments and Surcharges.

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report:

1. Introductory section
2. Statistical section

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on -

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards.*

- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit
We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we will exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

1. Management's override of internal controls.

Audit Procedures—Internal Control
We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards.*

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance
As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform these services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and to prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review subsequent to the start of fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19 related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes): and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to an exempt offering document with which Mauldin & Jenkins is not involved, you agree to clearly indicate in the exempt offering document that Mauldin & Jenkins is not involved with the contents of such offering document. In the event that Mauldin & Jenkins is requested to be involved with an exempt offering document, you agree that the aforementioned auditor's report or reference to Mauldin & Jenkins will not be included without our prior permission or consent. Furthermore, any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You acknowledge the City will not utilize Mauldin & Jenkins, LLC to store documents, data, or records on behalf of the City in accordance with the “Hosting Services” (see ET section 1.295.143) interpretation of the AICPA Code of Professional Conduct. The City is solely responsible for maintaining its own data and records.

In that regard, SuraLink is used solely as a method of transferring data to Mauldin & Jenkins, LLC and is not intended for the storage of the City’s information. All information you will provide through SuraLink is a copy and you will maintain original documents and data as part of your records.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management’s responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors’ reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors’ reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Mauldin & Jenkins and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Mauldin & Jenkins personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a regulatory body. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately September 18, 2023 and to issue our reports no later than December 31, 2023. Grant Davis is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be $35,000 for the financial and compliance audit and $5,000 for each major federal program for the year ended June 30, 2023. Our hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses and are payable upon presentation. The above fees are based on anticipated cooperation from your personnel (including complete and timely receipt by us of the information on the respective client participation listings) and the assumption that unexpected circumstances (including scope changes) will not be encountered during the audit. If significant additional time is necessary, we will discuss it with management and arrive at a new fee estimate before we incur the additional costs.

As a result of our prior or future services to you, we might be requested or required to provide information or documents to you or a third party in a legal, administrative, arbitration, or similar proceeding in which we are not a party. If this occurs, our efforts in complying with such requests will be deemed billable to you as a separate engagement. We shall be entitled to compensation for our time and reasonable reimbursement for our expenses (including legal fees) in complying with the request. For all requests we will observe the confidentiality requirements of our profession and will notify you promptly of the request.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Members of the City Council for the City of Sample, South Carolina. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs to our auditor’s report, or if necessary, withdraw from this engagement. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue reports, or may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the City of Sample, South Carolina and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign below and return it to us.

Sincerely,

MAULDIN & JENKINS, LLC

Grant Davis

RESPONSE:

This letter correctly sets forth the understanding of the City of Sample, South Carolina.

By: ____

Title: ____


City of Fountain Inn
Presentation:
Annual Audit Services
800-277-0050
January 24, 2023 @ 10:00

Introductions

Grant Davis *(11 yrs)*

Lead Partner

David Irwin *(20 yrs)*

Quality Control Partner

David Usefara *(5 yrs)*

Manager

Each Person = 100% Governmental

Presentation to Provide
Annual Audit Services
January 24, 2023

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Mauldin & Jenkins By the Numbers

INSIDE PUBLIC ACCOUNTING TOP 100 FIRMS 2021

accountingTODAY 2022 Top 100 Firms

CONSISTENTLY RANKED AS A TOP ACCOUNTING FIRM IN THE U.S.

100+ year
HISTORY
OF QUALITY SERVICE

Serve 650+
GOVERNMENT CLIENTS

GOVERNMENTAL PARTNERS **16**

140+ TEAM MEMBERS DEDICATED TO SERVING THE GOVERNMENTAL INDUSTRY

INNOVATION • STEWARDSHIP • IMPACT • TRUST • EXCELLENCE

CORE PURPOSE
TO GUIDE WITH WISDOM, SERVE WITH COMPASSION AND LEAD WITH INTEGRITY.

MAULDIN & JENKINS

CORE VALUES

VISION

To be a trusted advisor, earning trust and building respect through our consistent commitment to sustainable excellence, leadership, and integrity.

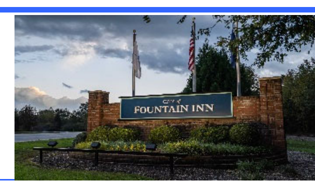
225+ SINGLE AUDITS PERFORMED LAST YEAR COVERING OVER $4 BILLION OF FEDERAL GRANTS

135,000+ HOURS ANNUALLY PROVIDED TO GOVERNMENTAL CLIENTS

150+ CURRENT CLIENTS AWARDED THE GFOA CERTIFICATE OF EXCELLENCE

5 STATES | **13** OFFICES

Presentation to Provide
Annual Audit Services
January 24, 2023



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Mauldin & Jenkins By the Numbers

- Founded ~1918. Based in Atlanta (with 12 other offices).
- **350,000** = hours of service annually (~60% attestation = 210,000).
- **139,000** = governmental attestation hours.
- **650+** = governments served.
- **54%** = governmental vs. total attestation.
- **30%** = governmental vs. firm totals.
- **450** = personnel (180 governmental).
- **68** = partners (16 governmental).
- **19** = **Natural Gas operations audited**
- **140+** = clients currently awarded GFOA Certificate.


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Another Look at the Team

Grant Davis
Engagement Partner

Miller Edwards
Quality Control Partner

David Irwin
Technical Resource Partner

David Usefara
Audit Manager

Audit Engagement Team Staff

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Various Governments Served

Georgia
1) Albany
2) Alpharetta
3) Americus
4) Ashburn
5) Atlanta
6) Austell
7) Bainbridge
8) Baldwin
9) Ball Ground
10) Barnesville
11) Bloomingdale
12) Brookhaven
13) Brunswick
14) Byron
15) Cartersville
16) Cedartown
17) Centerville
18) Chamblee
19) Chattahoochee Hills
20) Clarkston
21) College Park
22) Conyers
23) Cordele
24) Covington
25) Dalton
26) Decatur
27) Doraville
28) Douglasville
29) Duluth
30) Dunwoody
31) Fairburn
32) Fayetteville
33) Flovilla
34) Forest Park
35) Forsyth
36) Garden City
37) Grovetown
38) Griffin
39) Hapeville
40) Hinesville
41) Holly Springs
42) Jefferson
43) Jeffersonville
44) Johns Creek
45) Kennesaw
46) Kingsland
47) LaGrange
48) Lawrenceville
49) Leesburg
50) Lilburn
51) Lone Oak
52) Lyons
53) Milledgeville
54) Milner
55) Milton
56) Monroe
57) Morrow
58) Nashville
59) Oxford
60) Peachtree City
61) Peachtree Corners
62) Pearson
63) Perry
64) Pooler
65) Powder Springs
66) Port Wentworth
67) Richmond Hill
68) Riverdale
69) Rockmart
70) Rome
71) Roswell
72) Sandy Springs
73) Savannah
74) Sharpsburg
75) Social Circle
76) South Fulton
77) St. Marys
78) Stockbridge
79) Stonecrest
80) Suwanee
81) Temple
82) Thomasville
83) Thunderbolt
84) Tifton
85) Toccoa
86) Tucker
87) Turin
88) Tybee Island
89) Union City
90) Valdosta
91) Villa Rica
92) Waycross
93) West Point

Alabama / Mississippi
94) Athens, AL
95) Huntsville, AL
96) Tuscaloosa, AL
97) Gulfport, MS
98) Meridian, MS

Florida
99) Apopka
100) Callaway
101) Clewiston
102) Crystal River
103) Fernandina Beach
104) Ft. Myers Beach
105) Haines City
106) Hallandale Beach
107) Indiantown
108) Islamorada
109) Jupiter Inlet Colony
110) LaBelle
111) Lake Placid
112) Longboat Key
113) Marco Island
114) Naples
115) New Port Richey
116) North Port
117) Pensacola
118) Pinecrest
119) Plant City
120) Tarpon Springs
121) Tequesta
122) Wildwood

North Carolina
123) Asheville
124) Black Mountain
125) Garner
126) Hendersonville
127) Jacksonville
128) Rocky Mount
129) Selma
130) Zebulon

South Carolina
131) Aiken
132) Beaufort
133) Cayce
134) Chapin
135) Charleston
136) Clemson
137) Clover
138) Hanahan
139) Hardeeville
140) Hemingway
141) Hilton Head Island
142) Hollywood
143) Georgetown
144) Goose Creek
145) Johnsonville
146) Kiawah Island
147) Mount Pleasant
148) North Augusta
149) North Charleston
150) Orangeburg
151) Pamplico
152) Rock Hill
153) Seabrook Island
154) Summerville

Tennessee
155) Bristol
156) Clarksville
157) Jamestown
158) Jackson
159) Spring Hill


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Sample of Clients We Serve in South Carolina

- Charleston County Aviation Authority
- Charleston Water System
- City of Aiken
- City of Beaufort
- City of Charleston
- City of Clemson
- City of Goose Creek
- City of North Augusta
- City of North Charleston
- City of Orangeburg
- City of Rock Hill
- Greenville County
- Greenville Water System
- Greenwood CPW
- Greer CPW
- Laurens County
- Mount Pleasant Waterworks
- Oconee County
- SC DOT
- Town of Hilton Head Island
- Town of Kiawah Island
- Town of Mount Pleasant


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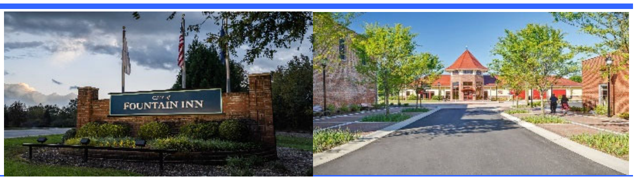
Clients We Serve Near the City

- City of Clemson
- Greenville County
- Greenville Water
- Greer CPW
- Laurens County
- Oconee County
- Tri-County Tech. College



Other Governmental Sector Experience

- **Single Audits**: Annually, as many as **300+ clients** have required Single Audits covering approx. **$5.3 billion**. M&J is a leader in the profession in the conduct of Single Audits.
- **Bonds (Debt)**: Serving clients with substantial bond indebtedness. Significant number of bond issuances, and the special procedures and accounting required. **Over 50 with more than $14 billion** in debt proceeds.

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Transition Testimonials

"The Commissioners of Mount Pleasant Waterworks would like to express their sincere thanks and appreciation for the excellent audit of our financials for the Fiscal Year 2014, especially being a first time audit….. We are looking forward to next year's audit."
Clay Duffie, Mount Pleasant (SC) Waterworks, General Manager

"In the six years that I've gone through internal and external audits this has been by far the best experience with auditors. Your personalities make a huge difference and we haven't regretted changing auditors."
Crystal Coleman, Edgefield County (SC), Finance Director

"You are the best auditors I have ever worked with over my career. It is a big difference having a group that is dedicated to governmental accounting."
Wesley Ropp, Charleston Water System, Chief Financial Officer


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Experience with Transitions

Over the Past 20 Years……

Over 500 New Audit Client Transitions

"Like most Finance departments we hate <u>breaking in</u> a new audit firm, however Mauldin & Jenkins made the transition practically painless."

Tim Schroer, Assistant Director of Finance
Augusta - Richmond County (GA) Consolidated Government
Assets > $2.0 billion. Revenues > $470 million.


Keys to Transitioning Clients

We aim to make the process painless.

- Communication early with prior auditor.
- Review prior workpapers.
- Visit with <u>and simply learn</u>……
- Tailor our request based on what we learned.
- First year has more hours than succeeding years.
- Ongoing 2-way communication is the key.


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10 Keys for a Great Auditor Transition

1) Experience
2) Communication
3) Flexible
4) Learning Before Testing
5) Tailoring Our Approach
6) Not Recreating the Wheel
7) Decisions Made in the Field
8) Reviews in the Field
9) Year Long Support
10) Work to a Common Goal

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Staff Retention

Our 5 Year Retention Rate is >85%.

When someone joins M&J,
85% stay for a minimum of 5 years.

- *Atlanta Journal-Constitution* named M&J as one of the Best Places to Work for 2021.
- Continuity and consistency at all levels.
- Same auditors returning / serving annually.


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Responsive

Public Accounting is a Service Industry…

- We want dialogue with our clients.
- We want to know what's going on.
- Open and proactive communication is key to value-added client service.
- We have the capacity and ability to serve at the highest level.


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We Are Ready to Serve the City

- We have the capacity and experience to serve.
- We are very comfortable with hours proposed.
- Time frames can move forward or backward (*if so desired by the City's management*).
- Meet management often via status meetings.
- Team to remain in the field through the review process, and drafting of financial reports.
- Lack of firm turnover. Goal = no changes to staff.



Mauldin & Jenkins Difference = Our Commitment

1) Experience with many types of Governments.
2) Experience with Cities and Gas operations.
3) Experience and transitions with Large & Small Governments.
4) Experience with GFOA Certificate program.
5) Experience in the Bond Market.
6) Experience with Remote Auditing (if/as needed).


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Mauldin & Jenkins Difference = Our Commitment

7) Dedication to Governmental Industry:

- AICPA President.
- AICPA Gov. Audit Quality Institute (GAQC), as well as Exec. Committee Member.
- AICPA Single Audit Quality Improvement Task Force.
- AICPA representative member of the Government Accounting Standards Advisory Council (GASAC).
- New Chairman of GASB is one of our own.
- GFOA ACFR reviewers.
- **FREE continuing education for our clients**.



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Mauldin & Jenkins Difference = Our Commitment

8) High Level Partner / Manager Involvement

Experience Brought to the Field; Timely Decisions; Accessibility; Timely Reviews; Good Communications; High Partner Time.

9) Quality and Continuity of Professional Staff.

Large number of professionals who spend 100% of time serving governments. Turnover rate is significantly lower than other firms. Return of staff on engagements. Bring expertise & talent to the Authority.

10) Responsiveness & Resources

Proactive communications, meetings, availability == timely value-added service. We have the capacity and ability to serve.


Presentation to Provide
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City of Fountain Inn
CITY of
FOUNTAIN INN
Presentation:
Annual Audit Services
January 24, 2023
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