CITY COUNCIL MEETING

MONDAY, OCTOBER 16, 2023 | 7:00 PM

City Council will meet in the Mauldin City Hall Council Chambers, 5 East Butler Road

Please note that members of the public are encouraged to participate remotely through Zoom. Please visit the City's website at https://cityofmauldin.org/your-government/meeting-minutes-agendas/ to access the meeting via audio and videoconferencing

CITY OF MAULDIN
COUNCIL MEETING AGENDA
OCTOBER 16, 2023
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

1. Call to Order Mayor Merritt
a. Welcome
b. Invocation
c. Pledge of Allegiance

2. Proclamations and Presentations Mayor Merritt
a. Red Ribbon Week Proclamation
b. Cultural Center Mural Presentation- Leadership Golden Strip
c. Stormwater Utility Fee Presentation- KCI

3. Reading and Approval of Minutes Mayor Merritt
a. City Council Meeting- September 18, 2023 [Pages

4. Public Comment Mayor Merritt

5. Report from City Administrator City Administrator

6. Report from Standing Committees
a. Finance and Policy (Chairperson Reynolds)
b. Public Safety (Chairperson King)
c. Public Works (Chairperson Kraeling)
d. Economic Planning & Development (Chairperson Matney)
e. Building Codes (Chairperson Kuzniar)
f. Recreation (Chairperson Allgood)

7. Unfinished Business- Mayor Merritt
Ordinances- 2nd Reading

None

8. New Business Mayor Merritt
Ordinances – 1st Reading

a. Discussion and Possible Action on Annexation and Zoning Assignment for 14.3 acres at 635-689 Log Shoals Road [Pages Chairwoman Kuzniar

i. An ordinance to provide for the annexation of property consisting of approximately 12.0 acres owned by Lesley P. Corn,

and located at 635 Log Shoals Road (Tax Map Parcel: 0573.01-01-005.06) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property

ii. An ordinance to provide for the annexation of property consisting of approximately 1.5 acres owned by Lesley P. Corn and Vicki H. Corn, and located at 635 Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.08) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property

iii. An ordinance to provide for the annexation of property consisting of approximately 0.03 acres owned by Emma Bonham and Joseph Love Bonham III, and located at 641 Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.18) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential for said property

iv. An ordinance to provide for the annexation of property consisting of approximately 0.8 acres owned by Ronald Spanton, and located at 689 Log Shoals Road (Tax Map Parcel: 0573.01-01-004.00) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property

b. An ordinance amending the business license ordinance of the City of Mauldin to update the class schedule as required by Act 176 of 2020 [Pages] — Chairwoman Kuzniar

Standing Committee Items

c. FOIA Policy Change [Pages — Chairman Reynolds

d. Naming of Pedestrian Bridge [Pages — Chairman Allgood

9. Public Comment — Mayor Merritt

10. Call for Executive Session — Mayor Merritt

a. Executive Session to consider a contractual matter related to the Parker Group as allowed by State Statute 30-4-70 (a) (1)

b. Possible action on items discussed in Executive Session

11. Council Concerns Mayor Merritt

12. Adjournment Mayor Merritt

Mauldin
SOUTH CAROLINA

PROCLAMATION

Whereas, communities across America have been plagued by problems associated with illicit drug use and those that traffic them; and

Whereas, there is hope in winning the war on drugs through education and reduction in demand, as well as the hard work of organizations such as the Young Marines of the Marine Corps League to foster a healthy drug-free lifestyle; and

Whereas, governments know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

Whereas, the red ribbon has been chosen as a symbol commemorating the work of Enriquee "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty and represents the belief that one person can make a difference; and

Whereas, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts.

NOW THEREFORE, I, TERRY MERRITT, MAYOR OF THE CITY OF MAULDIN, SOUTH CAROLINA, DO HEREBY PROCLAIM OCTOBER 23-31, 2023 AS RED RIBBON WEEK IN THE CITY OF MAULDIN AND URGE THE CITIZENS OF MAULDIN TO JOIN ME IN THIS OBSERVANCE.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of October, 2023.

_____
Terry Merritt, Mayor

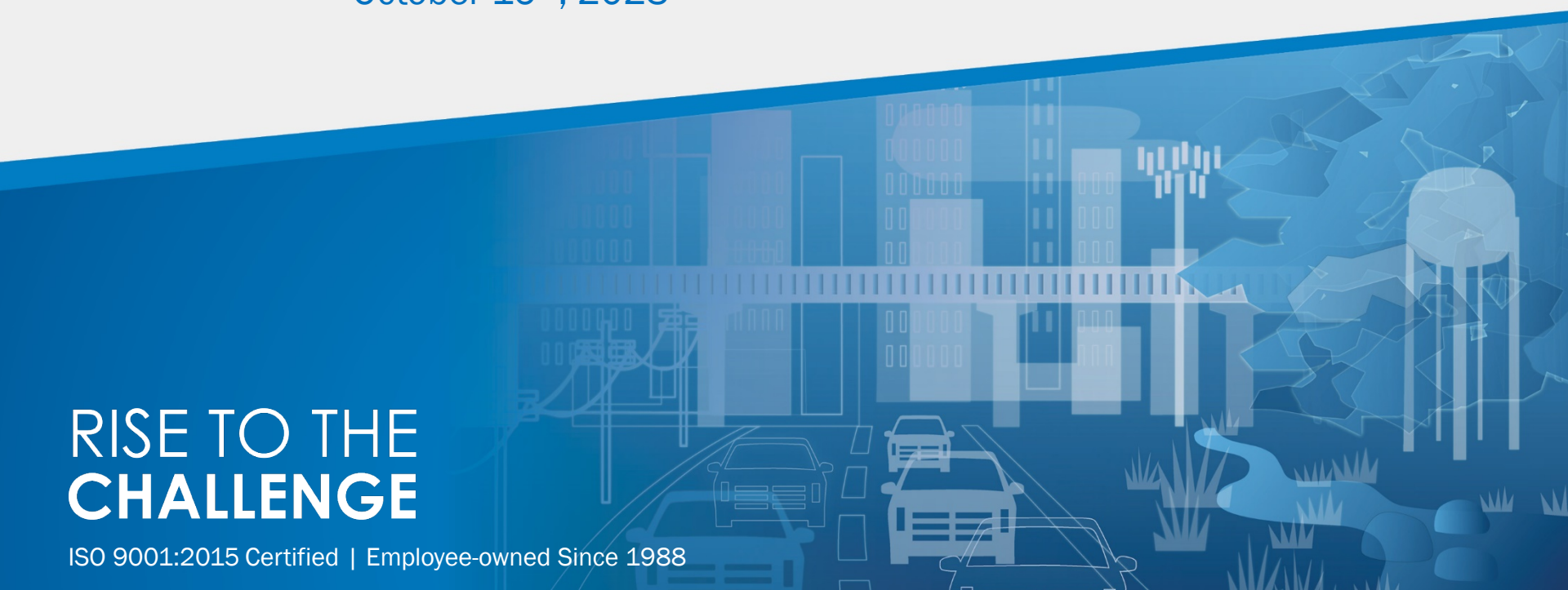
ATTEST:

_____
Cindy Miller, Municipal Clerk

Stormwater Utility Fee Evaluation

City of Mauldin Public Works

October 16th, 2023



RISE TO THE **CHALLENGE**

ISO 9001:2015 Certified | Employee-owned Since 1988

Background

City of Mauldin

Population increased 8.8% from 2020-2022

Current population roughly 27,500

Rising concerns of flooding along with increased costs

Background

Greenville County Stormwater

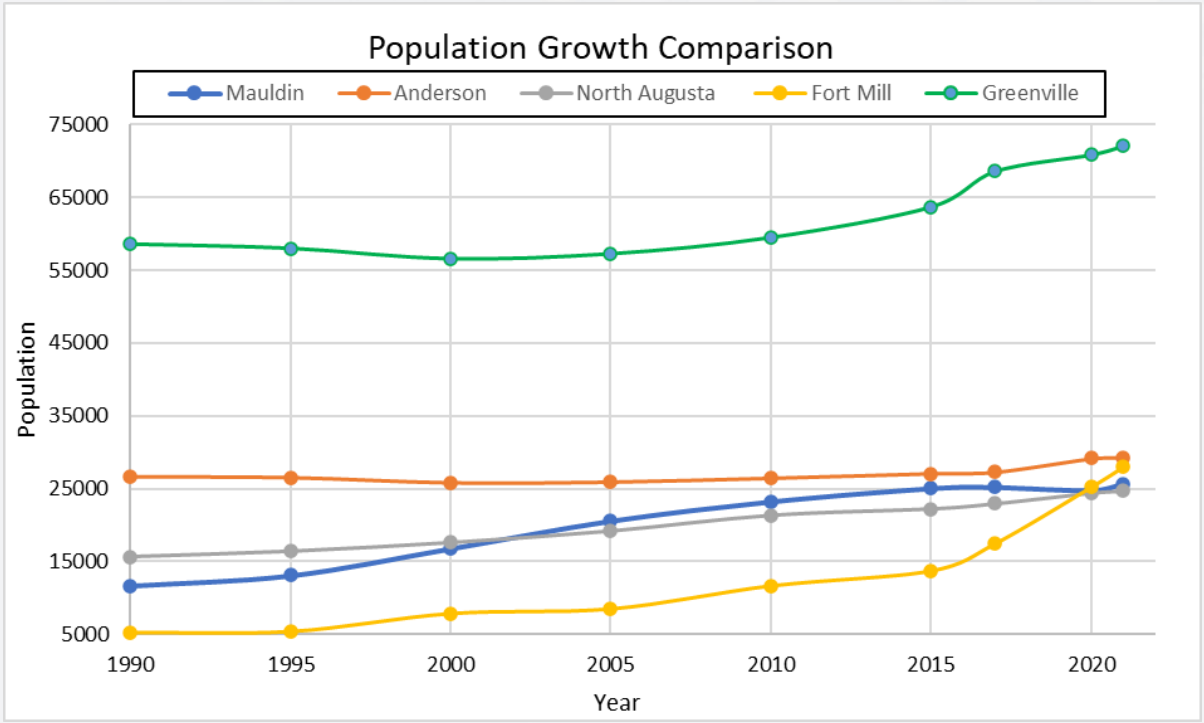
Charges between $22.80-$25.65 annually

Annually the County collects roughly $707,000 from the City's property owners

City of Mauldin does not receive any of these funds

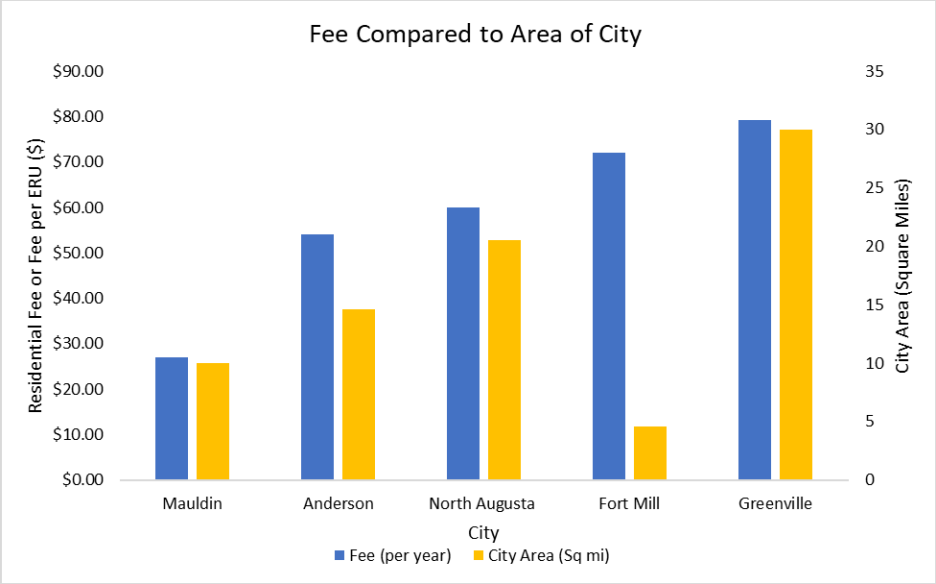
KCI

Analysis and Comparison of Similar Cities

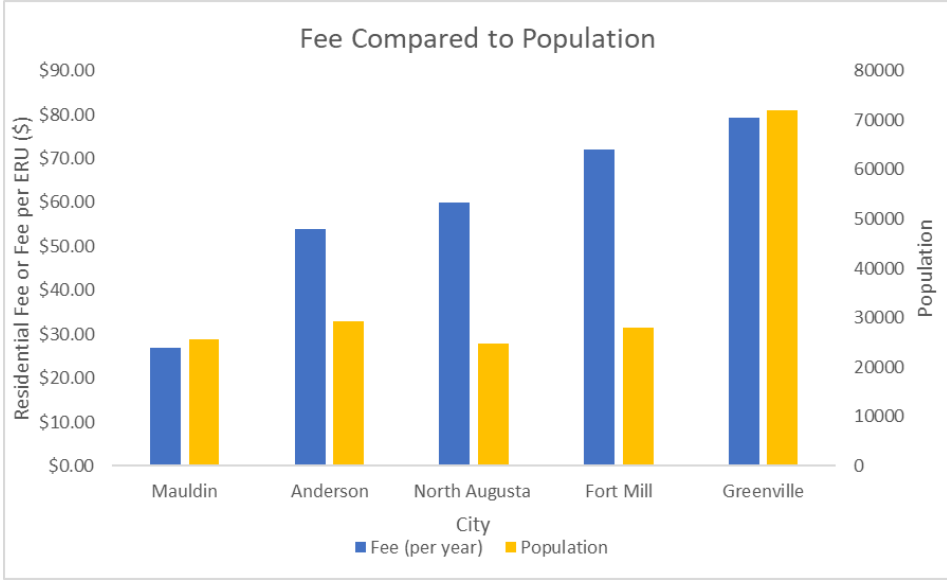


- Comparison to cities of similar size and/or population
- Cities Used for Comparison
  - City of Anderson
  - City of North Augusta
  - Town of Fort Mill
  - City of Greenville

Analysis and Comparison of Similar Cities



Comparison of average annual residential fee to area of the city



Comparison of average annual residential fee to population of the city

Overview of Fee Structure Analysis

Considerations



Flat or Variable Fee



Equivalent Residential Units (ERUs)



Minimum charge



Fee Credits

KCI

Overview of Fee Structure Analysis

Fee Structure Alternatives

Alternative	Flat or Variable Fee (Residential)	Flat or Variable Fee (Non-residential)	Minimum Charge	Fee Credits
1	Flat Fee	Flat Fee	Yes	No
2	Variable Fee	Variable Fee	No	No
3	Variable Fee	Variable Fee	Yes	Yes
4	Flat Fee	Variable Fee	No	No
5	Flat Fee	Variable Fee	Yes	Yes

KCI

Analysis

Fee Structure

Alternative	Residential Fee	Non-residential Fee	Minimum Charge	Fee Credits
1	$25 developed or undeveloped	$45 for developed $25 for undeveloped	Yes	No
2	$25 - <1,000 sq ft and developed or undeveloped $28 - >1,000 sq ft and developed	$27 per ERU for developed $25 for undeveloped	No	No
3	$25 - <1,000 sq ft and developed or undeveloped $28 - >1,000 sq ft and developed	$27 per ERU for developed $25 for undeveloped	Yes	Yes
4	$25 developed or undeveloped	$27 per ERU for developed $25 for undeveloped	No	No
5	$25 developed or undeveloped	$27 per ERU for developed $25 for undeveloped	Yes	Yes

Alternative	Residential Fees Collected	Non-residential Fee	Total Fee	Minimum Charge	Fee Credits
1	$225,000	$32,000	$257,000	$25	None
2	$245,000	$484,000	$725,000	None	None
3	$245,000	$476,740	$717,740	$25	$7,260
4	$226,500	$484,000	$710,000	None	None
5	$226,500	$476,740	$702,740	$25	$7,260

KCI

Analysis

Fee Structure

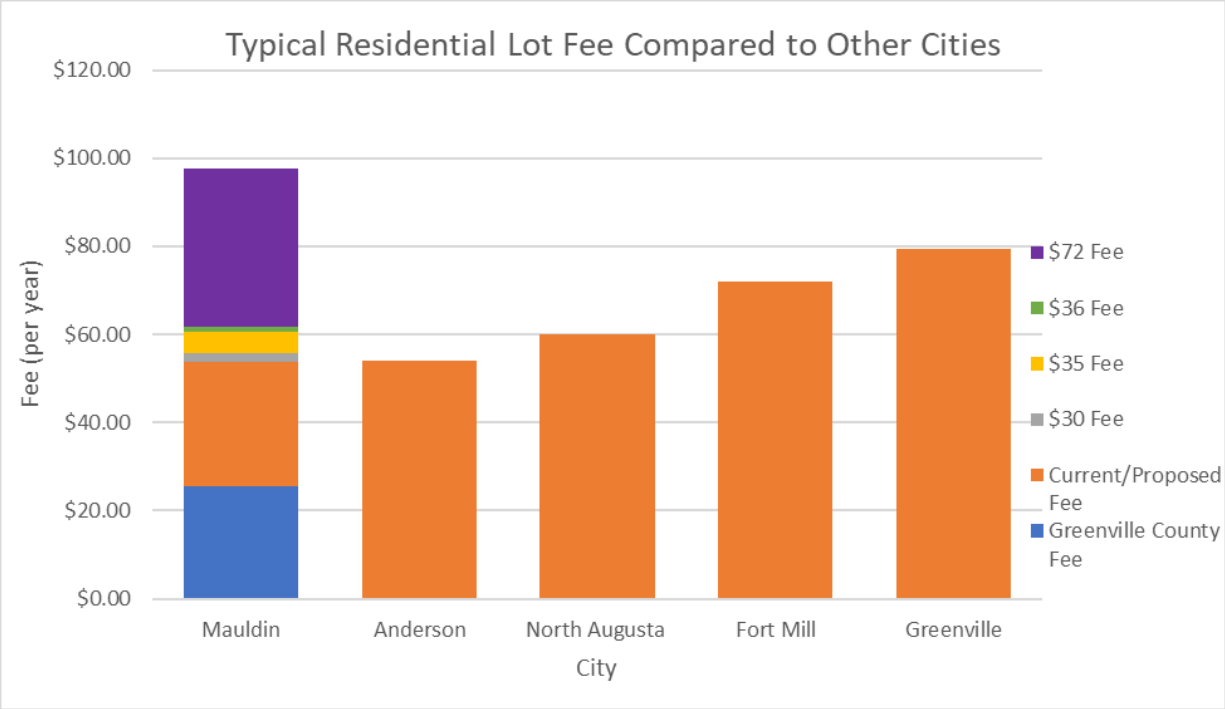
Residential Fee	Non-residential Fee	Total Fee Collected Annually
$25.65 (Greenville County Existing Fee)	$27 per ERU for developed $22.80 for undeveloped	$707,000
$28 (Alternative 2 fee)	$27 per ERU for developed $25 for undeveloped	$725,000
$30	$32 per ERU for developed $30 for undeveloped	$848,000
$35	$37 per ERU for developed $35 for undeveloped	$983,000
$36	$37.50 per ERU for developed $36 for undeveloped	$1,000,000
$72	$74.50 per ERU for developed $72 for undeveloped	$2,000,000

KCI

Analysis

Fee Structure

City	Residential Fee
City of Anderson	$54
City of North Augusta	$60
Town of Fort Mill	$72
City of Greenville	$79.33
Greenville County Existing	$25.65
City of Mauldin ($725,000 collected annually)	$25.65 + $28
City of Mauldin ($848,000 collected annually)	$25.65 + $30
City of Mauldin ($983,000 collected annually)	$25.65 + $35
City of Mauldin ($1,000,000 collected annually)	$25.65 + $36
City of Mauldin ($2,000,000 collected annually)	$25.65 + $72



Analysis

Stormwater Utility Fee Use Scenarios

Option 1

- Bid out work to various contractors annually

Option 2

- In-house crew to include 4 employees & equipment

Option 3

- Hybrid of In-house crew and bidding out work annually

	Annual Cost
3 Crew @ $20/hr w/ benefits	$195,000
1 Crew Leader @$25/hr w/ benefits	$80,000
Equipment (truck, trailer, dump truck, mini ex)	$40,000
Fuel & Maintenance	$10,000
Total	**$325,000**

KCI

Analysis

Stormwater Utility Fee Budgeting Scenarios

Using option 3 –hybrid approach

With an annual revenue of $725,000

- $550,000 annually for in-house construction
- $175,000 annually for contracted work

	Annual Cost
4-Man Crew	$325,000
7,800 LF of 18-in installed over 13 weeks	$93,600
2,600 LF of 24-in installed over 13 weeks	$52,000
Structures and Misc. Stone	$79,400
26 weeks of repairs, maintenance, emergencies	No additional Cost
Total	**$550,000**

KCI

Analysis

Stormwater Utility Fee Projects

Knollwood Drive	Holly Springs	Bishop Heights
$200,000	$500,000	$2,050,000

Year 1 - Bid Knollwood Drive → Year 4 - Bid Holly Springs → Year 11 - Bid Bishop Heights

Conclusions & Recommendations

Recommended Fee Structure



Residential

< 1,000 sq ft, developed or undeveloped

= $25



Residential

> 1,000 sq ft & developed

= $28



Non-residential developed

= $27 * ERU



Non-residential undeveloped

= $25

Stormwater Improvement Project Funding	
In-House	**Contracted**
$550,000	$175,000

Design Report

Stormwater Utility Fee Evaluation

Prepared for:

City of Mauldin

Prepared by:

KCI Technologies Inc.

8.22.2023

SOUTH CAROLINA
KCI TECHNOLOGIES INC.
No. C0651
CERTIFICATE OF AUTHORIZATION



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Background

In recent years, the City of Mauldin (the **City**) has experienced significant growth coinciding with population increases throughout the Upstate of South Carolina. Along with new development, the City has also annexed previously unincorporated portions of Greenville County into the City. Census records show that the City's population has increased 8.8% from 2020 to 2022 alone. The current population for the City is roughly 27,500 people. Along with this growth has come rising concerns of flooding and stormwater management within the City. As infrastructure has aged and costs for construction have increased, the overall cost to maintain a stormwater system has become an increased concern that requires the City to look at various funding options.

The purpose of this evaluation is to assess funding options for the City to develop and fund a capital improvements program with the goal of maintaining their existing stormwater infrastructure. The City has tasked KCI with evaluating the best way to fund a capital improvements budget and determine what a reasonable stormwater improvements budget would be for the City based on a 10-year cycle. The fee collected would be in addition to the current fee landowners pay to Greenville County, but the funds would go directly into the City's special revenue fund for stormwater. The additional fee assessment would be applied to the incorporated areas of the City.

Greenville County currently charges a stormwater utility fee across the entire county, including all incorporated cities, such as the City of Mauldin, with the exception of the City of Greenville which charges citizens its own fee. Greenville County also collects stormwater permitting fees for new developments throughout the County. These fees are used to fund Greenville County's MS4 Land Development Department. Although landowners within the City pay fees to Greenville County each year, the City does not directly receive any funding from those fees to fund repair or improvement projects within the city limits.

Greenville County currently charges between $22.80 to $25.65 per year for single family residential properties, agricultural properties, and vacant properties zoned as commercial. For all other properties, such as multi-family residential properties and commercial or industrial properties, an equivalent residential unit (ERU) is calculated based on the property's impervious area. The total impervious area is then divided by 2,477 square feet to determine the ERU for the property. This ERU is multiplied by $27 to calculate the total fee for the property. Greenville County lists specific properties that are exempt from this stormwater fee. A breakdown of *Greenville County's Fee and Billing Polices* is shown in *Appendix A*. Based on data received from Greenville County, the County collects roughly $707,000 annually in fees from landowners within the City.

Analysis and Comparison of Similar Cities

As a point of reference, several cities similar in size and circumstance to the City were evaluated to determine how other entities collect fees to maintain their stormwater infrastructure. Figure 1 shows the comparison of population and growth rate for each city that was compared.

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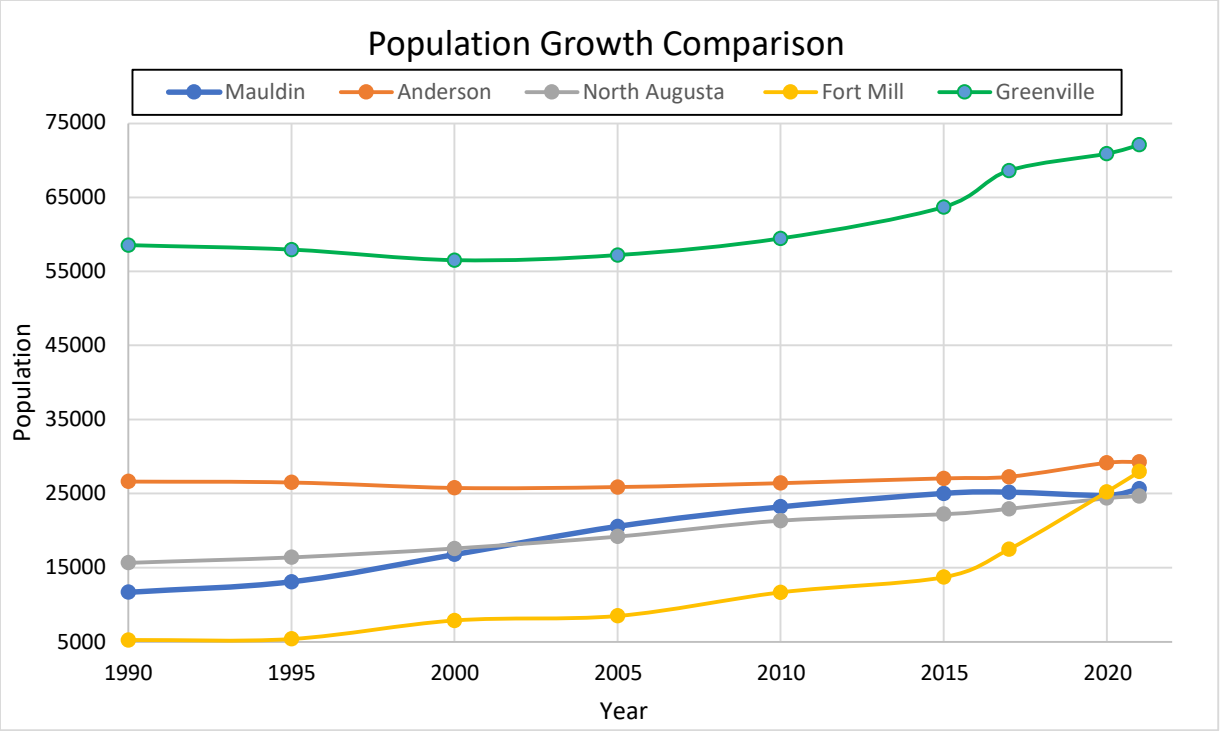

Figure 1 - Population Growth Comparison

City of Anderson, South Carolina

The City of Anderson is similarly located within the Upstate of South Carolina and has a comparable population size to the City of Mauldin with an estimated population of roughly 29,500 residents. The City of Anderson is roughly 15 square miles. The City of Anderson stormwater fee is based on an Equivalent Residential Unit (ERU) and is broken down into two types, residential and non-residential properties.

All residential properties are equal to one (1) ERU and are billed $4.50 monthly for a total fee of $54 each year. This is also considered the minimum charge per parcel regardless of parcel size or runoff coefficient (C).

The City of Anderson uses a runoff coefficient (C) to relate the impervious area to the density of development or land use of the parcel. The ERU for each parcel is determined using a formula that accounts for the parcel area, the runoff coefficient, an average residential parcel area and an average residential runoff coefficient. This ERU is then multiplied by the same $4.50 monthly fee to calculate the total monthly fee for each non-residential parcel. The City of Anderson's full *Stormwater Utility Fee Manual* is provided in *Appendix B*.

The City of Anderson also offers a stormwater fee credit to non-residential undeveloped or vacant lots based on their reduced impact of development and reduced water quality impairment on the drainage area. Several examples of this fee credit calculation are shown in the City of Anderson Stormwater Utility Fee Manual.

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Town of Fort Mill, South Carolina

The Town of Fort Mill is similar in population size to the City of Mauldin with a population of roughly 28,000. The Town of Fort Mill is roughly 5 square miles. The Town of Fort Mill is a suburb of Charlotte, North Carolina.

The Town of Fort Mill's most recent stormwater utility fee credit manual was released in October 2014. The Town of Fort Mill bases its stormwater fee on an ERU for both residential and non-residential properties. The ERU is based on a calculated average impervious area for a single-family parcel in the town limits. The town charges $72 per ERU. The Fort Mill system does not differentiate between property types and is based solely on size of parcel. If a parcel is equivalent to 4 ERUs, then the fee of $72 is multiplied by 4 ERUs and the fee for that property would be $288 yearly.

The Town of Fort Mill also provides utility credits for citizens who help mitigate both pollution and stormwater flow. The maximum reduction a property owner can receive is 50%. Credits are given for mitigation efforts, such as rain barrels, rain gardens, and vegetated filter strips. The Town of Fort Mill's *Stormwater Utility Fee Facts* sheet and the *Stormwater Utility Fee Credit Manual* are provided in *Appendix C*.

City of North Augusta, South Carolina

The City of North Augusta is similar in size to the City of Mauldin with a population of roughly 24,500. The City of North Augusta is roughly 20 square miles. It is a smaller, growing city that surrounds the larger City of Augusta, Georgia.

The property owner is charged $5 per ERU per month for a total of $60 per ERU per year. Single-family residential properties are charged one ERU, while multi-family residential properties are charged 0.75 ERU for each dwelling.

Non-residential properties are charged based on a calculated ERU for each property. The fee is based on the impervious area and a runoff coefficient which is determined by the property use. For example, a hotel would have an ERU of 5.71 per acre while a shopping center would have an ERU of 6.58 per acre. Properties with less than 25% of pervious surface are charged at a rate of 8.66 ERU per acre, which is the maximum rate that the City of North Augusta charges. The guidance for the City of North Augusta's stormwater utility fee is shown in detail in their municipal code, provided in *Appendix D.*

The City of North Augusta also offers exemptions and credits based on the property type and stormwater management used on site. The minimum charge was set at one ERU, regardless of credits or exemptions granted. The City of North Augusta's *Stormwater Management Service Charge Credits Technical Manual* is provided in *Appendix D*.

City of Greenville, South Carolina

Although the City of Greenville is larger in population than the City of Mauldin, it is the only other City within Greenville County that currently charges a stormwater utility fee separate from the fee charged by Greenville County. The population of the City of Greenville is around 72,000 and is roughly 30 square miles.

Greenville County's stormwater utility fee is broken down between residential and non-residential properties. Developed residential property with less than 1,640 square feet of livable space are charged

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$45.17 yearly and developed residential property with greater than 1,640 square feet of livable space are charged $79.33. Undeveloped residential properties are charged $45.17.

Developed commercial/industrial properties and undeveloped commercial/industrial properties are each charged $79.33 annually per ERU. The *City of Greenville's Stormwater Utility Fee Chart* is shown in *Appendix E*.

The City of Greenville also offers deductions from the stormwater utility fee for non-residential properties where owners implement stormwater quantity and quality control measures. The *City of Greenville's Credit Fee Deductions Manual* is shown in *Appendix E.*

Additional Comparison of Similar Cities

The graphs that follow sumamrize data regarding each city and town. Figure 2 compared the residential fee or fee per ERU and the population of each city. Figure 3 compared the residential fee or fee per ERU and the area of the city.

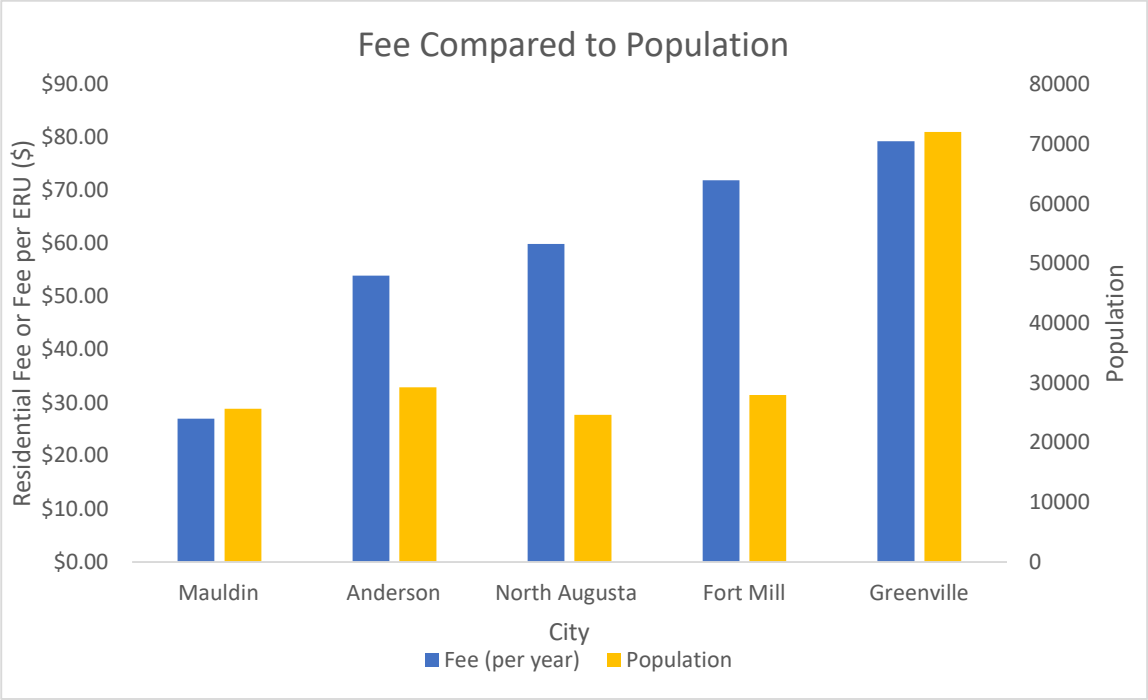

Figure 2- Fee Compared to Population

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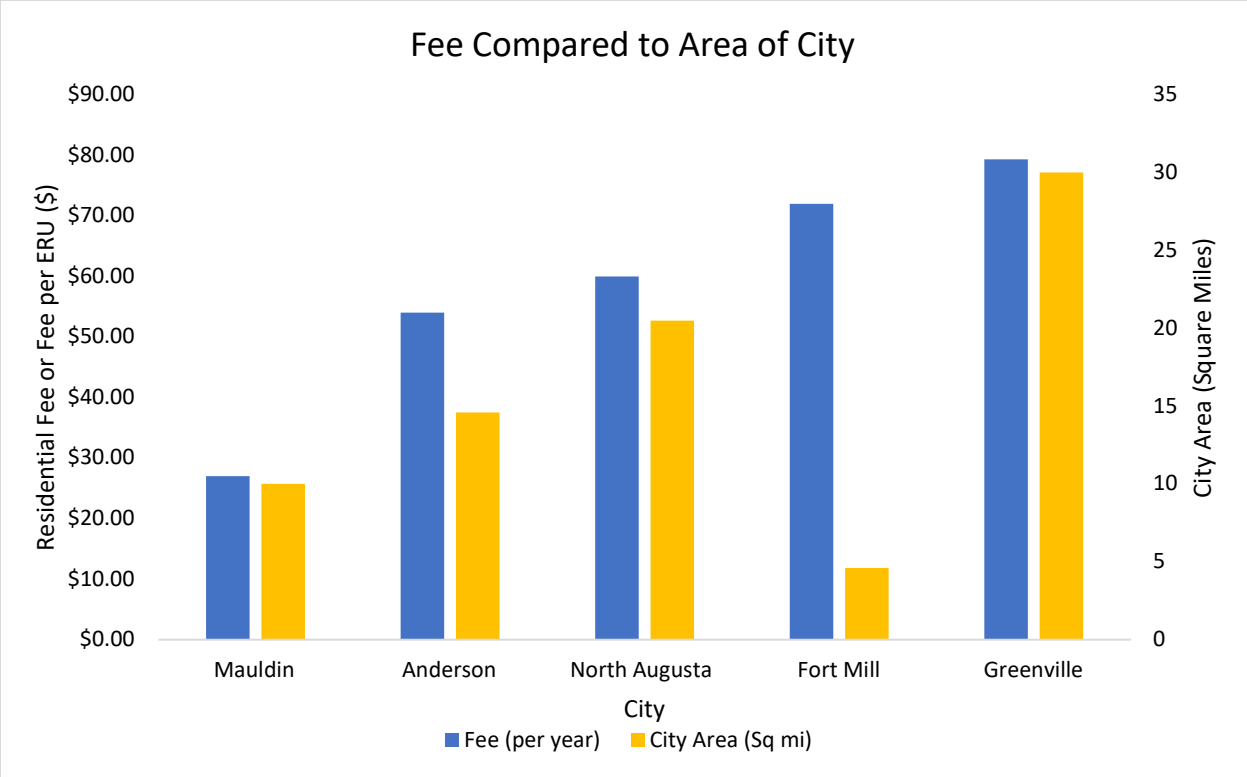

Figure 3 - Fee Compared to Area of City

Overview of Fee Structure Analysis

In reviewing and analyzing the stormwater utility fee structure for the cities summarized, it was quickly apparent that each community has a different fee structure and applied different formulas that may have been established based on special circumstance or for political reasons. The narrative that follows provides the potential advantages and cautions of note related to the various fee structure components.

Flat or Variable Fee

A flat fee for each property would be a set fee charged to each property owner regardless of the property type or use. Although this is a simple way to distribute fees, it may not account for the impact each property has on the overall stormwater drainage issues within the City in an equitable manner.

A variable fee can be determined by two methods:

1. Based on property's total impervious area
    - Determine an ERU for each property
2. Based on a calculated runoff coefficient
    - assigned by property use
    - ERU calculated for each acre of property

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This varying fee helps account for the variable impact that each property has on the overall stormwater drainage system and is a more equitable way to account for the amount of stormwater flow each parcel of land will contribute.

Equivalent Residential Units (ERUs)

Based on the previous year's fee collection data for the City, Greenville County currently calculates ERUs such that the percentage of fees collected from residential properties versus non-residential properties is proportional to the amount of impervious area that each contributes. The fees are based on impervious area, with residential properties accounting for roughly 30% of the fees and impervious area, while non-residential properties accounts for roughly 70% of the fees and impervious area. Greenville County's method applied to the City appears to have an equitable way to allocate fees for residential and non-residential properties. This breakdown of fees is similar to what other cities and counties use but does not take into account runoff coefficients that smaller cities may also consider.

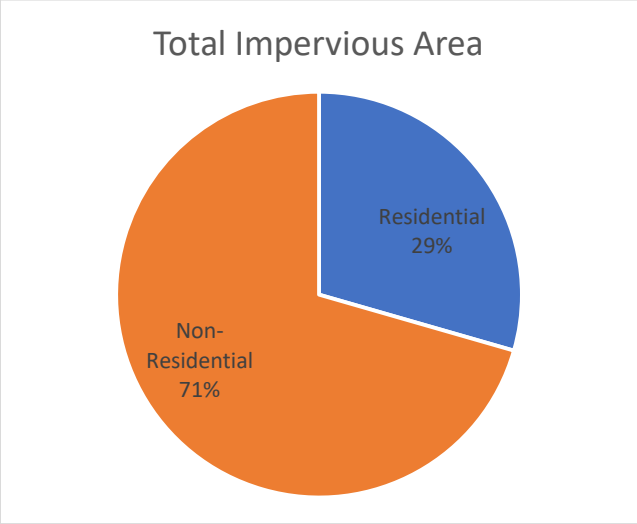

Figure 4 - Total Impervious Area

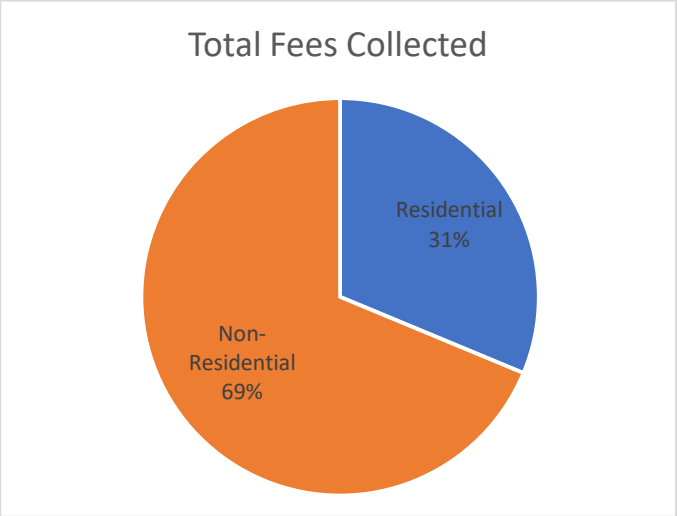

Figure 5 - Total Fees Collected

Minimum Charge

Setting a minimum charge ensures that the City meets its yearly funding goals and that every property owner, except for those exempt, is contributing to the continued maintenance of the stormwater infrastructure that they benefit from.

Fee Credits

Fee credits allow for homeowners to receive reimbursement for stormwater management measures they implement that will benefit the stormwater system as a whole. It also helps to incentivize property owners to implement stormwater management measures. Below are some examples of credits that the City could offer to their residents.

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Table 1 - Fee Credit Reductions

Stormwater Control Measures (SCM)	Fee Reduction
Structural SCM	
Retention pond	Up to 50%
Retention ditch	Up to 30%
Rain Barrel	Up to 25%
Rain Garden	Up to 25%
Vegetation filter strip	Up to 25%
Non-Structural SCM	
Low impact Parcel Credit	Up to 20%
Education Credit	Up to 25%
Watershed Stewardship Credit	Up to 10%

One drawback of offering fee credits is the additional costs required for the City to process applications, review them and then maintain a database of the fee credits awarded each year. Also, the public's misunderstanding of these fee credits could be a factor.

Fee Structure Alternatives

After analyzing the various fee structures, five (5) alternatives were developed for consideration. The alternatives are summarized below:

- 1 - Flat fee for all residential, industrial, and commercial properties; minimum charge set; no fee credits
- 2 - Variable fee for residential and non-residential based on impervious area/ERUs; no minimum charge set; no fee credits allowed
- 3 - Variable fee for residential and non-residential based on impervious area/ERUs; minimum charge set; fee credits allowed
- 4 - Fee broken down between residential and non-residential properties; flat fee for residential and calculated fee for non-residential based on impervious area; no minimum charge set; no fee credits
- 5 - Fee broken down between residential and non-residential properties; flat fee for residential and calculated fee for non-residential based on impervious area; minimum charge set; fee credits allowed

Table 2 below provides a summary of the five alternatives to include whether a flat or variable fee is used for the residential and non-residential properties, if there is a minimum charge and if there are fee credits offered.

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Table 2 - Stormwater Utility Fee Alternatives

Alternative	Flat or Variable Fee (Residential)	Flat or Variable Fee (Non-residential)	Minimum Charge	Fee Credits
1	Flat Fee	Flat Fee	Yes	No
2	Variable Fee	Variable Fee	No	No
3	Variable Fee	Variable Fee	Yes	Yes
4	Flat Fee	Variable Fee	No	No
5	Flat Fee	Variable Fee	Yes	Yes

Analysis

The tables below show various fee alternatives that were evaluated and approximate fees that would be collected yearly based on each alternative. An approximation was used to calculate the fee credits that could be awarded. KCI assumed that 15% of the non-residential properties would qualify for an estimated 10% fee credit. Table 3 below provides a summary of the input values for calculating the expected revenue for each alternative. Table 4 summarizes the expected revenue for each alternative.

Table 3 - Stormwater Utility Fee Breakdown

Alternative	Residential Fee	Non-residential Fee	Minimum Charge	Fee Credits
1	$25 developed or undeveloped	$45 for developed $25 for undeveloped	Yes	No
2	$25 - <1,000 sq ft and developed or undeveloped $28 - >1,000 sq ft and developed	$27 per ERU for developed $25 for undeveloped	No	No
3	$25 - <1,000 sq ft and developed or undeveloped $28 - >1,000 sq ft and developed	$27 per ERU for developed $25 for undeveloped	Yes	Yes
4	$25 developed or undeveloped	$27 per ERU for developed $25 for undeveloped	No	No
5	$25 developed or undeveloped	$27 per ERU for developed $25 for undeveloped	Yes	Yes

Table 4 - Stormwater Utility Fees Collected Yearly

Alternative	Residential Fees Collected	Non-residential Fee	Total Fee	Minimum Charge	Fee Credits
1	$225,000	$32,000	$257,000	$25	None
2	$245,000	$484,000	$725,000	None	None
3	$245,000	$476,740	$717,740	$25	$7,260
4	$226,500	$484,000	$710,000	None	None
5	$226,500	$476,740	$702,740	$25	$7,260

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KCI evaluated the effects of a $5 and $10 increase to the fees for alternative 2 in Tables 3 and 4 to determine the magnitude of funds collected each year. KCI also calculated what fee would be required to achieve a $10 million and $20 million ten-year budget, shown below in Table 5.

Table 5 - Stormwater Fee Analysis

Residential Fee	Non-residential Fee	Total Fee Collected Annually
$30	$32 per ERU for developed $30 for undeveloped	$848,000
$35	$37 per ERU for developed $35 for undeveloped	$983,000
$36	$37.50 per ERU for developed $36 for undeveloped	$1,000,000
$72	$74.50 per ERU for developed $72 for undeveloped	$2,000,000

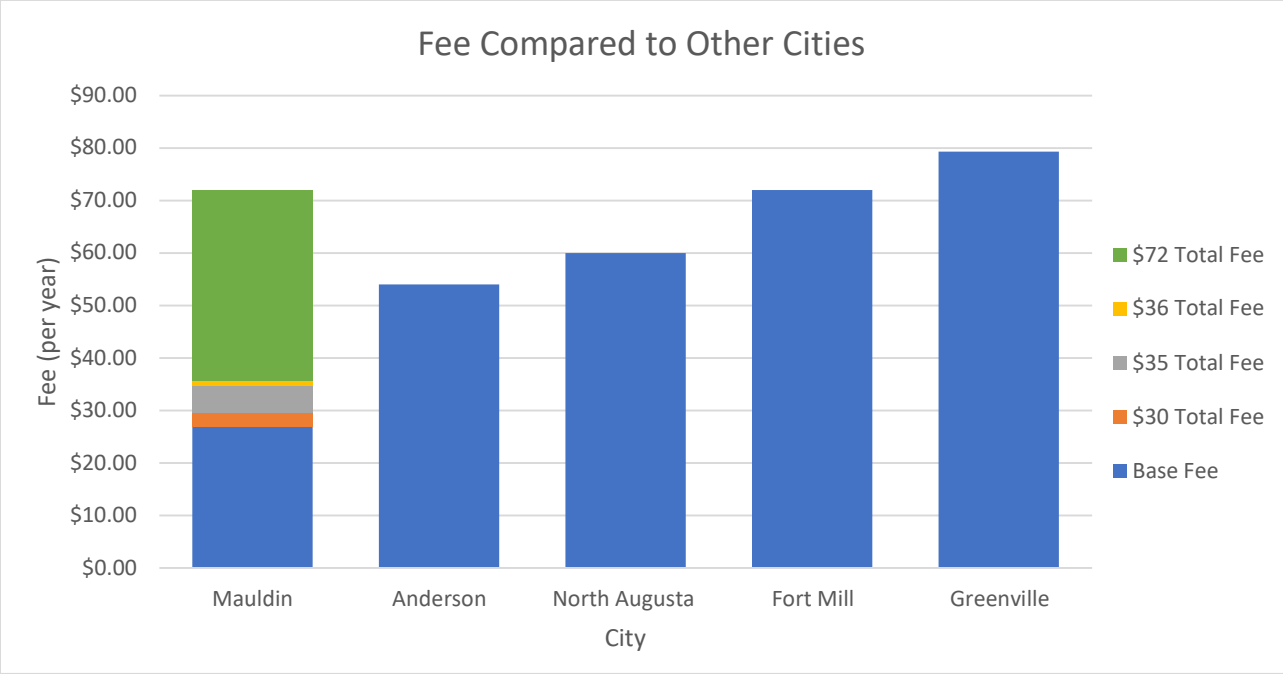

Figure 4 - Fee Comparison to Other Cities

Stormwater Utility Fee Use Scenarios

KCI provided three scenarios for using the stormwater utility fee to consider. The first option is to spend each year's budget bidding out work to a contractor in order to repair or maintain as much of the stormwater system as possible.

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The second option is for the City to have an "in-house" crew that would be tasked with the repair, maintenance, and improvement of the City's stormwater system. The staff would likely consist of 4 full-time employees and their salary would come from the special revenue fund created by the stormwater utility fee. In addition to the employees, the crew would require a truck, trailer, dump truck and skid steer for maintenance use. The employee's annual pay and an annualized payment for the equipment would cost the City roughly $325,000 per year. This would leave $400,000 of the budget for purchasing the necessary material and renting equipment as needed for the stormwater projects for that year.

Table 6 - Annual In-House Costs

	Annual Cost
3 Crew @ $20/hr w/ benefits	$195,000
1 Crew Leader @$25/hr w/ benefits	$80,000
Equipment (truck, trailer, dump truck, mini ex)	$40,000
Fuel & Maintenance	$10,000
Total	**$325,000**

The final option is for the City to partially perform in-house labor and bid out the larger construction work. This would allow the City to continue using staff for smaller repairs and maintenance while bidding out larger construction work.

Stormwater Utility Fee Budgeting Scenarios

KIC has developed a scenario in which the City would take a hybrid approach to using the stormwater utility fee by establishing a 10-year stormwater improvement plan. A proposed capital improvements budget for the City would be based on a 10-year funding cycle. This budget would be used to fund small to medium scale projects. Examples of these projects would be culvert replacement of pipes under 36" in diameter, maintenance of existing failing culverts, maintenance of streams and ditches, or replacements of storm drain pipes.

Based on the recommended stormwater utility fee, the City would collect approximately $725,000 annually in fees. This would ensure that the City has a 10-year budget of $7,250,000.

KCI analyzed how much linear feet of stormwater could be replaced yearly with the 4-man crew and equipment described above. It was assumed that the crew could complete construction of 600 linear feet of 18-inch pipe or 200 linear feet of 24-inch pipe each week. A summary of construction cost is shown below. Based on an annual cost of $550,000 for in-house construction, the remaining $175,000 could be used annually for contracted work.

Table 7 - Annual In-House Construction Costs

	Annual Cost
4-Man Crew	$325,000
7,800 LF of 18-in installed over 13 weeks	$93,600
2,600 LF of 24-in installed over 13 weeks	$52,000
Structures and Misc. Stone	$79,400
26 weeks of repairs, maintenance, emergencies	No additional Cost
Total	**$550,000**

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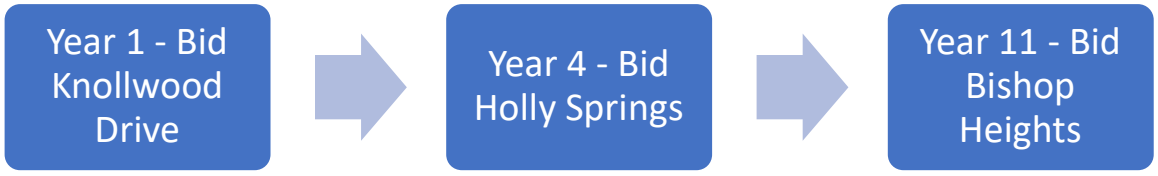
Stormwater Utility Fee Projects

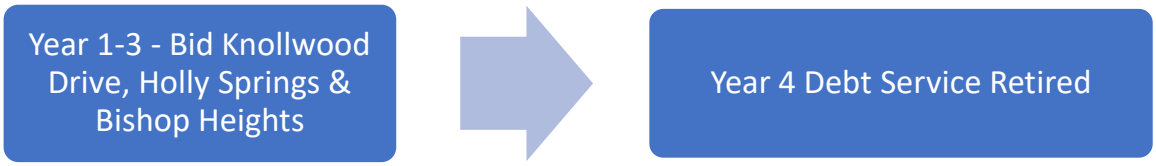
The City would use funds collected for both small maintenance issues as well as medium sized construction projects to address flooding and drainage problems. Several potential capital improvements projects are listed below. These projects are recommended based on conversations with the City staff.

- Knollwood Drive: This project was previously recommended to the City as a result of a design study. The proposed solution would be to crown Knollwood Drive and add ditches and driveway pipes along the road to convey stormwater runoff to the designed outfall. It is estimated that this project would cost approximately $200,000.
- Holly Springs: This project was previously recommended to the City as a result of a design study. The proposed solution would be to move the stormwater conveyance system to the right-of-way along Springvale Drive and remove the existing storm drainpipes from private property. The project would cost approximately $500,000.
- Bishop Heights: The project was previously recommended to the City as a result of a design study. This project solution would be to construct a curb and gutter system throughout the neighborhood. It would also include a storm drain network throughout the neighborhood. All stormwater infrastructure currently on private property would either be abandoned in place or demolished. The project would cost approximately $2,050,000.

Using the hybrid approach of an in-house crew and contracting out work, the projects above could be bid out in the order shown below as contracted work without any revenue anticipation bonds.



If no in-house work were done and revenue anticipation bonds were issued, the three projects above could be completed within the next three years and debt service retired in year four.



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Conclusions and Recommendations

Based on KCI's understanding of the City's needs and our research as summarized in this report, an annual Stormwater Utility Fee Budget of $725,000 should be adequate. The revenue to generate this annual budget would be $25 for residential properties, less than 1,000 square feet and $28 for larger residential properties. The fee for undeveloped non-residential properties would be $25. The fee for non-residential developed properties would be $27 times the ERU for the property.

Residential > 1,000 sq ft & developed $28	Residentail < 1,000 sq ft, developed or undeveloped $25
Non-residential Developed $27 x ERU	Non-residential Undeveloped $25

The annual expenses would balance doing projects with staff, equipment, materials and supplies for doing **In-House** stormwater improvement projects and contracting out the services needed to design, permit and construct **Contracted** stormwater improvement projects.

Table 8 - Stormwater Improvement Project Funding

Stormwater Improvement Project Funding	
In-House	**Contracted**
$550,000	$175,000

Based on the above revenue and expenses, 3 of the Projects KCI has already provided Feasibility Studies on, could be funded in the first 11 years (Knollwood Dr, Holly Springs, and Bishop Heights).

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MINUTES
CITY OF MAULDIN
COUNCIL MEETING
SEPTEMBER 18, 2023
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

Members present were Mayor Terry Merritt, Council members Taft Matney, Carol King, Jason Kraeling, Michael Reynolds, and Diane Kuzniar. Councilman Frank Allgood participated via Zoom.

Others present were City Administrator Seth Duncan and City Attorney Daniel Hughes.

1. Call to Order- Mayor Merritt
a. Welcome- Mayor Merritt
b. Invocation- Councilman Kraeling
c. Pledge of Allegiance- Councilman Kraeling

2. Proclamations and Presentations
a. Constitution Week Proclamation- Mayor Merritt read the proclamation

3. Reading and Approval of Minutes
a. City Council Meeting- August 21, 2023- The minutes were approved by unanimous consent.

4. Public Comment- None

5. Report from City Administrator
City Administrator Seth Duncan reported on the opening of the theater production Hunchback of Notre Dame, the Sooie BBQ competition, fire headquarters, and reminded Council that National Night Out is October 3rd.

6. Report from Standing Committees
a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported the Auditors will be coming to start the next audit soon.
b. Public Safety (Chairperson King)- None
c. Public Works (Chairperson Kraeling)- None
d. Economic Planning & Development (Chairperson Matney)- None
e. Building Codes (Chairperson Kuzniar)- Chairwoman Kuzniar reported on the BDS department's record month for building inspections and permits.
f. Recreation (Chairperson Allgood)- Chairman Allgood reported basketball registration will begin next month. A Community Clean-Up day will be held on October 28th.

7. Unfinished Business- Mayor Merritt

Ordinances- 2nd Reading

a. Ordinance 1021- An ordinance to provide for the annexation of property owned by Charles Michael Hendrix, and located at 2114 and 2118 Standing Springs Road (tax map parcels: 0583.02-01-009.02 and 0583.02-01-009.03 by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property.

Motion: Chairwoman Kuzniar made a motion to pass the ordinance on second reading with Councilman Matney seconding.

Vote: The vote was unanimous (7-0).

b. Ordinance 1022- An ordinance to rezone property consisting of approximately 6 acres located at Ashmore Bridge Road and Fork Shoals Road (portions of tax map parcel #0411.00-01-001.00 and all of lots 678 thru 694 of Arden Woods Phase 6) and providing an effective date.

Motion: Chairwoman Kuzniar made a motion to pass this ordinance on second reading with Councilman Matney seconding.

Vote: The vote was unanimous (7-0).

8. New Business

Ordinances – 1st Reading

None

Standing Committee Items

a. Planning Commission Appointment

Motion: Chairwoman Kuzniar made a motion to appoint Dan Chism to the Planning Commission with Councilman Matney seconding.

Vote: The vote was unanimous (7-0).

b. Resolution- Transfer of Assets from ReWa to City of Mauldin

Council is requested to pass this resolution and authorization is requested to execute the Right-of-Way (ROW) Assignment of Facilities and the Quit-Claim Deed for the transfer of assets from Renewable Water Resources (REWA) to the City of Mauldin

Motion: Chairman Kraeling made a motion to adopt the resolution and execute the ROW Assignment of Facilities and the Quit-Claim deed. Councilwoman King seconded the motion.

Vote: The vote was unanimous (7-0).

c. Mauldin Fire Department State Appropriation Budget

Motion: Chairwoman King made a motion to approve a capital improvement plan for fire station capital improvements to be funded by appropriations from the FY2023-2024 SC State Budget. Councilman Reynolds seconded the motion. Councilman Matney thanked the State legislators for the appropriations.

Vote: The vote was unanimous (7-0).

d Senior Center State Appropriation Budget

Motion: Chairman Allgood made a motion to approve a capital improvement plan for Senior Center capital improvements to be funded by appropriations from the FY2023-2024 SC State Budget. Councilman Reynolds seconded the motion.

Vote: The vote was unanimous (7-0).

e. Allston Townes Trail Development Agreement

Motion: Chairman Matney made a motion to approve a development agreement for the installation of a multipurpose trail at Allston Townes subdivision not to exceed $115,000. Councilman Kraeling seconded the motion.

Vote: The vote was unanimous (7-0).

9. Public Comment- None

10. Council Concerns- None

11. Adjournment- Mayor Merritt adjourned the meeting at 7:24 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

CITY COUNCIL

AGENDA ITEM

MEETING DATE: October 16, 2023

AGENDA ITEM: 8a

TO: City Council

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Annexation of Property at Log Shoals Road

	TRACT #1 (635 Log Shoals Rd)	**TRACT #2 (p/o 635 Log Shoals Rd)**	**TRACT #3 (p/o 641 Log Shoals Rd**	**TRACT #4 (689 Log Shoals Rd)**
AUTHORIZED REP(S):		--- Bluewater Civil Design, LLC --- --- STYO Development, LLC ---		
OWNER(S):	**Lesley P. Corn**	**Lesley P. Corn Vicki H. Corn**	**Emma Bonham Joseph Bonham**	**Ronald Spanton**
TAX MAP NUMBER(S):	0573.01-01-005.06	Portion of 0573.01-01-005.08	Portion of 0573.01-01-005.18	0573.01-01-004.00
LOCATION:	635 Log Shoals Rd	635 Log Shoals Rd	641 Log Shoals Rd	689 Log Shoals Rd
CURRENT ZONING:	R-S (County)	R-S (County)	R-S (County)	R-S (County)
REQUESTED ZONING:	R-10, Medium Density Residential	R-10, Medium Density Residential	R-10, Medium Density Residential	R-10, Medium Density Residential
SIZE OF PROPERTY:	Approx. 12 acres	Approx. 1.54 acres	Approx. 0.03 acres	Approx. 0.8 acres
CONTIGUITY:	These tracts are directly contiguous to the Alston Chase subdivision, which is directly across the street on Log Shoals Road.			

UPDATE

The applicant has revised their conceptual plans for the development of this project. Previously, they were proposing to develop this tract for approximately 101 attached single-family homes (townhomes). The applicant has since revised their proposal to include a mix of 31 detached single-family homes and 42 attached single-family homes (townhomes) for a total of 73 homes. This report has been updated to reflect the new development proposal.

REQUEST

The City of Mauldin has received signed petitions requesting the annexation of tracts of land consisting of portions of four parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include various owners owning approximately 14.3 acres in total located along Log Shoals Road.

The applicant has requested that these tracts be zoned R-10, Medium-Density Residential, upon annexation into the City of Mauldin. STYO Development, LLC, intends to develop these tracts for approximately 31 detached single-family homes and 42 attached single-family homes (townhomes) on this tract. Stanley Martin will reportedly be the builder for these townhomes. The price-point for the townhomes is projected to average in the mid- to high-$200s. The price-point for the detached homes is projected to average in the low- to mid-$300s.

HISTORY/BACKGROUND

Aside from the 12-acre tract which is currently undeveloped and wooded, the remaining tracts are occupied by single-family residences.

These tracts back up to a new subdivision, called Greenbriar Meadows, currently being developed in Greenville County. Greenbriar Meadows consists of 65 detached single-family homes on approximately 62 acres. That project was approved by Greenville County in 2017. The final plat for Greenbriar Meadows was recorded and the construction of new homes began in 2022. Stanley Martin Homes is the homebuilder for that community.

PROPOSED DEVELOPMENT

About STYO Development

STYO Development appears to be a development and construction team based out of Charleston. According to their LinkedIn profile, they focus on land assembly, permitting, and horizontal construction to deliver finished lots to homebuilders. Their profile states that they have successfully delivered over 2,500 lots.

About Stanley Martin Homes

Stanley Martin Homes is a homebuilder based out of Reston, Virginia. According to their website, they build homes in Virginia, West Virginia, Georgia, Florida, Maryland, North Carolina, and South Carolina. They are currently building homes in Mauldin in the Parkland community at Ridge Road and in the Meadow Springs community at Standing Springs Road. As noted above, Stanley Martin Homes is the homebuilder for the Greenbriar Meadows community which backs up to these tracts and is currently under construction.

Overview of Proposed Development

At present, STYO Development is proposing to develop 31 detached single-family homes and 42 townhomes on these tracts. Their conceptual design includes the following:

- The detached homes will be approximately 1,800 to 2,400 square feet with 3-4 bedrooms, 2.5 bathrooms, and a two-care garage.
- The townhomes will be approximately 1,500 square feet with 3 bedrooms, 2 bathrooms, and a single-car garage.

- The exterior building finish materials will consist of vinyl with stone water tables. Some units may have full stone on the first floor.
- The primary subdivision entrance will be on Log Shoals Road and will line up directly across from the primary subdivision entrance for the Alston Chase community.
- They will tie into a stub street, Laurelton Place, at the Greenbriar Meadows subdivision.
- Amenities may include a dog park, open air pavilion, and fire pit area.
- A 20-foot landscape buffer will be provided along the adjacent existing residences.
- A 50-foot landscape buffer will be provided along the Southern Connector (Interstate Highway 185).
- A stormwater management detention area will be located at the back of the property adjacent to the Southern Connector.
- Sewer will incorporate a lift station that will pump the sewer across Log Shoals Road and tie into the gravity sewer at Alston Chase.

UTILITIES AND SERVICES

As noted above, Bluewater Civil Design is proposing to incorporate a lift station that will pump the sewer across Log Shoals Road and tie into the gravity sewer at Alston Chase. MetroConnects is the sewer provider for this general area, including Alston Chase. Bluewater Civil Design is currently working on obtaining preliminary approval from MetroConnects. It is not yet known if MetroConnects will approve the sewer design for this project.

This tract is currently located in the Mauldin Fire Service Area. The City of Mauldin will continue to provide fire protection services to this tract upon annexation.

ZONING ASSIGNMENT

About the R-10 District

The R-10 zoning designation is a medium-density residential district intended to provide single-family living and related facilities such as recreational, religious, and educational facilities. This district allows both detached single-family dwellings and attached single-family dwellings (townhomes). Detached single-family dwellings are required to be built on lots that are at least 10,000 square feet, although smaller lots may be allowed in cluster housing developments.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

Direction	Zoning District(s)	Existing Use(s)
North	R-S (County)	Rural residential
South	N/A	Southern Connector
East	R-10 (City)	Alston Chase subdivision
West	R-S (County)	Greenbriar Meadows subdivision

STAFF FINDINGS

Consistency with the Comprehensive Plan and the general character of the area

This property is designated for low-density residential in the future land use map of the comprehensive plan. In the comprehensive plan, low-density residential areas are envisioned to consist of single-family homes, typically on lots of ¼-acre or larger. The density of the proposed development of these tracts is planned at roughly 5.1 units per acre. In comparison to other nearby new communities including Alston Chase (3.4 units per acre), Greenbriar Meadows (1.3 units per acre), Shoally Ridge (3.3 units per acre), and Cottages at Shoally Ridge (3.5 units per acre), the density of this project will be higher than the general character of development in the surrounding area, as well as higher than what was envisioned in the comprehensive plan.

Suitability of the site's physical, geological, hydrological and other environmental features

There are no apparent floodplains, wetlands, or topographic constraints on the site. The property appears to slope toward the Southern Connector, which is where their stormwater detention facility is proposed. According to Greenville County GIS, the elevation of the site falls by about 34 feet over a distance of about 1,200 feet. This represents a grade of just under 3 percent.

Compatibility and impact of the proposed zoning

As noted above, the density of the proposed development of these tracts (5.1 units per acre) is higher than that of other development in the surrounding area. Townhomes are not a common land use in the surrounding area. The only other townhomes in this area are in the Baldwin Chase subdivision at Baldwin Road. The Baldwin Chase consists of a mix of townhomes (60 homes) and detached single-family homes (87 homes).

Additionally, with a projected price-point in the mid- to high-$200's for the townhomes and in the low- to mid-$300's for the detached homes, the price points for these homes appear to be lower than the average value of homes in surrounding communities. See below.

Community	2021		2022		2023	
	No. of Sales	Avg. Price	No. of Sales	Avg. Price	No. of Sales	Avg. Price
Alston Chase	0	N/A	0	N/A	19	$332,720
Greenbriar Meadows	0	N/A	4	$415,281	28	$423,197
Shoally Ridge	6	$304,900	2	$422,000	2	$434,500
Cottages at Shoally Ridge	10	$344,409	13	$409,234	14	$440,154

Capacity of public infrastructure and services

As noted above, it is not yet known if MetroConnects will approve the sewer design and capacity for this project. In terms of traffic, the prospective development is projected to generate about 46 to 57 vehicle trips during peak hours using the Institute of Transportation Engineers (ITE) trip generation rates (Trip Generation Manual, 10th Edition).

TIMELINE

In September, 2023, staff received the signed petitions for the annexation of these tracts.

On October 2, 2023, the Building Codes Committee forwarded this matter without a recommendation to the City Council for discussion.

BUILDING CODES COMMITTEE RECOMMENDATION

This matter was forwarded by the Building Codes Committee for discussion. In forwarding this matter to the City Council, the Building Codes Committee did not provide a recommendation.

ATTACHMENTS

Annexation Map
Conceptual Layout
Annexation Ordinances (maps and petitions attached therein)

ANNEXATION MAP for Log Shoals Properties



Legend

- Entire Annexation
- Mauldin City Limits

N

0 Feet 300

Created on September 27, 2023

Reproduction of this map is prohibited without permission from the City of Mauldin.

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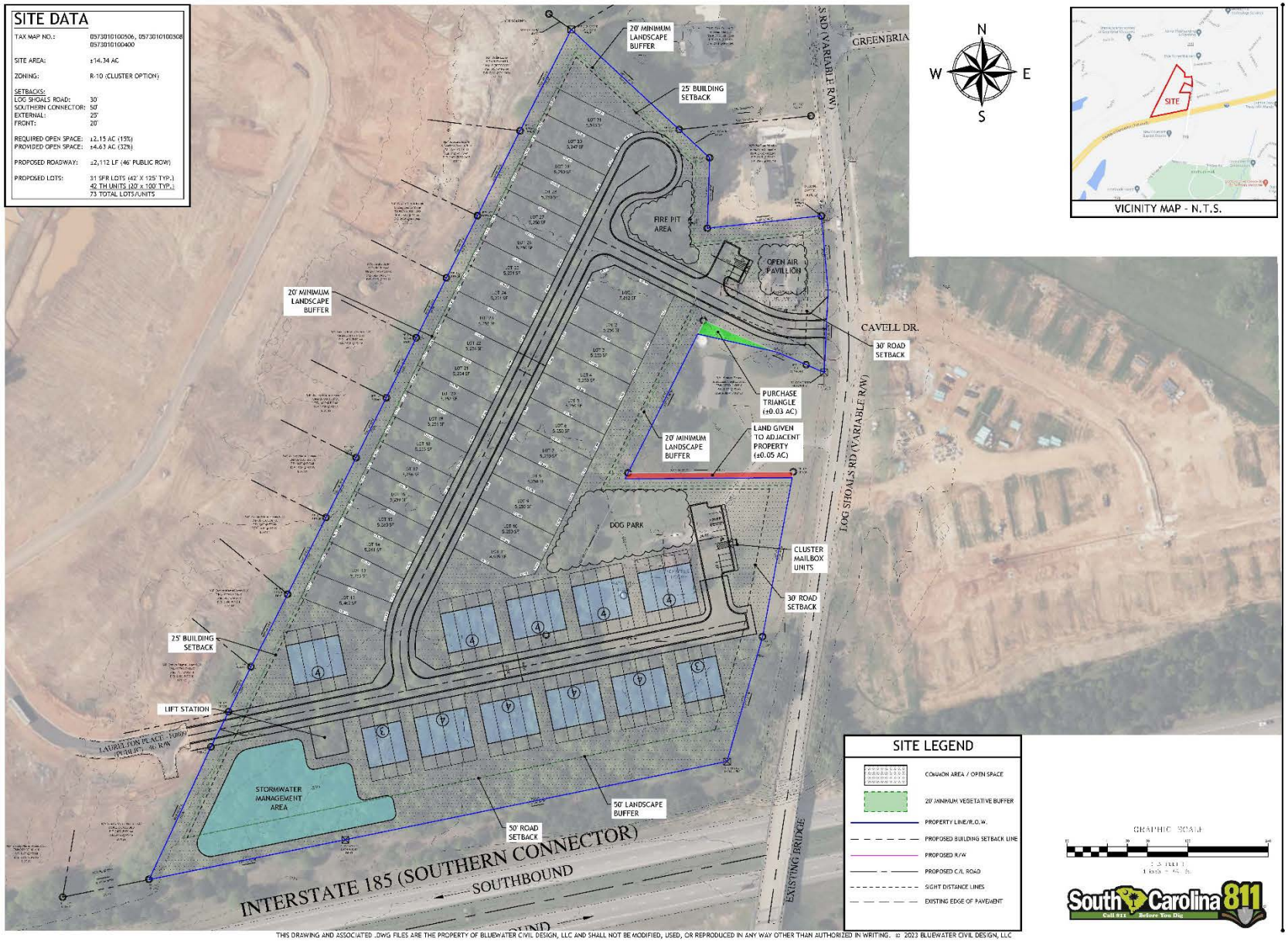

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www.bluewatercivil.com • info@bluewatercivil.com

GREENBRIAR MEADOWS PHASE II
(SFR & TH Subdivision - Preliminary)
Log Shoals Road & Southern Connector Toll
City of Mauldin, SC

Preliminary Site Plan

SP-5

ORDINANCE _____

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 12.0 ACRES OWNED BY LESLEY P. CORN, AND LOCATED AT 635 LOG SHOALS ROAD (TAX MAP PARCEL: 0573.01-01-005.06) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Lesley P. Corn is the sole owner of record title of a parcel of real property containing 12.0 acres, more or less, located at 635 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Vicki H. Corn, who has been appointed as Mr. Corn's agent as provided in Exhibit 3, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Lesley P. Corn constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Lesley P. Corn, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road and I-185 along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

_____
Terry Merritt, Mayor

ATTEST:

_____
Cindy Miller, Municipal Clerk

First Reading: _____

Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP

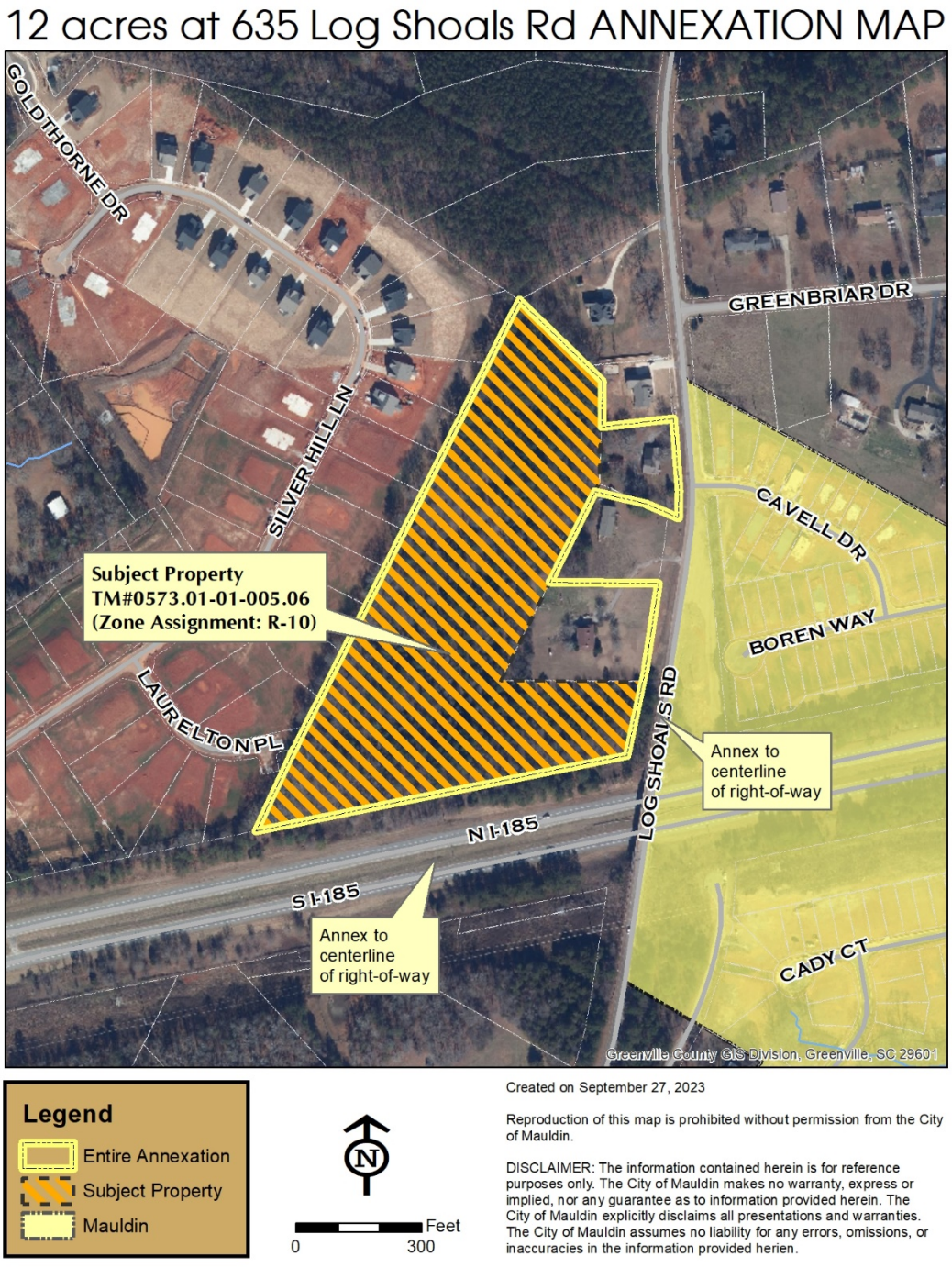

EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 12 ACRES OF REAL PROPERTY OWNED BY LESLEY P. CORN, AND LOCATED ALONG LOG SHOALS ROAD AT INTERSTATE HIGHWAY 185 INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Lesley P. Corn is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 12 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioner hereby petitions to annex their property consisting of approximately 12 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 11th day of September, 2023, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

9/11, 2023
Date

Lesley H. Corn for Lesley P. Corn
Lesley P. Corn

Witness

Witness

EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 1," containing 11.98 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-005.06

SEE SURVEY ON NEXT PAGE

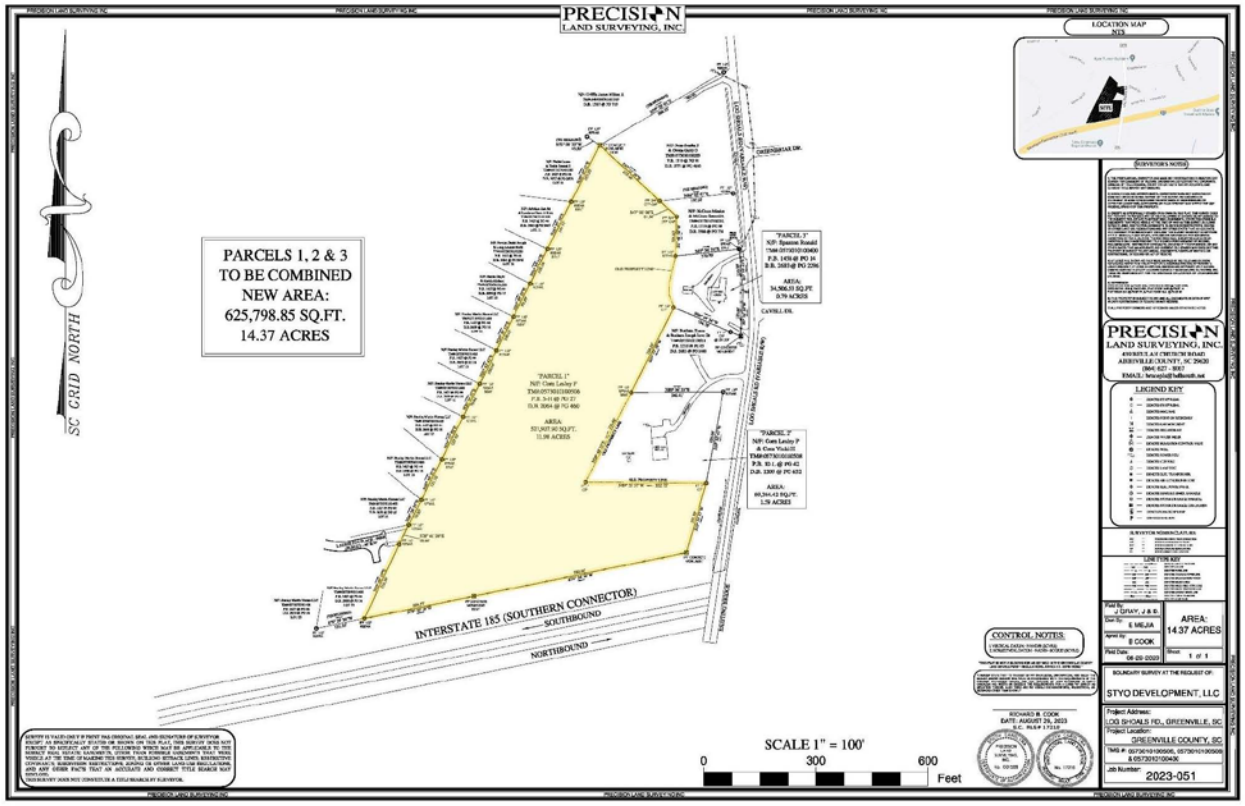
PRECISION
LAND SURVEYING, INC
PARCELS 1, 2 & 3
TO BE COMBINED
NEW AREA:
625,798.85 SQ.FT.
14.37 ACRES
SC GRID NORTH
"PARCEL 1"
N/F: Cora Lesley P
TMS#:0573010100506
P.B. 3-41 @ PG 27
D.B. 3004 @ PG 490
AREA:
521,007.85 SQ.FT.
11.96 ACRES
"PARCEL 2"
N/F: Cora Lesley P
& Cora Vicks II
TMS#:0573010102500
P.B. 81-L @ PG 42
D.B. 3300 @ PG 652
AREA:
69,264.43 SQ/FT.
1.59 ACRES
"PARCEL 3"
N/F: Spoon Ronald
TMS#:0573010103400
P.B. 1458 @ PG 34
D.B. 2681 @ PG 2296
AREA:
34,906.51 SQ.FT.
0.79 ACRES
INTERSTATE 185 (SOUTHERN CONNECTOR)
SOUTHBOUND
NORTHBOUND
LOG SHOALS ROAD (S-23-1818)
CAVELL DR.
CHEROKEE TRAIL DR.
SCALE 1" = 100'
0
300
600
Feet
LOCATION MAP
NTS
SURVEYOR'S NOTES:
PRECISION
LAND SURVEYING, INC.
4500 FELLS CHURCH ROAD
ASHEVILLE COUNTY, SC 29620
(864) 627 - 8567
EMAIL: brucejall@bellsouth.net
LEGEND KEY
SURVEYOR NOMENCLATURE
LINE TYPE KEY
Field By: J. GRAY, J. & E. MEJIA
Draft By: E. MEJIA
Agreed By: E COOK
Field Date: 06-22-2023
Sheet: 1 of 1
AREA: 14.37 ACRES
BOUNDARY SURVEY AT THE REQUEST OF:
STYO DEVELOPMENT, LLC
Project Address:
LOG SHOALS RD., GREENVILLE, SC
Project Location:
GREENVILLE COUNTY, SC
TMS #: 0073010100506, 0573010100506 & 0573010103400
Job Number: 2023-051
CONTROL NOTES:
VERTICAL DATUM: NAVD88 (GPS)
HORIZONTAL DATUM: NAD83 (2011) (EPOCH 2010.00)
RICHARD B. COOK
DATE: AUGUST 29, 2023
S.C. REG # 17137
PRECISION LAND SURVEYING, INC
PRECISION LAND SURVEYING, INC

EXHIBIT 3 – LESLEY P. CORN POWER OF ATTORNEY

2023009242
P/ATTY Book: DE 2681 Page: 1131 - 1137 7 Pgs
February 21, 2023 11:08:49 AM
Rec: $25.00
FILED IN GREENVILLE COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

DURABLE POWER OF ATTORNEY

I, Lesley P. Corn, appoint VICKI H. CORN as my Agent. If she is unable or unwilling to serve, I appoint Colby and Kenzi Corn as substitute or successor Agent.

I hereby revoke any and all Powers of Attorney previously executed by me.

ARTICLE I
Durability

This power of attorney shall not be affected by physical disability or mental incompetence of the principal which renders the principal incapable of managing principal's own estate. By this instrument, I intend to create a Durable Power of Attorney under the law of the state of South Carolina.

ARTICLE II
Authorities Granted

I authorize my Agent to do the following on my behalf.

A. Financial Accounts. My Agent may maintain any financial accounts, including checking, savings, or credit union accounts presently in my name, establish new financial accounts in my name, and deposit money into, withdraw money from, and draw checks on these accounts.

B. Commercial Paper. My Agent may receive, endorse, and collect any currency or commercial paper, including, but not limited to, any checks or drafts payable to me.

C. Investments. My Agent may invest and reinvest my funds in any type of investment, including corporate obligations of every kind, preferred or common stocks, securities of any regulated investment trust, partnership interests, and every other type of investment.

D. Location of Assets. My Agent may move any of my property to any place, whether or not within the United States.

E. Purchase and Sale of Assets. My Agent may purchase every kind of property, real, personal, intangible and/or mixed, on such terms and conditions as my Agent shall deem appropriate. My Agent may sell or otherwise transfer any of my property, real, personal, or mixed, tangible or intangible, on such terms and conditions as my Agent may deem advisable, and to

execute any instruments and give any warranties or indemnifications that my Agent may deem useful in effecting such sale or transfer.

F. Businesses. My Agent may participate in the operation of any business or other enterprise, including voting any stock, and may incorporate, dissolve, or otherwise change the form of such business.

G. Stock. My Agent may vote in person or by proxy, sell or otherwise dispose of, cause to be registered in the name of a nominee selected by my Agent; transfer, redeem, convert, or exchange any stock or other security that now belongs to me, or may belong to me in the future or in which I may have an interest, and make, execute, and deliver any endorsement, assignment, certification, or other document in connection with any security.

H. Loans and Mortgages. My Agent may use credit cards (including obtaining cash advances) and borrow and lend money on such terms, including, but not limited to, interest rates, security, and loan duration, and may mortgage and encumber any property, real, personal or mixed, tangible or intangible, as my Agent may deem advisable. Such powers shall include the power to modify, extend and renew loans.

I. Insurance Policies. My Agent may apply for and own any policies of insurance on my life, on any of my property, and against any liabilities or damages my Agent may deem advisable; pay any premiums or other charges required to maintain such policies; and exercise any incident of ownership over such policies, including, but not limited to, any right to change beneficiaries, cancel any policy, borrow against any cash values, or make any elections with respect to the policies.

J. Property Management. My Agent may improve, develop, manage, lease, or abandon any of my property, real, personal or mixed.

K. Nominees. My Agent may hold any of my property in the name of any trustee, custodian, or nominee, without disclosing this relationship.

L. Motor Vehicles. My Agent may lease or terminate an existing lease of any motor vehicle, may apply for or transfer any certificate of title on any motor vehicle and may represent that such vehicle is free and clear of all liens and encumbrances not otherwise noted in the transfer documents.

M. Legal Actions. My Agent may prosecute or defend any action to protect me or my property, or to protect my Agent in the performance of the duties under this instrument, and may pay, contest, or settle any claim by or against me or my Agent in the performance of the duties under this instrument.

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N. Employees. My Agent may employ persons, even if they are associated with my Agent, to advise or assist in the performance of the duties under this instrument.

O. Tax Returns. My Agent may prepare, sign, and file any returns of tax, refund claims, requests for extension of time to file or pay; petition any court with respect to any tax, offers, waivers, consents, powers of attorney, and other documents relating to any type of federal, state, local, or foreign tax; and execute any elections I may have under any such tax laws. I waive any privileges I may have against disclosure of any confidential tax information to my Agent.

P. Revocable Trust. My Agent may transfer any of my assets to any revocable trust I have created, to be administered under the terms of such trust, and may withdraw assets from any such trust for any proper purpose, even if my Agent is a trustee.

Q. Disclaimer. My Agent may disclaim all or part of any transfers to me if my Agent deems it probable that no gift taxes will be imposed on my account of such disclaimer.

R. Safe Deposit Boxes. My Agent may have access to all safe deposit boxes in my name or with respect to which I am an authorized signatory. My Agent may add to and remove from the contents of the box, close out the box, and open any new safe deposit boxes in my name.

S. Retirement Benefits. My Agent may select the method and time of payments from and the beneficiaries of any of my pension, profit sharing, stock ownership, or other retirement plans; elect to participate in and make investment selections and give investment directions under such plans; amend or terminate any of my individual retirement accounts or other retirement or deferred income arrangements; and make selections of optional benefits offered by my employer and exercise continuation rights as to any benefits.

T. Representation Before Governmental Agencies. My Agent may represent me before the United States Social Security or Veteran's Administrations, any Medicaid agency, or any other governmental agency (both state and federal); make applications for benefits or entitlements from any governmental agency (both state and federal); and appeal any denial, reduction, or discontinuance of benefits or entitlements.

U. Mail. My Agent may receive, accept, open, read, respond to and redirect all mail addressed to me and any packages sent through the United States Postal Service, private carriers or delivery services addressed to me; may represent me before such agencies and companies and shall have authority to open, maintain or close post office boxes in my name at any United States Post Office or private postal facility.

V. Other. My Agent may do any other thing that my Agent may deem advisable, necessary, or desirable for the management of my affairs or for my health, comfort, or welfare, including, but not limited to, changing my state of domicile.

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ARTICLE III
No Gifting

My Agent shall have no power or authority whatsoever to make gifts, grants, or other transfers without consideration. Further, my Agent shall be prohibited from (a) appointing, assigning, or designating any of my assets, interests, or rights directly or indirectly to my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (b) exercising any power of appointments I may hold in favor of my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (c) disclaiming assets to which I would otherwise be entitled if the effect of such disclaimer is to pass assets directly or indirectly to my Agent or his or her estate, or (d) using my assets to discharge any of my Agent's legal obligations, including any obligation of support which my Agent may owe to others, excluding those whom I am legally obligated to support.

ARTICLE IV
Miscellaneous

A. Real Property. This power of attorney specifically gives my Agent the power to manage, deal with, lease, sell, mortgage and/or encumber any real property owned by me and any fixtures attached to my real property, and personal property used in connection with my real property, and any policies of casualty insurance on my real property.

B. Revocation of Power. I may revoke this power of attorney by a written instrument recorded in the Register of Deeds Office in the county aforesaid. However, all persons, corporations, organizations or entities shall recognize my Agent's authority to manage my affairs and transact my business under this instrument until receipt of a written notice of revocation or actual knowledge of my death. No one shall be liable to me or my estate for losses resulting from the good faith recognition of the authority of my Agent prior to receipt of a written notice of revocation or actual knowledge of my death.

C. Ratification. I hereby ratify and confirm all and whatsoever my Agent shall lawfully do or cause to be done in and about the premises by virtue of these presents, including anything which shall be done between the revocation of these presents by my death or in any other manner and notice of such revocation reaching my Agent; and I hereby declare that as against me and all persons claiming under me, everything which my Agent shall do or cause to be done in pursuance hereof after such revocation shall be valid and effectual in favor of any person claiming the benefit thereof who before the doing thereof shall not have had notice of such revocation.

D. No Inventory or Bond Required. No Agent hereunder shall be required to prepare or file any inventory of deposits, chose in action or personal property with any court, and no Agent hereunder shall be required to post a surety bond hereunder.

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E. Conservator and Guardian. If protective proceedings for my person or my estate are hereafter commenced, I hereby nominate my Agent to serve as the conservator of my estate and as the guardian of my person. Nothing in this section shall be construed as a direction that such a petition be filed, or such appointment be made, and it is my express wish that such action be taken only when and if absolutely necessary, and I direct that any such action shall not revoke this Power of Attorney.

F. Counterparts. Anyone may rely fully, completely, and equally on the following: (1) the original of this power of attorney; (2) a duly executed counterpart; or (3) a copy certified by my Agent to be a true copy of the original power of attorney.

G. Purchasers. Anyone who purchases any of my property from my Agent is not obligated to see to the application of the purchase money or other consideration paid for such property.

H. Governing Law. This instrument shall be governed by the laws of the State of South Carolina in all respects, including its validity, construction, interpretation, and termination. To the extent permitted by law this instrument shall be applicable to all property of mine, real, personal, intangible or mixed, wherever and in whatever state of the United States or foreign country the situs of such property is at any time located, and whether such property is now owned by me or hereafter acquired by me or for me by my Agent.

I. Number. Whenever the context of this power of attorney requires, the singular number includes the plural and vice versa.

J. Fiduciary Powers. My Agent shall be prohibited from exercising any fiduciary powers that I now hold or may hereafter acquire.

K. Reimbursement of Agent. My Agent shall be entitled to reimbursement for all reasonable costs and expenses, including reasonable attorney's fees, actually incurred and paid by my Agent on my behalf at any time under any provision of this instrument. My Agent shall not be entitled to compensation for services rendered hereunder.

L. Severability. If any part of any provision of this instrument shall be invalid or unenforceable under applicable law, such part shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provision or the remaining provisions of this instrument.

M. This Instrument Unaffected by Lapse of Time. I intend that this power of attorney be legally unaffected by reason of lapse of time or staleness.

N. Binding Effect. This instrument and actions taken by my Agent properly authorized hereunder shall be binding upon me, my estate, and my personal representative.

2023009242 DE BK 2681 PG 1135

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 9th day of Feb, 2023.

Lesley P. Corn (SEAL)
Lesley P. Corn

The foregoing Power of Attorney, consisting of six typewritten pages, was signed, sealed, published and declared by the said Principal as and for his or her Power of Attorney in the presence of us, who have hereunto subscribed our names as witnesses hereto.

Witness

Witness

STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF GREENVILLE)

PERSONALLY, appeared before me, the undersigned witness, and made oath that (s)he saw the within-named **Lesley P. Corn**, Principal, sign, seal and as her act and deed deliver the foregoing Power of Attorney, and that (s)he is not a party to or a beneficiary of the above transaction, and that (s)he, with the other witness whose signature appears above, witnessed the execution thereof.

[ADD WITNESS NAME], Witness

Sworn to before me this 9th day of February, 2023.

See Acknowledgment

(SEAL)
(NOTARY'S NAME) Robin M. Paul
Notary Public for South Carolina Greenville Cty
My Commission Expires: 17 Feb 2031

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE ACKNOWLEDGEMENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF Feb., 2023 BY Lesley P. Corn.

MIRANDA OWENS
My Commission Expires
NOTARY PUBLIC
04-16-2028
STATE OF SOUTH CAROLINA

NOTARY PUBLIC FOR Greenville, SC

MY COMMISSION EXPIRES: 4/16/28

ORDINANCE _____

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 1.5 ACRES OWNED BY LESLEY P. CORN AND VICKI H. CORN, AND LOCATED AT 635 LOG SHOALS ROAD (PART OF TAX MAP PARCEL: 0573.01-01-005.08) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Lesley P. Corn and Vicki H. Corn are the sole owners of record title of a parcel of real property containing 1.5 acres, more or less, located at 635 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Vicki H. Corn, who has been appointed as Mr. Corn's agent as provided in Exhibit 3, requesting that a portion of the aforementioned property be annexed into the City of Mauldin as described in Exhibit 2; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Lesley P. Corn and Vicki H. Corn constitute one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Lesley P. Corn and Vicki H. Corn, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

_____
Terry Merritt, Mayor

ATTEST:

_____
Cindy Miller, Municipal Clerk

First Reading: _____

Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP

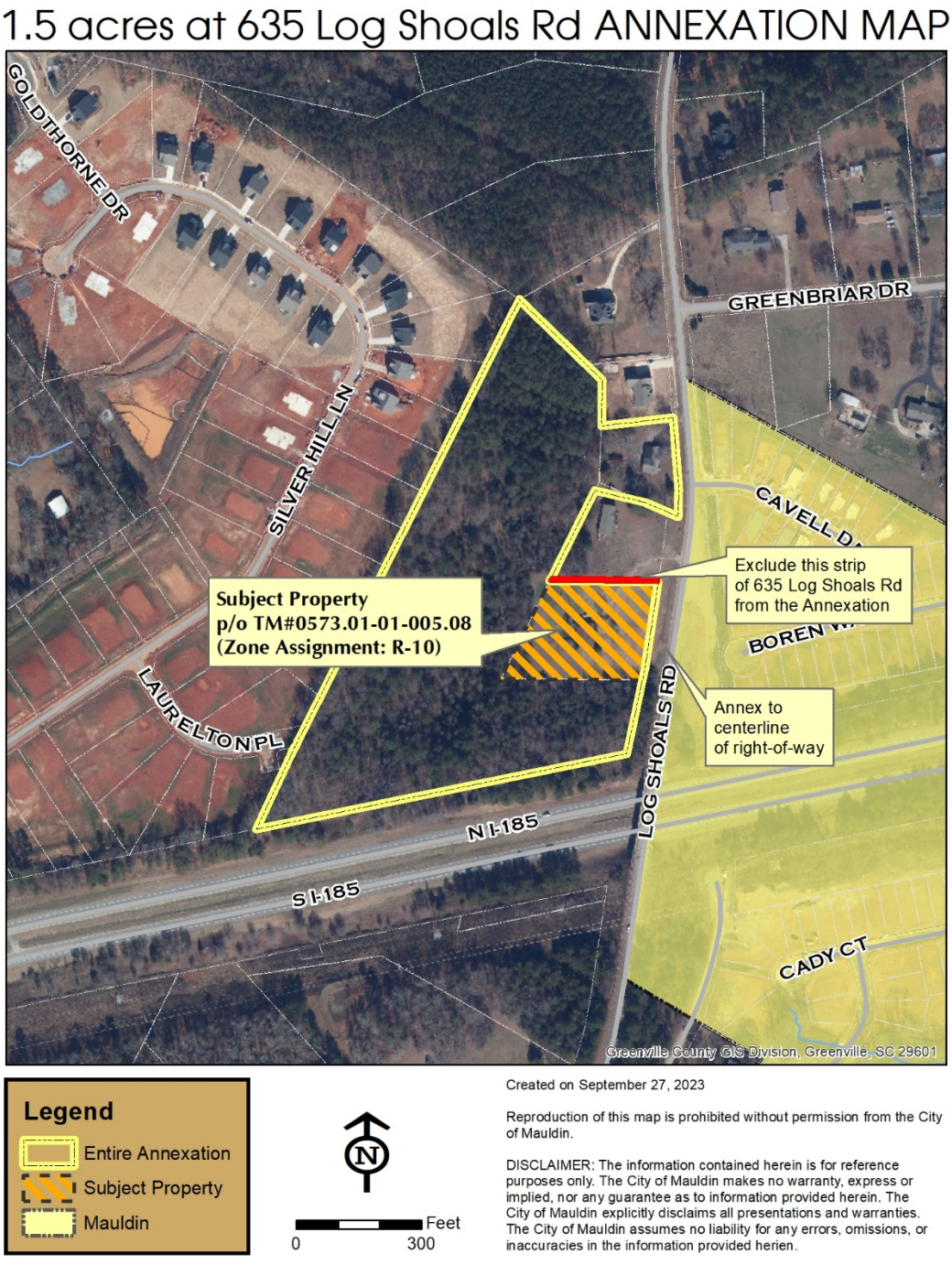


EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 1.5 ACRES OF REAL PROPERTY OWNED BY LESLEY P. CORN AND VICKI H. CORN, AND LOCATED AT 635 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Lesley P. Corn and Vicki H. Corn are the sole owners [freeholders owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 1.59 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioners hereby petition to annex a portion of their property consisting of 1.54 acres which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. This 1.54-acre portion of their property consists of the majority of their 1.59-acre property, less 0.05 acres along the northern edge of their property, as depicted in Exhibit A. Petitioners also hereby petition to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 11th day of September, 2023, before the first signature below is attached.

The Petitioners request that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

9/11, 2023
Date

Vicki H. Corn for Lesley P. Corn
Lesley P. Corn

Witness

Vicki H. Corn

Witness

EXHIBIT A

PROPERTY DESCRIPTION

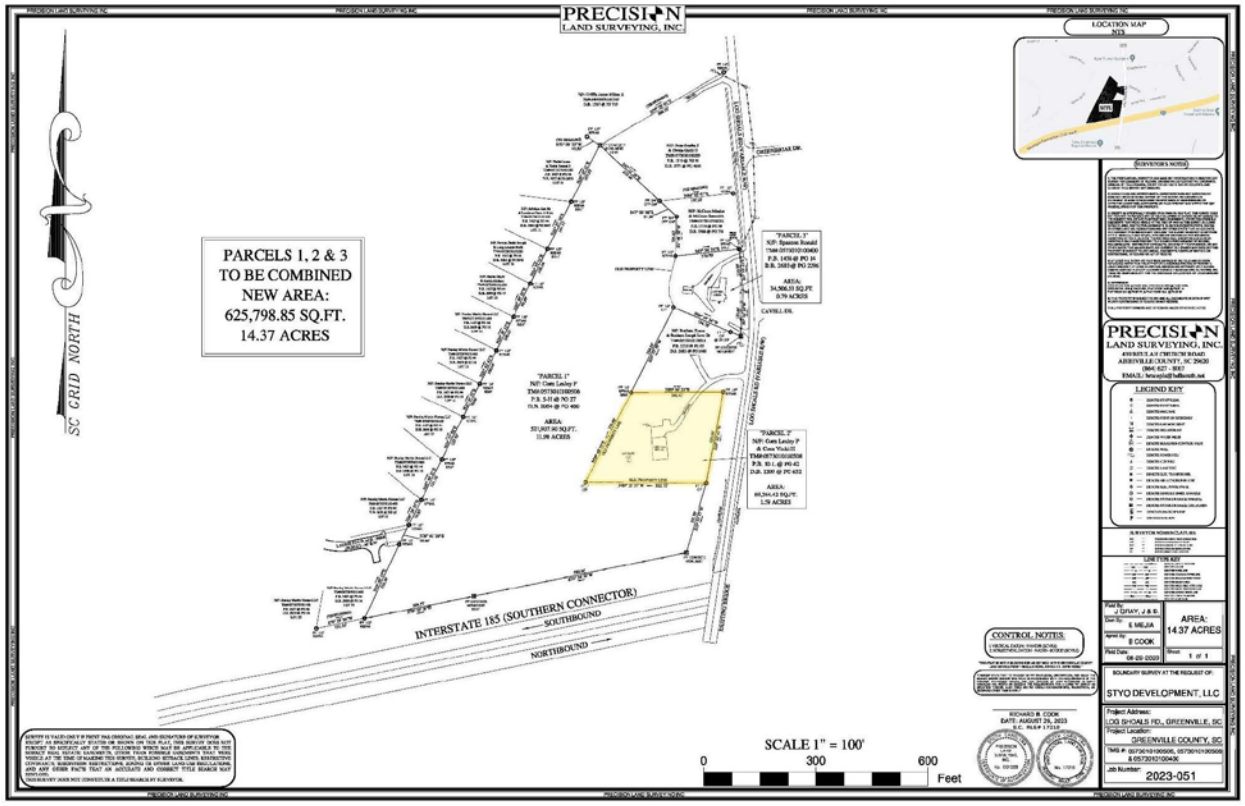
All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 2," containing 1.59 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

-- LESS --

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel B," containing 0.05 acres, more or less, on Log Shoals Road, upon a survey for Emma and Joseph Bonham, dated September 6, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-005.08

SEE SURVEYS ON NEXT PAGES


PRECISION
LAND SURVEYING, INC.
PARCELS 1, 2 & 3
TO BE COMBINED
NEW AREA:
625,798.85 SQ.FT.
14.37 ACRES
SC GRID NORTH
INTERSTATE 185 (SOUTHERN CONNECTOR)
SOUTHBOUND
NORTHBOUND
LOCATION MAP
NTS
SURVEYOR'S NOTES
LEGEND KEY
LINE TYPE KEY
CONTROL NOTES
SCALE 1" = 100'
0
300
600
Feet
Field By: J GRAY, J & B
Dwn By: E MEJIA
Agreed By: E COOK
Field Date: 06-29-2023
Sheet: 1 of 1
AREA: 14.37 ACRES
BOUNDARY SURVEY AT THE REQUEST OF:
STYO DEVELOPMENT, LLC
Project Address:
LOG SHOALS RD., GREENVILLE, SC
Project Location:
GREENVILLE COUNTY, SC
Job Number: 2023-051

-- LESS --

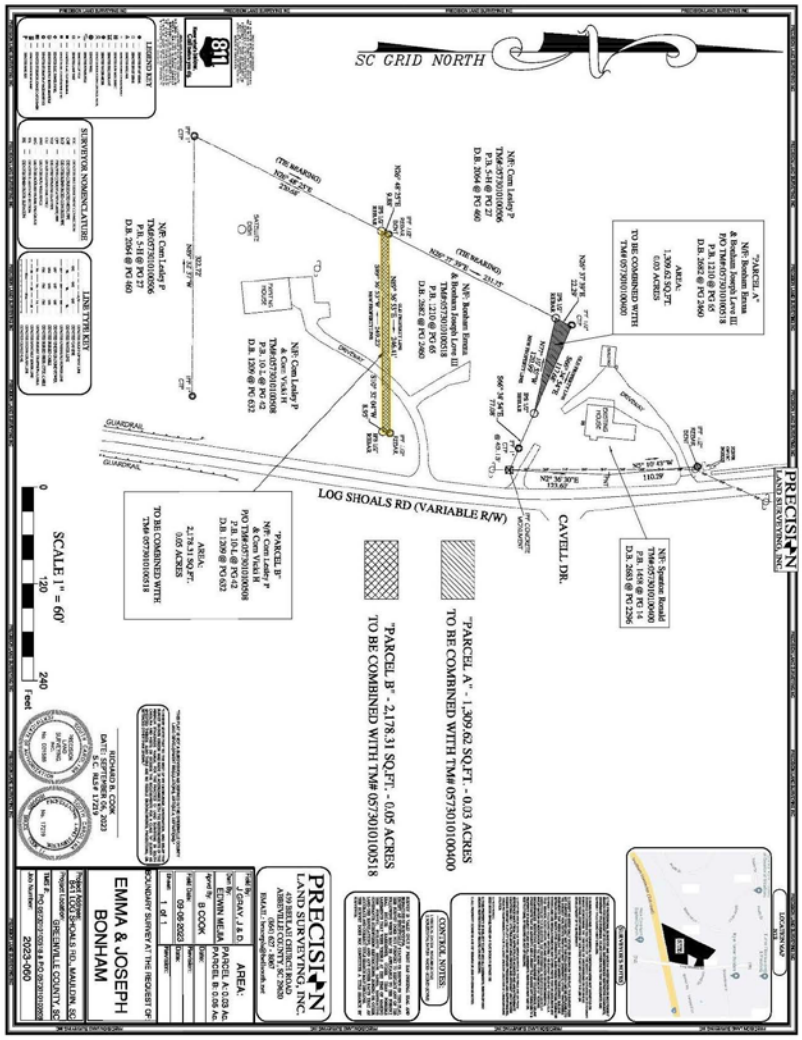

SC GRID NORTH
LOG SHOALS RD (VARIABLE R/W)
CAVELL DR.
GUARDRAIL
"PARCEL A" - 1,309.62 SQ.FT. - 0.03 ACRES
TO BE COMBINED WITH TM# 057301010400
"PARCEL B" - 2,178.31 SQ.FT. - 0.05 ACRES
TO BE COMBINED WITH TM# 057301010518
SCALE 1" = 60'
0
120
240
feet
PRECISION
LAND SURVEYING, INC.
EMMA & JOSEPH BONHAM
BOUNDARY SURVEY AT THE REQUEST OF
2023-060

EXHIBIT 3 – LESLEY P. CORN POWER OF ATTORNEY

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C. Investments. My Agent may invest and reinvest my funds in any type of investment, including corporate obligations of every kind, preferred or common stocks, securities of any regulated investment trust, partnership interests, and every other type of investment.

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E. Purchase and Sale of Assets. My Agent may purchase every kind of property, real, personal, intangible and/or mixed, on such terms and conditions as my Agent shall deem appropriate. My Agent may sell or otherwise transfer any of my property, real, personal, or mixed, tangible or intangible, on such terms and conditions as my Agent may deem advisable, and to

execute any instruments and give any warranties or indemnifications that my Agent may deem useful in effecting such sale or transfer.

F. Businesses. My Agent may participate in the operation of any business or other enterprise, including voting any stock, and may incorporate, dissolve, or otherwise change the form of such business.

G. Stock. My Agent may vote in person or by proxy, sell or otherwise dispose of, cause to be registered in the name of a nominee selected by my Agent; transfer, redeem, convert, or exchange any stock or other security that now belongs to me, or may belong to me in the future or in which I may have an interest, and make, execute, and deliver any endorsement, assignment, certification, or other document in connection with any security.

H. Loans and Mortgages. My Agent may use credit cards (including obtaining cash advances) and borrow and lend money on such terms, including, but not limited to, interest rates, security, and loan duration, and may mortgage and encumber any property, real, personal or mixed, tangible or intangible, as my Agent may deem advisable. Such powers shall include the power to modify, extend and renew loans.

I. Insurance Policies. My Agent may apply for and own any policies of insurance on my life, on any of my property, and against any liabilities or damages my Agent may deem advisable; pay any premiums or other charges required to maintain such policies; and exercise any incident of ownership over such policies, including, but not limited to, any right to change beneficiaries, cancel any policy, borrow against any cash values, or make any elections with respect to the policies.

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2023009242 DE BK 2681 PG 1132

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No Gifting

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ARTICLE IV
Miscellaneous

A. Real Property. This power of attorney specifically gives my Agent the power to manage, deal with, lease, sell, mortgage and/or encumber any real property owned by me and any fixtures attached to my real property, and personal property used in connection with my real property, and any policies of casualty insurance on my real property.

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2023009242 DE BK 2681 PG 1134

E. Conservator and Guardian. If protective proceedings for my person or my estate are hereafter commenced, I hereby nominate my Agent to serve as the conservator of my estate and as the guardian of my person. Nothing in this section shall be construed as a direction that such a petition be filed, or such appointment be made, and it is my express wish that such action be taken only when and if absolutely necessary, and I direct that any such action shall not revoke this Power of Attorney.

F. Counterparts. Anyone may rely fully, completely, and equally on the following: (1) the original of this power of attorney; (2) a duly executed counterpart; or (3) a copy certified by my Agent to be a true copy of the original power of attorney.

G. Purchasers. Anyone who purchases any of my property from my Agent is not obligated to see to the application of the purchase money or other consideration paid for such property.

H. Governing Law. This instrument shall be governed by the laws of the State of South Carolina in all respects, including its validity, construction, interpretation, and termination. To the extent permitted by law this instrument shall be applicable to all property of mine, real, personal, intangible or mixed, wherever and in whatever state of the United States or foreign country the situs of such property is at any time located, and whether such property is now owned by me or hereafter acquired by me or for me by my Agent.

I. Number. Whenever the context of this power of attorney requires, the singular number includes the plural and vice versa.

J. Fiduciary Powers. My Agent shall be prohibited from exercising any fiduciary powers that I now hold or may hereafter acquire.

K. Reimbursement of Agent. My Agent shall be entitled to reimbursement for all reasonable costs and expenses, including reasonable attorney's fees, actually incurred and paid by my Agent on my behalf at any time under any provision of this instrument. My Agent shall not be entitled to compensation for services rendered hereunder.

L. Severability. If any part of any provision of this instrument shall be invalid or unenforceable under applicable law, such part shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provision or the remaining provisions of this instrument.

M. This Instrument Unaffected by Lapse of Time. I intend that this power of attorney be legally unaffected by reason of lapse of time or staleness.

N. Binding Effect. This instrument and actions taken by my Agent properly authorized hereunder shall be binding upon me, my estate, and my personal representative.

2023009242 DE BK 2681 PG 1135

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 9th day of Feb, 2023.

Lesley P. Corn (SEAL)
Lesley P. Corn

The foregoing Power of Attorney, consisting of six typewritten pages, was signed, sealed, published and declared by the said Principal as and for his or her Power of Attorney in the presence of us, who have hereunto subscribed our names as witnesses hereto.

Witness

Witness

STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF GREENVILLE)

PERSONALLY, appeared before me, the undersigned witness, and made oath that (s)he saw the within-named **Lesley P. Corn**, Principal, sign, seal and as her act and deed deliver the foregoing Power of Attorney, and that (s)he is not a party to or a beneficiary of the above transaction, and that (s)he, with the other witness whose signature appears above, witnessed the execution thereof.

[ADD WITNESS NAME], Witness

Sworn to before me this 9th day of February, 2023.

See Acknowledgment

(SEAL)
(NOTARY'S NAME) Robin M. Paul
Notary Public for South Carolina Greenville Cty
My Commission Expires: 17 Feb 2031

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE ACKNOWLEDGEMENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF Feb., 2023 BY Lesley P. Corn.

MIRANDA OWENS
My Commission Expires
NOTARY PUBLIC
04-16-2028
STATE OF SOUTH CAROLINA

NOTARY PUBLIC FOR Greenville, SC

MY COMMISSION EXPIRES: 4/16/28

ORDINANCE _____

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 0.03 ACRES OWNED BY EMMA BONHAM AND JOSEPH LOVE BONHAM III, AND LOCATED AT 641 LOG SHOALS ROAD (PART OF TAX MAP PARCEL: 0573.01-01-005.18) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Emma Bonham and Joseph Love Bonham III are the sole owners of record title of a parcel of real property located at 641 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Emma Bonham and Joseph Love Bonham III, requesting that a portion of the aforementioned property consisting of 0.03 acres be annexed into the City of Mauldin as described in Exhibit 2; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Emma Bonham and Joseph Love Bonham III constitute one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Emma Bonham and Joseph Love Bonham III, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

_____
Terry Merritt, Mayor

ATTEST:

_____
Cindy Miller, Municipal Clerk

First Reading: _____

Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP



EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 0.03 ACRES OF REAL PROPERTY OWNED BY EMMA BONHAM AND JOSEPH LOVE BONHAM III, AND LOCATED AT 641 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Emma Bonham and Joseph Love Bonham III are the sole owners [freeholders owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioners hereby petition to annex a portion of their property consisting of 0.03 acres, as depicted in Exhibit A, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioners also hereby petition to assign this portion of their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 11th day of September, 2023, before the first signature below is attached.

The Petitioners request that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

09/16/2023, 2023
Date

Emma Bonham
Emma Bonham

Joseph Love Bonham III
Witness

Joseph Love Bonham III
Joseph Love Bonham III

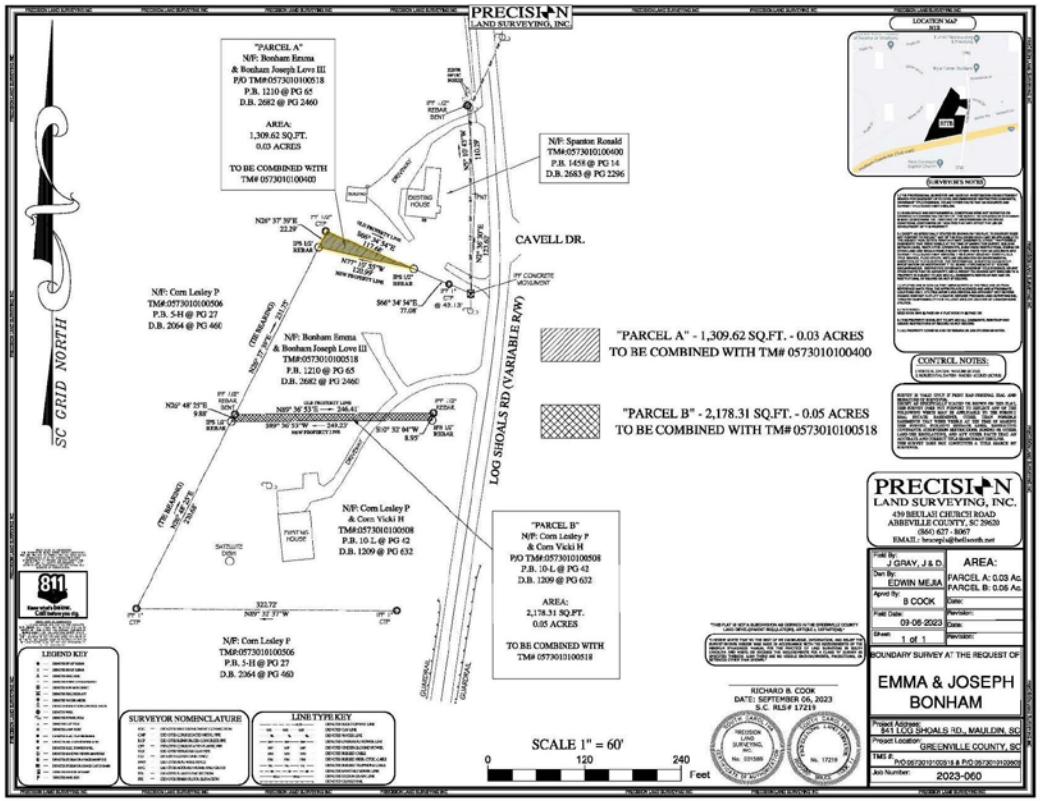
Emma Bonham
Witness

EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel A," containing 0.03 acres, more or less, on Log Shoals Road, upon a survey for Emma and Joseph Bonham, dated September 6, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

SEE SURVEY ON NEXT PAGE


PRECISION LAND SURVEYING, INC.
"PARCEL A"
N/F: Bonham Emma & Bonham Joseph Love III
P/O TM#:0573010100518
P.B. 1210 @ PG 65
D.B. 2682 @ PG 2460
AREA:
1,309.62 SQ.FT.
0.03 ACRES
TO BE COMBINED WITH TM# 0573010100400
N/F: Spanton Ronald
TM#:0573010100400
P.B. 1458 @ PG 14
D.B. 2683 @ PG 2296
CAVELL DR.
N/F: Corn Lesley P
TM#:0573010100506
P.B. 5-H @ PG 27
D.B. 2064 @ PG 460
N/F: Bonham Emma & Bonham Joseph Love III
TM#:0573010100518
P.B. 1210 @ PG 65
D.B. 2682 @ PG 2460
"PARCEL A" - 1,309.62 SQ.FT. - 0.03 ACRES
TO BE COMBINED WITH TM# 0573010100400
"PARCEL B" - 2,178.31 SQ.FT. - 0.05 ACRES
TO BE COMBINED WITH TM# 0573010100518
LOG SHOALS RD (VARIABLE R/W)
SC GRID NORTH
N/F: Corn Lesley P & Corn Vicki H
TM#:0573010100508
P.B. 10-L @ PG 42
D.B. 1209 @ PG 632
"PARCEL B"
N/F: Corn Lesley P & Corn Vicki H
P/O TM#:0573010100508
P.B. 10-L @ PG 42
D.B. 1209 @ PG 632
AREA:
2,178.31 SQ.FT.
0.05 ACRES
TO BE COMBINED WITH TM# 0573010100518
N/F: Corn Lesley P
TM#:0573010100506
P.B. 5-H @ PG 27
D.B. 2064 @ PG 460
LOCATION MAP
SURVEYOR'S NOTES
CONTROL NOTES:
811
LEGEND KEY
SURVEYOR NOMENCLATURE
LINE TYPE KEY
SCALE 1" = 60'
0
120
240
Feet
RICHARD B. COOK
DATE: SEPTEMBER 06, 2023
S.C. RLS# 17219
PRECISION LAND SURVEYING, INC.
439 BEULAH CHURCH ROAD
ABBEVILLE COUNTY, SC 29620
(866) 627 - 8067
EMAIL: bracepls@bellsouth.net
Field By: J GRAY, J & D.
Dwn By: EDWIN MEJIA
Aprvd By: B COOK
Field Date: 09-06-2023
Sheet: 1 of 1
AREA:
PARCEL A: 0.03 Ac.
PARCEL B: 0.05 Ac.
Date:
Revision:
Date:
Revision:
BOUNDARY SURVEY AT THE REQUEST OF
EMMA & JOSEPH BONHAM
Project Address: 841 LOG SHOALS RD., MAULDIN, SC
Project Location: GREENVILLE COUNTY, SC
TMS #: P/O 0573010100518 & P/O 0573010100508
Job Number: 2023-060

ORDINANCE _____

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 0.8 ACRES OWNED BY RONALD SPANTON, AND LOCATED AT 689 LOG SHOALS ROAD (TAX MAP PARCEL: 0573.01-01-004.00) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Ronald Spanton is the sole owner of record title of a parcel of real property containing 0.8 acres, more or less, located at 689 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Ronald Spanton, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Ronald Spanton constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Ronald Spanton, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

_____
Terry Merritt, Mayor

ATTEST:

_____
Cindy Miller, Municipal Clerk

First Reading: _____

Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP



EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 0.8 ACRES OF REAL PROPERTY OWNED BY RONALD SPANTON, AND LOCATED AT 689 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Ronald Spanton is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 0.8 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioner hereby petitions to annex their property consisting of approximately 0.8 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 11th day of September, 2023, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

9-11, 2023
Date

Ronald Spanton
Ronald Spanton

Witness

Witness

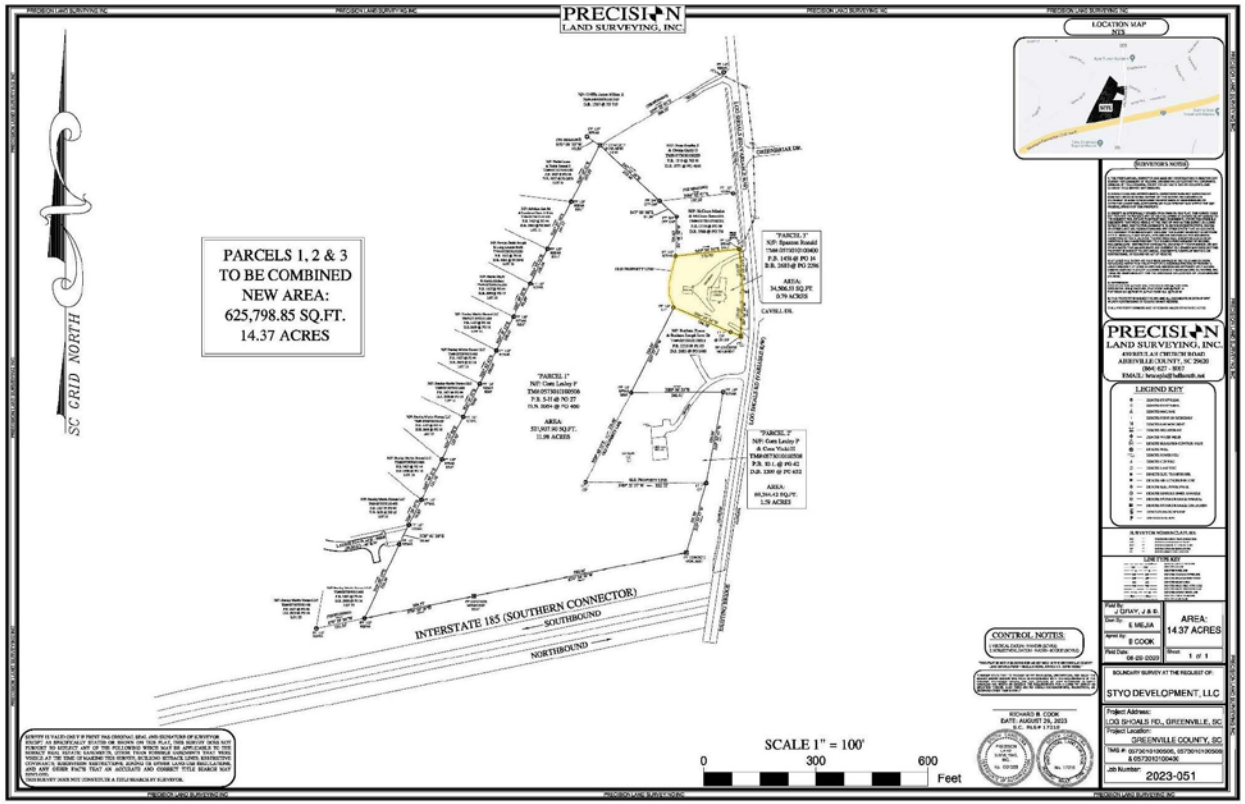
EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 3," containing 0.79 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-004.00

SEE SURVEY ON NEXT PAGE


PRECISION
LAND SURVEYING, INC.
LOCATION MAP
NTS
PARCELS 1, 2 & 3
TO BE COMBINED
NEW AREA:
625,798.85 SQ.FT.
14.37 ACRES
SC GRID NORTH
"PARCEL 3"
N/F: Spanton Ronald
TMM-0573010100400
P.B. 1458 @ PG 14
B.B. 2681 @ PG 2296
AREA:
34,906.51 SQ.FT.
0.79 ACRES
CAVELL DR.
"PARCEL 1"
N/F: Gate Lesley P
TMM-0573010100500
P.B. 5-51 @ PG 27
D.B. 3004 @ PG 400
AREA:
551,007.90 SQ.FT.
11.98 ACRES
"PARCEL 2"
N/F: Gate Lesley P
& Gate Vicki H
TMM-0573010100500
P.B. 10-1 @ PG 42
D.B. 1300 @ PG 452
AREA:
69,284.43 SQ.FT.
1.59 ACRES
LOG SHOALS RD (VARIABLE R/W)
INTERSTATE 185 (SOUTHERN CONNECTOR)
SOUTHBOUND
NORTHBOUND
SURVEYOR'S NOTES
PRECISION
LAND SURVEYING, INC.
LEGEND KEY
LINE TYPE KEY
Field By: J GRAY, J & B
Dwn By: E MEJIA
Agreed By: B COOK
Plot Date: 06-29-2023
AREA: 14.37 ACRES
Sheet: 1 of 1
BOUNDARY SURVEY AT THE REQUEST OF:
STYO DEVELOPMENT, LLC
Project Address:
LOG SHOALS RD., GREENVILLE, SC
Project Location:
GREENVILLE COUNTY, SC
Job Number: 2023-051
CONTROL NOTES
RICHARD B. COOK
EXPIRES: AUGUST 29, 2023
S.C. RLS# 17219
SCALE 1" = 100'
0
300
600
Feet

CITY COUNCIL
AGENDA ITEM

MEETING DATE: October 16, 2023

AGENDA ITEM: 8b

TO: City Council

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Business License Standardization Ordinance Amendment

BACKGROUND

South Carolina's Act 176, the Business License Standardization Act, requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year to go into effect the following year. As such, 2023 is a time to update the City's licensing practices to remain in compliance with state law.

As required by Act 176, the class schedule updates are based on the latest statistical data on business profitability from the IRS, which then receives approval from the SC Revenue and Fiscal Affairs Office.

Each local government must adopt these updates by December 31, 2023, to address those licensing renewals that will take place for the license year running from May 1, 2024 – April 30, 2025.

AMENDMENT SUMMARY

This amendment to entails the following:

1. The NAICS codes for Class 8.3, Telephone Companies, have been corrected.

2. Class 8.6 for Billard or Pool Tables has been updated as follows: A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business license pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of $5.00 per table measuring less than 3½ feet wide and 7 feet long, and $12.50 per table long than that.

3. The NAICS codes for Class 9.41, Regular Peddlers, and Class 9.42, Season Peddlers, have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

4. The rate class schedule in Appendix B has been replaced. Some of the business sectors have been reassigned to new rate classes. These include:

NAICS Code	Industry Sector	Old Rate Class	New Rate Class
11	Agriculture, forestry, hunting and fishing	2	1
21	Mining	4	2
48-49	Transportation and warehousing	2	1
56	Administrative and support and waste management and remediation services	4	3
61	Educational services	4	3
721	Accommodation	3	1
81	Other services	5	4

In all the above reassignments, the industry sectors were reassigned to classes with lower rates. This means that the business license revenue collected by the City from these industry sectors may go down.

STAFF RECOMMENDATION

In order to be compliant with South Carolina's Act 176, staff recommends approval of the attached ordinance.

BUILDING CODES COMMITTEE RECOMMENDATION

The Building Codes Committee has forwarded this ordinance to the City Council with a recommendation of approval.

ATTACHMENT

Ordinance

AN ORDINANCE

AMENDING THE BUSINESS LICENSE ORDINANCE OF THE CITY OF MAULDIN TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

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

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

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

WHEREAS, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 989 on November 15, 2021, in order to comply with the requirements of the Standardization Act (the "Current Business License Ordinance");

WHEREAS, the City Council of the Municipality (the "Council") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association;

NOW, THEREFORE, BE IT ORDERED AND ORDAINED by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

SECTION 1. Amendments to Appendix A. Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be add, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the ordinance that have been skipped and remain unchanged)*:

APPENDIX A: BUSINESS LICENSE RATE SCHEDULE

***

8.3 NAICS ~~517311, 517312~~ 517111, 517112, 517122 – Telephone Companies.

***

8.6 NAICS ~~713990~~ Code Varies – Billiard or Pool Tables ~~Rooms, all types~~.

A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition,

the billiard or pool tables shall require their own separate business license pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of $5.00 per table measuring less than 3½ feet wide and 7 feet long, and $12.50 per table longer than that.

~~(A) Pursuant to SC Code § 12-21-2746, license tax of $5.00 per table measuring less than 3½ feet wide and 7 feet long, and $12.50 per table longer than that; PLUS~~
~~(B) with respect to gross income from the entire business in addition to the tax authorized by state law for each table:~~

~~Minimum on first $2,000 ..... $47.00 PLUS~~

~~Per $1,000, or fraction, over $2,000 ..... $3.50~~

***

~~**9.4 NAICS 454390 – Peddlers, Solicitors, Canvassers, Door-to-Door Sales.**~~

~~Direct retail sales of merchandise. [Non-resident rates apply]~~

~~**9.41** Regular activities [more than two sale periods of more than three days each per year]~~

~~Minimum on first $2,000 ..... $200.00 PLUS~~

~~Per $1,000, or fraction, over $2,000 ..... $1.90~~

~~**9.42** Seasonal activities [not more than two sale periods of not more than three days each year, separate license required for each sale period]~~

~~Minimum on first $2,000 ..... $200.00 PLUS~~

~~Per $1,000, or fraction, over $2,000 ..... $1.90~~

~~Applicants for a license to sell on private property must provide written authorization from the property owner to use the intended location.~~

***

SECTION 2. Amendments to Appendix B. Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," is hereby amended as follows:

(a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," are hereby amended and restated as set forth on the attached Exhibit A.

(b) Class 9 in Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," shall remain in full force and effect as set forth in the Current Business License Ordinance.

[(c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to

apply and pay for a business license in their natural class.

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

ENACTED IN REGULAR MEETING, this ___ day of _____, 20___.

_____

Mayor

ATTEST:

_____

Clerk

First reading: _____

Final reading: _____

Exhibit A: Amendment to Classes 1 – 8 in Appendix B of the Current Business License Ordinance

APPENDIX B

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

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1
21	Mining	2
22	Utilities	1
31 - 33	Manufacturing	9.8
42	Wholesale trade	1
44 - 45	Retail trade	1
48 - 49	Transportation and warehousing	1
51	Information	4
52	Finance and insurance	7
53	Real estate and rental and leasing	7
54	Professional, scientific, and technical services	5
55	Management of companies	7
56	Administrative and support and waste management and remediation services	3
61	Educational services	3
62	Health care and social assistance	4
71	Arts, entertainment, and recreation	3
721	Accommodation	1
722	Food services and drinking places	2
81	Other services	4
Class 8	**Subclasses**	
23	Construction	8.1
482	Rail Transportation	8.2
517111	Wired Telecommunications Carriers	8.3
517112	Wireless Telecommunications Carriers (except Satellite)	8.3
517122	Agents for Wireless Telecommunications Services	8.3
5241	Insurance Carriers	8.4
5242	Insurance Brokers for non-admitted Insurance Carriers	8.4
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.6
423930	Junk or Scrap Dealers	9.1
522298	Pawn Brokers	9.2
4411	Automobile Dealers	9.3
4412	Other Motor Vehicle Dealers	9.3

713290	Bingo Halls, Parlors	9.5
711190	Carnivals and Circuses	9.6
722410	Drinking Places, Bars, Lounges, Cabarets	9.7

CITY COUNCIL
AGENDA ITEM

MEETING DATE: October 16, 2023

AGENDA ITEM: 8c

TO: City Council

FROM: Seth Duncan, City Administrator

SUBJECT: FOIA policy

REQUEST

The Council is requested to consider a Resolution amending the FOIA policy adopted in May of 2020.

HISTORY/BACKGROUND

Pursuant to the State FOIA law, the City is required to establish a rate for searching, retrieving, and redacting records for FOIA requests.

ANALYSIS or STAFF FINDINGS

Attached for Council's consideration is a Resolution adopting the revised FOIA policy which is also attached. The current FOIA policy states the City Clerk's Office will compile the information, draft a cover letter listing the information provided, and provide a completed packet to the Legal Department for review. The Legal Department will review the records for any exemptions, make any redactions necessary to the records (or request the department make the redactions), and provide the specific section of the FOIA statute to the City Clerk's Office for inclusion in the response cover letter.

From August 1, 2022 to current, the City has expended $7,348.50 in FOIA cost legal fees. Staff is asking that the requirement in the current policy to send all FOIA responses to the legal department before release be amended. The majority of FOIA responses are routine police accident and incident reports that can be redacted and released by staff without legal review. If there is a question on document release, staff will contact the City Attorney's office.

FISCAL IMPACT

None associated with this request.

RECOMMENDATION

Staff recommends approval of the Resolution and FOIA policy as presented.

ATTACHMENTS

FOIA Policy
Proposed Resolution

City of Mauldin
Policies and Procedures Manual

Title: Freedom of Information Act Requests

Department: Administrative Policy Number: 2023 - 1

Effective Date: _____

I. Purpose

To establish a procedure to respond to requests for public records in accordance with the South Carolina Freedom of Information Act ("FOIA"). *See S.C. Code of Laws §§30-4-10 et seq.*

II. Definitions

Public record – includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body.

Non-existing record – The City will not create a record if one does not exist at the time an FOIA request is made. The City will notify the requestor that no public records are in the possession of the City that pertain to the request.

Exemptions – A public body may, but is not required to, exempt from disclosure certain records. The list of allowed exemptions may be found in S.C. Code of Laws §30-4-40.

FOIA Request- A request, in writing, for public records made in accordance with the South Carolina Freedom of Information Act ("FOIA"). Any person has a right to inspect or copy any public record of a public body, except as otherwise provided by Section 30-4-40, in accordance with reasonable rules concerning time and place of access, as determined by the City of Mauldin. The written request must provide the reason for the request and provide that the records requested will not be used for commercial solicitation directed to any person.

- This right does not extend to individuals serving a sentence of imprisonment in a state or City correctional facility. Pre-trial detainees not yet sentenced or other persons not yet sentenced detained in a state or City correctional facility have the right to inspect or copy any public record of a public body.

- The City will include a notice to all requestors of records pursuant to this chapter and to all persons who obtain records pursuant to this chapter that obtaining or using public records for commercial solicitation directed to any person in this State is prohibited.

Waiver of written request: The following records of the City will be made available for public inspection and copying during the hours of operation of the public body without the requestor being required to make a written request to inspect or copy the records when the requestor appears in person:

(1) Minutes of the meetings of the City for the preceding six months;
(2) All reports identified in section 30-4-50(A)(8) *(crime reports)* for at least the 14 day period before the current day;
(3) Documents identifying persons confined in jail, detention center, or prison for the preceding three months; and,
(4) All documents produced by the public body or its agent that were distributed to be reviewed by a member of the public body during a public meeting for the preceding six-month period.

Fees – The public body may establish and collect fees not to exceed the actual cost of the search, retrieval, and redaction of records. Fees charged by a public body must be uniform for copies of the same record or document and may not exceed the prevailing commercial rate for the producing of copies. The records must be furnished at the lowest reasonable cost to the person requesting the records. When the City Administrator determines that providing the information requested benefits the general public, a waiver or reduction of the fee may be granted. The City may charge a reasonable hourly rate for making records available to the public and may require a deposit not to exceed twenty-five percent (25%) of the total anticipated cost for reproduction of the records prior to searching for or making copies of the records. A copy of the fee schedule shall be posted online. (*See the Fee Schedule in Section 8.)*

Request for Responses:

III. Procedure

A. Intake and Assessment:

1. Department Directors should designate, at a minimum, one person or as many employees as the Director deems necessary within each department responsible for handling FOIA requests. This responsibility should include receiving, logging, processing, and/or coordination of response.

2. All FOIA requests received (in hand delivery, email, or facsimile) by any City Department (with the exception of those identified in the above definitions) shall be immediately date and time stamped and delivered to the Mauldin City Clerk's Office for processing. A copy of the request (hard or electronic) shall be retained by the department.

3. Any citizen requesting information on where to send a FOIA request, shall be informed to hand deliver, mail, email, use the online FOIA form, or fax the request to:

City Clerk's Office
City of Mauldin
5 East Butler Rd.
Mauldin, SC 29662
cmiller@mauldincitysc.com

4. The City Clerk's Office shall assess the request to determine if it is a FOIA request (i.e., a request for records) or merely questions (i.e., request for responses) posed to the City. The City Clerk's Office shall reply, in writing, to questions informing the requestor of the City's policy. Questions from the media shall be forwarded to the Public Information Officer for response. FOIA requests shall be immediately processed per the below procedures.

a. The City Clerk's Office will forward the FOIA request to all departments, via the departmental FOIA designee. All departments must respond to the City Clerk's Office within two business days indicating if they have information which is responsive to the FOIA request and/or request a clarification about the request. If a department indicates it has responsive documents/information, it will provide a cost estimate within two business days (and an estimated time for the provision of records within two business days) based on the Fee Scheduled Policy herein provided. Departments with questions regarding compliance with the FOIA and whether certain City records are public records should contact the Legal Department.

b. The City has ten (10) working days (excluding weekends and legal public holidays) from the date of receipt to reply to the requestor in writing informing the requestor of the City's determination of availability of the requested records; however, if the record is more than twenty-four (24) months old at the date the request is made, the City has twenty (20) days (excluding weekends and legal public holidays) of the receipt to make this notification. Such correspondence shall also include the request for deposit of twenty-five percent (25%) of the total cost, based on the departmental estimate. The records will not be retrieved by the department(s) until the deposit has been received by the City and the check or transaction has cleared the financial institution. When the deposit has cleared the financial institution, the City Clerk's Office will notify the requestor of the estimated time of response, unless such time is less than five (5) days, in which case, no follow-up letter is necessary.

c. The record must be furnished or made available no later than 30 calendar days from the date on which the deposit cleared the financial institution or the date the final determination was provided. If the records are more than 24 months old, the record must be furnished or made available no later than 35 calendar days from the date the deposit was made or the date the final determination was provided.

d. Requests for clarification or requests to narrow an overly broad request that the City cannot reasonably respond to shall be communicated to the requestor in writing within seven (7) days of the City's receipt of the request. This request does not extend deadlines. The deadline to respond and all other applicable deadlines will remain active and the City must adhere to these deadlines regardless of whether the request is narrowed or whether clarification is given.

e. The various response, determination, and production deadlines are subject to extension by written mutual agreement of the City and the requesting party at issue, and this agreement shall not be unreasonably withheld.

f. Each department with responsive records will provide the records to the City Clerk's Office within two (2) business days. The City Clerk's Office will compile the information, review the records for any exemptions, make any redactions necessary to the records (or request the department make the redactions), consult legal counsel (if necessary), and may provide the specific section of the FOIA statute for inclusion in the response to the requestor. ~~The City Clerk's Office will compile the information, draft a cover letter listing the information provided, and provide a completed packet to the Legal Department for review. The Legal Department will review the records for any exemptions, make any redactions necessary to the records (or request the department make the redactions), and provide the specific section of the FOIA statute to the City Clerk's Office for inclusion in the response cover letter.~~

B. Fee Schedule Policy- In accordance with the S.C. Code of Laws, all Mauldin City departments shall adhere to the following fee schedule:

A fee shall not be charged if the total cost to produce the record(s) is $20.00 or less.

Service		Fee
a.	**Copying Fee**	**$0.25 per page**
A charge shall be levied for each hard copy made by copier or computer printer. If information is emailed, the copying fee does not apply.		
b.	**Records Research**	**Gross Hourly Rate**

Hourly fee, pro-rated, shall be based on the gross hourly rate of the lowest paid employee researching the records requested, who has the necessary

skill and training to perform the request. This time shall include any time for making hard copies of records for the requestor.		
c.	**Information Provided by Fax**	**Gross Hourly Rate**
Hourly fee, pro-rated, shall be based on gross hourly rate of the lowest paid City Clerk's Office employee faxing the requested records.		
d.	**E-mail Search Programming Fees**	**Gross Hourly Rate**
Hourly fee, pro-rated, shall be based on gross hourly rate of the lowest paid IT employee who has the necessary skill and training to design and enter the search criteria for the requested records and retrieve the data.		
e.	**Computer Media (CD)**	**$5.00 per CD required**
f.	**USB Drives**	**Cost (including sales tax) of the USB Drive**
f.	**Public Inspection**	**Gross Hourly Rate**
The City shall charge an hourly fee, pro-rated, based on the gross hourly rate of the lowest paid employee who has the necessary skill and training to make records available to the public for inspection. The rate shall be charged for the entire time the records are open for inspection and the employee has control of the records for inspection.		
g.	**Redactions**	**Gross Hourly Rate**
The City shall charge an hourly fee, pro-rated, based on the gross hourly rate of the lowest paid employee who has the necessary skill and training to perform the redactions pursuant to policy.		

C. Related FOIA issues

1. The Mauldin City Clerk's Office will compile and maintain a computerized log of all FOIA requests.
2. FOIA requests and/or responses may contain sensitive or confidential information. Employees involved in the FOIA process must maintain confidentiality of all FOIA requests and responses.
3. Certain information received from the IT department or GIS is copyrighted material. The City restricts further commercial distribution of public documents pursuant to a copyright by requiring anyone requesting the copyrighted documents to sign a licensing agreement acknowledging the copyright on the information and restricting any further commercial use without prior written consent from the City. The City Clerk's Office shall include the above copyright statement on all such information provided and work with the City IT/GIS to have the appropriate documentation signed by the requestor.
4. The above fee schedule shall not be subject to yearly CPI increase, but shall be subject to change at any time by the Mauldin City Council.

_____ _____

City Administrator Date

Date adopted by Mauldin City Council: _____

RESOLUTION _____ - 2023

A RESOLUTION TO ESTABLISH A POLICY FOR PROCESSING REQUESTS FOR PUBLIC RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT

WHEREAS, the South Carolina Freedom of Information Act (FOIA) established the right for requestors to obtain public records of the City permitted by the Act; and,

WHEREAS, the City of Mauldin previously adopted a policy to process FOIA requests; and,

WHEREAS, the Mayor and Council find that adopting a revised FOIA policy will increase efficiency and decrease the City's costs to provide the information;

NOW, THEREFORE, be it resolved that the current FOIA policy is rescinded and the new FOIA policy attached hereto is hereby adopted.

This Resolution shall take effect immediately upon approval.

Date Adopted: _____, 2023

_____
Terry Merritt, Mayor

ATTEST:

_____
Cindy Miller, Municipal Clerk

CITY COUNCIL
AGENDA ITEM

MEETING DATE: October 16, 2023

AGENDA ITEM: 8d

TO: City Council

FROM: Lauren Carter, Communications Manager

SUBJECT: Naming of Pedestrian Bridge

REQUEST

City Council is being asked to discuss and select a name for the pedestrian bridge over I-385 being built by the City of Mauldin.

On October 2nd, the Recreation Committee reviewed the selection committee's recommended names, offered their opinions on each, and voted to forward the list to full Council for discussion and selection. The information provided below was reviewed by the Recreation Committee and is being provided to Council for its attention and to aid in deliberations.

HISTORY/BACKGROUND

Based on a process approved by the Recreation Committee on August 7, 2023, the City of Mauldin sought public input on a name for the pedestrian bridge over I-385 through a press release, social media posts and website post. The City received a total of 2,111 submissions by the deadline of September 5 at noon (1,505 submissions came from the online form, 495 from social media and 111 by email). After removing duplicate names and names that were discriminatory, profane, vulgar, derogatory or sexual in nature, there were a total of 1,284 names to consider. A selection committee comprised of 7 members met to discuss the submissions and recommend 3 to 5 names to the Recreation Committee. The selection committee included the following members:

- City Administrator Seth Duncan
- Communications Manager Lauren Carter
- Recreation Director Bart Cumalander
- Community Development Director J.R. Charles
- Residential Permit Facilitator Will Hopkins
- Police Cpl. Harley Sefcik
- Phil Hughes, President of Hughes Investments

ANALYSIS or STAFF FINDINGS

In the process of evaluating bridge name submissions, staff discussed what the bridge represents, what it means to the City of Mauldin and what the name should reflect. Staff created the following set of criteria

to help guide the name selection process:

- **Unique -** names should be distinctive and should not repeat or mirror other sites, landmarks or bridge names, especially well-known ones, such as the Golden Gate Bridge, or names that are already heavily utilized in the City.

- **Connected to Mauldin -** names should have a clear connection to the City of Mauldin, especially considering that BridgeWay Station's address is technically in Simpsonville. Though the name may be shortened in casual conversation, when the full bridge name appears in print, Mauldin should be recognized and remembered.

- **Descriptive -** names should in some way describe the bridge or the purpose it serves, i.e. a pedestrian bridge connecting different segments of Mauldin and eventually connecting to the Swamp Rabbit Trail.

- **Memorable/Catchy -** names should be easy to pronounce and should have a 'ring' to them. We should also be aware that long names will likely be shortened or given a nickname, like the Bon Secours Wellness Arena being known as "The Well."

- **Inclusive and Community-Focused –** since the bridge represents community and connection**,** names should be inclusive and reflective of the community as a whole and should not have the potential to alienate certain community members.

- **Non-controversial -** names should have a positive connotation and should not be linked to anyone or anything that could be considered controversial.

- **Forward-looking** - by linking to the new BridgeWay Station development and eventually connecting to the Swamp Rabbit Trail, the bridge represents a new chapter in Mauldin's history. Ideally, names should speak to Mauldin's potential or growth.

RECOMMENDATION

- Staff recommends the following 5 names, in no particular order. We've also provided possible alternatives or variations for some recommended names, and we've listed committee feedback for each name. Names were reviewed for possible trademark infringement using the Trademark Electronic Search System at uspto.gov, and no records were found for any of the recommended names. Please see the next page for recommendations.