

Mayor Elise Partin	Mayor Pro-Tem Tim James	Council Members Phil Carter Hunter Sox Byron Thomas	City Manager Mike Conley	Assistant City Manager Wesley Crosby
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**City of Cayce
Special Council Meeting
Thursday, November 13, 2025
5:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

**To Access Council Meeting Livestream, click
<https://www.youtube.com/@cityofcayce1137/streams>**

REGULAR COUNCIL MEETING

I. Call to Order

- A. Invocation and Pledge of Allegiance
- B. Nomination and Election of Mayor Pro Tem
- C. Approval of Minutes
October 7, 2025, Regular Council Meeting
October 13, 2025, Special Council Meeting
October 22, 2025, Regular Council Meeting
October 27, 2025, Special Council Meeting

II. Public Comment Regarding Items on the Agenda

III. Items for Discussion and Possible Approval

- A. Discussion and Approval and Authorization for City Manager to Sign Financial Participation Agreement with SCDOT for Multiuse Trail off Foreman Street
- B. Consideration of Fireworks Exemption Request for Carolina Bonfire Event
- C. Discussion and Approval of Updated Contract with Samsara
- D. Discussion and Approval of Memorandum of Agreements (MOA) with South Carolina Department of Transportation (SCDOT) for Utility Relocation (Water) for Frink Street Sidewalk Project
- E. Discussion and Approval to move forward with the Hazard Mitigation Grant Program Application
- F. Update on the ColaJazz Invigorate Cayce Project funded through a Central Carolina Community Foundation Grant and Details of First Pop Up Concert Being Held November 23, 2025, at 2 Story Studios Located at 2018 State Street

IV. Ordinances

- A. Discussion and Approval of Ordinance 2025-08 Amending the Business License Ordinance of the City of Cayce to Update the Class Schedule as Required by Act 176 of 2020 – Second Reading
- B. Discussion and Approval of Ordinance 2025-09 Annexing Portion (1.86 Acres) of Property Located at or near 2490 Charleston Highway and 2121 Old Dunbar Road (Tax Map Number 006896-01-002) into the City Limits Under the Provisions of South Carolina code Section 5-3-150 (3) – First Reading

V. Committee Matters

- A. Approval to Enter the Following Committee Approved Minutes Into the City's Record
 - Zoning Board of Appeals – January 27, 2025
 - Events Committee – March 13, 2025
 - Cayce Museum and Historical Commission – September 3, 2025
 - Planning Commission – September 15, 2025
 - Cayce Museum and Historical Commission – October 1, 2025
- B. Reappointments
 - Public Safety Foundation – One Position
- C. Appointment of Council Members to City Boards and Foundations
- D. Appointment of Council Members to Designated External Boards and Commissions

VI. City Manager's Report

VII. Council Comments

VIII. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
 - i. Request for reimbursement of right-of-way negotiation expenses (Congaree Bluff)
 - ii. Discussion of possible employment of City Attorney

NOTE: Items discussed in Executive Session may result in action by City Council upon its return to general session

IX. Reconvene

X. Possible Action by Council in follow up to Executive Session

- A. Action regarding request for reimbursement of right-of-way negotiation expenses (Congaree Bluff)
- B. Appointment of City Attorney

XI. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.

Sec. 2-53. Mayor pro tempore.

At the first meeting after organization, or as soon thereafter as practicable, the council shall elect a mayor pro tempore, who shall perform all the duties pertaining to that office in the absence of the mayor due to sickness, incapacity or other cause.

(Code 1975, § 2-40)

State law reference(s)—Mayor pro tempore, S.C. Code 1976, § 5-7-190.



Mayor Elise Partin	Mayor Pro-Tem Tim James	Council Members Phil Carter Hunter Sox Byron Thomas	City Manager Michael Conley	Assistant City Manager Wesley Crosby
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**City of Cayce
Regular Council Meeting
Tuesday, October 7, 2025**

The October 7, 2025, Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. Assistant City Manager Wesley Crosby, Municipal Clerk Mendy Corder, Finance Director Allison Barrs, Director of Utilities Betsy Catchings, IT Director Jamie Beckham, Police Chief Bruce Wade, Fire Chief Steven Bullard and City Attorney Will Dillard were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the Regular Council meeting to order and Mayor Pro Tem James gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Sox made a motion to approve the September 2, 2025, Regular Council Meeting and September 17, 2025, Regular Council Meeting minutes as written. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mr. Danny Creamer spoke on Items V. A. and X. A. Mr. Creamer stated that he served on the Municipal Election Commission for several years and the Commissioners were nothing but figureheads, so he was making a suggestion to Council to dissolve the Municipal Election Commission. He stated that the litigation of the property at 1028 Michaelmas Avenue had been going on for four (4) years and seven (7) months. He stated that he and many of his neighbors on the Avenues would appreciate it being taken care of and settled.

Presentations

A. Presentation by Ms. Elva Stinson with the League of Women Voters

Ms. Stinson stated that she was a member of the League of Women Voters of the Columbia area which was a non-partisan organization dedicated to empowering voters and defending democracy. She stated that one of their key initiatives was Vote 411.org. She stated that it was a comprehensive online guide providing voters with

polling locations, registration details and candidate information for local, state and federal elections ahead of the November 4 municipal elections. She stated that the League had invited all declared candidates in Cayce to share their qualifications and positions on key issues and their unedited responses would be published on Vote 411.org giving voters a reliable non-partisan resource to make informed choices.

Proclamation

A. Approval of a Proclamation – Latino/Hispanic Business Day

Mayor Pro Tem James made a motion to approve the Latino/Hispanic Business Day Proclamation. Council Member Thoams seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval of Resolution Confirming Membership of the City of Cayce Municipal Election Commission (confirming three members pursuant to SC Code Section 5-15-90)

Council Member Sox recused himself from this item, his recusal statement is attached. City Attorney Dillard stated that for a number of decades, the City Municipal Election Commission had as many as five (5) or seven (7), or even more, appointed members to that Commission and State law provided that a Municipal Election Commission have just three (3) members so the City had to get into compliance with State law. He stated that the State law also required that the terms of the three (3) members be six (6) year terms staggered by two (2) years each. He stated that Council needed to confirm who would serve in those three (3) positions and adjust the terms to bring it into compliance with State law so that they were staggered six year terms.

Council Member Carter made a motion to appoint Fletcher Smith, Maxine Creamer and Diana Bray to the Election Commission. Council Member Thomas seconded the motion. City Attorney Dillard stated just for clarity on the record, he would suggest Council Member Carter amend his motion to appoint Ms. Creamer, Ms. Bray and Mr. Smith and also to approve the written Resolution. Council Member Carter made a motion to amend his motion to appoint Ms. Maxine Creamer to the six year term expiring September 1, 2026, Ms. Diane Bray to the six year term expiring September 1, 2028, and Mr. Fletcher Smith to the six year term expiring September 1, 2030, and the appropriate Resolution be approved forthwith. Council Member Thomas amended his second and the motion was unanimously approved by roll call vote.

B. Discussion and Approval of \$4,000 Donation for Swing Equipment

Council Member Thomas made a motion to approve the \$4,000 donation. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Third Party Building Inspection Contractor with RCI of South Carolina, Inc.

Council Member Sox made a motion to approve the consultant agreement for services with RCI of South Carolina, Incorporated and authorize the City Manager to execute the appropriate agreements. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Ordinances

A. Discussion and Approval of Ordinance 2025-07 Amending Chapter 10 ("Buildings and Building Regulations") of the Cayce City Code to Add a New Article V ("Vacant Commercial and Industrial Building Registration") – First Reading

Assistant City Manager Crosby stated that staff was recommending that Council remove this item from the agenda until a work session could be held early next year to further study the solutions on this. Council Member Sox made a motion to approve the staff recommendation to postpone this item. Council Member Thomas seconded the motion. Mayor Pro Tem James and Council Member Carter voted yes. Mayor Partin voted no.

Committee Matters

A. Approval to Enter the Following Committee Approved Minutes Into the City's Record
Events Committee – July 10, 2025
Cayce Housing Authority – July 15, 2025
Planning Commission – July 21, 2025
Cayce Museum and Historical Commission – August 6, 2025

Council Member Sox made a motion to enter the minutes into the City's record. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Assistant City Manager Crosby reviewed upcoming event's dates and gave an update on the City's Stormwater Mitigation Program.

Council Comments

Mayor Pro Tem James thanked Fire Chief Bullard and his staff for responding extremely well to an emergency evacuation in the City.

Council Member Thomas spoke about Rev. Julius Felder's lasting legacy and the recent event that recognized and honored him.

Council Member Sox spoke about the ongoing work in Churchill Heights and the upcoming beautification project on Airport Blvd.

Council Member Carter congratulated the Events Committee and staff on a great Fall Fest and thanked City staff for their great work in helping him recently with an issue.

Mayor Partin stated that there were two (2) Habitat for Humanity homes currently being built in the City and what an exciting investment that was in the community.

Executive Session

- A. Receipt of legal advice relating to claims and protentional claims by and against the City and other matters covered by attorney – client communications
 - i. Zoning Appeal Litigation (1028 Michaelmas Avenue)
- B. Discussion of proposed contractual matter regarding MPA Strategies contract extension

Council Member Sox made a motion to move into Executive Session. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Thomas made a motion to reconvene the Regular meeting. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible actions in follow up to Executive Session

- A. Discussion and possible approval of proposed settlement of zoning appeal litigation (1028 Michaelmas Avenue)

Council Member Sox made a motion to authorize the City Manager to finalize negotiations and execute a settlement agreement as discussed in Executive Session. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote.

B. Discussion and possible approval of MPA Strategies contract extension

City Attorney Dillard stated that no action was needed on this item at this time.

Adjourn

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Thomas seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 8:51pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* THANK YOU.

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting **October 7, 2025**

[illegible]

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.

RECUSAL STATEMENT

Member Name: Hunter Six

Meeting Date: Oct. 7, 2025

Agenda Item: Section V Number A

Topic: Election Commission

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

☐ Professionally employed by or under contract with principal

☐ Owns or has vested interest in principal or property

☒ Other: Civil attorney Will Dillard has suggested
and recommended I recuse myself due to being an active
candidate.

Oct. 7, 2025
Date

[Signature]
Member Signature

Approved by Parliamentarian: _____

[Signature]

[Signature]



Mayor
Elise Partin

Mayor Pro-Tem
Tim James

Council Members
Phil Carter
Hunter Sox
Byron Thomas

City Manager
Michael Conley

Assistant City Manager
Wesley Crosby

CITY OF CAYCE Special Council Meeting October 13, 2025

A Special Council meeting was held at 6:00 p.m. in Council Chambers. Those present included Mayor Pro Tem Tim James, Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Miike Conley, Assistant City Manager Wesley Crosby, Deputy Municipal Clerk Amanda Rowan and City Attorney Will Dillard were also in attendance. Mayor Pro Tem James advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA and called the meeting to order.

Council Member Thomas gave the invocation and Mayor Pro Tem James led those in attendance in the Pledge of Allegiance.

Mayor Pro Tem James asked City Attorney Dillard if the Council Meeting was legally called. City Attorney Dillard confirmed that the meeting was properly called. Mayor Pro Tem James asked if the matters that were listed on the agenda were legal for Council to discuss an Executive Session. City Attorney Dillard confirmed that they were.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege, relating to communication between City elected official and City employee and to Council procedure and governance

Council Member Sox made a motion to move into Executive Session to discuss the matter above. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Council Member Thomas seconded the motion which was unanimously approved by roll call vote. Mayor Pro Tem James announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible Action by Council in follow up to Executive Session

Mayor Pro Tem James stated that the Special Council held that evening was legally convened to receive information pertaining to communications between a member of Council and a member of staff regarding the Council procedures as well as the Council governance. He stated that while matters of Executive Session were not disclosed, it was important to share some type of information that would allow the audience to better understand possible motions that they might hear. He introduced Mr. Ryan Hicks and stated that he was suggested by the City Attorney to serve as the attorney in this matter. He stated that City Attorney Dillard might be a potential witness in this matter, so therefore he had recused himself to the side and invited attorney, Mr. Ryan Hicks to attend the meeting.

Council Member Sox made a motion to engage Mr. Ryan Hicks of White and Story, who had been referred by the City's appointed City Attorney, to conduct an investigation into communication between City elected official and City employee and Council procedure and government governance, and for findings to be returned to Council on October 27, 2025, at 5pm in a special called Council Meeting. Council Member Carter seconded the motion.

Council Member Carter stated that since this issue had come to his attention, it was quite apparent that Council needed to take some sort of action. He stated that they understood the gravity of the incident that had transpired, and now they had a clear understanding of not only what took place after the prior week's Council Meeting, but had documentation that indicated a series of events that must be addressed and, if necessary, appropriate action taken.

Council Member Sox stated that Council had a duty to protect the integrity of their government and the people who made it work every day. He stated that he was committed to fully investigating any wrongdoing and holding any member of Council accountable when conduct falls short of the standard that their citizens expect and deserve. He stated that it was not about politics but about doing what was right for staff, for the citizens and the City as a whole. He stated that the forthcoming investigation reflected Council's responsibility to act in good faith, uphold integrity of their governance and ensure that Cayce continued to move forward with transparency, professionalism and respect. He stated that was what they were there to do, and that was what they would do.

Council Member Thomas stated that he had said many times that the "C" in Cayce stood for community, but it also stood for culture, the culture they create. He stated that sitting on Council set the tone for how the City operates and it impacted how employees were treated and how residents viewed their local government. He stated that citizens expected them to lead with integrity, to work together with civility and to hold each other accountable when serious concerns were raised. He stated that everyone deserved a harmonious working environment.

Mayor Pro Tem James stated that it was unfortunate that a matter like this comes before City Council, yet he thought it was even more important and imperative that a

Council respond in an efficient and expeditious manner. He stated that the citizens and employees, expect and deserve that matters such as this warrant a fair, impartial manner of due process, and that due process was exactly what Council was requesting, and we look for that to be accomplished by whom has been hired and introduced that night. Mayor Pro Tem James stated that he believed that Council should also strongly consider in the future of a civility oath that will hold each Council Member accountable as they move forward. He called the question which was unanimously approved by roll call vote.

Adjourn

Council Member Sox made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

There being no further business, the meeting adjourned at 9:32 p.m.

Tim James, Mayor Pro Tem

ATTEST:

Amanda Rowan, CMC, Deputy Municipal Clerk



Mayor Elise Partin	Mayor Pro-Tem Tim James	Council Members Phil Carter Hunter Sox Byron Thomas	City Manager Michael Conley	Assistant City Manager Wesley Crosby
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**City of Cayce
Regular Council Meeting
Wednesday, October 22, 2025**

The October 22, 2025, Regular Council Meeting was held this evening at 5:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Michael Conley, Assistant City Manager Wesley Crosby, Municipal Clerk Mendy Corder, Finance Director Allison Barrs, Human Resources Director Keisha Brunson, Utilities Director Betsy Catchings, Police Chief Bruce Wade, Fire Chief Steven Bullard, IT Director Jamie Beckham and City Attorney Will Dillard were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the Regular Council meeting to order and Council Member Sox gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Ordinances

- A. Discussion and Approval of Ordinance 2025-08 Amending the Business License Ordinance of the City of Cayce to Update the Class Schedule as Required by Act 176 of 2020 – First Reading

Council Member Sox made a motion to approve Ordinance 2025-08 on First Reading. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

- A. Discussion and Approval to Ratify an Agreement Approved by the City Manager Under the Emergency Powers of Sec. 2-146, with State Utility Contractors, Inc. for the Emergency Installation of a Sewer Isolation Valve

Mayor Pro Tem James made a motion to approve ratifying an agreement with State Utility Contractors for the emergency installation of a sewer isolation valve. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval to Amend the November 19, 2025, Council Meeting Date

Council Member Carter made a motion to move the November 19, 2025, Council Meeting date to November 13, 2025, at 6pm. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Committee Matters

A. Appointments

Public Safety Foundation – One (1) Positions

Council Member Carter made a motion to appoint Ms. Sarah Buckner to the Public Safety Foundation. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of By-Laws for the Municipal Election Commission

Council Member Sox recused himself from this item. His recusal form is attached. Council Member Carter made a motion to approve the Municipal Election Commission by-laws. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

City Manager Conley stated that he would like to ask Police Chief Wade to give safety tips for Halloween. Police Chief Wade stated that it was safest to plan a route ahead of time and stay in well lit, familiar neighborhoods as well as going in groups and children should always be accompanied by an adult or responsible teenager. He advised to stay visible, carry flashlights and glow sticks and add reflective tapes to costumes and treat bags and to use sidewalks whenever possible and only cross at corners or marked crosswalks and never between cars. Police Chief Wade advised to choose lightly colored reflective clothing so drivers could see children easily and make sure costumes fit properly to avoid tripping. He stated that if one was wearing a mask, to ensure it was not blocking their vision and suggested using face paints instead. He advised to keep porch lights lit in neighborhoods during trick or treat hours, which was from six to nine, drive slowly, especially in residential areas, and avoid distractions. He advised to stay off cell phones and watch for kids running from between cars. He stated that Officers would be patrolling the neighborhoods to keep everyone safe and asked everyone to report suspicious activity and unsafe driving to law enforcement. He stated that it was best to keep pets indoors and secured since costumes, loud noises and strangers could cause stress to animals.

City Manager Conley stated that October 25 was a busy day in the City with the Tales on Trails event that the Public Safety Foundation, Police Department, Fire Department and School Resource Officers hosted as well as the Fall Plant Exchange that morning in Granby Gardens Park. He stated that the Police and Fire Departments were hosting a prescription drug take back event that day as well at Modern Locksmith. He stated that on October 29 the City had a very large training event that would take place with the Police Department, Fire Department and the City's Wastewater Treatment Plant. He stated that they were doing a large scale hazmat training at the Wastewater Treatment Plant from 9am to 2pm and West Columbia, Columbia and Richland and Lexington County Fire Departments would be there as well assisting with the training. City Manager Conley stated that portions of Old State Road would be closed for the training and staff would get that information out to the general public as soon as possible. He stated that staff worked with Lexington 2 Innovation Center students to build Dog Stick Libraries for all the parks in the City and the students presented them to the City that morning. He stated that staff member Ken Walters had a really wonderful idea of trying to bring local artists into the City's Art Lot by enabling them to sell their art on the weekends. He stated that there would be a sign up in the Art Lot with more details and information.

City Manager Conley stated that the City's Beautification Foundation was hosting a Harvest Dinner fundraiser on Thursday, November 6 at 6pm at the historic Still Hopes mansion and tickets were still available online. He stated that the Foundation did wonderful things for the City. He stated that he had a surprise and wonderful news. He stated that he spoke to Fire Chief Bullard that afternoon and he and his staff found a used firetruck ladder truck for the department. He stated that it was going to cost anywhere between 150 to \$200,000 and there were a couple of minor things that had to be done on it. He stated that he used the existing authority that was given to him by Council to bridge the gap. He stated that the City's Maintenance Manager went with the Fire Department staff to inspect the ladder truck to ensure that it would do a good job for the City and it was a great opportunity for the Fire Department. He congratulated them for their hard work and for continuing to look for ways to overcome some challenging problems.

Council Comments

Mayor Pro Tem James stated that it was good news that Fire Chief Bullard and his team were able to get a new ladder truck and were able to bridge where they were to where they needed to go.

Council Member Thomas thanked everyone that attended the Broad Acres neighborhood association meeting that week. He stated that he was partnering with Synovus Bank, the City's current banking partner, to hold a free money smart financial education class on November 17 at 6pm in Council Chambers. He stated that he was also partnering with the Center for Heirs Property again, to hold a free wills clinic for

anyone in Cayce or Lexington County that did not have a will. He stated that it was by appointment and to call 843-745-7055 to set up an appointment for January 24. He stated that Tuesday, October 28 was National First Responders Day and he wanted to challenge the community to show the City's first responders a lot of love. Council Member Thomas stated that the State had a new law effective May 22, 2025, that allowed local and county jurisdictions to stipulate the hours, methods and locations of golf cart operations, provided that golf carts were operated only on a road where the speed limit was 35 miles or less. He stated that he thought the City and the City of West Columbia should have similar Ordinances since they were so close in location. He stated that it was an opportunity for Council to be creative and come up with an Ordinance so golf carters could enjoy their beautiful community, but more importantly, stay safe. He stated that he hoped it could be discussed in a work session.

Council Member Sox stated that the new fire truck was exciting news and thanked Chief Bullard and his staff for all their hard work and thanked Chief Wade and the Police Department for their hard work as well. He stated that the City has had a lot of big projects going on lately and staff handled them really well.

Council Member Carter stated that Halloween in his Council District was very busy especially in Concord Park and Moss Creek and they loved it and were looking forward to it.

Mayor Partin stated that she attended a graduation ceremony at Mota Cross Link, which was a graduation of entrepreneurs who were working on bringing small businesses to fruition, or had already done so and were working to make them better. She stated that she also participated in Elevate Midlands, which was an organization that came out of the Midlands Business Leadership Group, to elevate the Midlands. She stated that the City had partnered with Cola Jazz to get a grant through the Central Carolina Community Foundation to enliven several different areas in the City and she did a joint video with Mark Rapp, the head of Cola Jazz. She stated that the concerts would be some coming in the fall, and then some in early winter in different locations in the City and they were part of economic development, so there was money in that grant to make these spaces even better. Mayor Partin stated that she had reached out to the President of SCTV and they were excited to get involved and they were going to broadcast several of the concerts and put together a show that showcased the City and the art that was there.

Executive Session

- A. Discussion of proposed contractual matter regarding MPA Strategies contract extension

Council Member Sox made a motion to move into Executive Session. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Mayor Pro Tem James made a motion to reconvene the Regular meeting. Council Member Thomas seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible actions in follow up to Executive Session

- A. Discussion of proposed contractual matter regarding MPA Strategies contract extension

Council Member Sox made a motion to authorize the City Manager and City Attorney to finalize negotiation of and execute a contract extension for MPA strategies as discussed in Executive Session. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Adjourn

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:48pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* *THANK YOU.*

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting **October 22, 2025**

[illegible]

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.

RECUSAL STATEMENT

Member Name: Hunter Sax

Meeting Date: October 22, 2025

Agenda Item: Section V Number B

Topic: Discussion + approval of of by-laws for
the Municipal Election Commission

The Ethics Act, SC Code § 8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

City attorney Will Pillard recommended I recuse
myself due to being an active candidate in the
upcoming municipal election.

Date: October 22, 2025

Member 

Approved by Parliamentarian: _____



Mayor Elise Partin	Mayor Pro-Tem Tim James	Council Members Phil Carter Hunter Sox Byron Thomas	City Manager Michael Conley	Assistant City Manager Wesley Crosby
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CITY OF CAYCE
Special Council Meeting
October 27, 2025

A Special Council meeting was held at 6:00 p.m. in Council Chambers. Those present included Mayor Pro Tem Tim James, Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Miike Conley, Assistant City Manager Wesley Crosby, Deputy Municipal Clerk Amanda Rowan, Attorney Ryan Hicks and City Attorney Will Dillard were also in attendance. Mayor Pro Tem James advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA and called the meeting to order.

Council Member Carter gave the invocation and Mayor Pro Tem James led those in attendance in the Pledge of Allegiance.

Mayor Pro Tem James asked City Attorney Dillard if the Council Meeting was legally called. City Attorney Dillard confirmed that the meeting was properly called. Mayor Pro Tem James asked if the matters listed on the agenda were proper and within the governance and guidance of Council. City Attorney Dillard confirmed that they were.

Executive Session

- A. Receipt of legal advice and other matters covered by the attorney-client privilege related to the findings of attorney investigation as to potential claims by and against the City
- B. Receipt of legal advice and other matters covered by the attorney-client privilege related to the findings of attorney investigation as to City Council procedure and governance

Council Member Sox made a motion to move into Executive Session to discuss the matter above. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Thomas made a motion to reconvene the Regular meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. Mayor Pro Tem James announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible Action by Council in follow up to Executive Session

Council Member Thomas made a motion to hire Ryan Hicks of White and Story to conduct the next Council Workshop meeting on the first Council Meeting in January, to help create a Council Code of Conduct similar to that to which Mayor Pro Tem James suggested at the last Council Meeting. Council Member Carter seconded the motion. After discussion, Mayor Pro Tem called the question which was unanimously approved by roll call vote.

Council Member Sox asked Attorney Hicks if he was able to document his findings for Council so they could review them and share them with the public in full transparency and for accountability purposes. Attorney Hicks stated that a report would generally have to be attorney client privileged, and he could not waive that privilege, but he could prepare a report that Council could choose to release if they chose to do so. Council Member Sox asked him to include any recommendations in the report that with his experience working with school boards and the different groups he had worked with, to include those recommendations for Council, specific to his findings. Attorney Hicks asked if he meant recommendations from the standpoint of things that he saw as appropriate to address the concerns that he had identified. Council Member Sox stated it would be great for Council and the public to see from someone who operates in this line of work, what he would recommend that Council do to move forward as a Council and move forward as a city.

Council Member Sox made a motion to request Attorney Hicks to prepare a written report based on his findings, including recommendations, and directed the City Manager to publish the report on the City's website by the end of day of Thursday of that week. Council Member Carter seconded the motion. Council Member Sox asked Attorney Hicks to step to the podium. He stated that during his investigation some of the conversations that he had were with employees and asked him to redact those names in any report that was released. Council Member Sox stated asked who Attorney Hicks thought the report should go to. Attorney Dillard stated that the best procedure would be for Attorney Hicks to forward it to the City Manager and himself.

Council Member Sox amended his motion for the report to be sent to the City Manager and City Attorney and then the direction to publish it with the redactions for City employees. Council Member Carter seconded the amendment which was unanimously approved by roll call vote.

Adjourn

Council Member Sox made a motion to adjourn the meeting. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

There being no further business, the meeting adjourned at 9:24 p.m.

Tim James, Mayor Pro Tem

ATTEST:

Amanda Rowan, CMC, Deputy Municipal Clerk

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Financial Participation Agreement with South Carolina Department of Transportation for Foreman Street Multiuse Trail Project

Issue

Council's approval is needed to execute the Financial Participation Agreement (FPA-29-25) with the South Carolina Department of Transportation (SCDOT) to formally secure Federal funding for the Foreman Street Multiuse Trail Project.

Discussion

The City of Cayce's Transportation Alternatives (TA) Program application, submitted by COATS, has been approved for a Federal-aid award. This project involves the design and installation of approximately 2,300 linear feet (LF) of an ADA-compliant concrete multi-use trail. This new trail will utilize a closed rail bed corridor along Foreman Street, starting at 2350 Foreman Street and ending at Frink Street.

The TA Program operates on an 80/20 cost-share basis. The Federal government, through SCDOT, will provide \$391,100.37 (80%) in Federal-aid funds, while the City of Cayce will be responsible for the \$97,775.09 (20%) local match, resulting in a Total Project Budget of \$488,875.46.

As requested by the City, SCDOT will administer and manage this project. The attached Financial Participation Agreement (FPA) details the project scope, funding, and the roles and responsibilities of both parties. It is crucial to note that any expenses incurred by the City for work associated with this project prior to the execution of this FPA will not be eligible for Federal reimbursement.

Recommendation

Staff recommends that Council approve the terms and conditions of the Financial Participation Agreement (FPA-29-25) and authorize the City Manager to execute the agreement. The \$97,775.09 local match will be funded from the unrestricted reserve fund balance.

CFDA No. 20.205
Highway Planning & Construction

SCDOT Project ID No.: **P044875**

**Financial Participation Agreement
Between the
South Carolina Department of Transportation
And the
City of Cayce**

This Agreement executed on this _____ day of _____, 20_____, covers the financial responsibilities of the South Carolina Department of Transportation (hereinafter "SCDOT") and the City of Cayce (hereinafter "PARTICIPANT") (collectively "the Parties") for the below described Project:

WITNESSETH THAT:

WHEREAS, SCDOT is an agency of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, PARTICIPANT is a body politic with all the rights and privileges of such including the power to contract as a necessary and incidental power to carry out PARTICIPANT's functions covered under this Agreement; and

WHEREAS, PARTICIPANT has requested SCDOT's assistance in regard to the Project described below;

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the Parties hereto as set forth herein, SCDOT and PARTICIPANT do hereby agree as follows:

I. DESCRIPTION

Design and installation of approximately 2,300 LF of ADA-compliant concrete multi-use trail along Foreman Street, starting at 2350 Foreman Street and ending at Frink Street.

The scope and termini of the Project are more fully defined in the Participant's Transportation Alternative Program Application as approved by the COATS Policy Committee on April 27, 2023.

"Exhibit A," attached hereto and specifically made a part of this Agreement, provides additional Project details and a map depicting the Project area.

The Project as described above shall be referred hereinafter as "the PROJECT."

II. SCDOT RESPONSIBILITIES:

- A. SCDOT will design and construct the Project. SCDOT shall perform all or any part of the work with its own forces or may contract out any of the work or services to outside private or governmental consultants or contractors at the sole discretion of SCDOT if it determines that such contracting out would be more efficient or cost effective, or would result in more expeditious completion of the Project.

III. FUNDING

- A. PARTICIPANT estimates the total cost for the PROJECT to be **\$488,875.46**. The total cost shall include all allowable and allocable costs for the PROJECT. The total cost shall also include costs for oversight and administration, including but not limited to: attending public hearing(s), project location, design, other engineering services, and inspection and testing performed by SCDOT in accordance with state and federal requirements.
- B. SCDOT's maximum funding amount for the PROJECT is **\$391,100.37** (hereinafter referred to as "SCDOT's Maximum Funding").
- C. The required match for SCDOT's Maximum Funding is **\$97,775.09** and will be provided by the City of Cayce.
- D. PARTICIPANT is responsible for 100% of the total cost of the PROJECT excluding SCDOT's maximum funding as identified in Paragraph B above.

Funding Summary:

Fund Priority	Fund Source	Total Amount	Federal Share	Federal Amount (Maximum)	State Share	State Amount	Other Share	Other Amount	Other Source
1	Federal TAP Funds Areas >200K (CFDA# 20.205)	\$ 488,875.46	80%	\$ 391,100.37	0%	\$ -	20%	\$ 97,775.09	City of Cayce
	Total Project Cost	\$ 488,875.46		\$ 391,100.37		\$ -		\$ 97,775.09	

IV. INVOICING/PAYMENT SCHEDULE

- A. PARTICIPANT's share of funding for the PROJECT is estimated at **\$97,775.09**. SCDOT will invoice the City of Cayce based on this Agreement approximately 30 days after execution of this Agreement.
- B. PARTICIPANT agrees to remit to SCDOT within 30 days of receipt of the invoice the amount specified in this Agreement. No work on the PROJECT shall begin until payment is received by SCDOT.

V. GENERAL TERMS

- A. PERIODIC REPORTS. SCDOT's Project Manager will periodically update PARTICIPANT on the status of the PROJECT and funds.
- B. COST UNDERRUNS. In the event that total cost of the PROJECT is less than originally estimated, SCDOT will refund any excess amount paid (as determined based on final share ratio) to SCDOT by PARTICIPANT within 30 days of the final completion and closure of the PROJECT within SCDOT's accounting office. Refunds will not be unreasonably withheld, denied, or delayed. SCDOT shall retain the remaining PROJECT funds. No additional work shall be added to the PROJECT even if there are cost underruns or PROJECT award underruns.
- C. MAINTENANCE RESPONSIBILITY. SCDOT accepts responsibility for normal maintenance of standard transportation materials, structures, and workmanship within SCDOT rights-of-way according to common local practices. PARTICIPANT shall be responsible for the maintenance of any special features or non-standard SCDOT materials incorporated into the PROJECT. Within 30 days after execution of this Agreement, PARTICIPANT is responsible for securing an approved Encroachment Permit outlining any desired extraordinary maintenance effort on SCDOT rights-of-way that would include any special features or non-standard SCDOT materials, as determined by SCDOT, which will be incorporated into the PROJECT. A copy of the approved Encroachment Permit shall be submitted to SCDOT's Local Program Administration Office in Columbia. After the PROJECT is completed and prior to acceptance of the PROJECT into the state system, PARTICIPANT is responsible for obtaining a revised Encroachment Permit depicting the as-built conditions, if there have been any changes in the non-standard items.
- D. CONFORMITY WITH LAWS. The Parties hereto agree to conform to all SCDOT policies; all State, Federal, and local laws, rules, regulations, and ordinances governing agreements or contracts relative to the acquisition, design, construction, maintenance and repair of roads and bridges, and other services covered under this Agreement.
- E. AMENDMENTS. PARTICIPANT, or its authorized agent, shall agree to hold consultations with SCDOT as may be necessary with regard to the execution of supplements to this Agreement during the course of this PROJECT for the purpose of resolving any items that may have been unintentionally omitted from this Agreement. Such supplemental agreements shall be subject to the approval and proper execution of the Parties hereto. No amendment to this Agreement shall be effective or binding on any Party hereto unless such amendment has been agreed to in writing by all parties hereto.
- F. REVIEWS/APPROVALS. Any and all reviews and approvals required of the Parties herein shall not be unreasonably denied or withheld.
- G. TERMINATION. This Agreement may be terminated by PARTICIPANT upon written notice provided that PARTICIPANT covers all costs incurred prior to

termination and as the result of termination, including any required repayment of federal funds.

SCDOT may terminate this Agreement upon written notice if PARTICIPANT fails to have substantial work underway within six months of the execution date of this Agreement, or if PARTICIPANT is found to be in breach of the terms of this Agreement. Upon termination, PARTICIPANT shall be responsible for all costs incurred prior to termination and as a result of termination, including any required repayment of federal funds.

Upon written notification of termination, all work on the Project shall cease, unless otherwise directed.

I. DISPUTES. All claims or disputes shall be filed with the SCDOT Project Manager and the Parties will meet to attempt to resolve the dispute or claim. If unable to resolve the dispute with the SCDOT Project Manager, PARTICIPANT may appeal the claim or dispute to SCDOT's Deputy Secretary for Engineering. The decision of SCDOT's Deputy Secretary for Engineering in the matter shall be final and conclusive for both Parties.

J. FUTURE CONSTRUCTION PROJECTS. PARTICIPANT acknowledges SCDOT's resurfacing program and other construction programs do not account for the cost of protecting and/or replacement of enhancements. This cost is the sole responsibility of PARTICIPANT. SCDOT will notify PARTICIPANT prior to resurfacing or construction and provide a time period for PARTICIPANT to provide the additional funding for one of the following:

- 1) The additional cost to protect the enhancement; or
- 2) The cost for SCDOT to replace the enhancement.

Failure of PARTICIPANT to provide the additional funding within the time period specified by SCDOT will result in SCDOT's milling and resurfacing the enhancement. PARTICIPANT may replace the enhancement at PARTICIPANT's expense after resurfacing or construction by encroachment permit.

V. CONSENT OF MUNICIPALITY. Pursuant to the South Carolina Code of Laws Section 57-5-820, if applicable, PARTICIPANT does hereby consent to the construction of the PROJECT within its corporate limits. The foregoing consent shall be the sole approval necessary for SCDOT to complete the PROJECT as described in this agreement, and constitutes a waiver of any and all other requirements with regard to the construction within PARTICIPANT's corporate limits. If PARTICIPANT is not a municipality and the PROJECT is within the corporate limits of a municipality, PARTICIPANT shall obtain the required consent of the municipality.

VI. SUCCESSORS AND ASSIGNS. SCDOT and PARTICIPANT each bind themselves and their respective successors, executors, administrators, and assigns to the other Party with

respect to these requirements, and also agrees that neither Party shall assign, sublet, or transfer its interest in the Agreement without the written consent of the other.

- VII. BENEFIT AND RIGHT OF THIRD PARTIES. This Agreement is made and entered into for the sole protection and benefit of SCDOT and PARTICIPANT, and their respective successors, executors, administrators, and assigns. No other persons, firms, entities, or parties shall have any rights, or standing to assert any rights, under this Agreement in any manner.
- VIII. SAVINGS CLAUSE Invalidation of any one or more of the provisions of this Agreement by any court of competent jurisdiction shall in no way affect any of the other provisions hereof, all of which shall remain, and is intended by the Parties to remain, in full force and effect.
- IX. EXECUTION IN COUNTERPARTS. This Agreement may be executed in counterparts, and if so executed, shall become effective when a counterpart has been executed and delivered by both Parties hereto. All counterparts taken together shall constitute one and the same Agreement and shall be fully enforceable as such. This Agreement or any counterpart may be executed on signature pages exchanged by facsimile or electronic mail, which signature pages should be deemed originals.
- X. AUTHORITY TO EXECUTE By executing this Agreement, the undersigned each affirms and certifies that he or she has authority to bind his or her principal thereto and that all necessary acts have been taken to duly authorize this Agreement under applicable law.
- XI. ENTIRE AGREEMENT. This Agreement with attached Exhibits and Certification constitutes the entire Agreement between the Parties. The Agreement is to be interpreted under the laws of the State of South Carolina.

[Signature blocks on next page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on their behalf

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

CITY OF CAYCE

Witness

By: _____
(Signature)

Title: _____

SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION

Witness

By: _____
Deputy Secretary for Finance & Administration
or Designee

RECOMMENDED BY:

ASX
JPO

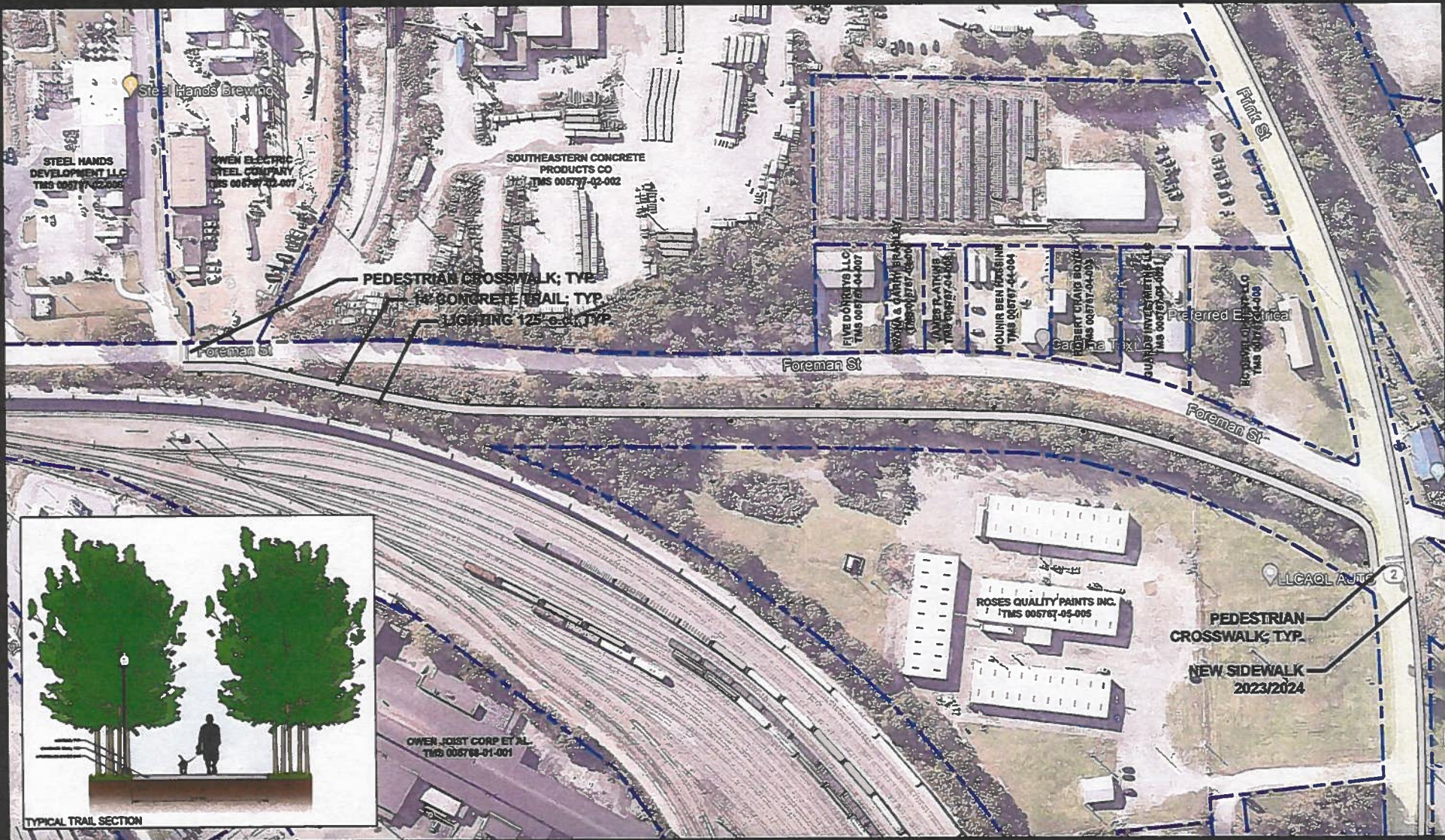
By: *John D. Boylston*
Deputy Secretary for Engineering or Designee

REVIEWED BY:

By: *Amey BL*
Transportation Alternative Program Manager

EXHIBIT A

PROJECT DETAILS
PROJECT AREA MAP



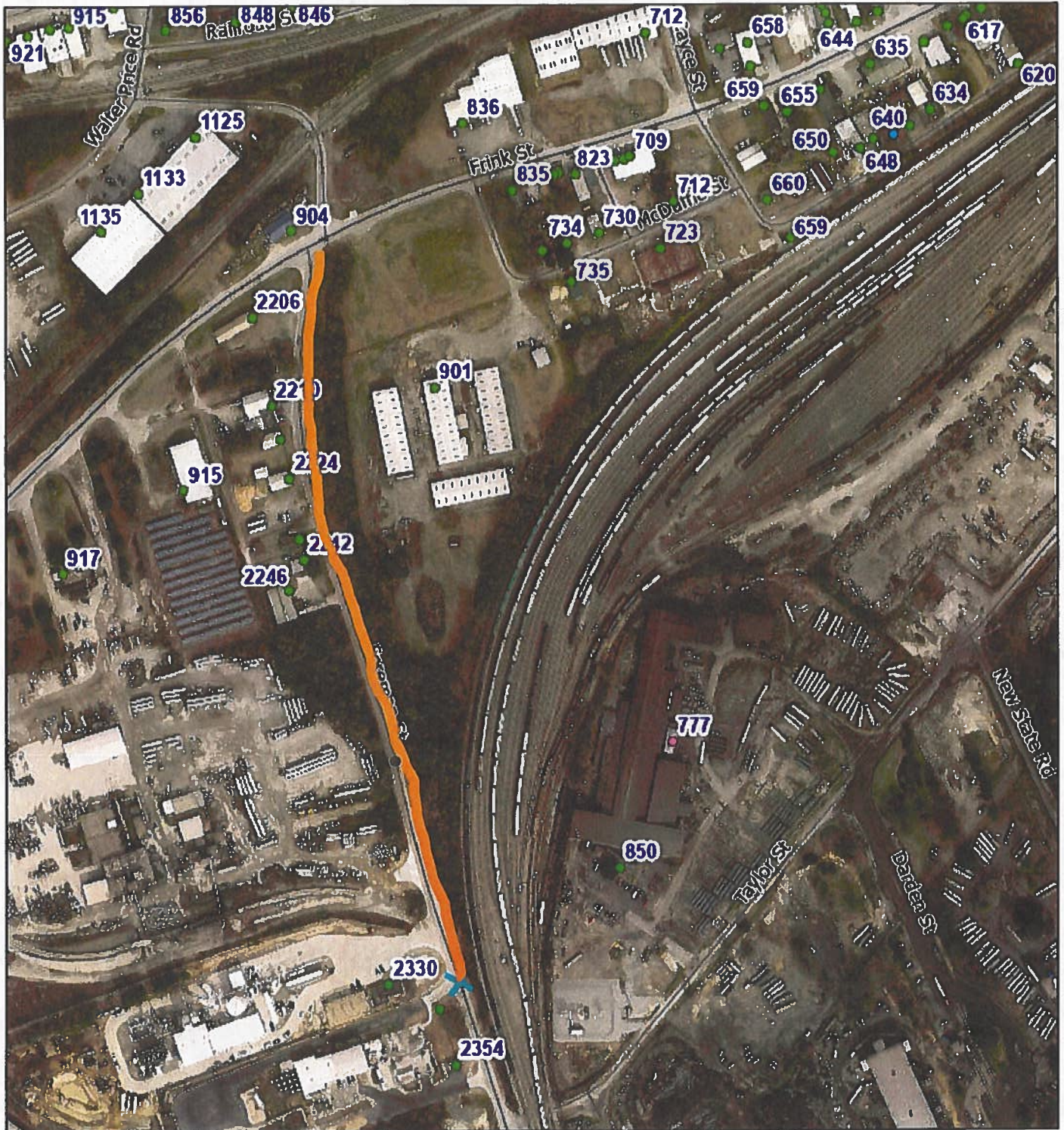
CAYCE RAILS TO TRAILS FOREMAN ST. TO FRINK ST. CAYCE, SC



THE LANDPLAN GROUP SOUTH
Landscape Architecture • Engineering • Planning

03.17.23

TAP Rails to Trails



3/16/2023, 4:23:50 PM

Address Points

Roads



Existing



To Be Placed



Nonstandard



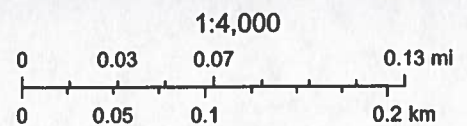
Arterial



Collector



Local



Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Fireworks exemption for Carolina Bonfire Festival

ISSUE

Council's approval is needed to grant the Carolina Bonfire Festival an exemption from Ordinance Sec: 20-46 Discharge of fireworks and Sec: 20-47 Exceptions.

DISCUSSION

Per City Ordinance, it is unlawful to fire, shoot or discharge fireworks within the corporate limits of the City, with a few exceptions.

Ordinance Sec: 20-47 Exceptions states that: Notwithstanding the provisions of section 20-46, the discharge or shooting of fireworks may be permitted under the following circumstances:

(4) The discharging or shooting of fireworks in conjunction with a special event to the extent allowed under the terms of the permit issued by the public safety director and approved by council.

Carolina Bonfire Festival has submitted their special events permit to host a concert on Saturday, November 29, 2025, at the Historic Columbia Speedway located on Charleston Highway. The event will start at 3:00 p.m. and last until 10:00 p.m. with the fireworks going off at 9:50 p.m. They are requesting an exception under the listed Ordinance to have fireworks at their event. Fireworks consisting of multi shot fireworks cakes and single shot firework shells will be launched from a designated space on the far right of the stage area. They have already received their permit through the State which was sent to the City's Fire Department.

RECOMMENDATION

Council to approve the fireworks exemption requested by Carolina Bonfire Festival under Ordinance Sec 20-47.



South Carolina Department of Labor, Licensing and Regulation

Office of State Fire Marshal

141 Monticello Trail • Columbia, S.C. 29203. Phone: (803) 896-9800

www.statefire.llr.sc.gov



PERMIT APPLICATION

Permit Type PYROTECHNIC DISPLAY/COMMERCIAL OUTDOOR DISPLAY PERMIT/30 DAY MAXIMUM		Record Number P-25-002051	Status RETURNED FOR CORRECTIONS - RECORD NOT OFFICIAL UNTIL APPROVED
Authority Having Jurisdiction CAYCE FIRE DEPARTMENT	Acknowledged By	Acknowledgement Date	To be Valid During 11/29/2025 to 12/29/2025
Location Name HISTORIC CAYCE SPEEDWAY	Location Address 2001 CHARLESTON HWY, CAYCE, SC 29033		
Location Phone (803) 791-0520	Minimum Spectator Separation Distance 200 FEET		
Firm Name SKY HIGH PYROTECHNICS & FIREWORKS		Firm Address 1325 CELEBRITY CIR, MYRTLE BEACH, SOU 29577	
Contact Person JAMES	Phone (843) 340-1347	Alt Phone	Email SKYHIGHFIREWORKS843@GMAIL.COM

Operators/Suppliers			
License Type	License #	Name	Firm
Pyrotechnic Operator Commercial Outdoor	PCON6709	JAMES W EMMER	

Dates of Display					
Date of Display	Alternate Date	Display Time	Display Duration	Date Receiving	Inspection Ready Date & Time
11/29/2025	11/29/2025	9:50PM	5 MINUTES	11/29/2025	11/29/2025 5:00PM

Outdoor Pyrotechnics						
Size	Mortar Type	Rack Construction	Number of Shells	Chain Fuse	Salutes	Method of Firing
1.75 INCH	FIBERGLASS	WOOD FRAME	600	YES	YES	ELECTRONIC



South Carolina Department of Labor, Licensing and Regulation

Office of State Fire Marshal

141 Monticello Trail • Columbia, S.C. 29203. Phone: (803) 896-9800

www.statefire.llr.sc.gov



PERMIT APPLICATION

Appeal Notice:

This permit is only valid at the location applied for and when in compliance with South Carolina Code of Laws, Code of Regulations R.71-8305.5, Currently adopted IFC, NFPA 1123, and shall only be amended with a "Request to Modify an Existing Pyrotechnic Display Permit" application. State Fire may revoke, suspend, or deny a permit because of, but not limited to: a. The display operator does not possess the correct license classification for the display; or b. Not complying with any order written by the OSFM; or c. Violating the terms of the permit or essential changes in the conditions under which the permit was issued without prior approval of the OSFM; or d. Giving false information or making a misrepresentation to obtain a permit. Permits must be posted at the display site. All pyrotechnics shall be purchased from a pyrotechnic manufacturer or distributor licensed by the Board of Pyrotechnic Safety. A licensed Public Display Operator shall be present and supervise firing of all public fireworks displays. The operator shall have their license in their possession when conducting a display and shall exhibit their license on request of any AHJ. Public Liability Insurance in the amount of \$1,000,000 shall be maintained through the event. The policy must list as an additional insured the display sponsor, as well as the State of South Carolina, and its agents. The coverage company must be an insurer which is either licensed by the DOI in this State or approved by the DOI as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM. Magazine logs shall be available for inspection during normal work hours, 1 hour before, and 1 hour after each performance. Operators must notify the OSFM within 24 hours of any fires or thefts involving fireworks. The operators shall provide the OSFM with a copy of the report filed with the police department or the incident report from the fire department. Operators must also provide the OSFM with a copy of ATF Form 5400.5. Any person who violates any provision of these laws and regulations will purchase the appropriate permit, pay the appropriate license fee, if any are required, and be subject to the following penalty provisions: a. S.C. Code Ann. Section 23-36-170, 1976, as amended. b. S.C. Code Ann. Section 23-35-150, 1976, as amended. Confiscation, storage, or disposal of fireworks, pyrotechnic and explosive materials used for proximate audience or public firework displays by the SFM shall comply with S.C. Code Ann. Section 23-36-110, 1976, as amended. Where unusual conditions exist, the AHJ may increase the minimum clearances as necessary before granting approval of the display site. The AHJ may not reduce clearances specified in NFPA 1123 without written approval of the OSFM. 7. It shall be the responsibility of the permittee to arrange with the AHJ for the detailing of firefighters and equipment as required.

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Approval of New Contract for Vehicle Global Positioning (GPS) and Maintenance Tracker

Issue

Council's approval is needed to enter into a new 36-month agreement with Samsara to provide GPS/Maintenance Trackers and service to the City's fleet. This new contract reflects a revised scope and cost from the original agreement.

Discussion

Council originally approved the first Samsara contract in November 2022. That original agreement, like this new one, was for a **three-year (36-month) term**. The vehicle global positioning and maintenance tracker devices plug into the vehicles diagnostic port and will continue to provide up-to-the-second location, speed, braking, harsh events, collisions, and maintenance issues, with all information stored in the cloud for staff research.

Differences from the Original Agreement:

- **Total License Cost:** The new 36-month agreement has a **Total License Cost of \$109,641.60**. This is an increase from the original estimated total license cost of \$76,444.56 for the same 3-year term. This increase is due to a revised scope, including a larger quantity of devices and the addition of new components (such as dash cameras and live streaming features).
- **Yearly Cost:** The **First Annual Payment** for the new agreement is **\$39,105.50**. This represents an increase compared to the original agreement's annual payment of approximately **\$25,650**.

The first year of cost will require additional funding beyond the initial allocation. Funding for all subsequent years will be included in the respective annual budgets and split accordingly between the Utilities Fund and the General Fund.

Recommendation

Staff recommends that Council give approval for the City Manager to negotiate and enter into an agreement with Samsara to provide vehicle trackers and software for the City fleet.



Quote #: Q-2227423

Issued Date: 09-16-2025

Expires 12-15-2025

Prepared For:

City of Cayce
1800 12Th Street Extension
Cayce,
South Carolina
29033

Prepared By:

Derek Newsome
derek.newsome@samsara.com

Cost Overview

License Term: 36 Months

License Cost	USD \$109,641.60
Hardware and Accessories	USD \$0.00
Estimated Shipping and Handling	USD \$0.00
Estimated Total Sales Tax	USD \$7,674.91
Estimated First Year Payment	USD \$39,105.50
Estimated Payments Beginning Year Two	USD \$39,105.50
Estimated Third Year Payment	USD \$39,105.50



The Connected Operations Cloud

If shipping is 'Pending' - Amount is pending due to size of order; Shipping and Handling subject to change.
If Sales tax is 'Pending' - Final amount will be provided prior to payment
*3% fee
charged on non-ACH charges (Canada Exempt)
*Sales tax subject to change

Samsara Inc.

1 De Haro Street, San Francisco, CA 94017 • samsara.com

Product Overview

SHIP TO

Hardware & Accessories

Total Price

Total Price:**0**

Licenses	Annual Unit Price	Total Annual Price
License for Vehicle Gateways - Public Sector Only, No WiFi, No ELD LIC-VG-PS• QTY: 135	\$231.12	\$31,201.20
License for Forward-Facing Dash Camera LIC-CM1-ENT• QTY: 9	\$528.00	\$4,752.00
Live Streaming LIC-CM-STRM• QTY: 9	\$66.00	\$594.00
Total Price:		\$36,547.20

Thank you for considering Samsara

Samsara provides real-time visibility, business-relevant tools, and powerful analytics that enable customers to increase the productivity of their fleets and reduce operating costs. A solution for your fleet is proposed below.

What is included?

Samsara's fleet tracking solution includes hardware accessories and a per-gateway license. Gateway licenses provide all ongoing elements of the service, including:

- Real-time location and vehicle telematics
- Dashboard access with unlimited administrator accounts
- Driver App for iOS and Android devices with unlimited driver accounts
- Over-the-air software feature upgrades
- API access as it relates to features for integration with 3rd party systems
- Maintenance and phone support

Samsara does not include hidden costs in its licenses. If you want access to Samsara's full set of fleet features--including but not limited to WiFi hotspot and ELD capabilities--you will need to upgrade your license. Samsara reserves the right to audit usage of features unrelated to the solution as well as remove them from the Samsara Dashboard.

Payment Terms

This order form includes a license fee for the Samsara Software associated with the Hardware to be paid annually beginning on the License Start Date and, if applicable, a one-time Hardware cost to be paid upfront as of the license start date. The annual fees are payable by recurring wire transfer. All transfers made by credit card are subject to a processing fee up to 3%, subject to applicable law. Late payments are subject to a 1.5% per month late fee. If license payments are delinquent by 30 days, Samsara may suspend the Service until late payments are remitted.

License Term

The license term for the Samsara Software licenses purchased under this Order Form begins on the day Samsara activates the applicable Samsara Software license by providing you a claim number and access to the Hosted Software ("License Start Date"). If Hardware associated with a then-unactivated Samsara Software license will be shipped to you under this Order Form, such Samsara Software license will be activated on the day the Samsara Hardware ships. Notwithstanding the foregoing, if you are renewing the license term for a previously-activated Samsara Software license under this Order Form, the License Start Date for the renewal license term shall be the day that Samsara extends your access to the Hosted Software for the renewal license term. Samsara Hardware requires a valid license to function.

Samsara may ship Hardware under this Order Form subject to a schedule as mutually agreed between the Parties or as determined by Samsara. By signing this Order Form, you confirm that each "Ship To" delivery address set forth herein is accurate and that any individual accepting

delivery at that address is authorized to do so on your behalf. To the extent such Hardware is associated with then-unactivated Samsara Software licenses, the Samsara Software license term for each such Hardware device will start on the day that device ships regardless of the shipment schedule for the other such Hardware devices. If all such Hardware is shipped in one shipment, the license term for all such Hardware will be the full license term under this Order Form. If such Hardware is shipped in multiple shipments, only the license term of such Hardware in the initial shipment will be such full license term. The license term of the remaining such Hardware shipped after the initial shipment will be set to match the then-remaining license term of the initial shipment, so that the license term for all such Hardware under this Order Form expires on the same date. The total cost of the licenses for such Hardware shipped after the initial shipment will be pro-rated based on their actual license term, rounded up to the nearest month, as compared to the full license term under this Order Form. Certain payment amounts under this Order Form assume that the entire order is fulfilled at the same time and are subject to potential reduction based on the actual schedule of order fulfillment.

You agree that you will only use the features included with the Samsara Software licenses purchased under this Order Form ("Licensed Scope"). Samsara reserves the right to audit usage of Samsara Software and to remove your access to such features beyond the Licensed Scope (for example, the licensed feature scope or licensed user count, as applicable) at any time. If you would like to use features beyond the Licensed Scope, you are required to purchase the applicable Samsara Software licenses and if applicable install the applicable Hardware that include such scope. If Samsara becomes aware that you are using features beyond the Licensed Scope, Samsara reserves the right to charge you for the applicable Samsara Software licenses that include such Licensed Scope at list price, and you agree to immediately pay such amounts. Samsara further reserves the right to change, discontinue, or remove features included in a Samsara Software license at any time.

You acknowledge and agree that, during your license term, you may not downgrade your Samsara Software license plan to a lower Samsara Software license plan (e.g., downgrading your "Enterprise" license to a "Premier" license).

Support And Warranty

Samsara stands behind its Products. During the applicable warranty period, defective Hardware will be remedied pursuant to our Hardware Warranty Policy at www.samsara.com/support/hardware-warranty. Additional support information can be found at www.samsara.com/support.

Terms

Unless otherwise set forth herein, your use and access of the Hardware, Products, and Services specified herein are governed by Samsara's standard terms of service found at <https://www.samsara.com/legal/public-sector-customers-platform-terms-of-service/>, unless the Parties have entered into a separate terms of service agreement and/or a separate terms of service agreement is attached to the Order Form, in which case such separate terms of service agreement shall govern (the 'Terms of Service') provided that notwithstanding anything stated in the Terms of Service to the contrary, Customer agrees the following sections from Samsara's standard terms of service found at <https://www.samsara.com/legal/public-sector-customers-platform-terms-of-service/> shall apply: License (Section 4), Product Updates (Section 7), Data Protection Addendum (Section 10.3), Non-Samsara Products (Section 14), and Hardware Warranty (Section 17). You agree to be bound by the Terms of Service, and any capitalized terms not defined herein shall have the meaning set forth in the Terms of Service. The terms and conditions of the Terms of Service and this Order Form are the exclusive agreement of the

parties with respect to the subject matter hereof and no other terms or conditions, including those associated with any Customer payment portal or onboarding of Samsara as a Customer vendor, shall be binding upon Samsara or otherwise have any force or effect.

To the extent Samsara allows you to make subsequent purchases of Products via Purchase Order without a corresponding Quote, you agree that (i) such Purchase Order shall be subject to the terms and conditions of this Order Form, including with respect to payment and license terms, as well as the applicable Terms of Service; and (ii) to the extent there is a conflict between such Purchase Order and this Order Form, including with respect to payment and license terms, as well as the applicable Terms of Service, the terms of this Order Form shall prevail, and no additional terms included in such Purchase Order that are not included in this Order Form shall apply. You acknowledge and agree that any reference to a Purchase Order in this Order Form is solely for your convenience in record keeping, and the existence of a Purchase Order or any delivery of Products to you following receipt of any Purchase Order shall not be deemed an acknowledgement of or agreement to any terms or conditions associated with any such Purchase Order or in any way be deemed to modify, alter, supersede or supplement the Terms of Service or this Order Form.

Notification of Confidentiality

Subject to Court process, rules or orders, and subject to applicable public records laws, including the South Carolina Freedom of Information Act, you agree that the pricing and payment terms specified in this Order Form shall (i) be held in strict confidence; (ii) not be disclosed to any Samsara competitor or other entity, except as pre-approved in writing by Samsara; and (iii) not be used except to evaluate the suitability of the Samsara Products for your business. You will immediately notify Samsara in the event of any unauthorized use or disclosure under these terms. Violation of these obligations will cause irreparable harm to Samsara for which Samsara may obtain compensatory and timely injunctive relief from a court, as well as any other remedies that may be available, including recovery of all reasonable attorney's fees and costs incurred in seeking such remedies. Your obligations specified herein shall last until the pricing and payment terms herein are, through no fault or action by you, public. This Order Form is a legally binding agreement between you ("Customer") and Samsara Inc. ("Samsara"). IN WITNESS WHEREOF, Customer has caused this Order Form to be executed by its duly authorized representative.

Billing Details: Bill To:

City of Cayce
1800 12Th Street Extension
Cayce, South Carolina, 29033

Billing Contact::

Name: Allison Barrs
Title: Municipal Treasurer
Billing Email: slaw@caycesc.gov
Phone Number:

Payment Information:

Payment Method: Credit Card/ACH Debit
Payment Terms: Due in advance
Payment Frequency: Direct Annual

Does your organization require a purchase order (PO) in order to process payment to vendors?

If yes, please provide the PO Number:

If your organization requires invoice submission via an electronic invoice portal, please email any e-invoicing requirements to billingsupport@samsara.com.

Please email any tax documentation to billingsupport@samsara.com.

I confirm acceptance of this Order Form on behalf of the Customer identified herein and represent and warrant that I have full and complete authority to bind the Customer to this Order Form, including all terms and conditions herein." "Please confirm acceptance of this Order Form by signing below:

Signature

Print Name:

Date:

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Memorandum of Agreement with South Carolina Department of Transportation (SCDOT) for Utility Relocation (Water) for the Frink Street Sidewalk Project

Issue

Council approval is needed to enter into a Memorandum of Agreement (MOA) with the South Carolina Department of Transportation (SCDOT) for Utility Relocations required as a result of the upcoming Frink Street Sidewalk Project. Relocations are required for water only.

Discussion

As part of SCDOT's Frink Street Sidewalk Project, improvements will be made from State Street to Foreman Street. The City of Cayce has water utilities in this area that must be relocated as part of the Project. The relocations have been designed by Hanna Engineering, LLC and will fall under the construction contract for the SCDOT Frink Street Sidewalk Project. There are no sewer utilities that require relocation.

SC Code Section 57-5-880 requires SCDOT to pay for relocation costs for all small utilities. The City of Cayce is considered a small utility for our water system. The estimated water relocation cost is \$498,700, but SCDOT (per the SC Code) is required to cover this cost for the water relocation. The City will not have to pay any portion of this relocation.

In order for the City of Cayce to receive funding for the water relocation, the Memorandum of Agreement for In-Contract Utility Relocation for the Frink Street Sidewalk Project Waterline Relocation must be approved. As outlined in the MOA, the City's share of the cost for the water relocation is \$0.

The agreement is attached and has been reviewed by the City's Attorney.

Recommendation

Staff recommends Council approve the In-Contract Utility Relocation MOA for the Frink Street Sidewalk Project Waterline Relocation and authorize the City Manager to execute the MOA. Approval for funding is not needed since the MOA stipulates that SCDOT will cover the cost of the relocation.

MEMORANDUM OF AGREEMENT**For In-Contract Utility Relocation****City of Cayce****Waterline Relocation****SC-2 Frink St. Sidewalk Project in Lexington County****SCDOT Project ID P037088**

This Agreement is made this _____ day of _____, 20____ by and between the South Carolina Department of Transportation (hereinafter referred to as "**SCDOT**") and the City of Cayce (hereinafter referred to as "**UTILITY**") (collectively "the Parties") to ensure the successful completion of the public water and/or sewer facilities relocation for the below described Project:

This document is to serve as a Memorandum of Agreement as to the specific responsibilities of **UTILITY** and **SCDOT** in completing this project and associated Utility Work.

Section I – Definitions

1. The term "Project" shall refer to SCDOT's Project along SC-2 Frink Street in Lexington County.
2. The term "Utility Work" shall refer to an adjustment necessitated by SCDOT's Project of a public water system or public sewer system facility by removing and reinstalling the facility; a move, rearrangement, or change of the type of existing facilities; necessary safety and protective measures; or the construction of a replacement facility that is both functionally equivalent to, but not including any betterment of, the existing facility that is necessary for the continuous operation of the system's service.

Section II - Agreements by the Parties

1. The Utility Work shall be included in **SCDOT**'s contract for the construction of the Project.
2. The Utility Work shall be performed by a contractor approved by **UTILITY** and licensed and qualified to perform the Utility Work. **SCDOT**'s contractor will select the contractor to perform the Utility Work from **UTILITY**'s list of preferred contractors. In the event the preferred contractors are not available, **SCDOT** will obtain written concurrence from **UTILITY** regarding the contractor selected to perform the Utility Work.

Section III - Funding

1. **SCDOT** shall be responsible for the cost of utility relocations pursuant to SC Code § 57-5-880 and 23 CFR 645A.
2. **UTILITY** is responsible for the cost of any betterments. Cost of betterments is estimated to be \$0.00.

3. **UTILITY** estimates the total cost of the Utility Work to be \$498,700.00, with such costs to be allocated as follows:
 - a. **SCDOT's** share is estimated at \$498,700.00.
 - b. **UTILITY's** share is estimated at \$0.00.
4. In accordance with its procurement practices and procedures, **SCDOT** will solicit bids for the construction of the Project, including the Utility Work, and will award the **SCDOT** Contract to the contractor with the lowest qualified bid for the overall work of the Project.
5. If the Utility Work contains any betterments or other work that is not an eligible cost under SC Code § 57-5-880, **SCDOT** will invoice **UTILITY** for that amount. **UTILITY** shall remit the invoiced amount to **SCDOT** within 30 days of receipt of the invoice. Any payment due must be received by **SCDOT** prior to execution of the construction contract.

Section IV – SCDOT's Responsibilities

1. Include the Utility Work in **SCDOT's** contract for the construction of the Project.
2. **SCDOT** will provide **SCDOT's** Contractor with all documents provided to **SCDOT** by **UTILITY**.
3. Allow **UTILITY** or **UTILITY's** Consulting Engineer and/or Inspector full access to the site when the Utility Work is underway.

Section V – UTILITY's Responsibilities

1. Apply for and receive all necessary permits (including Construction Permit Application Water/Wastewater Facilities through DES) for the Utility Work. The cost of these permits shall be reimbursable by **SCDOT**.
2. Provide all engineering design services, sealed construction plans and specifications, bid tab sheet, itemized estimated cost, a list of preferred contractors (minimum of 3) to meet **SCDOT's** letting schedule for the Project, and construction observation services for the Utility Work. These costs shall be reimbursable by **SCDOT**.
3. If construction plans and specifications provided by **UTILITY** are found to be inaccurate due to errors or omissions, **UTILITY** shall be responsible for any resulting damages, including delay damages and the costs attributable to such delays.
4. **UTILITY** must meet the bidding and construction schedule established by **SCDOT**. All documents necessary must be provided by **UTILITY** to **SCDOT** at least 180 days prior to receipt of bids for the Project. If the Project is under an accelerated schedule, **SCDOT** shall notify **UTILITY** of the date by which the documents must be provided.
5. Failure to meet the bidding and construction schedule requirements shall result in **UTILITY** having to bear all relocation costs.

Section VI – General Conditions

1. **SCDOT** shall have final approval on the location of all **UTILITY's** facilities within **SCDOT** Right-of-Way.
2. All work covered under this Agreement and performed by **SCDOT's** contractor shall be performed within **SCDOT** Right-of-Way.

3. Upon **UTILITY's** acceptance of the Utility Work, or any specific portion thereof, in accordance with the plans and specifications, **UTILITY** will assume sole and complete responsibility for the new facility. For purposes of this Agreement, **UTILITY** will be considered to have accepted the Utility Work, or any specific portion thereof, by assuming control of the Utility Work and commencing to utilize it.
4. Following acceptance, **UTILITY** will have sole responsibility for the operation and maintenance of the Utility Work and sole liability for any claims made by third-parties that arise from the design, construction, operation, or maintenance of the Utility Work in its entirety or the portion that has been accepted.
5. Following acceptance, **UTILITY** assumes any and all liability for accidents or injuries to persons, or damage to property (including the highway) that may be caused by the maintenance, use, moving, or removing of the water and/or sewer line and related appurtenances constituting the Utility Work as described herein.
6. Prior rights will remain in locations where prior rights currently exist. This Agreement shall not grant prior rights in locations where they do not currently exist.
7. Where **UTILITY** is on **SCDOT** right-of-way by encroachment, **UTILITY** agrees that if, in the opinion of **SCDOT's** Deputy Secretary of Engineering, it should ever become necessary to move or remove the Utility Work, including any future modifications thereto, on account of the change in locations of the highway, widening of the highway, or for any other sufficient reason, such moving or removing shall be done on demand of **SCDOT**.

Section VII – Counterparts

This Agreement may be executed in counterparts, and if so executed, shall become effective when a counterpart has been executed and delivered by both Parties hereto. All counterparts taken together shall constitute one and the same Agreement and shall be fully enforceable as such. Delivery of counterparts via facsimile transmission or via email with scanned attachment shall be effective as if originals thereof were delivered.

[Signature blocks on next page]

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and sealed by their authorized representatives on the dates set forth below.

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

CITY OF CAYCE

WITNESS

BY: _____

DATE: _____

WITNESS

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

BY: _____

Deputy Secretary for Finance and Administration
or Designee

RECOMMENDED BY:

John D. Boynton

Deputy Secretary of Engineering or Designee

JPM
PM

REVIEWED BY:

BY: Michael W. Barbree

Director of Right of Way

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Approval to move forward with the Hazard Mitigation Grant Program Application

Issue

Council approval is needed to continue the grant application process for the Hazard Mitigation Grant. With such a high grant match required, staff are seeking approval from the council to continue the grant process.

Discussion

The City of Cayce has experienced increasing flood frequency and intensity, particularly during hurricanes, tropical storms, and high-intensity rainfall events. Current stormwater infrastructure, much of which dates back to the 1960s and 1970s, is no longer adequate to handle the increasing frequency and intensity of rainfall events. Outdated culverts, insufficient pipe capacity, and lack of modern detention/retention systems contribute to flash flooding and environmental degradation.

Through the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP). The City is requesting \$22,500,013.50 in federal funding, complemented by a **\$7,500,004.50 local match**, for a total project cost of **\$30,000,018.00**. This funding will support the design and construction of critical stormwater mitigation infrastructure aimed at reducing flood risk, protecting property, and enhancing community resilience. The scope of the project will be the entirety of the Karlaney Avenue stormwater basin improvement.

Staff was directed by Council to continue to look for grants to address our ongoing stormwater issues. This grant was brought back before the council because of the possibility of decreasing Cayce's portion of the match. Conversations with Lexington County and other partners have reignited the possibilities of this grant being reality. The required grant match of \$7,500,004.50 is proposed to be split 50/50 by Lexington County. Any future partnership stepping up to the table to help with the required grant match would be split with Lexington County to lessen the hardship on all parties involved.

The project will address aging stormwater systems and topographic vulnerabilities that have repeatedly caused localized flooding during extreme weather events, particularly along Knox Abbott Boulevard commercial corridor, in the "Avenue's" residential neighborhood, and the Cayce Riverwalk. These vulnerabilities threaten public health, safety, and economic stability. The proposed infrastructure upgrades will significantly reduce future flood risks and reduce long-term risk to people and property.

Recommendation

Staff recommends Council authorize the City Manager to sign a letter of financial comment for the 25% required local match of the grant.

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager

Date: November 13, 2025

Subject: Update on Invigorate Cayce Project funded through a Central Carolina Community Foundation Grant

Discussion

Mark Rapp with the ColaJazz Foundation has been awarded a \$30,000 grant through the Central Carolina Community Foundation for the *Invigorate Cayce Project*. This initiative aims to revitalize the City by cleaning up and activating unused or underutilized spaces through pop-up jazz events, transforming the areas into vibrant community hubs. A 20% funding match totaling \$6,000 is required and the City is funding that through Hospitality Tax Funds.

The project qualifies for hospitality tax funding and will enhance Cayce's visual appeal, foster community pride and ownership, and encourage continued development and investment in the area. By combining cleanup efforts with world-class jazz performances, *Invigorate Cayce* will increase community engagement, expand arts and cultural offerings, enhance livability, and showcase Cayce's untapped potential to residents and visitors alike.

This effort also aligns with the Connected Communities grant's mission by promoting a more vibrant, compassionate, and engaged Midlands region. The project provides volunteer opportunities for residents in event planning and site preparation, while making high-quality cultural experiences accessible to all. The three (3) spaces that will be activated are: 2 Story Studios located at 2018 State Street, the City Art Lot located at 1908 State Street and Kelley Jones Park Picnic Pavilion located at 2601 Riverland Drive.

The first event is scheduled for Sunday, November 23, from 3:00 p.m. to 5:00 p.m. at 2 Story Studios, 2018 State Street, a new space owned by Barbara Wright.

Below is the project update received from Mark Rapp regarding preparations for the November 23 event:

- Investing in new billboards to promote the event.
- Launching a social media event page and running paid ads to increase awareness.
- Band and sound engineer are confirmed.
- Bar and beverages are secured.
- Food vendor being finalized.
- Uplighting and solar-powered security lights have been ordered.
- A new press release and updated marketing materials are in progress.

Staff is working closely with the ColaJazz Foundation to support the success of the three (3) events.

Memorandum

To: Mayor and Council

From: Mike Conley, City Manager

Date: November 13, 2025

Subject: Update of Business License Ordinance Appendix B Class Schedule

Issue

Council approval is needed in order to amend the City's Business License Ordinance to update Business License Ordinance Appendix B Class Schedule of the Business License Ordinance to be in accordance with the Municipal Association of South Carolina's Model Ordinance

Discussion

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, the City is required to update its licensing practices to remain in compliance with State law. As required by Act 176, the class schedule updates use the latest statistical data on business profitability from the IRS, which then receives approval from the SC Revenue and Fiscal Affairs Office.

The City must adopt these by December 31, 2025, to address those licensing renewals that will take place for the license year running from May 1, 2026 – April 30, 2027.

Recommendation

Staff recommends Council approve an update of Business License Ordinance Appendix B Class Schedule on Second Reading.

STATE OF SOUTH CAROLINA	)	ORDINANCE 2025-08
	)	AMENDING THE BUSINESS LICENSE
COUNTY OF LEXINGTON	)	ORDINANCE OF THE CITY OF CAYCE TO
	)	UPDATE THE CLASS SCHEDULE AS
CITY OF CAYCE	)	REQUIRED BY ACT 176 OF 2020

WHEREAS, the City of Cayce (the “Municipality”) is authorized by S.C. Code § 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 §§ 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. 2021-23 on November 9, 2021, in order to comply with the requirements of the Standardization Act (as subsequently amended, 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;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

SECTION 1. 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 and restated in the attached Exhibit A.

SECTION 2. Repealer. All ordinances in conflict with this ordinance are hereby repealed as of the effective date. The repeal provided for herein shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance.

SECTION 3. Ongoing Enforcement. This Ordinance shall not affect any previous or pending prosecution or civil action for enforcement of the repealed provisions or City Code sections, or for collection of any business license taxes or penalties or interest arising from the repealed

provisions or City Code sections, and neither shall the repeal prevent such a prosecution or civil action from being commenced for any violation occurring prior to the repealing of the provisions or City Code sections.

SECTION 4. Effective Date. This ordinance shall be effective with respect to the business license year beginning on **May 1, 2026**.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2025.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
William C. Dillard, Jr., City Attorney

EXHIBIT A

Amended

APPENDIX B: BUSINESS LICENSE
CLASS SCHEDULE BY NAICS CODE

**APPENDIX B: BUSINESS LICENSE CLASS SCHEDULE
BY NAICS CODE
CLASSES 1 – 8**

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1.00
21	Mining	3.00
22	Utilities	1.00
31-33	Manufacturing	3.00
42	Wholesale trade	1.00
44-45	Retail trade	1.00
48-49	Transportation and warehousing	2.00
51	Information	4.00
52	Finance and insurance	7.00
53	Real estate and rental and leasing	6.00
54	Professional, scientific, and technical services	4.00
55	Management of companies	7.00
56	Administrative and support and waste management and remediation services	3.00
61	Educational services	3.00
62	Health care and social assistance	3.00
71	Arts, entertainment, and recreation	3.00
721	Accommodation	1.00
722	Food services and drinking places	2.00
81	Other services	3.00
Class 8	Mandatory or Recommended Subclasses	
23	Construction	8.10
482	Rail Transportation	8.20
517111	Wired Telecommunications Carriers	8.30
517112	Wireless Telecommunications Carriers (except Satellite)	8.30
517122	Agents for Wireless Telecommunications Services	8.30
5241	Insurance Carriers	8.40
5242	Insurance Brokers for non-admitted Insurance Carriers	8.40
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.60

CLASS 9

Class 9	Optional Subclasses	
423930	Recyclable Material Merchant Wholesalers (Junk)	9.10
522298	Pawnshops	9.20
4411	Automobile Dealers	9.30
4412	Other Motor Vehicle Dealers	9.30
713290	Bingo Halls	9.50
711190	Other Performing Arts Companies (Carnivals and Circuses)	9.60
722410	Drinking Places (Alcoholic Beverages)	9.70
711310/711320	Special Events Promoter. 2 or more days	9.91
711310/711320	Special Events Promoter. One Day on Gross Income up to \$2000.00	9.92
711310/711320	Special Events Promoter. One Day on Gross Income Between \$2,001 and \$10,000	9.93
711310/711320	Special Events Promoter. One Day on Gross Income over \$10,000	9.94

2025 Class Schedule is based on a three year average (2019-2021) of IRS statistical data.

Memorandum

To: Mayor and Council

From: Michael Conley, City Manager
Wesley Crosby, Assistant City manager
Monique Ocean, Planning & Zoning Administrator

Date: November 13, 2025

Subject: First Reading of an Ordinance to annex a portion of property located at or near 2490 Charleston Hwy and 2121 Old Dunbar Road (Tax Map Number 006897-01-002) and assign a C-4 Highway Commercial zoning designation.

Issue

Council approval is needed for the First Reading of an Ordinance to annex a portion of property located at or near 2490 Charleston Hwy and 2121 Old Dunbar Road (Tax Map Number 006897-01-002) and assign a C-4 Highway Commercial zoning designation.

Discussion

The applicant has requested the annexation of approximately 1.86 acre of land, located at or near 2490 Charleston Hwy and 2121 Old Dunbar Road (Tax Map Number 006897-01-002), and its rezoning to a C-4 Highway Commercial designation. The annexation includes .022 acres recently purchased from GS Mini-Mart and 1.84 acres from Palmetto State Armory. Currently both recently acquired portions of property are unincorporated.

The purpose of the annexation is to help expand the existing Carolina Power property at 2490 Charleston Hwy. Bringing this part of the property into the City limits will make it easier to manage everything under one government, improving coordination and making it simpler to follow the rules.

The City's Future Land Use Map shows that the property is planned for Commercial-Business/Retail (CBR), which includes office, retail, and service businesses. The annexation and zoning request fit with the City's overall plan and goals for land use.

Recommendation

The Planning Commission reviewed the request at its meeting on October 20, 2025, and voted unanimously to recommend approval. City staff also supports approval of the annexation and zoning change, as it is consistent with the City's planning objectives and the character of the surrounding area.

STATE OF SOUTH CAROLINA	)	ORDINANCE 2025-09
	)	Annexing Portion (1.86 Acres) of Property
COUNTY OF LEXINGTON	)	Located at or near 2490 Charleston Highway
	)	and 2121 Old Dunbar Road (Tax Map Number
CITY OF CAYCE	)	006896-01-002) into the City Limits Under the
		Provisions of South Carolina Code Section 5-
		3-150(3).

WHEREAS, a proper petition has been filed with the City of Cayce by the owner of 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the properties to the City of Cayce under the provisions of S.C. Code 5-3-150(3); and

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the property hereinafter described is hereby annexed to and become a part of the City of Cayce:

PROPERTY DESCRIPTION

All those certain pieces, parcels, or lots of land, situate, lying and being near the City of Cayce in the County of Lexington, State of South Carolina, being shown on attached Exhibit "A" which is made part of this Ordinance and consisting of approximately 1.86 acres, and the adjoining portion of Old Dunbar Road:

The parcel of property not currently within the City that is located at or near 2490 Charleston Highway and 2121 Old Dunbar Road, Lexington County, further identified as a portion of Lexington County Tax Map Number 006896-01-002.

The property shall be zoned C-4 Highway Commercial, in accord with City of Cayce Zoning Ordinance, Section 3.15, and this classification shall become effective upon the effective date of this annexation ordinance. This property is added to voting district Number Four (4).

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2025.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

Planning Commission/Public Hearing: _____

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
William Dillard, Jr., City Attorney

ITEM IV. B.

City of Cayce
South Carolina

Planning Commission Zoning Map Amendment

Date Filed: 8-20-25

Request No: MAC04-25

Fee: \$396.00

Receipt No: _____

A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator, or City Council. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent section.

THE APPLICANT HEREBY REQUESTS that the property described as above be considered for rezoning from LEXINGTON COUNTY to CITY OF CAYCE

The justification for this change is as follows;

TO INCORPORATE NEWLY PURCHASED PROPERTY
INTO EXISTING PROPERTY AT 2490
CHARLESTON HIGHWAY

APPLICANT(S) [print]: MARK J. HORNE

Address: 359 OLD SANDY RUN ROAD GASTON SC 29053

Telephone: 803-796-7907 [Business] 803-429-0543 [Residence]

Interest: Owner(s): ☒ Agent of owner(s): ☐ Other: ☐

OWNER(S) [if other than Applicant(s)]: 2490 CHARLESTON HWY, LLC

Address: 2490 CHARLESTON HWY, CAYCE SC, 29033

Telephone: 803-796-7907 [Business] 803-429-0543 [Residence]

PROPERTY ADDRESS: 2490 CHARLESTON HWY, CAYCE SC 29033

Lot _____ Block _____ Subdivision _____

Tax Map No. 006896-01-002 Plat Book _____ Page _____

Lot Dimensions: _____ Area: [sq. ft. or acreage] 1.84

Deed restrictions/limitations on property:

DESIGNATION OF AGENT [complete only if owner is not applicant]

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request.

Date: _____

Owner signature(s)

I (we) certify that to the best of my (our) knowledge that the information contained herein is accurate and correct.

Date: 8/20/25

Mark J. Howe

Applicant signature(s)

Official Use Only:

Property posted: 10-3-25 By: BS, MD

Published in Newspaper on: 10-2-25

PLANNING COMMISSION: 10-20-25

RECOMMENDATION: APPROVAL

CITY COUNCIL [1st Reading] _____

ACTION: _____

CITY COUNCIL [Final Reading] _____

ACTION: _____

Notice to applicant sent on _____ advising of Councils action. If approved a statement to the effect that our zoning maps and records now reflect the new zoning of the property. If disapproved, the reasons for disapproval, a statement that any other request for rezoning on the same piece of property will not be accepted for a period of one (1) year from Councils action.

100 Percent Petition Form

TO THE MAYOR AND COUNCIL OF THE CITY OF CAYCE, SOUTH CAROLINA:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Cayce by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section 5-3-150(3). I (we) also acknowledge receipt of the Resolution adopted April 13, 2004 by the City "Approving the Method and Criteria for Annexing and Zoning Property in the City Limits of the City of Cayce".

The territory to be annexed is described as follows:

1.84 ACRE ON BACK SIDE OF 2490
CHARLESTON HWY.

The property is designated as follows on the Lexington/Richland County tax maps: 006896-01-002

It is requested that the property be zoned as follows: C-4

Existing/proposed use of the property to be annexed: EQUIPMENT YARD EXPANSION

Mark J. Hesse 2490 CHARLESTON HWY 8/20/25
Signature Street Address, City CAYCE Date

For Municipal Use:

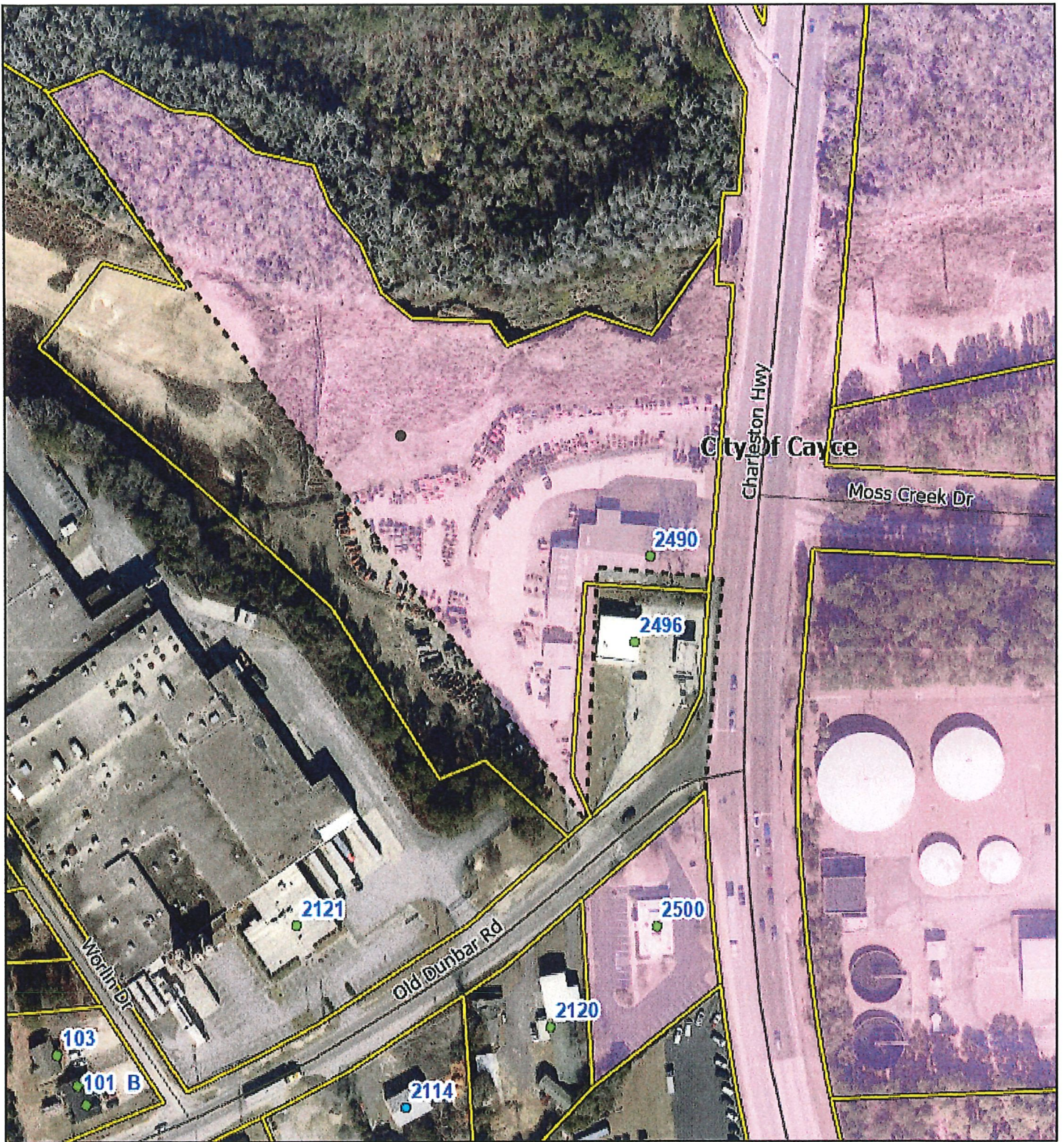
Petition received by: MO, Date: 8-20-25

Description and Ownership verified by: MO, Date: 8-20-25

Recommendation: _____

By: _____, Date: _____

Lexington County Map



8/19/2025, 11:01:37 AM

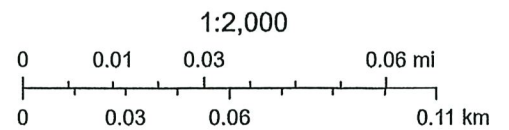
Address Points

- Existing
- To Be Placed

- Local
- Parcels
- County Boundaries
- Municipalities
- City of Cayce

Roads

- Arterial



Planning Commission Zoning Map Amendment

Receipt No: _____

Date: _____

Owner signature(s)

I (we) certify that to the best of my (our) knowledge that the information contained herein is accurate and correct.

Date: 8/20/25

Mark J. Hume

Applicant signature(s)

Official Use Only:

Property posted: 10-3-25 By: MO, BS

Published in Newspaper on: October 2, 2025

PLANNING COMMISSION: 10-20-25

RECOMMENDATION: Approval

CITY COUNCIL [1st Reading] _____

ACTION: _____

CITY COUNCIL [Final Reading] _____

ACTION: _____

Notice to applicant sent on _____ advising of Councils action. If approved a statement to the effect that our zoning maps and records now reflect the new zoning of the property. If disapproved, the reasons for disapproval, a statement that any other request for rezoning on the same piece of property will not be accepted for a period of one (1) year from Councils action.

100 Percent Petition Form

TO THE MAYOR AND COUNCIL OF THE CITY OF CAYCE, SOUTH CAROLINA:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Cayce by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section 5-3-150(3). I (we) also acknowledge receipt of the Resolution adopted April 13, 2004 by the City "Approving the Method and Criteria for Annexing and Zoning Property in the City Limits of the City of Cayce".

The territory to be annexed is described as follows:

TRIANGULAR PIECE OF PROPERTY AT OUR
ENTRANCE ON OLD DUNBAR ROAD

The property is designated as follows on the Lexington/Richland County tax maps: 006896-01-002

It is requested that the property be zoned as follows: C-4

Existing/proposed use of the property to be annexed: DRIVEWAY EXPANSION

Mark J. Howe 2490 CHARLESTON HWY 8/20/25
Signature Street Address, City CAYCE Date

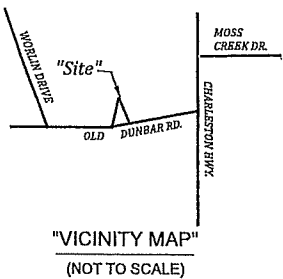
For Municipal Use:

Petition received by: MO, Date: 8-20-25

Description and Ownership verified by: MO, Date: 8-20-25

Recommendation: _____

By: _____, Date: _____



I have graphically determined from the Federal Emergency Management Agency Insurance Rate Map; and the best of my knowledge and belief, the subject property is not located in a special flood hazard zone A,B or V.

F.I.R.M. Panel # 45063C0279J
Dated: JULY 05,2018 (REVISED)

2024040418 BK: 21132 PG: 2979 - 2979 1 PGS
PLAT STANDARD
Rec: \$25.00 Cnty: \$0.00 State: \$0.00
November 5, 2024 01:25:33 PM
FILED IN LEXINGTON COUNTY, SC

LEGEND

IPF = IRON PIPE FOUND
IPS = IRON PIPE SET
Note: Corners that are not labeled are 1/2" Rebar IPS's.

LEXINGTON COUNTY
PLANNING COMMISSION
NOV 05 2024
[Signature]

For Consideration only

N/F 2121 OLD DUNBAR RD LLC
TMS. 006896-01-003
DEED 20849, PG.0496
PLAT 17599, PG.245

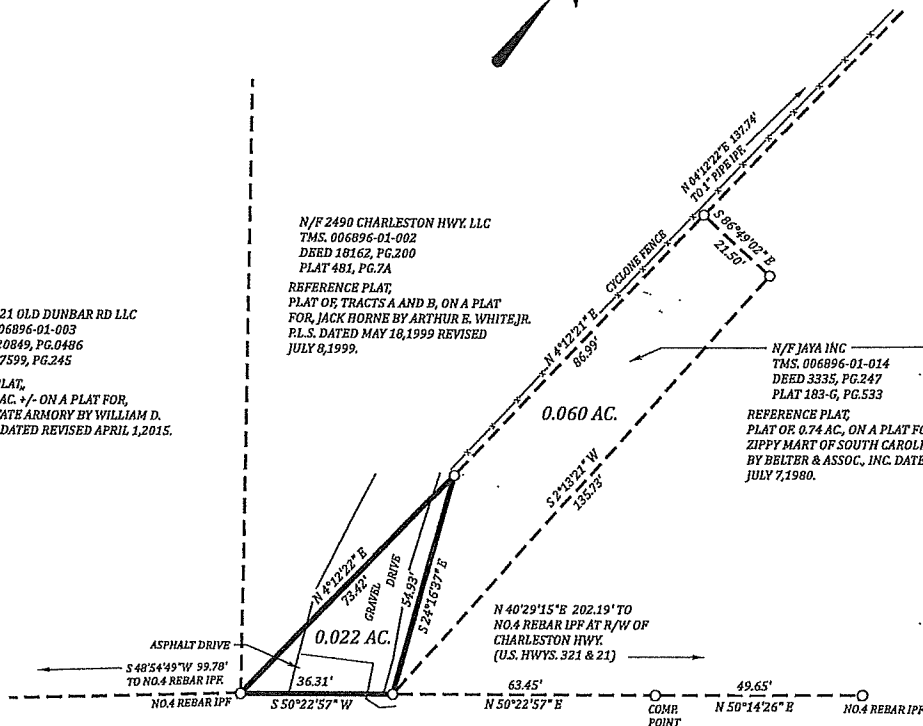
REFERENCE PLAT,
PLAT OF 14.0 AC. +/- ON A PLAT FOR,
PALMETTO STATE ARMORY BY WILLIAM D.
FOY, SR., P.L.S. DATED REVISED APRIL 1,2015.

N/F 2490 CHARLESTON HWY LLC
TMS. 006896-01-002
DEED 18162, PG.200
PLAT 481, PG.7A

REFERENCE PLAT,
PLAT OF TRACTS A AND B, ON A PLAT
FOR, JACK HORNE BY ARTHUR E. WHITE, JR.
P.L.S. DATED MAY 18,1999 REVISED
JULY 8,1999.

N/F JAY INC
TMS. 006896-01-014
DEED 3335, PG.247
PLAT 183-G, PG.533

REFERENCE PLAT,
PLAT OF 0.74 AC. ON A PLAT FOR,
ZIPPY MART OF SOUTH CAROLINA, INC.
BY BELTER & ASSOC., INC. DATED
JULY 7,1980.



OLD DUNBAR ROAD (S 32-72) 66'R/W

PLAT PREPARED FOR

2490 CHARLESTON HWY LLC

LEXINGTON COUNTY, CAYCE, S.C.

DATE: MAY 3,2024

SCALE: 1" = 30'

JOB NAME: KUBOTA
DRAWN BY: DPJ

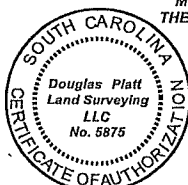
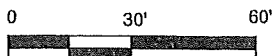
NOTES / REFERENCES :

Tax Map Sheet No. - PORTION OF, 006896-01-014
Deed Book - 3335, PG.247
Plat Reference - 183-G, PG.533
PLAT OF, 0.74 AC., ON A PLAT FOR ZIPPY MART OF SOUTH CAROLINA, INC. BY BELTER & ASSOC., INC. DATED JULY 7,1980.

THE HEREON IS SUBJECT TO ANY AND ALL CONDITIONS, RESTRICTIONS, EASEMENTS AND / OR RIGHTS OF WAY OF RECORD.
ONLY THE LISTED DOCUMENTS SHOWN HEREON WERE CONSIDERED A PART OF THIS SURVEY.

**DOUGLAS PLATT
LAND SURVEYING LLC**

103 GREENWICH COURT
LEXINGTON, S.C. 29073
PHONE 803-796-0874
Email : plattsurvey@yahoo.com



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

[Signature]
ARTHUR E. WHITE, JR.

SC Professional Land Surveyor # 14196

TMS Information

Last Updated: 10/08/2025

Note: Residential and commercial building data is limited to the first improvement only.

Property Information	
TMS	00689601002 Show Map Print
Tax Year:	2026
Owner:	2490 CHARLESTON HWY LLC
Address:	2490 CHARLESTON HWY CAYCE SC 29033
Property Address:	2490 CHARLESTON HIGHWAY
Legal Description:	NONE
Deed Book Page:	21135-1452
Plat:	21133-2516
Land Use Code:	1020:RETAIL STORE
Tax District:	2C

Assessment Information		Resid. Building Information	
Lots:	0	Above Grade SFLA	0
Acreage:	7.490	Unfinished Area	0
Taxable Land:		Year Built	0
Taxable Building:		Bedrooms	0
Assessment Land:		Full Baths	0
Assessment Building:		Half Baths	0
Total Taxable Value		Heating/Cooling	
Homestead Exempt:	No		
Legal Resident:	No		

Commercial Building Information	
Square Footage	7544
Year Built	2000

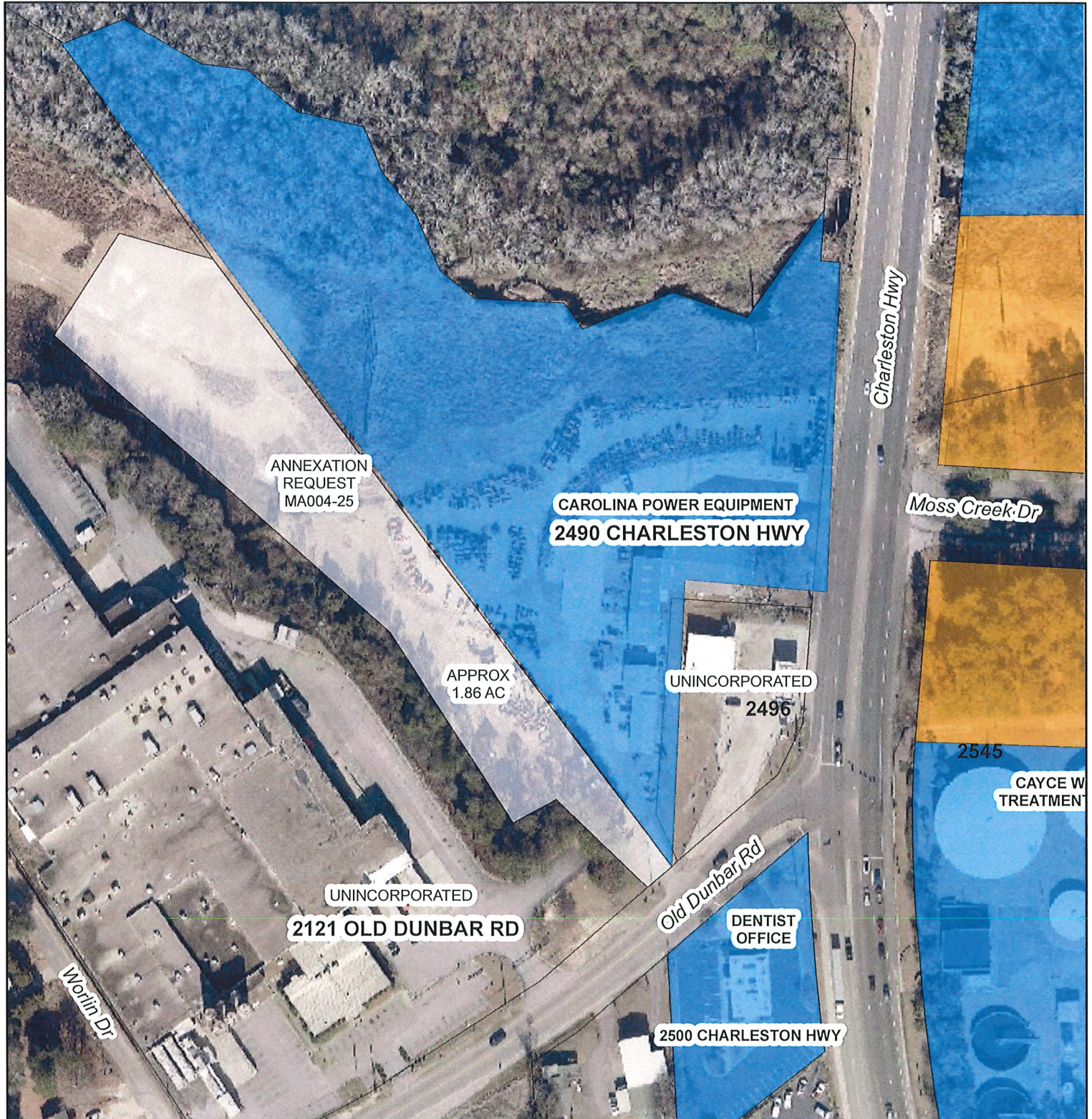
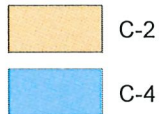
Sale Information				
Sale Date	Seller	Buyer	Price	BK-PG
11/19/2024	2121 OLD DUNBAR RD LLC	2490 CHARLESTON HWY LLC	190000	21135-1452
10/01/2024	JAYA INC	2490 CHARLESTON HWY LLC	35111	21132-3731
02/03/2016	HORNE, MARK J	2490 CHARLESTON HWY LLC	5	18162-200
12/02/2015	HORNE, JACK	HORNE, MARK J	5	18050-34
05/20/1999	FAIR, MARY LEE NOW SHAW	HORNE, JACK	42500	5265-235

REQUEST FOR ANNEXATION ALONG
WITH C-4 ZONING DESIGNATION
PORTION (1.86 ACRES)
NEAR

2490 CHARLESTON HWY AND 2121 OLD DUNBAR ROAD

Legend

ZONING



200 100 0 200 Feet





**APPROVED MINUTES
BOARD OF ZONING APPEALS
MONDAY, JANUARY 27, 2025
CAYCE CITY HALL
1800 12th Street 6:00 PM**

I. CALL TO ORDER

The meeting was called to order by Chair Jason Simpson. Members present were Phillip Corley and Cindy Pederson. Dr. Shirley McClerklin-Motley was absent. Tyler Helms resigned from his position on the board.

II. APPROVAL OF MINUTES

Phillip Corley made a motion to approve the minutes from the October 21, 2024, Board of Zoning Appeals Meeting. Cindy Pederson seconded the motion. All were in favor.

III. STATEMENT OF NOTIFICATION

Ms. Ocean confirmed that the media and public were made aware of the meeting.

IV. COMMISSION MATTERS

a. Review of By-Laws

A motion was made by Cindy Pederson to keep the by-laws as they were without any revisions. Phillip Corley seconded the motion. All were in favor.

b. Nomination and election of Officers for 2025

A motion was made and seconded to elect Jason Simpson as Chair for the 2025 year. All were in favor. A motion was made and seconded to elect Phillip Corley as Vice Chair for the 2025 year. All were in favor.

c. Nomination and election of secretary for 2025

A motion was made and seconded to elect Monique Ocean as secretary for the 2025 year. All were in favor.

d. Approval of meeting schedule for 2025

A motion was made to approve the calendar for the 2025 year. All were in favor.

V. ADJOURNMENT

Phillip Corley made a motion to adjourn. The motion was seconded by Cindy Pederson. All were in favor.

Events Committee Minutes
March 13, 2025

Present: Maxine Creamer, Mike Harlen, Ashley Warthen, Ashley Brown, Jean Boiteau, Dave Capps, Teresa Mitchell.

City Representatives: Mendy Corder

The meeting was called to Order

The committee reviewed the February 13, 2025 minutes. Ms. Warthen made a motion to approve the minutes and Mr. Capps seconded the motion, and the motion was unanimously passed.

Soiree on State: Soiree on State takes place Saturday March 22, 2025, from 2:00 pm to 8:00 pm. Committee members will be helping in different areas during the Soiree. Freeway Music will be in the Art Lot at the Future Sounds Stage with new artists performing during the event. We will have 3 face painters, 2 balloon artists, and approximately 10-12 food vendors. Ms. Corder created a volunteer list for the committee with locations each member would be assigned to. T-shirts and a banner are ordered. Committee members will receive passes to the Sponsor Suite for breaks.

With no further business Ms. Brown made a motion to adjourn and Ms. Boiteau seconded the motion. The motion was carried and the meeting was adjourned. The next Events Committee meeting will be on May 8, 2025 at 5:30pm in Council Chambers.

Cayce Historical Museum Commission
October 1, 2025
Meeting Minutes

The October 1, 2025, meeting of the Cayce Historical Museum Commission (CHMC) was held in the Cayce Visitors Center. The meeting was convened at 5:08 pm by Chairman James Stewart. The following individuals attended the meeting:

Name	Status
James Stewart	Chairman
Pamela Sulton	Vice Chair
Marcy Hayden	Secretary
Chris Tenny	Commissioner
Archie Moore	Commissioner
Charlita Earle	Commissioner
Keith Stephenson	Commissioner
David Brinkman	Commissioner
Campbell Mims	Commissioner (absent)
Andy Thomas	Cayce Museum Curator (absent)
Elizabeth Lumsden	Cayce Museum Communications Assistant

Upcoming Events:

October 1: Christmas Open House Volunteer Meeting
October 11: Archeology Day Event
October 16: Brick Reproduction Event
November 15: Rev 250 event at 96 Historic Park
November 25: Christmas Open House Decorating Party
December 6: Christmas Open House Event
January 24, 2026: Genealogy Workshop and CHF fundraiser
TBD: Cayce Women's Club Joint Children's programs

Invocation: Commissioner Sulton

September Meeting Minutes:

Following a review of the minutes from the last meeting, Commissioner Stephenson made a motion to approve minutes. This motion was seconded by Commissioner Tenny and approved by the Commission.

Museum Staff Report

The Julius Felder History Lecture had approximately 30 attendees including members of the family. Ongoing work on the Public Safety exhibit continues with work on the compilation of the three panels. The Revolutionary War exhibit video development is also in progress and nearing completion. The Catawba Pottery exhibit is moving forward along with a redesign of the Native American Exhibit space. Additional updates on this exhibit will be after the Christmas events. On October 16th, Greg McKee will present on the “Guinyard Brickworks” at 6pm at the Museum.

Historic Preservation

Presentations are being planned in the upcoming months with community organizations to educate them on ways they can help with Historic Preservation in Cayce and surrounding areas. Forms are being developed for residents to fill out to nominate Historic properties. Edenwood Neighborhood Association and Women’s Club of Cayce will be the first presentations scheduled in November 2025.

Donations:

Museum staff received an email regarding the donation of a 19th Century bedframe and rockingchair (broken). Commissioners discussed the items and decided not to accept the items due to the damage and that there were similar items already at the Museum.

Old Business-**Christmas Volunteer Event**

The Volunteer meeting will be held on Oct. 1st at 6pm. There will be a list of tasks for volunteers to sign up for at the meeting. Commissioners were asked to select various tasks to take leadership over to ensure a great Museum Open House. The Lantern Tours, Vendor Market, Concerts, Santa Claus and Sword demonstration are all planned to be a part of the event that will be held on December 6th. A-Tax grant funds were approved for the Cayce Historic Foundation which will allow for a Concert event on Friday evening and a large tent for vendors for the market. Additionally, the events will be included with a large sign placed at the corner of 12th and Knotts Abbot to help boost attendance. There was a discussion of the vendor process from last year and

past years' lantern tours. Commissioner Moore is researching poinsettias options and will follow up with the Chair on pricing.

With no additional items on the agenda and the volunteer meeting starting at 6pm, Chair Stewart called for a motion to adjourn the meeting. The motion was made by Vice Chair Sulton and seconded by Commissioner Tinney. The CHMC unanimously voted to adjourn the meeting at:

5:45 PM.



**APPROVED MINUTES
PLANNING COMMISSION
MONDAY, SEPTEMBER 15, 2025
CAYCE CITY HALL – 1800 12TH STREET
6:00 PM**

I. CALL TO ORDER

The meeting was called to order by Chair Richard Boiteau. Commissioners Michael Mahoney, Michael Wuest, Robert Power, Patty Foy, Danny Creamer and Nancy Stone-Collum were present. Staff present were Luke Godbold and Monique Ocean.

II. STATEMENT OF NOTIFICATION

Monique Ocean confirmed that the media and public were made aware of the meeting and public hearing.

III. APPROVAL OF MINUTES

A. Nancy Stone-Collum made a motion to approve the minutes of the July 21, 2025, Planning Commission Meeting. Michael Wuest seconded the motion. All were in favor.

IV. PUBLIC HEARING

- 1. Map Amendment 002-25** - A petition has been submitted by A. Ivan Earle requesting the renaming of a portion of Lee Street to Skip Jenkins Street. The proposed name change would affect approximately 332 feet of Lee Street, extending north to the dead end.

A. Staff's Opening Statement

Ms. Ocean informed the Planning Commission that a petition had been submitted to rename Lee Street. She explained that at the previous meeting, the applicant had requested to rename a portion of Lee Street to Skip James Street. The Planning Commission tabled the request at that time, recommending the applicant consider renaming the entire street to avoid confusion.

Ms. Ocean stated that the applicant is now proposing to keep two separate names for the street, in order to honor two individuals who are highly respected within the community. She added that the applicant had submitted a petition signed by residents of the street in support of the request.

B. Comments from the Applicant

Mr. Ivan Earle appeared before the Planning Commission as the applicant for the proposed street name change. He explained that the community supports the idea of honoring both Skip Jenkins and Eddie Brown. Mr. Earle noted that Skip Jenkins had served on City Council and held the position of Mayor Pro-Tem, while Eddie Brown was the City's first Black firefighter and police officer. He added that Mr. Brown's family still resides in the area.

C. Comments from the Public

Mr. Lemuel Sultan addressed the Planning Commission, expressing his hope that the name change could be honorary so that both men could be recognized without requiring residents to change their mailing addresses.

D. Adjourn Public Hearing

With no further public comments, the hearing was closed. Chair Boiteau reiterated that the previous request was tabled due to concerns over having two names for one street, which could cause confusion. Nancy Stone-Collum agreed, stating she believed the dual names would be confusing. She suggested possibly combining the two names into one, such as "Jenkins Brown Road." Michael Mahoney asked whether the name change was honorary or if it would require new signage. Patty Foy commented that she felt both individuals were honorable men. It was clarified for the applicant and the audience that an honorary name would not affect mail delivery. Chair Boiteau emphasized to the applicant and other petitioners that if the name change were approved, all official addresses would need to be updated accordingly.

E. Motion

Michael Wuest made a motion to approve the request to rename a portion of Lee Street to Skip Jenkins Street. The proposed change would apply to approximately 332 feet of Lee Street, extending north to the dead end. Patty Foy seconded the motion. The motion passed with a vote of 5 to 2, with Nancy Stone-Collum and Robert Power voting against.

2. Map Amendment MA003-25

A petition has been submitted by A. Ivan Earle requesting the renaming of a portion of Lee Street to Eddie Brown Street. The proposed name change would apply to approximately 900 feet of Lee Street, extending from Lucas Street to Hemlock Street.

F. Motion

Michael Wuest made a motion to approve the request to rename a section of Lee Street to Eddie Brown Street. The proposed change would affect approximately 900 feet of Lee Street, from Lucas Street to Hemlock Street. Patty Foy seconded the motion. The motion passed by a vote of 5 to 2, with Nancy Stone-Collum and Robert Power voting against.

VI. NEW BUSINESS

A. Staff and Planning Commission Remarks

Ms. Ocean informed the Planning Commission that they would soon receive a survey from the Public Information Office regarding light trespass and short-term rentals, and encouraged them to be on the lookout for it. She also noted that the consultant would be providing drafts of the Unified Development Ordinance (UDO) in due course.

VII. ADJOURNMENT

Michael Wuest made a motion to adjourn. Michael Mahoney seconded the motion. All were in favor.

Cayce Historical Museum Commission
September 3, 2025
Meeting Minutes

The September 3, 2025, meeting of the Cayce Historical Museum Commission (CHMC) was held in the Cayce Visitors Center. The meeting was convened at 5:05pm by Chairman James Stewart. The following individuals attended the meeting:

Name	Status
James Stewart	Chairman
Pamela Sulton	Vice Chair
Marcy Hayden	Secretary
Chris Tenny	Commissioner
Archie Moore	Commissioner
Charlita Earle	Commissioner (absent)
Keith Stephenson	Commissioner
David Brinkman	Commissioner
Campbell Mims	Commissioner (absent)
Andy Thomas	Cayce Museum Curator
Elizabeth Lumsden	Cayce Museum Communications Assistant

Upcoming Events:

September 18: Julius Felder Lecture
September 21: Sean Norris-Found Objects of Congaree Clean-up Project
October 1: Christmas Open House Volunteer Meeting
October 11: Archeology Day Event
October 16: Brick Reproduction Event
November 25: Christmas Open House Decorating Party
December 6: Christmas Open House Event
January 24, 2026: Genealogy Workshop and CHF fundraiser
TBD: Cayce Women's Club Joint Children's programs

Invocation: Commissioner Sulton

August Meeting Minutes:

Following a review of the minutes from the last meeting, Commissioner Sulton made a motion to approve minutes with some minor changes in wording. This motion was seconded by Commissioner Tenny and approved by the Commission.

Museum Staff Report

The Congaree River Archeology lecture had approximately 73 attendees and was standing room only. Ongoing work on the Public Safety exhibit continues with photos for displays sent to the printers for quotes. The Revolutionary War exhibit video development is also in progress and nearing completion. The Catawba Pottery exhibit is moving forward along with a redesign of the Native American Exhibit space. A meeting took place with Native American Studies Center Staff to discuss conservation of pieces and possible loan agreements in the future.

Historic Preservation

Presentations are being planned in the upcoming months with community organizations to educate them on ways they can help with Historic Preservation in Cayce and surrounding areas. Forms are being developed for residents to fill out to nominate Historic properties.

Donations:

Brookland Cayce and Davis Grammar School Yearbook, Brookland Yearbook, Scrapbooks and September 11, 2001 article (local paper) were donated to the Museum. These items were donated by Erin Strange, Ex. Asst. Superintendent Lexington 2 and by Becky Burgage Massingale. A motion to accept donations was made by Chair James Stewart and seconded by Commissioner Sulton. Donations were accepted.

Old Business- Revisiting Resolution Discussions:

Per past discussions, the Chair is moving forward with creating language for City Council Resolutions to honor past Museum Commissioners and exceptional volunteers for their service. The Commission is drafted resolutions to honor members and volunteers starting with Ms. Mary Sharpe, Chief A.D. Dantzler and Mr. Steve Schar. The Commission developed language to present to the city for Resolutions of Thanks. These have been reviewed and approved to move to a vote.

- Resolution of Thanks for Ms. Mary Sharpe Motion for Approval by Commissioner Hayden and seconded by Commissioner Sulton; the motion passed.
- Resolution of Thanks for Chief A.D. Dantzler Motion for Approval by Commissioner Tenny and seconded by Commissioner Brinkman; the motion passed.

- Resolution of Thanks for Mr. Steve Schar for Approval by Chair Stewart and seconded by Commissioner Moore; the motion passed.

Christmas Volunteer Event

The Volunteer meeting will be held on Oct. 1st at 6pm. There will be a list of tasks for volunteers to sign up for at the meeting. Commissioners were asked to select various tasks to take leadership over to ensure a great Museum Open House. The Lantern Tours, Vendor Market, Concerts, Santa Claus and Sword demonstration are all planned to be a part of the event that will be held on December 6th.

With no additional items on the Agenda, Chair Stewart motioned to adjourn the meeting, the motion was seconded by Commissioner Moore. The CHMC unanimously voted to adjourn the meeting at:

6:25 PM.

COUNCIL ACTION REQUIRED

ITEM V. B. - PUBLIC SAFETY FOUNDATION – ONE (1) POSITION

Ms. Donna Zeigler's term on the Public Safety Foundation expired in August and she would like to serve again. She has served on the Foundation since 2023 and consistently attends meetings. Her reappointment application is attached for Council's review.

ITEM V. C. - APPOINTMENT OF COUNCIL MEMBERS TO BOARDS AND FOUNDATIONS

BEAUTIFICATION FOUNDATION – Mayor Partin and Council Member Thomas currently serve on this Foundation.

PUBLIC SAFETY FOUNDATION – Former Mayor Pro Tem James and Council Member Sox served on this Foundation.

NO COUNCIL ACTION REQUIRED

The following positions have been postponed by Council until receipt of potential member applications.

ACCOMMODATIONS TAX COMMITTEE – ONE (1) POSITION

This position must work in the lodging community within the City. This committee advises City Council on the expenditure of local accommodations tax funds for the purpose of promoting tourism, the arts and cultural affairs in the community.

EVENTS COMMITTEE – FIVE (5) POSITIONS

This committee is actively involved in working with City staff to plan and coordinate City events and works the events with staff.

STANDARD TECHNICAL CODES BOARD OF APPEALS – TWO (2) POSITIONS

This Board rarely meets but is required by State law. The Board reviews citizen appeals to ensure building ordinances are properly interpreted and implemented fairly. Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional.

APPOINTMENT PROCESS

Cayce citizens have an opportunity to actively participate in the City through their services on a number of advisory boards, commissions, foundations and committees. These groups help shape and carry out policy.

Applications are accepted at any time for all City of Cayce boards, commissions, foundations and committees. Cayce citizens wishing to apply for appointment may submit a potential member application to the Municipal Clerk, P. O. Box 2004, Cayce, SC 29171. More information and a copy of the application can be found on our website at caycesc.gov or by calling City Hall at 803-796-9020.

City Council considers received applications at a meeting immediately following an opening.



CITY OF CAYCE
COMMITTEE MEMBER REAPPOINTMENT APPLICATION

Name: Donna Zeigler
Home Address: N. Eden Drive City, State, Zip Cayce, SC 29033
Telephone: 803- E-Mail Address _____
Resident of Cayce: ☒ Yes ☐ No Number of Years 40

Please check the Committee for which you are applying for reappointment:

☐ Accommodations Tax Committee ☐ Beautification Foundation ☐ Event Committee
☐ Cayce Housing Authority ☐ Museum Commission ☐ Planning Commission
☐ Consolidated Board of Appeals ☐ Board of Zoning Appeals ☒ Public Safety Foundation

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation? ☐ Yes ☒ No **If yes, specify below:**

Work Address

Company: Columbia Marking Products Position Office Manager
Address: 727 Meeting Street
City, State, Zip W. Cola 29169 Telephone: 803-781-7048
Fax: _____ E-Mail gcolumbiamarkin@sc.rr.com
Work Experience: Public Safety Dispatcher, C&A Timekeeper, Admin Asst

Educational Background: HS Graduate

Membership Information (Professional, Neighborhood and/or Civic Organizations):

Volunteer Work: Board Member of the Avenues Assn

Hobbies: Shopping

Return to:
Mendy Corder, Municipal Clerk
City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004
Telephone: 803-550-9557 • Fax: 803-796-9072 • mcorder@cityofcayce-sc.gov

COUNCIL ACTION REQUIRED

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**BYLAWS
OF THE
CAYCE BEAUTIFICATION FOUNDATION**

Article I: Name, Form of Organization, and Purposes

Section 1.1 Name. The name of the corporation is the Cayce Beautification Foundation.

Section 1.2 Nonprofit and Tax-exempt Status. The corporation is organized as a nonprofit corporation under the South Carolina Nonprofit Corporation Act, Chapter 31, Title 33 of the Code of Laws of South Carolina 1976, as amended (the "Nonprofit Act"), and as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, as amended. The corporation is a public benefit corporation and shall have perpetual duration and succession.

Section 1.3 No Members. The corporation shall have no members.

Section 1.4 Purposes. The corporation shall have only those purposes set forth in its Articles of Incorporation.

Section 1.5 Articles of Incorporation, These bylaws and any act of the Board of Directors or any officer or employee shall be subject to and governed by the articles of incorporation of the corporation. In the event that any provision of these bylaws conflicts with a provision of the corporation's articles of incorporation, the provisions of the articles of incorporation shall be controlling.

Article II: Offices

Section 2.1 Principal and Other Offices. The principal office of the corporation shall be located at 1800 12th Street Extension, Cayce, Lexington County, South Carolina 29171. The corporation may change its principal office to another location within the City of Cayce, South Carolina by filing a Notice of Change of Principal Office with the South Carolina Secretary of State. The corporation shall maintain at its principal office a copy of the corporate records specified in Section 7.5 of Article VII. The corporation may have offices at such other places within the City of Cayce, South Carolina as the Board of Directors from time to time may determine, or as the affairs of the corporation may require.

Section 2.2 Registered Office and Agent. The corporation shall maintain a registered agent whose office is identical with the registered office. The corporation may change its registered office or registered agent from time to time in the manner required by law.

Article III: Board of Directors

Section 3.1 General Powers and Authority of the Board. All corporate powers shall be

exercised by or under the authority of, and the affairs of the corporation managed under the direction of, the Board of Directors.

Section 3.2 Powers. The corporation will have such powers as are now or may hereafter be granted to corporations under the Nonprofit Act, except as may be limited by the corporation's Articles of Incorporation or these bylaws.

Section 3.3 Operating Policies, Procedures and Guidelines. From time to time, the Board of Directors may adopt, amend, or restate operating policies, procedures and guidelines to carry out the purposes and objectives of the corporation.

Section 3.4 Composition, Number, and Term.

- (a) The number of directors of the corporation shall be fifteen (15).
- (b) The City Council (the "Council") of the City of Cayce, South Carolina (the "City") shall appoint ten (10) directors (the "Appointed Directors") who live, work or have a business in the City as community representatives.
- (c) The individuals serving, from time to time, as (1) the Mayor of the City (or the Mayor Pro Tem of the City in the event the Mayor is serving on the Board of the Cayce Public Safety Foundation), (2) a member of Council appointed by the Council in January of each year, (3) the City Manager of the City, (4) the Chairman of the City Planning Commission, and (5) the Chairman of the City Beautification Board shall also serve as directors of the corporation and shall constitute the "Designated Directors." Each such individual shall serve as a director of the corporation by virtue of holding such listed capacity. If for any reason, such individual ceases to hold such capacity, such individual shall cease to be a director of the corporation. If a vacancy occurs in any of the capacities listed in Section 3.4(c), then the number of directors on the Board of Directors of the corporation shall automatically be reduced by the number of such vacancies (and shall be automatically increased as and when any such vacancy is filled).
- (d) Five of the initial Appointed Directors shall serve an initial term of two years and five of the initial Appointed Directors shall serve an initial term of three years. Thereafter, each Appointed Director shall serve a term of term of three years. Appointed Directors shall serve their specified terms (and until a successor is appointed and qualified) or until such director's earlier death, resignation, incapacity to serve, or removal.
- (e) An Appointed Director may be reappointed for successive terms.
- (J) All Appointed Directors and all Designated Directors shall have voting rights.

Section 3.5 Resignation of Appointed Directors. An Appointed Director may resign by delivering written notice to the chairperson of the Board of Directors. A resignation is effective when the notice is received unless the notice specifies a later effective date. If a resignation is made effective at a later date, the Council may fill the pending vacancy before the effective date if the appointment provides that the successor does not take office until the effective date.

Section 3.6 Removal of Appointed Directors. The Council shall have the power to remove an Appointed Director with or without cause and appoint a replacement for such removed Appointed Director at any time by giving written notice to such Appointed Director and to the chairperson of the Board of Directors.

Section 3.7 Vacancies in Appointed Director Seats. If a vacancy occurs on the Board of Directors in a seat held by an Appointed Director, the Council shall appoint a director to fill such vacancy (in accordance with Section 3.4(b) of these bylaws). A director appointed to fill a vacancy shall hold office (a) until the later of the end of the unexpired term that such director is filling or the date on which such director's successor is appointed and qualifies or (b) until such director's earlier death, resignation, incapacity or removal.

Section 3.8 Chairperson and Vice Chairperson. The president of the corporation (*ex officio*) shall serve as chairperson of the Board of Directors and the vice president of the corporation (*ex officio*) shall serve as vice-chairperson of the Board of Directors. The chairperson of the Board of Directors shall preside at all meetings of the Board of Directors and perform such other duties as may be prescribed from time to time by the Board of Directors. The vice chairperson of the Board of Directors, in the absence of the chairperson, or in the event of the death, inability or refusal to act of the chairperson, shall preside at all meetings of the Board of Directors.

Section 3.9 No Compensation. No member of the Board of Directors shall receive compensation for his/her services as such.

Section 3.10 Director conflict of interest. Each director shall observe the Conflicts of interest and Compensation Policy of the corporation.

Section 3.11 Reports to Council. The treasurer of the corporation shall provide an annual financial report (and such other reports as may reasonably be requested by the Council) to the Council.

Article IV: Meetings of Directors

Section 4.1 Place of Meetings. All meetings of the Board of Directors shall be held at the principal office of the corporation or at such other place within the City of Cayce as the Board of Directors may determine.

Section 4.2 Annual Meeting. An annual meeting of the Board of Directors, for the purpose of appointing officers, approving a budget for the year, and transacting other business, shall be held each year on such date and time as the Board of Directors may determine.

Section 4.3 Regular Meetings. Additional regular meetings of the Board of Directors shall be held at such times as the Board of Directors may determine.

Section 4.4 Special Meetings. Special meetings of the Board of Directors may be called by or

at the request of the chairperson or at least 20% of the directors then in office.

Section 4.5 Notice of Meetings. Regular meetings of the Board of Directors (including the annual meeting) must be preceded by at least two (2) days notice to each director of the date, time and place, but not the purpose, of the meeting. Special meetings of the Board of Directors must be preceded by at least two (2) days' notice to each director of the date, time, place and purpose of the meeting. Notice required by the foregoing provisions may be oral or written and may be communicated in person; by telephone, facsimile transmission or other form of wire or wireless communication; or by mail or private carrier. However, any board action to approve a matter that would require approval by the members if the corporation had members, shall not be valid unless each director is given at least seven (7) days' written notice that the matter will be voted upon at a directors' meeting or unless notice is waived pursuant to Section 4.6 below. Oral notice is effective when communicated, if communicated in a comprehensible manner. Written notice, if in a comprehensible form, is effective at the earliest of the following: (a) when received; (b) five (5) days after its deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with first-class postage affixed; (c) on the date shown on the return receipt, if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee; or (d) fifteen (15) days after its deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with other than first class, registered or certified postage affixed. Written notice is correctly addressed to a director if addressed to the director's address shown in the corporation's current list of directors.

Section 4.6 Waiver of Notice. A director may at any time waive any notice required by law or these bylaws. Except as hereinafter provided in this section, the waiver must be in writing, signed by the director entitled to the notice, and filed with the minutes or the corporate records. A director's attendance at or participation in a meeting waives any required notice of the meeting unless the director upon arriving at the meeting or prior to the vote on a matter not noticed in conformity with law or these bylaws objects to lack of notice and does not thereafter vote for or assent to the objected to action.

Section 4.7 Quorum. A quorum of the Board of Directors consists of a majority of the directors in office immediately before a meeting begins; *provided*, that in no event shall a quorum consist of fewer than two (2) directors.

Section 4.8 Manner of Acting. If a quorum is present when a vote is taken, the affirmative vote of a majority of directors present is the act of the Board of Directors, unless the vote of a greater number of directors is required by law or these bylaws. No voting by proxy shall be permitted.

Section 4.9 Presumption of Assent. A director of the corporation who is present at a meeting of the Board of Directors or a committee of the Board of Directors when corporate action is taken is deemed to have assented to the action taken unless: (a) such director objects at the beginning of the meeting (or promptly upon arrival) to holding it or transacting business at the meeting; (b) such director's dissent or abstention from the action taken is entered in the minutes of the meeting; (c) such director votes against the action and the vote is entered in the minutes of the meeting; or (d) such director delivers written notice of dissent or abstention to the presiding officer of the meeting before adjournment or to the corporation immediately after adjournment of the meeting. The right

of dissent or abstention is not available to a director who votes in favor of the action taken.

Section 4.10 Meeting Via Communications Equipment. The Board of Directors may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of; any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 4.11 Action Without Meeting. Action required or permitted by law or these bylaws to be taken at a meeting of the Board of Directors may be taken without a meeting if the action is taken by all of the duly elected and qualified directors of the corporation. The action must be evidenced by one or more written consents describing the action taken, signed by each director, and included in the minutes filed with the corporate records reflecting the action taken. Action taken under this section is effective when the last director signs the consent, unless the consent specifies a different effective date. A consent signed under this section has the effect of a meeting vote and may be described as such in any document.

Article V: Officers

Section 5.1 Number. The officers of the corporation shall consist of a president, vice-president, secretary, treasurer, and such other officers as are appointed by the Board of Directors from time to time. The same person may simultaneously hold more than one office in the corporation. Each officer must also simultaneously be serving as a director of the corporation.

Section 5.2 Appointment and Term. The officers of the corporation shall be appointed by the Board of Directors at its annual meeting. The Nominating Committee shall present a slate of nominees for appointment. Nominations may also be made from the floor. Each officer shall hold office for a period of one (1) year, or until such officer's earlier death, resignation, or removal. A vacancy occurring in a position of officer of the corporation may be filled at any time by the Board of Directors. The term of an officer elected to fill a vacancy shall expire at the end of the unexpired term that such officer is filling. An officer may be re-elected for successive terms.

Section 5.3 Resignation and Removal. An officer may resign at any time by delivering notice to the corporation. A resignation is effective when the notice is effective unless the notice specifies a future effective date. If a resignation is made effective at a future date and the Board of Directors accepts the future effective date, the Board of Directors may fill the pending vacancy before the effective date if the board provides that the successor does not take office until the effective date. The Board of Directors may remove any officer at any time with or without cause.

Section 5.4 Contract Rights of Officers. The appointment of an officer does not itself create contract rights. An officer's removal does not affect the officer's contract rights, if any, with the corporation. An officer's resignation does not affect the corporation's contract rights, if any, with the officer.

Section 5.5 President. The president shall be the chief executive officer of the corporation and,

subject to the control of the Board of Directors, shall supervise and control the management of the corporation in accordance with these bylaws. The president may sign, with the secretary or any other proper officer of the corporation so authorized by the Board of Directors, any deeds, leases, mortgages, bonds, contracts, or other instruments which lawfully may be executed on behalf of the corporation, except where the signing and execution thereof expressly shall be delegated by the Board of Directors to some other officer or agent of the corporation, or where required by law to be otherwise signed and executed. The president shall, in general, perform all duties incident to the office of president and such other duties as may be prescribed from time to time by the Board of Directors.

Section 5.6 Vice President. In the absence of the president, or in the event of the death, inability or refusal to act of the president, the vice president, unless otherwise determined by the Board of Directors, shall perform the duties of the president and, when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The vice president shall perform such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.7 Secretary. The secretary shall: (a) cause to be prepared minutes of all meetings of the Board of Directors; (b) authenticate records of the corporation when requested to do so; (c) give all notices required by law and by these bylaws; (d) have general charge of the corporate books and records and of the corporate seal, and affix the corporate seal to any lawfully executed instrument requiring it; (e) sign such instruments as may require such signature; (J) cause such corporate reports as may be required by state law to be prepared and filed in a timely manner; and (g) in general, perform all duties incident to the office of secretary and such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.8 Treasurer. The treasurer shall: (a) have custody of all funds and securities belonging to the corporation and receive, deposit, or disburse the same under the direction of the Board of Directors; (b) keep full and accurate accounts of the finances of the corporation in books especially provided for that purpose; (c) cause such returns, reports, and/or schedules as may be required by the Internal Revenue Service and the state taxing authorities to be prepared and filed in a timely manner; (d) cause a true balance sheet (statement of the assets, liabilities and fund balance) of the corporation as of the close of each fiscal year and true statements of activity (support and revenue, expenses, and changes in fund balance), functional expenses, and cash flows for such fiscal year, all in reasonable detail, to be prepared and submitted yearly to the Board of Directors and to the Cayce City Council; and (e) in general, perform all duties incident to the office of treasurer and such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.9 No Compensation. The officers of the corporation described in the foregoing sections shall not be compensated for their services as such.

Section 5.10 Conflict of interest. Each officer shall observe the Conflicts of Interest and Compensation Policy of the corporation.

Section 5.11 Executive Director. The Board of Directors may appoint an executive director, who shall, subject to the control of the Board of Directors, have overall responsibility for the routine management of the affairs of the corporation. The executive director shall report to the Board of

Directors and shall work closely with the president of the corporation. Duties of the executive director shall include: (a) representing the corporation in the community; (b) overseeing the projects of the corporation; (c) supervising the administrative functions of the corporation; and (d) in general, performing such other duties as may be assigned from time to time by the president or the Board of Directors. The Board of Directors may approve reasonable compensation and benefits for the executive director. The executive director, while serving in that position, may not serve on the Board of Directors or as an officer of the corporation.

Article VI: Committees

Section 6.1 Board Committees in General. The Board of Directors may create one or more committees of the board, in addition to the Executive Committee established by these bylaws. Committees of the board shall be composed solely of individuals currently serving as duly elected and qualified directors of the corporation. Each committee of the board shall have two or more directors, who shall be appointed by and serve at the pleasure of the board. The creation of a committee of the board and appointment of members to it must be approved by a majority of all the directors in office when the action is taken. The provisions of Article IV of these bylaws, which govern meetings of the Board of Directors, shall apply to committees of the board and their members as well, except that no committee of the board shall be required to have an annual meeting or scheduled regular meetings. To the extent specified or authorized by the Board of Directors or in these bylaws, each committee of the board may exercise the authority of the board. A committee of the board may not, however: (a) authorize distributions; (b) approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the corporation's assets; (c) elect, appoint, or remove directors or fill vacancies on the board or on any committee of the board; (d) adopt, amend, or repeal the articles of incorporation or any bylaws; or (e) authorize the borrowing of money or issuance of debt by the corporation.

Section 6.2 Executive Committee. The Executive Committee, which is a committee of the board, shall consist of the president, vice president, secretary and treasurer and may include one or more other directors, to serve in such capacity until the next annual meeting of the Board of Directors; *provided* that the appointment of such additional directors must be approved by a majority of all the directors in office when such action is taken and that any such director may be removed from the Executive Committee at any time with or without cause by a majority of all the directors in office when such action is taken. The president shall serve as the chairperson of the Executive Committee and shall preside at all of its meetings. Except to the extent prohibited or limited by Section 6.1 above or by resolution of the Board of Directors, the Executive Committee may exercise the authority of the Board of Directors at such times as the board is not in session.

Section 6.3 Nonboard Committees in General. The Board of Directors may create one or more non-board committees, in addition to the Nominating Committee, and delegate nonboard functions to such committees. Nonboard committees may include both directors and individuals who are not directors of the corporation. Nonboard committees may not exercise the authority of the board.

Section 6.4 Nominating Committee. The Nominating Committee shall consist of at least two (2) members of the board and may include up to two persons who are not current members of the board. Retiring and former directors of the corporation shall be encouraged to consider serving on this committee. No current officer may be a member of this committee. The committee members shall be appointed by the Board of Directors on an annual basis, to serve until the next annual meeting of the board. A vacancy on this committee may be filled by the Board of Directors at any time. Members of the Nominating Committee may be appointed to successive terms. The committee shall present a slate of nominees for appointment as officers of the corporation.

Article VII: General Provisions

Section 7.1 Corporate Seal. The corporation may have a corporate seal in such form as the Board of Directors may from time to time determine.

Section 7.2 Amendments. These bylaws may be amended or repealed and new bylaws may be adopted by the Board of Directors. The corporation shall provide at least seven (7) days' written notice of any meeting of directors at which an amendment is to be approved, unless notice is waived pursuant to Section 4.6 above. The notice must state that the purpose, or one of the purposes, of the meeting is to consider a proposed amendment to the bylaws and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment. Any amendment must be approved by a majority of the directors in office at the time the amendment is adopted.

Section 7.3 Fiscal Year. The fiscal year of the corporation shall begin on July 1 and end on June 30 of the following calendar year.

Section 7.4 Financial Reports. The books of the corporation shall be closed as of the end of each fiscal year and financial statements shall be prepared and submitted to the Board of Directors. The corporation shall engage an independent certified public accountant to audit the financial statements and issue its opinion thereon.

Section 7.5 Corporate Minutes and Records. The corporation shall keep as permanent records minutes of all meetings of its Board of Directors, a record of all actions taken by the directors without a meeting, and a record of all actions taken by the Executive Committee and any other committees of the Board of Directors. The corporation shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time. The corporation shall keep a copy of the following records at its principal office: (a) its articles of incorporation or restated articles of incorporation and all amendments to them currently in effect; (b) its bylaws or restated bylaws and all amendments to them currently in effect; and (c) a list of the names and business or home addresses of its current directors and officers. The minutes and records described above shall be made available for inspection by current directors of the corporation during normal business hours. In addition, to the extent required by applicable law, the corporation shall make available for inspection during regular business hours, by any individual, copies of: (i) any application filed with and any letter or other document issued by the Internal Revenue Service with respect to the tax-exempt status of the corporation; and (ii) the annual returns filed with the Internal Revenue Service for the three most recent years (to the extent the corporation is required to file such

returns), provided that the names and addresses of contributors to the corporation may be kept confidential.

Section 7.6 Investments. The corporation shall have the right to retain all or any part of any securities or property acquired by the corporation in whatever manner, and to invest and reinvest any funds held by the corporation in such property, real, personal and mixed, and in such manner as the Board of Directors shall deem proper, and from time to time to change investments as the Board of Directors shall deem advisable; to invest in or retain any stocks, shares, bonds, notes, obligations, or personal or real property (including without limitation any interests in or obligations of any corporation, association, business trust, investment trust, common trust fund, or investment company) although some or all of the property so acquired or retained is of a kind or size which but for this express authority would not be considered proper, all according to the judgment of the Board of Directors, without being restricted to the class of investments which a director or trustee is or may hereafter be permitted by law to make or any similar restriction; *provided*, that no action shall be taken by or on behalf of the corporation if such action would result in the denial of tax-exempt status under Section 501(c)(3) of the Code.

Section 7.7 Checks and Drafts. All checks, drafts or other orders for the payment of money issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors, *provided* that any check, draft or other order for the payment of an amount in excess of Five Thousand Dollars (\$5,000.00) shall require two (2) authorized signatures; *provided further* that the Board of Directors may provide by resolution for exceptions to the two-signature requirement for specified checks or drafts or categories of checks or drafts (for example, the payment of recurring obligations such as debt service).

Section 7.8 No Loans to or Guaranties For Directors. The corporation may not lend money to or guarantee the obligation of a director or officer of the corporation, but the fact that a loan or guaranty is made in violation of this section does not affect the borrower's liability on the loan.

Section 7.9 Indemnification.

(a) Intention. The corporation shall indemnify its directors and officers as provided herein. Such provisions shall be interpreted to provide for indemnification of the directors and officers to the extent permitted by the South Carolina Nonprofit Corporation Act.

(b) Definitions.

(i) "Director" means an individual who is or was a director of the corporation or an individual who, while a director of the corporation, is or was serving at the corporation's request as a director, officer, partner, trustee, employee, or agent of another foreign or domestic business or a nonprofit corporation, partnership, joint venture, bust or other enterprise.

(ii) "Expenses" include counsel fees.

(iii) "Liability" means the obligation to pay a judgment, settlement, penalty, fine, or reasonable expenses actually incurred with respect to a proceeding.

(iv) "Official capacity" means (A) when used with respect to a director, the office of director in the corporation, and (B) when used with respect to an officer, the office in the corporation held by the officer. "Official capacity" does not include service for any other foreign or domestic business or nonprofit corporation or any partnership, joint venture, trust or other enterprise.

(v) "Party" includes an individual who was, is or is threatened to be made a named defendant or respondent in a proceeding.

(vi) "Proceeding" means a threatened, pending, or completed action, suit, or proceeding whether civil, criminal, administrative, or investigative and whether formal or informal.

(c) Indemnification of Directors.

(i) Except as provided in subsection (iii), the corporation shall indemnify an individual made a party to a proceeding because the individual is or was a director against liability incurred in the proceeding if the individual (A) conducted himself in good faith; and (B) reasonably believed (I) in the case of conduct in his official capacity with the corporation, that his conduct was in the corporation's best interest; and (II) in all other cases, that his conduct was at least not opposed to the corporation's best interests; and (C) in the case of a criminal proceeding, had no reasonable cause to believe his conduct was unlawful.

(ii) The termination of a proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent is not, of itself, determinative that the director did not meet the standard of conduct described in subsection (c)(i).

(iii) The corporation shall not indemnify a director under this Section 7.9: (A) in connection with a proceeding by or in the right of a corporation in which the director was adjudged liable to corporation; or (B) in connection with any other proceeding charging improper personal benefit to the director, whether or not involving action in his official capacity, in which the director was adjudged liable on the basis that personal benefit was improperly received by the director.

(iv) Indemnification permitted under this Section 7.9 in connection with a proceeding by or in the right of corporation is limited to reasonable expenses incurred in connection with the proceeding.

(d) Determination and Authorization of Indemnification.

(i) The corporation shall not indemnify a director under this Section 7.9 unless authorized in the specific case after a determination has been made that indemnification of the director is permissible in the circumstances because the director has met the standard of

conduct set forth in Section 7.9(c)(i).

(ii) The determination must be made (A) by the board of directors by majority vote of a quorum consisting of directors not at the time parties to the proceeding; (B) if a quorum cannot be obtained under item (A), by a majority vote of a committee duly designated by the board of directors (in which designation directors who are parties may participate), consisting solely of two or more directors not at the time parties to the proceeding; (C) by special legal counsel (I) selected by the board of directors or its committee in the manner prescribed in items (A) or (B) above; or (II) if a quorum of the board cannot be obtained under item (A) and a committee cannot be designated under item (B), selected by a majority vote of the full board (in which selection directors who are parties may participate). Directors who are at the time parties to the proceeding may not vote on the determination.

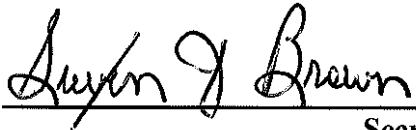
(iii) Authorization of indemnification and evaluation as to reasonableness of expenses must be made in the same manner as the determination that indemnification is permissible, except that if the determination is made by special legal counsel, authorization of indemnification and evaluation as to reasonableness of expenses must be made by those entitled under subsection (ii)(C) to select counsel.

(iv) A director may not be indemnified until 20 days after the effective date of written notice to the Attorney General of the State of South Carolina of the proposed indemnification.

(e) Indemnification of Officers. An officer of the corporation is entitled to indemnification to the same extent as a director.

(f) Insurance. The corporation may purchase and maintain insurance on behalf of an individual who is or was a director, officer, employee or agent of the corporation, or who, while a director, officer, employee or agent of the corporation, is or was serving at the request of the corporation as a director, officer, partner, trustee, employee or agent of another foreign or domestic business or nonprofit corporation, partnership, joint venture, trust, or other enterprise, against liability asserted against or incurred by him/her in that capacity or arising from his/her status as a director, officer, employee or agent, whether or not the corporation would have the power to indemnify the person against the same liability under the foregoing provisions of this section or the provisions of the Nonprofit Act.

Adopted July 15 , 2010


_____, Secretary

**BYLAWS OF THE
CAYCE PUBLIC SAFETY FOUNDATION
Approved 2010**

Article I: Name, Form of Organization, and Purposes

Section 1.1 Name. The name of the corporation is the Cayce Public Safety Foundation.

Section 1.2 Nonprofit and Tax-exempt Status. The corporation is organized as a nonprofit corporation under the South Carolina Nonprofit Corporation Act, Chapter 31, Title 33 of the Code of Laws of South Carolina 1976, as amended (the "Nonprofit Act"), and as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, as amended. The corporation is a public benefit corporation and shall have perpetual duration and succession.

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- (b) The City Council (the "Council") of the City of Cayce, South Carolina (the "City") shall appoint ten (10) directors (the "Appointed Directors") who live, work or have a business in the City as community representatives.
- (c) The individuals serving, from time to time, as (1) the Mayor of the City (or the Mayor Pro Tem of the City in the event the Mayor is serving on the Board of the Cayce Beautification Foundation), (2) a member of Council appointed by the Council, (3) the City Manager or the Deputy/Assistant City Manager, (4) the Chief of Police or Assistant Chief of Police, and (5) the Fire Chief or Assistant Fire Chief shall also serve as directors of the corporation and shall constitute the "Designated Directors." Each such individual shall serve as a director of the corporation by virtue of holding such listed capacity. If for any reason, such individual ceases to hold such capacity, such individual shall cease to be a director of the corporation. If a vacancy occurs in any of the capacities listed in Section 3.4(c), then the number of directors on the Board of Directors of the corporation shall automatically be reduced by the number of such vacancies (and shall be automatically increased as and when any such vacancy is filled).
- (d) Each Appointed Director shall serve a term of three years (and until a successor is appointed and qualified) or until such director's earlier death, resignation, incapacity to serve, or removal.
- (e) An Appointed Director may be reappointed for successive terms.
- (f) All Appointed Directors and all Designated Directors shall have voting rights.

Section 3.5 Resignation of Appointed Directors. An Appointed Director may resign by delivering written notice to the chairperson of the Board of Directors. A resignation is effective when the notice is received unless the notice specifies a later effective date. If a resignation is made effective at a later date, the Council may fill the pending vacancy before the effective date if the appointment provides that the successor does not take office until the effective date.

Section 3.6 Removal of Appointed Directors. The Council shall have the power to remove an Appointed Director with or without cause and appoint a replacement for such removed Appointed Director at any time by giving written notice to such Appointed Director and to the chairperson of the Board of Directors.

Section 3.7 Vacancies in Appointed Director Seats. If a vacancy occurs on the Board of Directors

in a seat held by an Appointed Director, the Council shall appoint a director to fill such vacancy (in accordance with Section 3.4(b) of these bylaws). A director appointed to fill a vacancy shall hold office (a) until the later of the end of the unexpired term that such director is filling or the date on which such director's successor is appointed and qualifies or (b) until such director's earlier death, resignation, incapacity, or removal

Section 3.8 Chairperson and Vice Chairperson. The president of the corporation (*ex officio*) shall serve as chairperson of the Board of Directors and the vice president of the corporation (*ex officio*) shall serve as vice-chairperson of the Board of Directors. The chairperson of the Board of Directors shall preside at all meetings of the Board of Directors and perform such other duties as may be prescribed from time to time by the Board of Directors. The vice chairperson of the Board of Directors, in the absence of the chairperson, or in the event of the death, inability or refusal to act of the chairperson, shall preside at all meetings of the Board of Directors.

Section 3.9 No Compensation. No member of the Board of Directors shall receive compensation for his/her services as such.

Section 3.10 Director conflict of interest. Each director shall observe the Conflicts of Interest and Compensation Policy of the corporation.

Section 3.11 Reports to Council. The corporation shall provide an annual financial report (and such other reports as may reasonably be requested by the Council) to the Council.

Section 3.12 Attendance. Foundation members are expected to attend all meetings. Failure to attend four (4) regularly scheduled meetings, or one third (1/3) of all meetings scheduled, during a Commission year, without sufficient excuse, will result in removal from the Board.

Article IV: Meetings of Directors

Section 4.1 Place of Meetings. All meetings of the Board of Directors shall be held at the principal office of the corporation or at such other place or by electronic methods as the Board of Directors may determine.

Section 4.2 Annual Meeting. An annual meeting of the Board of Directors, for the purpose of appointing officers, approving a budget for the year, and transacting other business, shall be held each year on such date and time as the Board of Directors may determine.

Section 4.3 Regular Meetings. Additional regular meetings of the Board of Directors shall be held at such times as the Board of Directors may determine.

Section 4.4 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the chairperson or at least 20% of the directors then in office.

Section 4.5 Notice of Meetings. Regular meetings of the Board of Directors (including the annual meeting) must be preceded by at least two (2) days' notice to each director of the date, time and place, but not the purpose, of the meeting. Special meetings of the Board of Directors must be preceded by at least two (2) days' notice to each director of the date, time, place and purpose of the

meeting. Notice required by the foregoing provisions may be oral or written and may be communicated in person; by telephone, facsimile transmission or other form of wire or wireless communication; or by mail or private carrier. However, any board action to approve a matter that would require approval by the members if the corporation had members, shall not be valid unless each director is given at least seven (7) days' written notice that the matter will be voted upon at a directors' meeting or unless notice is waived pursuant to Section 4.6 below. Oral notice is effective when communicated, if communicated in a comprehensible manner. Written notice, if in a comprehensible form, is effective at the earliest of the following: (a) when received; (b) five (5) days after its deposit in the United States mail as evidenced by the postmark, if mailed correctly addressed and with first-class postage affixed; (c) on the date shown on the return receipt, if sent by registered or certified mail return receipt requested, and the receipt is signed by or on behalf of the addressee; or (d) fifteen (15) days after its deposit in the United States mail as evidenced by the postmark, if mailed correctly addressed and with other than first class, registered or certified postage affixed. Written notice is correctly addressed to a director if addressed to the director's address shown in the corporation's current list of directors.

Section 4.6 Waiver of Notice. A director may at any time waive any notice required by law or these bylaws. Except as hereinafter provided in this section, the waiver must be in writing, signed by the director entitled to the notice, and filed with the minutes or the corporate records. A director's attendance at or participation in a meeting waives any required notice of the meeting unless the director upon arriving at the meeting or prior to the vote on a matter not noticed in conformity with law or these bylaws objects to lack of notice and does not thereafter vote for or assent to the objected to action

Section 4.7 Quorum. A quorum of the Board of Directors consists of the number of directors attending a properly called meeting; *provided*, that in no event shall a quorum consist of fewer than two (2) directors.

Section 4.8 Manner of Acting. If a quorum is present when a vote is taken, the affirmative vote of a majority of directors present is the act of the Board of Directors, unless the vote of a greater number of directors is required by law or these bylaws. No voting by proxy shall be permitted.

Section 4.9 Presumption of Assent. A director of the corporation who is present at a meeting of the Board of Directors or a committee of the Board of Directors when corporate action is taken is deemed to have assented to the action taken unless: (a) such director objects at the beginning of the meeting (or promptly upon arrival) to holding it or transacting business at the meeting; (b) such director's dissent or abstention from the action taken is entered in the minutes of the meeting; (c) such director votes against the action and the vote is entered in the minutes of the meeting; or (d) such director delivers written notice of dissent or abstention to the presiding officer of the meeting before adjournment or to the corporation immediately after adjournment of the meeting. The right of dissent or abstention is not available to a director who votes in favor of the action taken.

Section 4.10 Meeting Via Communications Equipment. The Board of Directors may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of; any means of communication by which all directors participating may simultaneously

hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 4.11 Action Without Meeting. Action required or permitted by law or these bylaws to be taken at a meeting of the Board of Directors may be taken without a meeting if the action is presented to all of the duly elected and qualified directors of the corporation. The action must be evidenced by one or more written consents describing the action taken, signed, or emailed by each director and included in the minutes filed with the corporate records reflecting the action taken. Actions taken must be approved by the majority of current board members. Action taken under this section is effective when the last director signs/emails the consent, unless the consent specifies a different effective date. A consent signed under this section has the effect of a meeting vote and may be described as such in any document.

Article V: Officers

Section 5.1 Number. The officers of the corporation shall consist of a president, vice-president, secretary, treasurer, and such other officers as are appointed by the Board of Directors from time to time. The same person may simultaneously hold more than one office in the corporation. Each officer must also simultaneously be serving as a director or the executive director of the corporation.

Section 5.2 Appointment and Term. The officers of the corporation shall be appointed by the Board of Directors at its annual meeting. The Nominating Committee shall present a slate of nominees for appointment. Nominations may also be made from the floor. Each officer shall hold office for a period of one (1) year, or until such officer's earlier death, resignation, or removal. A vacancy occurring in a position of officer of the corporation may be filled at any time by the Board of Directors. The term of an officer elected to fill a vacancy shall expire at the end of the unexpired term that such officer is filling. An officer may be re-elected for successive terms.

Section 5.3 Resignation and Removal. An officer may resign at any time by delivering notice to the corporation. A resignation is effective when the notice is effective unless the notice specifies a future effective date. If a resignation is made effective at a future date and the Board of Directors accepts the future effective date, the Board of Directors may fill the pending vacancy before the effective date if the board provides that the successor does not take office until the effective date. The Board of Directors may remove any officer at any time with or without cause.

Section 5.4 Contract Rights of Officers. The appointment of an officer does not itself create contract rights. An officer's removal does not affect the officer's contract rights, if any, with the corporation. An officer's resignation does not affect the corporation's contract rights, if any, with the officer.

Section 5.5 President. The president shall be the chief executive officer of the corporation and subject to the control of the Board of Directors, shall supervise and control the management of the corporation in accordance with these bylaws. The president may sign, with the secretary or any other proper officer of the corporation so authorized by the Board of Directors, any deeds, leases, mortgages, bonds, contracts, or other instruments which lawfully may be executed on behalf of the corporation, except where the signing and execution thereof expressly shall be delegated by the

Board of Directors to some other officer or agent of the corporation, or where required by law to be otherwise signed and executed. The president shall, in general, perform all duties incident to the office of president and such other duties as may be prescribed from time to time by the Board of Directors.

Section 5.6 Vice President. In the absence of the president, or in the event of the death, inability, or refusal to act of the president, the vice president, unless otherwise determined by the Board of Directors, shall perform the duties of the president and, when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The vice president shall perform such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.7 Secretary. The secretary shall: (a) cause to be prepared minutes of all meetings of the Board of Directors; (b) authenticate records of the corporation when requested to do so; (c) give all notices required by law and by these bylaws; (d) have general charge of the corporate books and records and of the corporate seal, and affix the corporate seal to any lawfully executed instrument requiring it; (e) sign such instruments as may require such signature; (f) cause such corporate reports as may be required by state law to be prepared and filed in a timely manner; and (g) in general, perform all duties incident to the office of secretary and such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.8 Treasurer. The treasurer shall: (a) have custody of all funds and securities belonging to the corporation and receive, deposit, or disburse the same under the direction of the Board of Directors; (b) keep full and accurate accounts of the finances of the corporation in books especially provided for that purpose; (c) cause such returns, reports, and/or schedules as may be required by the Internal Revenue Service and the state taxing authorities to be prepared and filed in a timely manner; (d) cause a true balance sheet (statement of the assets, liabilities and fund balance) of the corporation as of the close of each fiscal year and true statements of activity (support and revenue, expenses, and changes in fund balance), functional expenses, and cash flows for such fiscal year, all in reasonable detail, to be prepared and submitted to the Board of Directors; and (e) in general, perform all duties incident to the office of treasurer and such other duties as may be assigned from time to time by the president or the Board of Directors.

Section 5.9 No Compensation. The officers of the corporation described in the foregoing sections shall not be compensated for their services as such.

Section 5.10 Conflict of interest. Each officer shall observe the Conflicts of Interest and Compensation Policy of the corporation.

Section 5.11 Executive Director. The Board of Directors may appoint an executive director, who shall, subject to the control of the Board of Directors, have overall responsibility for the routine management of the affairs of the corporation. The executive director shall report to the Board of Directors and shall work closely with the president of the corporation. Duties of the executive director shall include: (a) representing the corporation in the community; (b) overseeing the projects of the corporation; (c) supervising the administrative functions of the corporation; and (d) in general, performing such other duties as may be assigned from time to time by the president or the Board of Directors. The Board of Directors may approve reasonable compensation and benefits for

The executive director. The executive director may not be elected to serve on the Board of Directors but may simultaneously hold one or more of the offices of the corporation.

Article VI: Committees

Section 6.1 Board Committees. In General the Board of Directors may create one or more committees of the board, in addition to the Executive Committee established by these bylaws. Committees of the board shall be composed solely of individuals currently serving as duly elected and qualified directors of the corporation Each committee of the board shall have two or more directors, who shall be appointed by and serve at the pleasure of the board. The creation of a committee of the board and appointment of members to it must be approved by a majority of all the directors in office when the action is taken The provisions of Article IV of these bylaws, which govern meetings of the Board of Directors, shall apply to committees of the board and their members as well, except that no committee of the board shall be required to have an annual meeting or scheduled regular meetings. To the extent specified or authorized by the Board of Directors or in these bylaws, each committee of the board may exercise the authority of the board. A committee of the board may not, however: (a) authorize distributions; (b) approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the corporation's assets; (c) elect, appoint, or remove directors or fill vacancies on the board or on any committee of the board; (d) adopt, amend, or repeal the articles of incorporation or any bylaws; or (e) authorize the borrowing of money or issuance of debt by the corporation

Section 6.2 Executive Committee. The Executive Committee, which is a committee of the board, shall consist of the president, vice president, secretary and treasurer and may include one or more other directors, to serve in such capacity until the next annual meeting of the Board of Directors; *provided* that the appointment of such additional directors must be approved by a majority of all the directors in office when such action is taken and that any such director may be removed from the Executive Committee at any time with or without cause by a majority of all the directors in office when such action is taken. The president shall serve as the chairperson of the Executive Committee and shall preside at all of its meetings. Except to the extent prohibited or limited by Section 6.1 above or by resolution of the Board of Directors, the Executive Committee may exercise the authority of the Board of Directors at such times as the board is not in session.

Section 6.3 Non-board Committees in General. The Board of Directors may create one or more non-board committees, in addition to the Nominating Committee, and delegate non-board functions to such committees. Non-board committees may include both directors and individuals who are not directors of the corporation. Non-board committees may not exercise the authority of the board.

Section 6.4 Nominating Committee. The Nominating Committee shall consist of at least two (2) Members of the board and may include up to two persons who are not current members of the board. Retiring and former directors of the corporation shall be encouraged to consider serving on this committee. No current officer may be a member of this committee. The committee members shall be appointed by the Board of Directors on an annual basis, to serve until the next annual meeting of the board. A vacancy on this committee may be filled by the Board of Directors at any

Time. Members of the Nominating Committee may be appointed to successive terms. The committee shall present a slate of nominees for appointment as officers of the corporation.

Article VII: General Provisions

Section 7.1 Corporate Seal. The Corporation may have a corporate seal in such form as the Board of Directors may from time to time determine.

Section 7.2 Amendments. These bylaws may be amended or repealed, and new bylaws may be adopted by the Board of Directors. The corporation shall provide at least seven (7) days' written notice of any meeting of directors at which an amendment is to be approved unless notice is waived pursuant to Section 4.6 above. The notice must state that the purpose, or one of the purposes, of the meeting is to consider a proposed amendment to the bylaws and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment. Any amendment must be approved by a majority of the directors in office at the time the amendment is adopted.

Section 7.3 Fiscal Year. The fiscal year of the corporation shall begin on January 1 and end on December 31 of the following calendar year.

Section 7.4 Financial Reports. The books of the corporation shall be closed as of the end of each fiscal year and financial statements shall be prepared and submitted to the Board of Directors. The corporation shall engage an independent certified public accountant to audit the financial statements and issue its opinion thereon.

Section 7.5 Corporate Minutes and Records. The corporation shall keep as permanent records minutes of all meetings of its Board of Directors, a record of all actions taken by the directors without a meeting, and a record of all actions taken by the Executive Committee and any other committees of the Board of Directors. The corporation shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time. The corporation shall keep a copy of the following records at its principal office: (a) its articles of incorporation or restated articles of incorporation and all amendments to them currently in effect; (b) its bylaws or restated bylaws and all amendments to them currently in effect; and (c) a list of the names and business or home addresses of its current directors and officers. The minutes and records described above shall be made available for inspection by current directors of the corporation during normal business hours. In addition, to the extent required by applicable law, the corporation shall make available for inspection during regular business hours, by any individual, copies of: (i) any application filed with and any letter or other document issued by the Internal Revenue Service with respect to the tax-exempt status of the corporation; and (ii) the annual returns filed with the Internal Revenue Service for the three most recent years (to the extent the corporation is required to file such returns), provided that the names and addresses of contributors to the corporation may be kept confidential.

Section 7.6 Investments. The corporation shall have the right to retain all or any part of any securities or property acquired by the corporation in whatever manner, and to invest and reinvest any funds held by the corporation in such property, real personal and mixed, and in such manner

as the Board of Directors shall deem proper, and from time to time to change investments as the Board of Directors shall deem advisable; to invest in or retain any stocks, shares, bonds, notes, obligations, or personal or real property (including without limitation any interests in or obligations of any corporation, association, business trust, investment trust, common trust fund, or investment company) although some or all of the property so acquired or retained is of a kind or size which but for this express authority would not be considered proper, all according to the judgment of the Board of Directors, without being restricted to the class of investments which a director or trustee is or may hereafter be permitted by law to make or any similar restriction; *provided*, that no action shall be taken by or on behalf of the corporation if such action would result in the denial of tax-exempt status under Section 501(c)(3) of the Code.

Section 7.7 Checks and Drafts. All checks, drafts or other orders for the payment of money issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors, *provided* that any purchase/distribution in excess of Five Thousand Dollars (\$5,000.00) shall require approval of the Board of Directors by either direct vote or must be specifically identified in the yearly approved budget; *provided further* that the Board of Directors may provide by resolution exceptions to this requirement or place stricter requirements for certain types of transactions (such as grant funds).

Section 7.8 No Loans to or Guaranties for Directors. The corporation may not lend money to or guarantee the obligation of a director or officer of the corporation, but the fact that a loan or guaranty is made in violation of this section does not affect the borrower's liability on the loan.

Section 7.9 Indemnification.

(a) Intention. The corporation shall indemnify its directors and officers as provided herein. Such provisions shall be interpreted to provide for indemnification of the directors and officers to the extent permitted by the South Carolina Nonprofit Corporation Act.

(b) Definitions.

- i. "Director" means an individual who is or was a director of the corporation or an individual who, while a director of the corporation, is or was serving at the corporation's request as a director, officer, partner, trustee, employee, or agent of another foreign or domestic business or a nonprofit corporation, partnership, joint venture, trust or other enterprise.
- ii. "Expenses" include counsel fees.
- iii. "Liability" means the obligation to pay a judgment, settlement, penalty, fine, or reasonable expenses actually incurred with respect to a proceeding.
- iv. "Official capacity" means (A) when used with respect to a director, the office of director in the corporation, and (B) when used with respect to an officer, the office in the corporation held by the officer. "Official capacity" does not include service for any other foreign or domestic business or nonprofit corporation or any partnership, joint venture, trust or other enterprise.
- v. "Party" includes an individual who was, is or is threatened to be made a named

defendant or respondent in a proceeding.

- vi. "Proceeding" means a threatened, pending, or completed action, suit, or proceeding whether civil, criminal administrative, or investigative and whether formal or informal.

(c) Indemnification of Directors.

(i) Except as provided in subsection (iii), the corporation shall indemnify an individual made a party to a proceeding because the individual is or was a director against liability incurred in the proceeding if the individual (A) conducted himself in good faith; and (B) reasonably believed (I) in the case of conduct in his official capacity with the corporation, that his conduct was in the corporation's best interest; and {II} in all other cases, that his conduct was at least not opposed to the corporation's best interests; and (C) in the case of a criminal proceeding, had no reasonable cause to believe his conduct was unlawful.

(ii) The termination of a proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent is not, of itself, determinative that the director did not meet the standard of conduct described in subsection (c)(i).

(iii) The corporation shall not indemnify a director under this Section 7.9: (A) in connection with a proceeding by or in the right of a corporation in which the director was adjudged liable to corporation; or (B) in connection with any other proceeding charging improper personal benefit to the director, whether or not involving action in his official capacity, in which the director was adjudged liable on the basis that personal benefit was improperly received by the director.

(iv) Indemnification permitted under this Section 7.9 in connection with a proceeding by or in the right of corporation is limited to reasonable expenses incurred in connection with the proceeding.

(d) Determination and Authorization of Indemnification.

- (i) The corporation shall not indemnify a director under this Section 7.9 unless authorized in the specific case after a determination has been made that indemnification of the director is permissible in the circumstances because the director has met the standard of conduct set forth in Section 7.9(c)(i).

(ii) The determination must be made (A) by the board of directors by majority vote of a quorum consisting of directors not at the time parties to the proceeding; (B) if a quorum cannot be obtained under item (A), by a majority vote of a committee duly designated by the board of directors (in which designation directors who are parties may participate), consisting solely of two or more directors not at the time parties to the proceeding; (C) by special legal

counsel (I) selected by the board of directors or its committee in the manner prescribed in items (A) or (B) above; or (II) if a quorum of the board cannot be obtained under item (A) and a committee cannot be designated under item (B), selected by a majority vote of the full board (in which selection directors who are parties may participate). Directors who are at the time parties to the proceeding may not vote on the determination.

(iii) Authorization of indemnification and evaluation as to reasonableness of expenses must be made in the same manner as the determination that indemnification is permissible, except that if the determination is made by special legal counsel, authorization of indemnification and evaluation as to reasonableness of expenses must be made by those entitled under subsection (ii)(C) to select counsel.

(iv) A director may not be indemnified until 20 days after the effective date of written notice to the Attorney General of the State of South Carolina of the proposed indemnification.

(e) Indemnification of Officers. An officer of the corporation is entitled to indemnification to the same extent as a director.

(f) Insurance. The corporation may purchase and maintain insurance on behalf of an individual who is or was a director, officer, employee or agent of the corporation, or who, while a director, officer, employee or agent of the corporation, is or was serving at the request of the corporation as a director, officer, partner, trustee, employee or agent of another foreign or domestic business or nonprofit corporation, partnership, joint venture, trust, or other enterprise, against liability asserted against or incurred by him/her in that capacity or arising from his/her status as a director, officer, employee or agent, whether or not the corporation would have the power to indemnify the person against the same liability under the foregoing provisions of this section or the provisions of the Nonprofit Act.

Section 7.10: Dissolution. Upon the dissolution of this foundation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose."

Adopted 2010

Amended

2/3/2015

6/29/2022

5/23/2023

ITEM V. D.

External Boards Council Serves On

- Central Midlands Council of Governments Board
- COMET Board
- Joint Municipal Water and Sewer Commission Board
- National League of Cities
- River Alliance Board