



## CITY OF CAYCE

*MAYOR*  
ELISE PARTIN

*MAYOR PRO-TEM*  
JAMES E. JENKINS

*COUNCIL MEMBERS*  
TARA S. ALMOND  
PHIL CARTER  
EVA CORLEY

*CITY MANAGER*  
REBECCA VANCE

*ASSISTANT CITY MANAGER*  
SHAUN M. GREENWOOD

**City of Cayce  
Special Council Meeting  
Thursday, September 29, 2016  
6:00 p.m. – Cayce City Hall – 1800 12<sup>th</sup> Street  
[www.cityofcayce-sc.gov](http://www.cityofcayce-sc.gov)**

**I. Call to Order**

- A. Invocation and Pledge of Allegiance

**II. Public Comment Regarding Items on the Agenda**

**III. Presentations**

- A. Presentation of City of Cayce Safety Banner Contest Award  
B. Presentation by Dr. Nancy Chapman re the City's Property Registration Program  
C. Presentation by Mr. Robert Killion re the City's Property Registration Program

**IV. Ordinances and Resolutions**

- A. Discussion and Approval of Ordinance 2016-16 Amending Section 2-71 of the Cayce City Code Relating to Appearance of Citizens for Comments at Council Meetings – First Reading  
B. Discussion and Approval of Resolution Approving Memorandum of Understanding between Cayce Department of Public Safety and Office of South Carolina Attorney General concerning the Internet Crimes Against Children Task Force  
C. Discussion and Approval of Resolution Approving Law Enforcement Assistance and Support Agreement with Town of Lexington  
D. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 902 Holland Avenue  
E. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 1807 State Street  
F. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 1414 and 1417 Frink Street

- G. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 2256 Charleston Highway
  - H. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 2400 Julius Felder Street
  - I. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 901 Knox Abbott Drive
  - J. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 1140 Charlotte Avenue
  - K. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 2191 Wilkinson Street
  - L. Discussion and Approval of Resolution Authorizing a Condemnation Action for a Water Line Easement for Property at 1499 Benedict Street
- V. City Manager's Report**
- VI. Committee Matters**
- A. Appointments and Reappointments  
Board of Zoning Appeals – One (1) Position
- VII. Council Comments**
- VIII. Executive Session**
- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
  - B. Discussion of negotiations incident to proposed contractual arrangements concerning a possible economic development project and discussion of matters relating to proposed location and provision of services encouraging location of business in the City
  - C. Discussion of negotiations incident to proposed contractual arrangements regarding the funding of a waterline project
  - D. Discussion of negotiations incident to proposed contractual arrangements with Lexington County
  - E. Discussion of negotiations incident to proposed contractual arrangements regarding sewer service
- IX. Reconvene**
- X. Possible Actions by Council in follow up to Executive Session**
- XI. Adjourn**

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

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# Memorandum

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**To:** Mayor and Council  
**From:** Rodney Thomas, Safety and Risk Manager  
**Date:** September 27, 2016  
**Subject:** City of Cayce Safety Banner Contest

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The City has always viewed safety as a primary focus of its business operations. In the past few years the City has increased efforts to promote safety and encourage employee health. The Safety Banner Contest is just one effort that has been implemented to encourage and promote employee safety.

The Safety Banner Contest looks at encouraging employee participation by allowing them to show their creativity in developing banners to be displayed at different facilities throughout the City of Cayce.

Zan Norris, a staff member of the City's Wastewater Treatment Facility, was chosen as this year's winner.

Because of Ms. Norris' creativity and interest in promoting safety she will receive the items below:

1. Coupon for a day off.
2. Ruby Tuesday's Gift Card for \$75
3. Jacket with her name and the City's Logo.

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# Memorandum

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**To:** Mayor and Council

**From:** Mendy Corder, Municipal Clerk

**Date:** September 27, 2016

**Subject:** Approval of Ordinance 2016-16 amending Section 2-71 of the Cayce City Code relating to the appearance of citizens for comments at Council Meetings.

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## **ISSUE**

Council approval is needed for the First Reading of an Ordinance amending Section 2-71 of the Cayce City Code relating to the appearance of citizens for comments at Council Meetings

## **BACKGROUND/DISCUSSION**

Any citizen of the City of Cayce may speak at a Council Meeting 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 (5) 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. At the discretion of the mayor or presiding officer, the length of time for any speaker's presentation may be limited and the number of speakers also may be limited.

In the interest of promoting good order at City Council meetings, staff recommends amending Section 2-71 to set the length of time of any speaker's presentation to a maximum of five minutes. Also a presentation may be curtailed if determined to be disruptive, contentious or uncivil. This decision will be at the discretion of the mayor or presiding officer or by majority vote of council.

## **RECOMMENDATION**

Staff recommends Council approve First Reading of an Ordinance amending Section 2-71 of the Cayce City Code relating to the appearance of citizens for comments at Council Meetings.

<p><b>STATE OF SOUTH CAROLINA</b></p> <p><b>COUNTY OF LEXINGTON</b></p> <p><b>CITY OF CAYCE</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>ORDINANCE 2016-16</b></p> <p><b>Amending Section 2-71 of the</b></p> <p><b>Cayce City Code Relating to the</b></p> <p><b>Appearance of Citizens for</b></p> <p><b>Comments at Council Meetings</b></p>
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**WHEREAS**, the Council has determined that it is necessary and proper, and in the interest of promoting good order at City Council meetings, that the City amend the current wording of its Code in Section 2-71 concerning the appearance of citizens for comments at Council meetings,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the final sentence of Section 2-71 (“Appearance of Citizens”) of the City of Cayce Code of Ordinances is hereby amended to read as follows:

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 vote of council.

This Ordinance shall be effective from the date of second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
 Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
 Mendy C. Corder, Municipal Clerk

First reading: \_\_\_\_\_

Second reading and adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
 Danny C. Crowe, City Attorney

Sec. 2-71. - Appearance of citizens.

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 vote of council. ~~At the discretion of the mayor or presiding officer, the length of time for any speaker's presentation may be limited and the number of speakers also may be limited.~~

(Code 1975, § 2-32; Ord. of 6-6-2006(1))

STATE OF SOUTH CAROLINA	)	<b>RESOLUTION</b>
	)	<b>Approving Memorandum of</b>
COUNTY OF LEXINGTON	)	<b>Understanding between Office of the</b>
	)	<b>State Attorney General and the</b>
CITY OF CAYCE	)	<b>City Department of Public Safety</b>
	)	<b>Concerning Internet Crimes Against</b>
	)	<b>Children Task Force</b>

**WHEREAS**, the need for law enforcement agencies to enter into contracts with other law enforcement agencies for mutual aid and support and for multijurisdictional task forces is recognized in Chapter 20 (“Law Enforcement Assistance and Support Act”) of Title 23 (“Law Enforcement and Public Safety”) of the South Carolina Code of Laws; and

**WHEREAS**, S.C. Code section 23-20-40(B), which is a part of Chapter 20 of Title 23 of the State Code, provides that an agreement entered into pursuant to that chapter on behalf of a law enforcement authority must be approved by the appropriate governing body of the concerned county, municipality or other political subdivision; and

**WHEREAS**, the Council wishes to clarify and confirm the process by which it approves such mutual aid agreements and task force agreements as are entered into by the law enforcement agency of the City of Cayce,

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

The City Council hereby ratifies or approves the City of Cayce and its Department of Public Safety entering into the Memorandum of Understanding with the Office of the State Attorney General concerning participation in the South Carolina Internet Crimes Against Children Task Force, as attached, and the Mayor and the Director of the Department of Public Safety are authorized to sign the Memorandum of Understanding on behalf of the City.

**ADOPTED** this \_\_\_\_\_ day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

**ATTEST:**

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney



# MEMORANDUM OF UNDERSTANDING

## INTERNET CRIMES AGAINST CHILDREN TASK FORCE

### PARTIES

The Office of the South Carolina Attorney General (**OFFICE**) is the chief prosecutor for the State (Article V, Section 24, South Carolina Constitution). The **OFFICE** is the recipient of a United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (**OJJDP**) grant to enforce laws regarding Internet crimes against children (**ICAC**), and the **OFFICE** utilizes this grant to administer and operate the South Carolina Internet Crimes Against Children (**SC ICAC**) Task Force.

This Memorandum of Understanding (**MOU**) is entered into by the **OFFICE** and the Cayce Police Department (**CAYCE**).

### OVERVIEW / MISSION STATEMENT

OJJDP created the ICAC Task Force Program, which is a national network of state and local law enforcement cybercrime units. The national ICAC program helps state and local law enforcement agencies develop an effective response to technology-facilitated crimes against children. This assistance encompasses investigative and forensic components, training and technical assistance, victim services, and community education. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency, team approach to investigating and prosecuting ICAC cases.

The SC ICAC Task Force mission is to: (1) properly investigate and prosecute those who sexually exploit children through the use of any technology-facilitated communication; (2) train and equip those involved in investigating and prosecuting ICAC; and (3) educate the community regarding the prevention of ICAC.

### PURPOSE

The purpose of this MOU is to formalize the working relationship between the **CAYCE**, the **OFFICE**, and the SC ICAC Task Force, as well as to delineate the responsibilities and expectations of the relevant parties. By signing this MOU, **CAYCE** agrees to join the SC ICAC Task Force for the primary purpose of vigorously and properly investigating ICAC. By joining this Task Force, **CAYCE** will benefit from grant



resources, joint operations, and extensive training opportunities. By entering into this MOU, the **OFFICE** will benefit from **CAYCE**'s investigative support.

## **INVESTIGATIONS**

All ICAC investigations will be conducted only by sworn law enforcement investigators with at least one (1) year of GENERAL investigative experience and in a spirit of cooperation with other SC ICAC Task Force members. Investigations will follow guidelines established by each agency's respective policy manual or guidelines. However, ICAC investigations shall also be governed by the national ICAC program's Operational and Investigative Standards (attached). Violation of the ICAC operational standards is cause for cancellation of this MOU. This MOU is not intended to infringe on the ongoing investigations of any other agency. The parties agree, however, that unilateral acts by employees involved in Task Force investigations are not in the best interest of the Task Force.

### **CAYCE will:**

Have at least one investigator assigned to the Task Force at all times covered by this MOU, and provide the **OFFICE** with the names of all assigned personnel. If more than one investigator is assigned to the Task Force, **CAYCE** will designate one investigator as the primary contact for Task Force purposes. **CAYCE** will immediately advise the **OFFICE** of any Task Force personnel changes.

Initiate proactive and undercover Internet predator investigations to identify suspects both in and out of state. **CAYCE** will investigate these suspects, as it deems appropriate, with assistance from other Task Force members (if **CAYCE** requests such assistance). Only sworn **CAYCE** law enforcement personnel will conduct ICAC investigations. Each investigator involved with undercover operations **must** receive ICAC training prior to initiating proactive investigations, and **must** submit reports of all undercover activity to the **OFFICE**.

Conduct reactive investigations when subjects are associated with **CAYCE**'s jurisdiction, including investigations of child pornography, CYBERTIP referrals from NCMEC, Internet Service Provider and law enforcement referrals, and other ICAC-related investigations. Additional case initiations may develop from subject interviews, documented public sources, direct observations of suspicious behavior, public complaints, etc.

Record and document all undercover online activity. Any deviations from this policy due to unusual circumstances shall be documented in the relevant case file and reviewed by the ICAC Task Force Commander and the lead ICAC prosecutor.

Have the primary investigator attend all Task Force quarterly meetings, or designate another investigator to attend if the primary investigator is unavailable.

Provide **OFFICE**-designated Task Force personnel and officers access to all ICAC investigative files including, without limitation, computer records, in order to insure compliance with all national ICAC standards.

Locate its ICAC investigators in secured space provided by **CAYCE** with controlled access to all equipment, software, and investigative files. At a minimum, information should be maintained in locked cabinets and under control of **CAYCE** ICAC Task Force personnel, with restricted access to authorized personnel only.

Conduct education and prevention programs to foster awareness and provide practical, relevant guidance to children, parents, educators, librarians, the business and law enforcement communities, and other individuals concerned about Internet child safety issues. Presenters shall not discuss ongoing investigative techniques and undercover operations utilized by the ICAC Task Force.

The **OFFICE** will:

Provide legal assistance to **CAYCE** through the ICAC prosecutors, including review of all court orders, subpoenas, motions and other related ICAC documents. In addition, the ICAC prosecutors will consult with and advise any investigators working with **CAYCE** on all related legal issues as they arise during the course of ICAC investigations and prosecutions.

Review investigative reports, and make appropriate, independent prosecutorial decisions.

Be responsible for any administrative tasks regarding the receipt and renewal of the federal grant. The **OFFICE** will communicate necessary information regarding the national ICAC program to **CAYCE** as appropriate.

Assist **CAYCE** in obtaining necessary training and equipment as set forth below.

Provide **CAYCE** with information for community education and prevention programs via the SC ICAC Task Force Internet Safety Education Coordinator.

## **SUPERVISION**

**CAYCE** will be responsible for the day-to-day operational supervision, administrative control, and personal and professional conduct of its officers and agents assigned to the Task Force. Operational decisions relating to the SC ICAC Task Force will remain with the SC ICAC Task Force Commander. ICAC investigations are a cooperative effort and investigative decisions will be a joint process guided by ICAC standards.

## **LIABILITY**

**CAYCE** is responsible and liable for the acts and omissions of its own officers, agents or employees in connection with the performance of their official duties under this MOU. For tort liability purposes, no participating agency shall be considered the agent of other participating agencies. Each participating agency shall be liable (if at all) only for the torts of its own officers, agents or employees that occur within the scope of their official duties.

## **REPORTING STATISTICS**

Using a form provided by the **OFFICE**, **CAYCE** shall submit monthly statistics to the **OFFICE** on all ICAC investigations or other investigative work pertaining to the sexual exploitation of children via the Internet. These statistics shall be submitted in the appropriate format by the **10<sup>th</sup>** day of each month, and shall include data on all related investigations opened or closed during the month, as well as forensic examinations, technical/investigative assistance provided to other agencies, subpoenas and court orders issued, training hours attended and taught, and community outreach provided. In addition, a breakdown of basic case data shall be included for each sexual exploitation of a minor (child pornography) case, and/or criminal solicitation of a minor (enticement/traveler) case investigated by **CAYCE**. The **OFFICE** will then be responsible for all required reporting to OJJDP.

## **TRAINING**

**CAYCE** shall make investigators designated as Task Force members available for applicable specialized training provided through the national ICAC program and other appropriate training programs. The **OFFICE** will review training requests and provide funding for ICAC-approved training when appropriate and available.

## **EQUIPMENT**

If **CAYCE** assigns an investigator to the Task Force with a specific job duty of conducting undercover ICAC investigations, the **OFFICE** will assist **CAYCE** in obtaining the necessary computer equipment, software and supplies to conduct undercover Internet investigations. If appropriate, items will be purchased covertly to the extent allowed by state purchasing guidelines. The **OFFICE** will provide specified requirements for each item purchased and a set dollar amount for reimbursement. Any deviation from the specified requirements or dollar amount must be approved by the **OFFICE** in writing prior to the purchase. **CAYCE** will make these purchases and submit the invoice to the **OFFICE** for reimbursement if OJJDP grant funds are available. Upon reimbursement, the OJJDP grant will own the equipment, which will remain with **CAYCE** for its use until such time as this MOU is cancelled. Only **CAYCE** staff assigned to the SC ICAC Task Force will use the equipment and/or software provided by the OJJDP grant, and its use will be restricted to ICAC-related investigations. Upon notice to **CAYCE**, a Task Force representative designated by the **OFFICE** will have complete and unrestricted access to said equipment for the purpose of ensuring compliance with

all grant requirements. In the event either party terminates this MOU for any reason, the equipment will be returned to the OFFICE.

### **MEDIA RELATIONS**

Media release information regarding ICAC investigations and/or arrests should be coordinated with the OFFICE's Communications Director **before** any information is released. When any information is provided to the media regarding investigations, arrests, or other actions taken in conjunction with ICAC cases, **CAYCE** shall include reference to the OFFICE, and the SC ICAC Task Force, as well as any other appropriate agencies and/or ICAC task forces.

It is imperative that all efforts be made to protect undercover online identities, and ICAC investigative techniques. Thus, any media releases (as well as any other information that will become available to the public) will not mention investigators' online identities or other identifying information, or specific ICAC investigative techniques. Failure to adhere to this requirement could seriously jeopardize ongoing proactive investigations and may result in cancellation of this MOU.

### **CONFIDENTIALITY**

It is understood that any confidential information pertaining to investigations of Internet Crimes Against Children will be held in the strictest confidence, and will only be shared with participating SC ICAC Task Force members or other law enforcement agencies where necessary or as otherwise permitted by federal and/or state law.

### **EFFECTIVE DATE**

This agreement shall be effective on \_\_\_\_\_, 2016 and continue until such time as federal funding for the Grant ends, or the agreement is canceled by either party upon sixty (60) days written notice delivered to both agency directors. This agreement is exempt from the South Carolina Consolidated Procurement Code through its compliance with the Budget and Control Board Code Exemption 116 dated March 22, 1994.

Entered into this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
For the Cayce Police Department

\_\_\_\_\_  
For the South Carolina Attorney General's Office

**CITY OF CAYCE**

\_\_\_\_\_  
BY: Elise Partin, Mayor

\_\_\_\_\_  
Date

STATE OF SOUTH CAROLINA	)	<b>RESOLUTION</b>
	)	<b>Approving Law Enforcement</b>
COUNTY OF LEXINGTON	)	<b>Assistance and Support</b>
	)	<b>Agreement with Town of Lexington</b>
CITY OF CAYCE	)	

**WHEREAS**, the need for law enforcement agencies to enter into contracts with other law enforcement agencies for mutual aid and support and for multijurisdictional task forces is recognized in Chapter 20 (“Law Enforcement Assistance and Support Act”) of Title 23 (“Law Enforcement and Public Safety”) of the South Carolina Code of Laws; and

**WHEREAS**, S.C. Code section 23-20-40(B), which is a part of Chapter 20 of Title 23 of the State Code, provides that an agreement entered into pursuant to that chapter on behalf of a law enforcement authority must be approved by the appropriate governing body of the concerned county, municipality or other political subdivision; and

**WHEREAS**, the Council wishes to clarify and confirm the process by which it approves such mutual aid agreements and task force agreements as are entered into by the law enforcement agency of the City of Cayce,

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

The City Council hereby ratifies or approves the City of Cayce and its Department of Public Safety entering into a Law Enforcement Assistance and Support Agreement with the Town of Lexington and its Police Department, as attached, and the Mayor and the Director of the Department of Public Safety are authorized to sign the Agreement on behalf of the City.

**ADOPTED** this \_\_\_\_\_ day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

**ATTEST:**

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

**STATE OF SOUTH CAROLINA )**  
**)**  
**)**  
**)**  
**)**  
**COUNTY OF LEXINGTON )**

**LAW ENFORCEMENT**  
**ASSISTANCE AND SUPPORT**  
**AGREEMENT**

This agreement is made and entered into this 1<sup>st</sup> day of July, 2016, by and between the **LEXINGTON POLICE DEPARTMENT**, 111 Maiden Lane, Lexington, SC 29072 and the **CAYCE DEPARTMENT OF PUBLIC SAFETY**, P.O. Box 2004, Cayce, SC 29171.

WHEREAS, South Carolina Code Ann. Section 23-20-10, et seq., as amended on June 3, 2016, provides for contractual agreements between and among state, county, municipal and local law enforcement agencies for the purpose of providing the proper and prudent exercise of public safety functions across jurisdictional lines;

WHEREAS, the **LEXINGTON POLICE DEPARTMENT** desires to enter into such an agreement with the **CAYCE DEPARTMENT OF PUBLIC SAFETY** for the purposes of securing to each other the benefits of mutual aid in the event of natural disaster, disorder, special events, emergency situations, and any other law enforcement activities;

WHEREAS, the purpose of this Agreement is to define the scope of such mutual aid and the responsibilities of the parties; and

WHEREAS, during these activities, it is possible that law enforcement officers will respond to, become involved with, and/or deal with emergency situations, civil disorders, arrests, natural or manmade disasters, pursuits of criminal suspects, location of missing persons, criminal investigations, and/or any other matter handled by law enforcement, and the requesting agency desires replying agency's officers to have lawful authority and jurisdiction to respond to, become involved with, and/or deal with these or any other situations which may arise during the presence of responding agency's officers in the requesting agency's jurisdiction.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, it is the intent of the parties to share jurisdiction under this written Agreement to the fullest extent permitted under South Carolina law and it is further agreed as follows:

1. **VESTING OF AUTHORITY AND JURISDICTION**

To the fullest extent permitted by the Constitution and the statutes of this State, officers assigned under the Agreement shall be vested with authority, jurisdiction, rights, immunities, and privileges outside his/her resident jurisdiction for the purpose of investigation, arrest, or any other activity related to the criminal activity for which the agreement is drawn. This Agreement is in no way intended to effect any other multi-jurisdictional agreement(s) which may exist between the agencies. The assistance to be rendered pursuant to this Agreement shall solely involve responding law enforcement officers from one party's jurisdiction to the other. When so responding, such law

enforcement officers shall have all powers and authorities of law enforcement officers employed by the requesting jurisdiction. However, local ordinances adopted by a responding party's jurisdiction shall not be deemed extended into areas of operation that are located outside the geopolitical territorial limits of that party.

## 2. REQUEST FOR ASSISTANCE

The responding law enforcement officers may be requested in response to any public safety function across jurisdictional lines, such as multijurisdictional task forces, criminal investigations, patrol services, crowd control, traffic control and safety, and other emergency service situations. Assistance provided in this Agreement includes, but is not limited to:

- A. Emergency Situations;
- B. Civil Disorders;
- C. Natural or Manmade Disasters;
- D. Mass Processing of Arrests;
- E. Transporting of Prisoners;
- F. Operating Temporary Detention Facilities & Housing Inmates;
- G. Arrests;
- H. Pursuits of Criminal Suspects;
- I. Location of Missing Persons;
- J. Traffic Control and Safety;
- K. Criminal Investigations; or
- L. Any Other Matter Handled by Law Enforcement for that Particular Jurisdiction.

## 3. PRIMARY RESPONSIBILITY

It is agreed and understood that the primary responsibility of the parties to this Agreement is to provide law enforcement services within the geographical boundaries of their respective jurisdictions. Therefore, it is agreed that the law enforcement agency whose assistance is requested shall be the sole judge as to whether or not it can respond and to what extent it can comply with the request for assistance from the other agency.

## 4. PROCEDURE FOR REQUESTING LAW ENFORCEMENT ASSISTANCE

- A. Request. A request for assistance shall only be made by **the Chief of Lexington Police**, or his/her designee, or the, **Director for Cayce Department of Public Safety** or his/her designee. This request shall include a description of the situation creating the need for assistance, the specific aid needed, the approximate number of law enforcement officers requested, the location to which law enforcement personnel are to be dispatched, and the officer in charge of such location.
- B. Reply. A reply to any request for assistance shall only be made by **the Chief of Lexington Police**, or his/her designee, or **Director for Cayce Department of Public Safety** or his/her designee. If the request is



granted, the requesting law enforcement agency shall be immediately informed of the number of law enforcement officers to respond.

- C. Officer in Charge. The responding law enforcement officers shall report to the officer in charge of the requesting law enforcement agency at the designated location and shall be subject to the lawful orders and commands of that officer. The responding law enforcement officer shall exert their best efforts to cooperate with, and aid, the requesting law enforcement agency. The responding law enforcement officers shall be responsible at all times for acting within the policies and procedures set forth in the policy and procedure manual of the law enforcement agency by which they are regularly employed.
- D. Release. The responding law enforcement officers shall be released by the officer in charge when their services are no longer required or when they are needed to respond to a situation within the geographic boundaries of their own jurisdiction; provided however, the responding law enforcement officers shall use their best efforts to complete the requested service prior to being released.

## 5. PERSONNEL, COSTS AND RECORDS

Except as otherwise agreed among the parties, each party shall maintain control over its personnel. Except as otherwise provided herein, each party shall bear its own costs incurred in the performance of its obligations hereunder, and shall keep its own personnel and other usual records as to its assigned officers.

Any and all records of law enforcement activities conducted pursuant to this Agreement shall be the property of and maintained by the agency conducting the activity, including any incident reports, citations, photographs, or other images captured on any photographic or digital media. Nothing contained herein prohibits or precludes any participating agency from making or maintaining a copy of any such records referenced above.

## 6. REQUESTS FOR INFORMATION PURSUANT TO THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

Upon receipt, each agency participating in this Agreement must respond to requests for information pursuant to the South Carolina Freedom of Information Act.

## 7. COMPENSATION

This Agreement shall in no manner affect or reduce the compensation, pension, or retirement rights of any responding officer. Except as otherwise agreed, each party shall bear its own costs and expenses incurred in complying with this Agreement.

## 8. INSURANCE

Each party shall maintain such insurance coverage for general liability, workers' compensation, and other such coverage as may be required by law or deemed advisable by individual parties.

## 9. EMPLOYMENT STATUS

Nothing herein shall be construed or interpreted to imply that the law enforcement officers responding in accordance with this Agreement shall be the employees of the law enforcement agency requesting such assistance.

## 10. MODIFICATION OR AMENDMENT

This Agreement shall not be modified, amended, or changed in any manner except upon express written consent of the parties to this Agreement.

## 11. RESPONSIBILITY TO RESPECTIVE GOVERNING BODIES

Each party is responsible for any approval requirements to their respective governing body as may be required under South Carolina law.

## 12. SEVERABILITY

Should any part of this Agreement be found to be unenforceable by any court or other competent authority, then the rest shall remain in full force and effect.

## 13. BINDING SUCCESSORS IN OFFICE

All parties agree that any and all successors in interest to their offices will be similarly bound by the terms of this agreement without necessitating execution of any amendment.

## 14. NO INDEMNIFICATION OR THIRD PARTY RIGHT

To the extent provided by law, the parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials, and for any claims, lawsuits and payment of damages that arise from activities of its officers. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provisions of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any rights or obligations in favor of any party or entity not a party to this agreement.

## 15. TERMINATION

This Agreement shall be terminated at any time upon written notice to the other party to this Agreement.

16. TERM AND RENEWAL

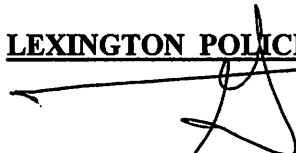
This Agreement is effective as to each party at the date and time of signing and will automatically renew each anniversary date, year to year, and term to term unless a party exercises its right to terminate as further described herein.

17. USE OF EQUIPMENT AND FACILITIES

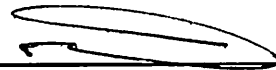
Each party shall be responsible for the maintenance of its own equipment and shall be responsible for the procurement of facilities unless otherwise agreed upon by the parties.

IN WITNESS WHEREOF, these parties have set their hands and seals at the date set forth above.

LEXINGTON POLICE DEPARTMENT

  
\_\_\_\_\_  
Terrence Green, Chief

9/14/12

  
\_\_\_\_\_  
Witness 9/14/12

CAYCE DEPARTMENT OF PUBLIC SAFETY

\_\_\_\_\_  
Byron Snelgrove, Director

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Witness

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>902 Holland Avenue</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 902 Holland Avenue (TMS 005749-12-009) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Jaqueline J. Purvis, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.
2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>1807 State Street</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 1807 State Street (TMS 004655-04-019) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Tommy G. and Linda S. Roland, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.
  
2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<p><b>STATE OF SOUTH CAROLINA</b></p> <p><b>COUNTY OF LEXINGTON</b></p> <p><b>CITY OF CAYCE</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>RESOLUTION</b></p> <p><b>Authorizing a Condemnation Action for a</b></p> <p><b>Water Line Easement for Property at</b></p> <p><b>1414 Frink Street and 1417 Frink Street</b></p>
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**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 1414 Frink Street and 1417 Frink Street (TMS 005725-01-003) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Vesta Lucas Paynter, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.
  
2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.



**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>2256 Charleston Highway</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 2256 Charleston Highway (TMS 005757-01-001) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Clarence M. and Shirley B. Strickland, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.

2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

---

Elise Partin, Mayor

ATTEST:

---

Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>2400 Julius Felder Street</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 2400 Julius Felder Street (TMS 005727-07-021) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Samuel Robinson, Sr., including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.

2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>901 Knox Abbott Drive</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 901 Knox Abbott Drive (TMS 004650-01-011) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, U-Haul Real Estate Company, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.
2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>1140 Charlotte Avenue</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 1140 Charlotte Avenue (TMS 005727-07-022) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, ARWL 2014-1 Trust, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.

2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.



**ADOPTED** this 29<sup>th</sup> day of September 2016.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<b>STATE OF SOUTH CAROLINA</b>	)	<b>RESOLUTION</b>
	)	<b>Authorizing a Condemnation Action for a</b>
<b>COUNTY OF LEXINGTON</b>	)	<b>Water Line Easement for Property at</b>
	)	<b>2191 Wilkinson Street</b>
<b>CITY OF CAYCE</b>	)	

**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 2191 Wilkinson Street (TMS 005766-03-010) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Angela O. Lorick, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.

2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

---

Elise Partin, Mayor

ATTEST:

---

Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

<p><b>STATE OF SOUTH CAROLINA</b></p> <p><b>COUNTY OF LEXINGTON</b></p> <p><b>CITY OF CAYCE</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>RESOLUTION</b></p> <p><b>Authorizing a Condemnation Action for a</b></p> <p><b>Water Line Easement for Property at</b></p> <p><b>1499 Benedict Street</b></p>
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**WHEREAS**, the City has determined to undertake, for public purposes and in the public interest, a public works project for the water utility to add an elevated water storage tank and to replace significant portions of existing lines and add lines (together totaling approximately 261,000 linear feet) in the water distribution system infrastructure in several neighborhoods within the City limits of the City of Cayce including portions of The Avenues, Broadacres, North Frink Street and Edenwood; and

**WHEREAS**, as a necessary part of that public works and water utility project, it is necessary to obtain a water line easement across the property at 1499 Benedict Street (TMS 005718-10-023) in the City of Cayce in Lexington County; and

**WHEREAS**, the City has obtained an appraisal by Anthony R. Martin, a professional appraiser, of the market value of, and just compensation for, the portion of the property to be occupied by the easements; and

**WHEREAS**, the City has attempted, both before and after the appraisal, to negotiate a resolution with the record landowner, Annie Mae Massey C/O Mary Smith, including an offer to pay an additional inducement amount for the easement; and

**WHEREAS**, the negotiations to date for a mutually agreed and voluntary resolution have not been successful and condemnation now is necessary,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Attorney is authorized to initiate condemnation proceedings, pursuant to State law, including the service on the landowner and the filing in the circuit court of such documents as are needed to provide for speedy acquisition of and fair compensation for the easements necessary for this public project on the property described above.
  
2. The City administration is authorized to provide such assistance to the City Attorney as is appropriate and necessary, including any further negotiations with the landowner for mutually agreed compensation for voluntarily obtaining an easement and including the providing of funds for tender to the landowner and deposit with the circuit court in order to facilitate the condemnation action and the immediate possession of the portion of the property needed for the easements and the construction and placement of the water line.

**ADOPTED** this 29<sup>th</sup> day of September 2016.

---

Elise Partin, Mayor

ATTEST:

---

Mendy Corder, Municipal Clerk

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

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All open positions will be advertised on the City's website and Facebook page.

**COUNCIL ACTION REQUIRED**

**BOARD OF ZONING APPEALS – ONE (1) POSITION**

There is currently one open position on the Board of Zoning Appeals. The City has received a potential member application from Mr. Russell Vickery. His potential member application is attached for Council's review.

**NO COUNCIL ACTION REQUIRED**

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

**ACCOMMODATIONS TAX COMMITTEE – THREE (3) POSITIONS**

Two positions must be filled by someone from the motel industry in Cayce. One position must be filled by someone from the restaurant industry in Cayce.

**BEAUTIFICATION BOARD – THREE (3) POSITIONS**

The Board has no recommendations at this time.

**BEAUTIFICATION FOUNDATION – TWO (2) POSITIONS**

There are currently two open positions on the Beautification Foundation. One open position is in District 1 and the other open position is in District 4.

**CONSOLIDATED BOARD OF APPEALS – TWO (2) POSITIONS**

Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. There are no recommendations at this time.

**EVENTS COMMITTEE - ONE (1) POSITION**

There is currently one open position on the Events Committee. The Committee has no recommendations at this time.

**PUBLIC SAFETY FOUNDATION – THREE (3) POSITIONS**

The Foundation has no recommendations at this time.



**CITY OF CAYCE  
COMMITTEE MEMBER APPOINTMENT APPLICATION**

Name: Russell A. Vickery (Russ)

Home Address: 115 Knox Abbott Dr. [REDACTED] City, State, Zip: Cayce, SC 29033

Telephone: [REDACTED] E-Mail Address: [REDACTED]

Resident of Cayce:  Yes  No Number of Years: (0) As of September 1<sup>st</sup>, 2016

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

{ Accommodations Tax Committee    { Beautification Board    { Event Committee  
{ Cayce Housing Authority        { Museum Commission    { Planning Commission  
{ Consolidated Board of Appeals    (x) Board of Zoning Appeals

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

---

**Work Address**

Company: South Carolina National Guard    Position: SC State Command Sergeant Major

Address: 1 National Guard Road

City, State, Zip: Columbia, SC 29201    Telephone: [REDACTED]

Fax: (803)299-4499    E-Mail: [REDACTED]

**Work Experience:** I have owned my own construction company since 2004 and have commercial and residential business license as well as inactive real estate license. I have served in the SC National Guard for 33 years and I was recently appointed as the Command Sergeant Major for the State of South Carolina, responsible for advising the Adjutant General of South Carolina on all matters with enlisted Soldiers and Airmen in the State. (Approx. 13,000)

**Educational Background:** High School w/3years College- All Military Schools required for my position(Capstone)United States Sergeant Majors Academy.

**Membership Information** (Member of EANGUS, NGASC, AUSA) Army Associations

**Volunteer Work:** I served for approx. 8 years on the Anderson Co. Planning Commission as (Chairman)

**Hobbies:** Gardening, exercise, beekeeping, weightlifting, water skiing, snow skiing, fishing.

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