

# Town of Pine Ridge

2757 Fish Hatchery Road  
West Columbia, SC 29172  
Telephone (803) 755-2500  
Facsimile (803) 955-0605



## MARCH 26, 2024 SPECIAL CALLED TOWN COUNCIL MEETING AGENDA

### **6:30 P.M. - Town Council Meeting**

1. Call to Order
2. Roll Call and Determination of Quorum
3. Invocation
4. Pledge of Allegiance
5. Freedom of Information Act Compliance

### **Public Hearing**

6:30 P.M. – 6:45 P.M. Public Hearing Ordinance 2024-05: Zoning/Land Development Moratorium for a 90-day period on approvals relating to Lexington County’s cancellation of Road and Drainage Maintenance Agreement

### **New Business**

1. Consideration of Ordinance 2024-05: Zoning/Land Development Moratorium for a 90-day period on approvals relating to Lexington County’s cancellation of Road and Drainage Maintenance Agreement
2. Consideration of Resolution 2024-06: Request the Lexington County Delegation to Establish a New County Transportation Committee with a Majority of Appointees to the Committee from Local Municipalities and Transferring the Authority of Lexington County Council to the New County Transportation Committee
3. Consideration of Termination of the Lexington County Supportive Municipal Judge Agreement
4. Consideration of Appointment and Term of Municipal Judge

**Citizen’s Comment Time – (email to [vmiller@townofpineridgesc.com](mailto:vmiller@townofpineridgesc.com) by 5pm on 3/25/2024)**

**ADJOURN**

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Pine Ridge Town Council will hold a SPECIAL MEETING on March 26, 2024 at 6:30 pm at the Town Hall, 2757 Fish Hatchery Road, West Columbia, SC 29172. The purpose for the meeting will be to hold a public hearing and first reading on proposed Ordinance 2024-05 to implement a temporary moratorium of three months on applications, processing, consideration and issuance of land development permits and other approvals that involve the construction, installation or improvement of roads, stormwater drainage or sidewalks in the Town. Consideration of this Ordinance results from a proposed Lexington County agreement that would alter the conditions for future maintenance by the County of roads, stormwater drainage and sidewalks in the Town. Copies of Ordinance 2024-05 can be located online at [www.townofpineridgesc.com](http://www.townofpineridgesc.com) under announcements.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
TOWN OF PINE RIDGE )

ORDINANCE 2024-05

**AN ORDINANCE TO IMPOSE WITHIN THE TERRITORIAL LIMITS OF THE TOWN OF PINE RIDGE, SOUTH CAROLINA, A TEMPORARY MORATORIUM FOR NINETY DAYS (UNLESS SOONER TERMINATED) ON THE ISSUANCE OF LAND DEVELOPMENT PERMITS AND OTHER APPROVALS UNDER THE TOWN OF PINE RIDGE ZONING AND LAND DEVELOPMENT ORDINANCE, AND ANY APPROVAL FROM THE TOWN COUNCIL, PLANNING COMMISSION, ZONING BOARD OF APPEALS, AND PLANNING OFFICIAL, AND ON THE PROCESSING, HEARING, REHEARING, APPROVING OR SIGNING OF A PERMIT OR PRELIMINARY OR FINAL SITE PLAN, PRELIMINARY OR FINAL SUBDIVISION, SPECIAL EXCEPTION, VARIANCE OR OTHER LAND USE APPLICATION OR PERMIT, ANY OF WHICH RELATES DIRECTLY OR INDIRECTLY TO CONSTRUCTION OR INSTALLATION OR IMPROVEMENT AFTER MARCH 1, 2024 OF ROADS OR STORMWATER DRAINAGE OR SIDEWALKS**

WHEREAS, Lexington County has terminated the portion of its Agreement with the Town of Pine Ridge, entered into on January 25, 1978, by which the County agreed to maintain future improvements to roads and drainage systems within the Town that were accepted by the County as in accordance with certain policy standards of the County Engineer; and

WHEREAS, Lexington County has proposed a substitute Agreement that presents different requirements for future maintenance of certain roads and stormwater drainage systems and sidewalks within the Town; and the Mayor and Town Council will consider carefully whether the proposed new Agreement is in the best interests of the Town and the public and the orderly development and growth of the Town; and

WHEREAS, the Mayor and Town Council have found that the interests of the public necessitate the enactment of a moratorium for applications, processing and issuance for approvals and permits and other actions pursuant to the Town's Zoning and Land Development Ordinance that relate to construction or installation or improvements after March 1, 2024 of roads or stormwater drainage or sidewalks within the Town or subsequently annexed into the Town,

**NOW THEREFORE, BE IT ORDERED AND ORDAINED** by the Town of Pine Ridge, South Carolina, in Council duly assembled and by the authority thereof, that:

**SECTION I.  
FINDINGS OF FACT**

The Mayor and Town Council of the Town of Pine Ridge find that it is necessary and in the public interest to enact by ordinance a moratorium to provide for an orderly and fair handling of applications, processing, considerations, and issuance of permits and plans and other approvals pursuant to the Town Zoning and Land Development Ordinance that would involve the subject matter of the previous Agreement with the County and the proposed Agreement with the County described

above, for a reasonable period, to ensure that future activity related thereto is consistent with the public interest and the long-term planning and growth objectives of the Town and the Town's financial abilities.

**SECTION II.  
IMPOSITION OF MORATORIUM**

1. A moratorium is hereby enacted concerning the application and processing for, or the consideration and issuance of, any and all permits or approvals related to land development involving, directly or indirectly, the construction or installation or improvement after March 1, 2024, of roads or stormwater drainage or sidewalks within the Town. The moratorium shall be effective upon second reading adoption of this Ordinance. It also is the express intent of the Council that, after publication of the first public notice of Council's intent to consider this Ordinance, the pending ordinance doctrine shall apply to all applications and processing for all applicable land use permits and approvals.

2. During the period of the moratorium, and the period covered by the pending ordinance doctrine, no applications for permits or other approvals relating to the development or use of land as described in subsection 1 of this Section shall be accepted, nor any such permits or approvals be issued.

3. The moratorium shall end at midnight on the 90th day after second reading approval of this Ordinance, unless sooner terminated by formal action of Mayor and Town Council.

4. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Town Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the



remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

5. This Ordinance shall become effective upon second reading adoption.

**DULY ADOPTED THIS 9<sup>th</sup>** day of April, 2024, under the corporate seal of the Town of Pine Ridge.

Public Hearing: March 26, 2024

First Reading: March 26, 2024

Second Reading: April 9, 2024

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Mayor Daniel D. Davis

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Mayor Pro-Tem Scott N. Simms

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Councilmember Floyd W. Dinkins III

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Councilmember Elizabeth S. Sturkie

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Councilmember Maria J. Urbanek

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STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )  
TOWN OF PINE RIDGE )

**RESOLUTION 2024-06**

**A Resolution Requesting the Lexington County Delegation to Establish a New County Transportation Committee with a Majority of Appointees to the Committee from Local Municipalities and Transferring the Authority of Lexington County Council to the New County Transportation Committee.**

**WHEREAS**, the “C” fund program operates as a partnership between South Carolina’s counties and the South Carolina Department of Transportation (SCDOT) to provide funding from a portion of the state gasoline state revenue for the improvements of state, county and town roads, as well as other local transportation projects; and

**WHEREAS**, pursuant to SC Code Annotated Section 12-28-2740, the “C” fund program distributes funds to each county based on population, land area, and rural road mileage. Each county has a County Transportation Committee (CTC). The CTC for each county selects and approves projects to be supported by “C” funds; and

**WHEREAS**, SC Code Annotated Section 12-28-2740(B) requires that the CTC be appointed by the legislative delegation of the county and must be made up of a fair representation from municipalities and unincorporated areas of the county. Lexington County is one of only six counties in the state in which the county council serves as the CTC; and

**WHEREAS**, Lexington County’s CTC is comprised of the nine members of Lexington County Council and is chaired by the Chairman of County Council. The daily operation of the “C” Fund Program has been delegated to the county’s Public Works Department. The Public Works Department manages and develops projects, and reports and makes recommendations to the CTC; and

**WHEREAS**, pursuant to SC Code Annotate Section 12-28-2740, the funds expended must be approved by and used in furtherance of a countywide transportation plan adopted by each CTC. Lexington County’s Transportation Plan, dated May 11, 2021, states that “Lexington County has intergovernmental agreements with many of its incorporated municipalities to maintain their roads as well as the unincorporated county-maintained roads; and

**WHEREAS**, on November 14, 2023, the Town of Pine Ridge received written notification that the County intended to terminate an agreement with Pine Ridge, executed on January 25, 1978, for road and stormwater maintenance. Subsequently, the Town received a proposed road and drainage maintenance agreement from the County, which would usurp the town’s zoning and planning regulations and require all future development to comply with the County’s zoning requirements; and

**WHEREAS**, in response to this termination of the long-standing road maintenance agreement, Pine Ridge Town Council is requesting the Lexington County delegation to abolish the current Lexington County CTC and create a new CTC Committee as required by statute with representatives from municipalities and unincorporated areas of the county; and

**NOW, THEREFORE, BE IT RESOLVED** that the Pine Ridge Town Council, in Council Session duly assembled, joins in respectfully requesting that the Lexington County Delegation establish a new County Transportation Committee with a majority of appointees to the committee from local municipalities and transferring the authority of Lexington County Council to the new County Transportation Committee.

**ADOPTED** this 26<sup>th</sup> of March, 2024.

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Mayor Daniel D. Davis

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Councilmember Floyd W. Dinkins III

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Mayor Pro-Tem Scott N. Simms

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Councilmember Elizabeth S. Sturkie

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Councilmember Maria J. Urbanek