

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Secretary
District 4: Jose Luis
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

November 13, 2023

6:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

MINUTES

Council Members Present: Allen Blackmon, Brian Carnes, Steve Harper, Billy Mosteller, Charlene McGriff, Terry Graham, and Jose Luis.

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Lauren Hill, Deputy Clerk to Council/Administrative Assistant; Stephany Snowden, Deputy County Administrator; Allison Hardin, Development Services Director; Veronica Thompson, Financial Services Division Director; Brian Fulk, Economic Development Director; Greg Nicholson, Pleasant Valley Fire Department Chief; Chris Miller, Indian Land Fire Department Chief; the press; various elected officials; various Department Heads; various employees; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order Regular Meeting - Chairman Steve Harper

Chairman Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting, and welcomed back Charlene McGriff.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Allen Blackmon led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Brian Carnes moved to approve the agenda. Seconded by Charlene McGriff. Motion Passed 7-0.

Citizens Comments

The following citizens signed up for and spoke during Citizen Comments:

1. John Baker, Heath Springs, SC, spoke regarding illegally parked cars in front of fire stations, specifically McDonald Green Fire Department.
2. Revery Johnson, Indian Land, SC, spoke regarding equitable resources for all Lancaster County residents, and the lack of fire stations that serve the Indian Land area of the County.
3. Roxanne LaChance, Indian Land, SC, spoke regarding development concerns in the Indian Land area of the County.
4. Brian Cillian, Waxhaw, NC, spoke regarding the 2nd Reading of Ordinance 2023-1877 and requested that Council defer the reading until the next Council meeting, which will be held on November 27, 2023.

The following citizens submitted electronic, written comments for Citizen Comments:

1. Nicole Brevard, Lancaster, SC, wrote in regarding the need for emergency funding and public assistance in Lancaster County for single-parent and low-income families. A copy of her comments were provided to Council and a physical copy of her written comments are attached as Schedule A to the written minutes in the Clerk to Council's office.

Special Presentations

Penry Gustafson provided Council with an update on State legislature items. Ms. Gustafson highlighted items that have recently been passed by the South Carolina Senate to include healthcare, teacher salaries, drug trafficking, and guardianship related issues. She also gave insight on upcoming items that are in the preliminary stages.

Amanda Roberts, District Manager of the Lancaster County Sewer and Water Conservation District, provided an overview of how the library and her agency partnered together to implement the Lancaster County Seed Library. This program allowed residents to pick up free seeds from the three County libraries. The program helped prevent hunger in the County and increased library usage. The library distributed 3,000 packets of seeds between February and June 2023.

Susannah Baker, the Children's Librarian, provided an overview of the 2023 summer reading program. Approximately 5,500 residents attended a program over the summer at one of the County libraries.

The County recognized the following volunteer commission members that served on both the Indian Land Fire Fee Protection District Commission and the Pleasant Valley Fire Fee Protection District Commission:

Indian Land Fire Fee Protection District Commission Members

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- Scott McMullen
- Eileen White
- William Parker, Chair
- Mark Scheiring

Pleasant Valley Fire Fee Protection District Commission Members

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- Richard Vander Kaay
- Stephen Blackwelder
- Brian Endres, Chair
- Revery Johnson
-

Brian Carnes, Terry Graham and Jose Luis thanked the volunteer members for their leadership and service.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7 a .** and **7 b.** [which are the same as Item **a.** and **b.** listed below]. Seconded by Charlene McGriff. The Consent Agenda items passed by a vote of 7-0.

- a. **Approval of Minutes from the October 11, 2023 County Council Committee of the Whole Meeting**
- b. **Approval of Minutes from the October 23, 2023 County Council Regular Meeting**

Non-Consent Agenda

Public Hearing and 3rd Reading of Ordinance 2023-1878 regarding Authorization for a Fee In Lieu of Tax and Incentive Agreement with Project Lathe

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement Between Lancaster County, South Carolina And Horton Machine And Custom Design, Inc. Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; To Express The Intention Of Council To Provide Monies To The Economic Development Fund; And To Provide For Other Matters Related Thereto.

Allen Blackmon moved to approve the 3rd Reading of Ordinance 2023-1878. Seconded by Jose Luis.

Brian Fulk identified Project Lathe to be Horton Machine and Design, of Heath Springs, SC.

Steve Harper opened the Public Hearing for Ordinance 2023-1878 at approximately 6:45 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 25 citizens, including staff members, in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:45 p.m.

There was no discussion from Council. The 3rd Reading of Ordinance 2023-1878 Passed by a vote of 7-0.

2nd Reading of Ordinance 2023-1880 regarding Amending the Fiscal Year 2023-2024 Budget Related to Land Acquisition and Sheriff's Uniforms

Ordinance Title: An Ordinance To Amend Ordinance No. 2023-1849, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2023 And Ending June 30, 2024 (FY 2023-2024), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Brian Carnes moved to approve the 2nd Reading of Ordinance 2023-1880. Seconded by Jose Luis.

Veronica Thompson presented the Budget Amendment and noted no changes since the 1st Reading.

There was no discussion from Council. The 2nd Reading of Ordinance 2023-1880 Passed by a vote of 7-0.

2nd Reading of Ordinance 2023-1877 regarding Rezoning Property Located at 1662 MacMillan Park Drive from Light Industrial (LI) to Institutional (INS) District to Convert an Existing Structure to a K-12 Private School Facility (Applicants Brian Cillian/Greybridge MacMillan LLC and LEH SC MacMillan LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 7.286 Acres (TM# 0007-00-008.05) Located At 1662 Macmillan Park Dr, From Light Industrial (LI)

District To Institutional (INS) District - ***Planning Department Case Number: RZ-2023-1464.***

Brian Carnes made a motion to defer the 2nd Reading of Ordinance 2023-1877. Seconded by Jose Luis. The 2nd Reading of Ordinance 2023-1877 was deferred to the next Regular Council meeting, which will be held on November 27, 2023, by a vote of 7-0.

Council reviewed their thoughts on the rezoning with a Council member who had been absent for the 1st Reading.

Public Hearing and 1st Reading of Ordinance 2023-1881 regarding Amending the Future Land Use Designation for Property Located at 2458 Mineral Mining Road, Kershaw, SC, from Special District-Industrial to Rural Living (Applicants Charles and Ruth Strunk)

Ordinance Title: An Ordinance To Approve The Request Of Charles And Ruth Strunk To Amend The Future Land Use Map Contained In The Lancaster County, South Carolina Comprehensive Plan 2014-2024, Changing The Future Land Use Designation For Their Property Located At 2458 Mineral Mining Road, Kershaw, SC, From Special District-Industrial To Rural Living (TMS # 0098-00-037.01). - ***Planning Department Case Number: CP-2023-1197.***

Jose Luis moved to approve the 1st Reading of Ordinance 2023-1881. Seconded by Allen Blackmon.

Allison Hardin and Council discussed that the location of the proposed rezoning backs up to a landfill; however, they noted that the properties in the surrounding area are zoned Rural Living, so the rezoning request aligns with what is existing.

Steve Harper opened the Public Hearing for Ordinance 2023-1881 at approximately 6:57 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 25 citizens, including staff members, in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:57 p.m.

Council requested that the 2nd Reading be moved to the Consent Agenda for the next Council meeting.

The 1st Reading of Ordinance 2023-1881 Passed by a vote 7-0.

Public Hearing and 1st Reading of Ordinance 2023-1882 regarding Amending the Unified Development Ordinance (UDO) regarding Section 5.5 and Section 10.3 relating to Adding Regulations for Onsite Auctions

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Chapters 2, 5, And 10 To Include A New Use Definition For “Auction,” To Create “Auction” As A Special Exception, And To Establish The Conditions For The Use, On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-1687.***

Allison Hardin noted that the applicant of the Text Amendment withdrew their application prior to the start of the meeting. No Public Hearing was held, and no vote was taken.

1st Reading of Ordinance 2023-1883 regarding an Intergovernmental Agreement with the Town of Heath Springs

Ordinance Title: An Ordinance Of Lancaster County, South Carolina Authorizing The Execution Of An Intergovernmental Agreement By And Between Lancaster County, South Carolina And The Town Of Heath Springs, South Carolina; And Other Matters Relating Thereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1883. Seconded by Terry Graham.

Allison Hardin presented the Intergovernmental Agreement and noted that the agreement provided Lancaster

County the legal ability to support the Town of Heath Springs with inspection and permitting services. She noted that the Intergovernmental Agreement will be terminable at will, and provides that Council can renegotiate or amend the agreement at any time. Jose Luis and Billy Mosteller voiced concerns regarding the lack of additional fees for the municipalities included within the Intergovernmental Agreements. Ms. Hardin noted that staff would create an annual report of services provided through the Intergovernmental Agreement, along with the revenue that was generated.

The 1st Reading of Ordinance 2023-1883 Passed by a vote of 7-0.

1st Reading of Ordinance 2023-1884 regarding an Intergovernmental Agreement with the Town of Kershaw

Ordinance Title: An Ordinance Of Lancaster County, South Carolina Authorizing The Execution Of An Intergovernmental Agreement By And Between Lancaster County, South Carolina And The Town Of Kershaw, South Carolina; And Other Matters Relating Thereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1884. Seconded by Allen Blackmon.

Allison Hardin presented the Intergovernmental Agreement and noted that the agreement provided Lancaster County the legal ability to support the Town of Kershaw with inspection and permitting services. She noted that the Intergovernmental Agreement was terminable at will, and provides that Council can renegotiate or amend the agreement at any time. Jose Luis and Billy Mosteller voiced concerns regarding the lack of additional fees for the municipalities included within the Intergovernmental Agreements. Ms. Hardin noted that staff would create an annual report of services provided through the Intergovernmental Agreement, along with the revenue that was generated.

The 1st Reading of Ordinance 2023-1884 Passed by a vote of 7-0.

1st Reading of Ordinance 2023-1885 regarding Amending Article IV of Chapter 25 of the County Code

Ordinance Title: An Ordinance To Amend Article IV Of Chapter 25 Of The Lancaster County Code So As To Amend The Duties Of The Building Department, Planning Department, And The Zoning Department Per The Intent Of The Intergovernmental Agreements Signed Between Lancaster County And The Towns Of Heath Springs And Kershaw.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1885. Seconded by Terry Graham.

Ginny Merck-Dupont noted that this amendment was a companion to proposed Ordinance 2023-1883 and Ordinance 2023-1884, and would refine the current County Code. She noted that this amendment would outline the services that the County could provide to other municipalities. She further explained that the amendment referenced the County's Planning Commission, and noted that the Commission already included a member that represented the County district that included the Towns of Heath Springs and Kershaw.

The 1st Reading of Ordinance 2023-1885 Passed by a vote of 7-0.

Discussion and Action Items

Appointment to the Catawba Regional Workforce Development Board

- Laura Haynes to the Catawba Regional Workforce Development Board to fill a three year term that would expire on 12-31-2026 (1st Term)

Billy Mosteller moved to appoint Laura Haynes to the Catawba Regional Workforce Development Board. Seconded by Brian Carnes. The motion Passed by a vote of 7-0.

Review of the 2024 Calendar Meeting Schedule for Council, Committees, Boards and Commissions

and Advisory Boards for Changes, Additions or Deletions

(Adoption of the 2024 Calendar and Holiday Observances are scheduled for the November 27, 2023 Council meeting.)

There was no discussion from Council and a vote was not taken. Council was asked to contact the Clerk if they noticed any edits that needed to be made to the calendars.

Status of items tabled, recommitted, deferred or held

- a. HOLD UNTIL THE 12/11/2023 COUNCIL MEETING TO COINCIDE WITH APPROVAL OF THE COMPREHENSIVE PLAN AMENDMENT - 3rd Reading of Ordinance 2023-1869 regarding Rezoning Property Located at 2458 Mineral Mining Road, Kershaw, from Light Industrial (LI) to Agricultural Residential (AR) District (Applicants Charles and Ruth Strunk)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 6.60 Acres (TM# 0098-00-037.01) Located At 2458 Mineral Mining Road, Kershaw, From Light Industrial (LI) District To Agricultural Residential (AR) District. - ***Planning Department Case Number: RZ-2023-1197. The Planning Commission recommended approval by a vote of 5-2; however, the Planning staff recommended denial of the rezoning request. Passed 7-0 at the September 11, 2023 County Council Meeting. Passed 4-0 at the September 25, 2023 County Council Meeting (Terry Graham, Jose Luis, and Charlene McGriff Absent). - Allison Hardin***
- b. HOLD UNTIL THE 11/15/2023 COMMITTEE OF THE WHOLE MEETING AND THE 12/11/2023 COUNCIL MEETING -1st Reading of Ordinance 2023-1865 regarding Amending the Unified Development Ordinance related to Chapter 2, Section 2.4 District Standards for Medium Density Residential (MDR)
Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Chapter 2 (District Standards), Chapter 5 (Use Regulations), And Chapter 6 (Subdivision And Infrastructure Standards) Relating To The Medium Density Residential (MDR) Zoning District, On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0972. The Planning Commission recommended approval by unanimous vote. At the September 25, 2023 Council Meeting, the 1st Reading was Postponed until Council could discuss the item at the November 15, 2023 Committee of the Whole Meeting. - Allison Hardin***
- c. HOLD UNTIL THE 11/15/2023 COMMITTEE OF THE WHOLE MEETING AND THE 12/11/2023 COUNCIL MEETING -1st Reading of Ordinance 2023-1870 regarding Amending the Unified Development Ordinance (UDO) related to Chapter 4, Section 4.4.1 Cluster Subdivision Overlay Standards
Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Sections 4.4.1 (Cluster Subdivision Overlay District) On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0973. The Planning Commission recommended approval by a vote of 5-0. At the September 25, 2023 Council Meeting, the 1st Reading was Postponed until Council could discuss the item at the November 15, 2023 Committee of the Whole Meeting. - Allison Hardin***

There was no discussion regarding the status of any tabled, recommitted, deferred or held items.

Executive Session

One Item:

1. ***Receipt of legal advice subject to the attorney-client privilege regarding funding for capital projects.***

Steve Harper stated that he needed a motion to go into Executive Session for the receipt of legal advice subject to attorney-client privilege regarding funding for capital projects, and asked that the Chief Financial Officer and Public Works Director be invited into Executive Session for Item 1. Jose Luis stated that he so moved. Seconded by Allen Blackmon. The motion to go into Executive Session Passed 7-0. At approximately 7:33 p.m., Council went into Executive Session.

Items Requiring a Vote Following Executive Session

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:04 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Billy Mosteller. The motion to come to come out of Executive Session passed by a vote of 7-0. Upon returning to open session, Ginny Merck-Dupont noted that during Executive Session, Council received legal advice subject to attorney-client privilege regarding funding for capital projects. She stated that, during Executive Session, no motions were made, and no votes were taken.

Adjournment

Jose Luis moved to adjourn the Council meeting. Seconded by Terry Graham. The motion to adjourn Passed 7-0.

There being no further business, the regular meeting of Council adjourned at approximately 8:04 p.m.

Respectfully Submitted:

Approved by Council November 27, 2023

Lauren Hill

Lauren Hill
Deputy Clerk to Council

A handwritten signature in dark ink, appearing to read "B Mosteller", written over a horizontal line.

Billy Mosteller, Secretary