

Council Members

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

**County Administrator**

Dennis Marstall

County Attorney

John K. DuBose III

Clerk to Council

Sherrie Simpson

October 10, 2022

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, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff, and Billy Mosteller.

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; John Bodner, Assistant County Administrator; Kim Belk, Budget Director; Rox Burhans, Development Services Director; Veronica Thompson, Financial Services Director; Jeff Catoe, Public Services Director; Dr. April Williams, Library Director; Brian Fulk, Economic Development Director; Chris Clouden, Interim Director of Parks and Recreation; Darren Player, Director of Fire/Emergency Services; Mark Shumpert, PE, with KCI Technologies, Inc.; Andrew Pack, Vice President / Director of Buildings Sector Public Market with Woolpert; Carl Armanini, Sr., Landscape Architect with Woolpert; Frannie Heizer, bond attorney for the County from Burr Forman; Joe Lucas, bond attorney for Lennar; the press; 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 County 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.

Pledge of Allegiance and Invocation - Council Member Charlene McGriff

Charlene McGriff led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Terry Graham thanked all the County employees, Department Heads and fellow Council Members for their support during the difficult time for the Stephany and Graham families at the loss of his daughter, Amanda.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Larry Honeycutt. Motion Passed 7-0.

Special Presentations

Dennis Marstall introduced Brian Fulk as the new Economic Development Director. Brian Fulk provided an overview of his professional background.

Dennis Marstall introduced Chris Clouden as the new Interim Parks and Recreation Director. Chris Clouden provided an overview of his professional background.

Jeff Catoe explained that, some time ago, Council funded a solid waste study, which he noted would be completed in three phases. He explained that solid waste was effected by growth and so the study would look at where the County is and where the County needs to go. He explained that, at this Council meeting, they would be discussing Phase 1 of the study, which is looking at the existing infrastructure for solid waste. He discussed the fact that the County does not own or operate a transfer station or a landfill. Mark Shumpert of KCI Technologies reviewed a power point presentation entitled "Lancaster County Public Works Solid Waste Study," and that presentation is attached to the County power point presentation that is attached to the written minutes in the Clerk to Council's office. During and after the presentation, Council and staff discussed the deficiencies of the Lynwood Drive Convenience site, curbside services, the possibility of obtaining the old Lancaster County Water and Sewer District site, the possibility of putting a new convenience site on property already owned by the County, the costs to build the last or a new convenience site, and the timeline for completing the remainder of the study.

Andrew Pack with Woolpert reviewed a power point presentation entitled "Park Master Plan & Plan Development - COUNCIL UPDATE - "New" Parks and Recreation Regional Park - Lancaster County, South Carolina, October 10, 2022" and that presentation is attached to the County power point presentation, which is attached to the written minutes in the Clerk to Council's office. After the presentation, Council and staff discussed Phase 1 of the Master Plan for the regional park, that the costs for Phase 1 would be approximately eight to nine million dollars, that the County currently has approximately \$7.2 million in hospitality funds to bond the park, that the collection rate is averaging approximately \$2 million per year, parking, and access roads for construction. Jon Hardy with Lennar spoke regarding the purchase of additional property from Lennar, access to the front commercial properties, and water and sewer access to the park. Council and staff continued general discussions about ingress and egress to the park, whether additional lanes of ingress and egress were needed at the park, splash pad liability, the need to know the operational costs for the Recreation Department for each phase of the Park, and whether to include Frisbee golf in the Park.

Citizens Comments

The following citizens signed up for Citizens Comments:

1. Gordon Johnston, Charlotte, NC, spoke on behalf of Century Communities or Ordinance 2022-1822. He explained that there was no new information to present but that he was in the audience if anyone had any questions regarding the project.
2. William Legge, Lancaster, SC, spoke regarding rapid and indiscriminate growth in the County. He asked Council to consider a building moratorium on apartments and possibly a total residential construction moratorium until infrastructure needs can be upgraded.

The following citizens submitted electronic, written comments for Citizens Comments: None

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Items **7a., 7b., 7c. and 7d.** [which is the same as Items **a., b., c. and d.** listed below]. Seconded by Charlene McGriff. Motion Passed 7-0.

- a. **Approval of Minutes from the September 14, 2022 County Council Committee Of The Whole Meeting**

- b. **Approval of Minutes from the September 26, 2022 County Council Regular Meeting**

- c. **Resolution 1219-R2022 regarding Approval of the Grant Match for Lancaster County Emergency Management**

Resolution Title: A Resolution To Direct County Staff To Take Appropriate Action To Move Forward With The Emergency Management Grant Match Award, To Execute Such Other Documents As May Be Necessary And Convenient, And To Take Any Other Action As May Be Needed To Carry Into Effect This Resolution.

- d. **2nd Reading of Ordinance 2022-1824 regarding Amending the Economic Development Advisory Board to Add the Greater Indian Land Chamber of Commerce**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1425 Related To The Lancaster County Department of Economic Development Advisory Board And To Provide For Matters Related Thereto.

Non-Consent Agenda

Resolution 1222-R2022 Regarding Authorization of ARPA Funding for Sheriff's Office Replacement Vehicles

Resolution Title: A Resolution Authorizing American Rescue Plan Act (ARPA) Funding For Sheriff Replacement Vehicles.

Larry Honeycutt moved to approve. Seconded by Allen Blackmon.

Dennis Marstall explained that Council had already approved American Rescue Plan Act (ARPA) funds for the Sheriff to purchase twelve replacement vehicles. He noted that the Sheriff had savings, after ordering those vehicles and other replacement vehicles, of over \$95,000.00. Therefore, he explained that the Sheriff is requesting to reallocate those funds and combine them with an additional \$16,000.00 in ARPA funding in order to purchase an additional patrol vehicle and an animal control vehicle.

Larry Honeycutt asked to look at using ARPA funds to purchase bullet-proof vests for EMS and Fire Services personnel so that when they enter an emergency situation, such as an active shooter, they will be protected.

Motion to approve Resolution 1222-R2022 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None

Public Hearing and 3rd Reading of Ordinance 2022-1823 regarding Amending the Fiscal Year 2022-2023 Budget

Ordinance Title: An Ordinance To Amend Ordinance No. 2022-1803, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 (FY 2022-2023), To Further Provide For Revenues And Expenditures During The

Fiscal Year; And To Provide For Matters Related Thereto.

Kim Belk explained that there were no major changes to the Ordinance, but that Council did need to complete a public hearing.

Steve Harper opened the Public Hearing for Ordinance 2022-1823 at approximately 7:32 p.m.

He noted that no one signed up to speak at the Public Hearing for the Ordinance.

There were approximately 12 citizens 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 7:32 p.m.

Brian Carnes moved to approve. Seconded by Billy Mosteller.

Motion to approve 3rd Reading of Ordinance 2022-1823 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None

2nd Reading of Ordinance 2022-1822 regarding Rezoning Property from Low Density Residential (LDR) to Medium Density Residential (MDR) (Applicant Century Communities)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 19.39 Acres Located At Williamson Farm Lane And At 500 And 516 W. Shiloh Unity Road (TM#s 0049-00-004.16, 0049-00-005.01 And 0049-00-005.02) From Low Density Residential (LDR) District To Medium Density Residential (MDR). - *Planning Department Case Number: RZ-2022-0733.*

Chairman Steve Harper recused himself from the discussion and vote on Ordinance 2022-1822. Vice Chair Carnes took over the meeting at approximately 7:33 p.m. Steve Harper's Statement of Recusal form is attached as Schedule A to the written minutes in the Clerk to Council's office.

Larry Honeycutt moved to approve. Seconded by Charlene McGriff.

Terry Graham asked the applicant if they were proceeding with the development under the Cluster subdivision. Gordon Johnston from Century Communities replied that they were. Terry Graham explained that he was against Cluster subdivisions, in general.

Motion to approve 2nd Reading of Ordinance 2022-1822 Passed 4-2-1. Ayes: Blackmon, Honeycutt, McGriff, Mosteller; Nays: Carnes, Graham; Abstain: Harper

Chairman Steve Harper returned to the meeting at approximately 7:35 p.m. and resumed the Chairmanship of the meeting.

1st Reading of Ordinance 2022-1825 regarding Approval of Bonds for the Roselyn Residential Improvement District

Ordinance Title: An Ordinance To Authorize And Provide For The Issuance And Sale Of Not To Exceed \$15,000,000 Principal Amount Roselyn Residential Improvement District Assessment Revenue Bonds, In One Or More Series; To Provide For The Execution Of A Master Trust Indenture, A First Supplemental Indenture, A Bond Purchase Agreement, A Continuing Disclosure Agreement And Other Related Documents For The New Bonds; To Approve A Preliminary Limited Offering Memorandum And Authorize An Limited Offering Memorandum, Each Related To Such Bonds; To Make Other Covenants And Agreements In Connection With The Foregoing; And To Provide For Other Matters Relating Thereto

Brian Carnes moved to approve. Seconded by Charlene McGriff.

John DuBose explained that Council had already approved the creation of the Roselyn Residential Improvement District (RID), implementation of its Improvement Plan, the finance of improvements within the District, and

approved its assessment roll. He did note that the Assessment Roll attached in the agenda packet was incorrect. He provided a handout to Council with the corrected assessment roll and that handout is attached as Schedule B to the written minutes in the Clerk to Council's office. He explained that Lennar was now petitioning the County to issue the bonds. He further explained that this issue of bonds was not to exceed fifteen million dollars. He noted that the enabling Ordinance that created the District allowed for Lennar to petition the County for bonds in more than one issuance. He stated that, as of this date, Lennar has spent approximately thirty million dollars in land development activities and that approximately twenty million of those funds have been used for planning, engineering, permitting and construction of the improvements that constitute the bond project. He also explained that there will be a funding agreement that will dedicate the public improvements to the appropriate government agency at the appropriate time. Lastly, he noted that Lennar did not expect their yearly assessment to exceed \$1,550 per home. He further noted that the County was entitled to a four percent developer fee for improvements within the District. Council, staff, Jon Hardy of Lennar, and the bond attorneys discussed the four percent developer fee, the number of bond issuances, the assessments per home, disclosure of the yearly assessment, other Counties that use RID Districts, and the RID process in general.

Motion to approve 1st Reading of Ordinance 2022-1825 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None

1st Reading of Ordinance 2022-1829 regarding Removal of Property from the Roselyn Residential Improvement District

Ordinance Title: An Ordinance To Remove Certain Property From The Roselyn Residential Improvement District; And To Provide For Other Matters Relating Thereto

Terry Graham moved to approve. Seconded by Billy Mosteller.

John DuBose explained that this Ordinance was a companion ordinance to the bond issuance ordinance that Council just discussed. He noted that when vetting the boundaries of the District, it was determined there was a fifty acre discrepancy in the acreage within Roselyn. He further noted that this Ordinance addresses that discrepancy by amending the District boundaries. He stated that Lennar has consented to the Ordinance and that the consent document was included in the agenda packet.

Motion to approve 1st Reading of Ordinance 2022-1829 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None

Discussion and Action Items

There were no Discussion and Action Items discussed during the Council meeting.

Status of items tabled, recommitted, deferred or held

There were no tabled, recommitted, deferred or held items discussed during the Council meeting.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence discussed during the Council meeting.

Executive Session

One Item (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. Discussion of Personnel Matter: Administrator's Evaluation. SC Code 30-4-70(a)(1).

Charlene McGriff moved to go into Executive Session. Seconded by Terry Graham. Motion Passed 7-0. At approximately 7:53 p.m., Council went into Executive Session to discuss a personnel matter, the Administrator's evaluation, pursuant to South Carolina Code 30-4-70(a)(1).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:33 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council discussed a personnel matter, or the Administrator's evaluation. He also noted that, during Executive Session, no votes were taken and no decisions were made.

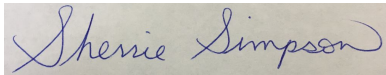
Brian Carnes moved that, per the discussions in Executive Session, the Vice Chairman be authorized to negotiate an employment contract with Mr. Dennis Marstall to serve as the County Administrator on behalf of Lancaster County and to engage in those negotiations in accordance with Lancaster County Council's instructions. Seconded by Charlene McGriff. Motion Passed 7-0.

Adjournment

Larry Honeycutt moved to adjourn. Seconded by Brian Carnes. Motion Passed 7-0.

There being no further business, the regular meeting of County Council adjourned at approximately 8:34 p.m.

Respectfully Submitted:



Sherrie Simpson
Clerk to Council

Approved by Council on October 24, 2022



Billy Mosteller, Secretary