

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

June 27, 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 (*via telephone/conference call*), 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; Paul Moses, Airport Director; Sheriff Barry Faile; Darren Player, Emergency Management/Fire Rescue Director; Hal Hiott, Parks and Recreation Director; 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 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 Brian Carnes

Brian Carnes led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

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

Special Presentations

Chairman Steve Harper recognized the nominees for Board Member of the Year: Khaleek Chapman with the Health and Wellness Commission; Charles Deese with the Planning Commission, Earl Gainey with the Community Relations Commission; Marcia Houston with the Historical Commission, George Kirlin with the Library Board, and Jason Laney with the Fire Commission. He announced the Ted Arant Board Member of the Year award was presented to Marcia Houston with the Historical Commission.

County Administrator Dennis Marstall recognized Carolyn Harris with 911 Communications as the 1st Quarter Employee of the Quarter for Lancaster County.

County Administrator Dennis Marstall recognized Investigator Matthew Snoddy for being chosen as one of Lancaster County's Chamber of Commerce's Top 10 under 40.

Citizens Comments

The following citizens signed up for Citizens Comments: None.

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 are the same as Item **a.**, Item **b.**, Item **c.**, and Item **d.** listed below]. Seconded by Charlene McGriff. Motion Passed 7-0.

- a. **Approval of Minutes from the June 13, 2022 County Council Regular Meeting**
- b. **3rd Reading of Ordinance 2022-1807 regarding Rezoning Property from RN, Rural Neighborhood District to GB, General Business District (Applicant Robert Glenn Couch)**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 0.728 Acres Of Property (TMS # 0081D-0B-011.00), Located At The Southeast Corner Of Old Dixie Road And Gardner Avenue, From RN, Rural Neighborhood District, To GB, General Business District. - *Planning Department Case Number: RZ-2022-0355.*
- c. **3rd Reading of Ordinance 2022-1808 regarding Rezoning Property from HDR, High Density Residential to MDR, Medium Density Residential District, for the Purpose of Creating a Single-Family Residential Development (Applicant Earl Coulston)**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 43.57 Acres Of Property (TMS # 0141-00-024.00), Located At The Southeast Corner Of The Intersection Of Fork Hill Road And Little Dude Avenue, From HDR, High Density Residential District, To MDR, Medium Density Residential District. - *Planning Department Case Number: RZ-2022-0412.*
- d. **2nd Reading of Ordinance 2022-1812 regarding Approving Amended and Restated Economic Development Agreement with Don Construction Products**
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of An Amended And Restated Fee Agreement By And Among Lancaster County And Don Construction Products, Inc., Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits With Respect To Certain Property In The County.

Non-Consent Agenda

Resolution 1197-R2022 regarding Change Order #3 for Old Bailes Road Culvert Replacement Project

Resolution Title: A Resolution To Approve Additional Funding For The Old Bailes Road Culvert Replacement Project.

Brian Carnes moved to approve. Seconded by Larry Honeycutt.

Dennis Marstall stated this item is for audit purposes. The contractor hit rock during excavation which resulted in an original change order request totaling over \$237,000. He continued that Lancaster County and the contractor engaged in good faith negotiation resulting in a change order for approximately \$144,000. He stated Council approved the revised change order #3 at the June 13th Council meeting.

Motion to approve Resolution 1197-R2022 Passed 7-0.

Resolution 1204-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.

Charlene McGriff moved to approve. Seconded by Larry Honeycutt.

Kim Belk stated this item coincides with the budget for next fiscal year. She stated this is the plan that was previously discussed that allows eight (8) replacement vehicles for the Sheriff's Office that will be funded with Capital funds and twelve (12) vehicles to be funded through American Rescue Plan Act (ARPA) funding. She stated if Council approves, there will be approximately \$6.1 million in ARPA funds left to obligate.

Larry Honeycutt stated there is still a need for an EMS bus for up to 10 patients in the event of a mass event. Dennis Marstall stated this project for a mass bus was included in the original list and will be brought forward to Council with current pricing for consideration. Brian Carnes stated a mobile command center is needed for Fire, EMS and Sheriff's Office. Billy Mosteller stated that Fire Rescue is still in need of a warehouse to store supplies. Darren Player stated the mobile command post along with three (3) ladder trucks were previously approved with bond money. Darren also stated the storage facility was included in the original ARPA request. Allen Blackmon stated his support for the EMS mass bus.

Motion to approve Resolution 1204-R2022 Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2022-1809 regarding Amending the Fiscal Year 2021-2022 Budget

Ordinance Title: An Ordinance To Amend Ordinance No. 2021-1741, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2021 And Ending June 30, 2022 (FY 2021-2022), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Kim Belk stated Council passed the amendment from the June 13 meeting to include \$120,000 for a legal settlement in the general fund.

Allen Blackmon asked about a figure given for the future detention center. Kim Belk stated there were costs associated with the land acquisition and the figure given is rounded. She stated the actual amount is included in the ordinance.

Terry Graham moved to approve. Seconded by Larry Honeycutt.

Steve Harper opened the Public Hearing for Ordinance 2022-1809 at approximately 6:33 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 6:33 p.m.

The 3rd Reading of Ordinance 2022-1809 Passed 7-0.

3rd Reading of Ordinance 2022-1803 regarding Consideration of the Fiscal Year 2022-2023 Budget

Ordinance Title: An Ordinance To Appropriate Funds And Approve A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 (FY 2022-23); To Set Millage Rates For The Levy Of Ad Valorem Taxes; To Approve A Schedule Of Taxes, Fees And Charges For FY 2022-23; And To Provide For Matters Related Thereto.

Brian Carnes moved to approve. Seconded by Charlene McGriff.

Billy Mosteller moved to amend Ordinance 2022-1803 to increase the amount budgeted for the airport terminal project to \$3,496,650 to align with the bids received. This amendment represents an increase of \$106,650 to the project budget. Seconded by Charlene McGriff.

Terry Graham moved to amend Ordinance 2022-1803 by increasing the general fund by \$75,500 which represents \$35,000 of State budget funding to be received by Lancaster County for Coroner's Office as well as \$13,500 to be received as salary supplementation from the State for each of the following offices: the Lancaster County Sheriff, Probate Judge, and the Clerk of Court. Seconded by Charlene McGriff.

Dennis Marstall stated the budget is balanced with no property tax increases and supports the workforce. He stated the airport amendment will be paid from the General Fund. He stated the General Fund balance still remains between 28% and 32% and the reserves will still grow. Dennis stated the County is in a good financial position.

Larry Honeycutt thanked Kim Belk for her hard work in making this budget process better. Charlene McGiff also thanked Kim Belk and Veronica Thompson. She also stated that the budget process was a smooth process and was happy that everyone compromised. Brian Carnes asked about the airport process and would it come back to Council. Dennis stated this approval would authorize to begin the airport project. Steve Harper also thanked everyone for the budget process and would like to see the County change priorities from the Airport to the Public Works complex. Billy Mosteller stated the airport project is still necessary and the County has the opportunity to apply for a grant for up to seven (7) years. Allen Blackmon stated the airport loses approximately \$400,000 each year and he would only approve the airport terminal after receiving a 95% grant. He stated the County funds would be better spent on a Maintenance facility. There was continued discussion on investing in the airport and support for this project.

The first motion to amend Ordinance 2022-1803 regarding the airport Passed 4-3. Ayes: Graham, Honeycutt, McGriff, Mosteller; Nays: Carnes, Harper, Blackmon

The second motion to amend Ordinance 2022-1803 regarding the State budget funding Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Motion to approve Ordinance 2022-1803 as amended Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Discussion and Action Items

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

Status of items tabled, recommitted, deferred or held

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

Miscellaneous Reports and Correspondence

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

Executive Session

Four Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. Two Legal Briefings regarding Contractual Matters. SC Code 30-4-70(a)(2).

2. Two Legal Briefings regarding Potential Pending or Threatened Litigation Matters. SC Code 30-4-70(a)(2).

Charlene McGriff moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 7-0. At approximately 6:55 p.m., Council went into Executive Session to discuss four (4) items: Two (2) Legal Briefings regarding Contractual Matters, pursuant to South Carolina Code 30-4-70(a)(2); and Two (2) Legal Briefings regarding Potential Pending or Threatened Litigation Matters, pursuant to South Carolina Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 7:54 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Blackmon. Allen Blackmon left the meeting after Executive Session and did not rejoin the meeting via telephone/conference call.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council received two legal briefings on contractual matters and had two legal briefings regarding potential pending or threatened litigation matters. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn the meeting. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Blackmon

There being no further business, the regular meeting of Council adjourned at approximately 7:55 p.m.

Respectfully Submitted:

Approved by Council on July 18, 2022

Donna Greene

Donna Greene
Deputy Clerk to Council



Billy Mosteller, Secretary