

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

April 24, 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**

AMENDED AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance led by Noah Carnes, grandson of Brian Carnes, and Invocation led by Council Member Brian Carnes**

4. **Approval of the Agenda**

[deletion and additions of non-substantive matter]

5. **Citizens Comments**

[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancaster-sc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancaster-sc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

6. **Special Presentations**

- a. Recognition of Lieutenant Aaron Carroll for being chosen as one of Lancaster County's Chamber of Commerce's Top 12 under 40 - Presented by County Administrator Dennis Marstall
- b. Recognition of RISE Award Winners - Presented by County Administrator Dennis Marstall
- c. Recognition of Employee of the Year - Presented by County Administrator Dennis Marstall

Employees of the Quarter:

- 1st Quarter - Carolyn Harris
- 2nd Quarter - Gillis Robinson
- 3rd Quarter - Cliff West

- 4th Quarter - Brittani Howington

Recognition of Employee of the Year

- d. Recognition of Awards Received At The South Carolina Counties Workers' Compensation Trust Annual Membership Meeting - Presented by Van Henson, CPM, Director of Risk Management Services, South Carolina Association of Counties, and Robert Benfield, ARM, AINS, Director of Insurance Services, South Carolina Association of Counties
 - 2022 Outstanding Safety Achievement Award, Lancaster County
 - 2022 Sustained Excellence in Risk Management Award, Lancaster County
 - 2nd Runner Up in the South Carolina Counties Workers' Compensation Trust Lag Time Award, Lancaster County
- e. Recognition of Art and Essay Contest Winners for "Lancaster County RISE" from the Lancaster County School District - Dennis Marstall, County Administrator

7. Consent Agenda

[Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]

- a. Approval of Minutes from the March 29, 2023 Departmental Presentations and Budget Workshop Meeting
- b. Approval of Minutes from the April 5, 2023 Strategic Plan Special Meeting
- c. Approval of Minutes from the April 11, 2023 County Council Regular Meeting
- d. Approval of Minutes from the April 12, 2023 Departmental Presentations and Budget Workshop Meeting

8. Non-Consent Agenda

- a. Resolution 1235-R2023 regarding Authorizing American Rescue Plan Act (ARPA) Funding for EMS Headquarters Bay Construction
Resolution Title: A Resolution Authorizing An Amendment To American Rescue Plan Act (ARPA) Funding For EMS Headquarters Bay Construction. - **Dennis Marstall/Clay Catoe**
- b. 2nd Reading of Ordinance 2023-1843 Regarding Amending the Unified Development Ordinance for Building Height Requirements (Applicant Lancaster County Water And Sewer District)
Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 2.4, Building Heights, To Exempt Lancaster County Water & Sewer District (LCW&SD) Water Tank Towers From Height Regulations And Alter Setback Requirements For The Towers On The Effective Date Of This Ordinance - **Planning Case Number: UDO-TA-2023-0188. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the text amendment. Passed 7-0 at the April 11, 2023 County Council Meeting. - Allison Hardin**
- c. Public Hearing and 2nd Reading of Ordinance 2023-1844 regarding Approval of an Easement for Duke Power
Ordinance Title: An Ordinance To Approve An Easement Grant To Duke Energy Carolinas, LLC Upon Real Property Owned By Lancaster County And Located At 1140 Elliott Street Bearing Tax Parcel Number 0082D-0K-020.00 And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Grant Of The Easements And To Effectuate The Purposes Of This Ordinance. - **Passed 6-1 at the April 11, 2023 County Council Meeting (Allen Blackmon Opposed). - Dennis Marstall**

9. Discussion and Action Items

a. Approval of Appointments to Various Boards or Commissions

- Marshall Walker, Jr. as the District 5 Representative to the Airport Advisory Board to fill an unexpired term that would end on 06/30/2025
- Joie Bier as the District 4 Representative to the Airport Advisory Board to fill an unexpired term that would end on 06/30/2023 AND to fill a four year term that would expire on 06/30/2027 (1st Term)
- William R. Crothers as the District 7 Representative to the Airport Advisory Board to fill an unexpired term that would end on 06/30/2025
- Revery Johnson as the District 4 Representative on the Library Board to fill an unexpired term that would end on 06/30/2023 AND to fill a four year year term that would expire on 06/30/2027 (1st Term)

10. Status of items tabled, recommitted, deferred or held

- a. POSTPONED UNTIL THE 5/22/2023 COUNCIL MEETING PER APPLICANT'S REQUEST- Public Hearing and 3rd Reading of Ordinance 2023-1842 regarding Authorization of a Special Source Revenue Credit Agreement with Project Spider
- Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And [An Entity Previously Identified By The County As Project Spider], Including Any Related Or Affiliated Entities, Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - *Passed 6-0 at the March 27, 2023 County Council Meeting (Charlene McGriff Absent). Passed 7-0 at the April 11, 2023 County Council Meeting. - Brian Fulk*
- b. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 2nd Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
- Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - *Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. Passed 5-2 at the January 9, 2023 County Council Meeting (Opposed Jose Luis and Billy Mosteller). 2nd Reading Postponed until the June 12, 2023 County Council Meeting by a vote of 6-1 (Opposed Jose Luis). - Allison Hardin*
- c. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 1st Reading of Ordinance 2023-1846 regarding Establishing a Policy and Procedure for Naming Rights
- Ordinance Title: An Ordinance Establishing A Policy And Procedure For Naming County-Owned Properties Or Structures. - *Postponed to June 12, 2023 at the April 11, 2023 County Council Meeting. - Chris Clouden*

11. Miscellaneous Reports and Correspondence

12. Executive Session

[motions from Members may follow]

a. Two Items:

1. Receipt of legal advice subject to the attorney-client privilege

regarding a potential contractual matter for land acquisition.

2. Receipt of legal advice subject to the attorney-client privilege regarding pending or threatened litigation.

13. Items Requiring a Vote Following Executive Session

14. Adjournment

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org

*Meetings are live streamed and can be found by using the following link:
https://mylancastersc.org/government/lancaster_county_council/County_Council_Meetings.php*

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Lieutenant Aaron Carroll was recognized by the Lancaster County Chamber of Commerce as one of "Lancaster County's Top 12 under 40." He started with the Sheriff's Department in 2015 as a patrol deputy. He was moved to a specialized team and was promoted to team lead in 2017. He was then promoted to the investigations unit, where he currently leads the property and special victim's investigative unit. He also serves as the agency's SWAT Team Commander. He is known throughout the Department as hardworking, professional, intelligent and level-headed.

Points to Consider:

Sheriff Barry Faile described "Lieutenant Carroll as an outstanding leader who encourages his investigators to provide high quality service to the citizens of Lancaster County each and every day."

Funding and Liability Factors:

There were no funding and liability factors for this recognition.

Recommendation:

This item is informational only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

At the last Council meeting, the County provided recognition to County employees in celebration of April as National County Government month. This year, the County created the RISE award, which was based on this year's National County Government month's theme: Counties RISE! Our County's RISE award recognizes Resiliency, Innovation, Service, and Excellence among our employees. Two of the winner's could not be at the last Council meeting and, therefore, are being recognized at this Council meeting.

Points to Consider:

This annual celebration encourages County's to actively promote the services and programs they offer to their citizens and the RISE award is an excellent opportunity for us to highlight our highly capable County workforce.

During the month of March, employees were asked to nominate coworkers who have gone above and beyond in resiliency, innovation, service and excellence. The County received a total of 23 nominations for the RISE awards and we will be recognizing the top employee in each of the four categories.

Funding and Liability Factors:

N/A

Recommendation:

This item is for information for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

This presentation is for information only to recognize the Employee of the Year. Each quarter, County employees can nominate an Employee of the Quarter, that is then selected by the Safety Committee. The Safety Committee selected the Employee of the Year from the four winners from the Employee of the Quarter.

Points to Consider:

The winner of the Employee of the Year will be announced at the Council meeting.

Funding and Liability Factors:

The Employee of the Year receives \$100.00

Recommendation:

This item is for information only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Ryan Whitaker/Risk Management

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Presentation of awards from the South Carolina Association of Counties for awards that were won during the South Carolina Counties Workers' Compensation Trust Annual Membership Meeting.

Points to Consider:

The County Administrator and Council join in congratulating Risk Manager Ryan Whitaker on his continued success in helping with and communicating the County's safety achievements.

Funding and Liability Factors:

Recommendation:

This item is for information for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

April is National County Government month and the theme this year is ***Counties RISE - Resiliency, Inclusion, Solvency, Empowerment***. Lancaster County, in conjunction with the Lancaster County School District, sponsored an art contest for elementary age school students and an essay contest for elementary, middle and high school age students that was titled, "Lancaster County RISE." We asked Elementary School students what they like best about living in Lancaster County. For the Middle and High School essays, they could choose one of the words from RISE (Resiliency, Inclusion, Solvency, Empowerment) and tell us how they have seen this represented in Lancaster County.

Points to Consider:

The County will announce the winners of the art and essay contests at the Council meeting.

Funding and Liability Factors:

There will be one 1st Place winner for the Elementary essay, Elementary art. Middle School essay, and High School essay. Each winner will receive a certificate, a monetary gift of \$50.00 and the winning essay will be featured in *The Lancaster News* and on Lancaster County's website at mylancastersc.org.

Recommendation:

This item is for information only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Donna Greene / Deputy Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Approve or amend the minutes from the March 29, 2023, Departmental Presentations and Budget Workshop meeting.

Points to Consider:

The draft minutes from the March 29, 2023, Departmental Presentations and Budget Workshop meeting are attached for Council's review and consideration.

Funding and Liability Factors:

There are no funding or liability factors regarding approval of minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 3-29-2023 Departmental Presentations and Budget Workshop Meeting	4/20/2023	Backup Material

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

March 29, 2023

1:00 PM

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

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

WORKSHOP MINUTES

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

Absent: Terry Graham

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Donna Greene, Deputy Clerk to Council; Leah Clevenger, IT Project Manager; Kim Belk, Budget Director; Veronica Thompson, Financial Services Director; Graham Shuford, Budget Analyst; Sheriff Barry Faile; Major Matt Shaw; Darren Player, Fire Rescue/Emergency Management Director; Clay Catoe, EMS Director; Karla Deese, Coroner; Robert Purser, 911 Public Safety Communications Director; Curtisha Ingram; Chief Magistrate; Mary Rathel; Jennifer Page; Delinquent Tax Collector; Brad Carnes, Tax Assessor; Brittany Grant, Register of Deeds Director; Cathy McDaniel, Procurement Director; Carrie Helms, Treasurer; Suzette Murphy, Auditor; Robin Ghent, Veterans Affairs Director; Dr. April Williams, Library Director; Brian Fulk, Economic Development Director; Mary Ann Hudson, Voter Registration Director; Ginny Merck-Dupont, County Attorney; the press; 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 - Chairman Steve Harper

Chairman Steve Harper called the Departmental Presentations and Budget Workshop meeting to order at approximately 1:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the Budget Workshop.

Pledge of Allegiance and Invocation - Council Member Charlene McGriff

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

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Allen Blackmon. Motion to approve the agenda Passed 6-0. Absent: Terry Graham.

Discussion and Action Items

Dennis Marstall opened the Budget Workshop meeting and stated this workshop would be the first of three workshops. He stated half of the departments would present their budget requests today and the other half would present their budgets on April 12. He continued that the Capital Budget and American Rescue Plan Act (ARPA) Funding would also be included today. He stated that staff is interested in Council feedback during these presentations.

Departmental Presentations for Public Safety

Sheriff Barry Faile provided a handout which is attached as Schedule A to the written minutes in the Clerk to Council's office. Major Matt Shaw reviewed the County power point presentation regarding the Sheriff's Office budget requests. Council and staff discussed the employment turnover of trained officers and costs associated with training a new officer. There were also discussions regarding vehicle rotations within the Sheriff's Office. Major Shaw then reviewed the County power point presentation regarding the Detention Center's budget requests.

Darren Player reviewed the County power point presentation regarding the Emergency Management budget requests. He stated they are building this budget to separate from Fire Rescue and the Fire Commission budget. Darren also reviewed the Fire Commission budget requests which primarily supports the volunteer fire service community. Darren reviewed the Fire Rescue budget requests which supports the paid firefighters. He continued that the firefighters pay was below where they need to be. Council requested a pay study comparison for beginning firefighters for surrounding areas.

Clay Catoe reviewed the County power point presentation regarding EMS' budget requests. Allen Blackmon asked about the lack of an ambulance in the Heath Springs area. Clay stated a QRV could provide the same care as an ambulance and that if transport was needed, an ambulance would respond to the scene. Council requested a pay study comparison for paramedics/EMTs for surrounding areas.

Coroner Karla Deese reviewed the County power point presentation regarding the Coroner's budget requests. There was no discussion or any questions from Council regarding this department.

Robert Purser reviewed the County power point presentation regarding the 911 Public Safety Communications' budget requests. Council and staff discussed the employee turnover rate in this department.

Departmental Presentations for Judicial Services

Circuit Court/Clerk of Court/Family Court will present at the April 12 Budget Workshop.

Curtisha Ingram reviewed the County power point presentation on the Magistrate's budget requests. She explained the two salary increases were to make equal salaries for all of the associate judges, which should help keep up the morale. There was no discussion or any questions from Council regarding this department.

Mary Rathel reviewed the County power point presentation on the Probate Court's budget requests. She stated she was not requesting any increases. There was no discussion or any questions from Council regarding this department.

Departmental Presentations for Financial Services

Jennifer Page reviewed the County power point presentation on the Delinquent Tax budget requests. She stated the number of passports issued has increased so she needs a new position. Council and staff discussed the passport issue that was brought to their attention during the last budget year.

Brad Carnes reviewed the County power point presentation on the Assessor's budget requests. He stated his request involves new software, which would be better for storage and more professional. There was no discussion or any questions from Council regarding this department.

Brittany Grant reviewed the County power point presentation on the Register of Deeds' budget requests. She is requesting an additional microfilm reader because the machine they have now will be obsolete after this year.

Cathy McDaniel reviewed the County power point presentation on the Procurement budget requests. She stated she was not requesting any increases. There was no discussion or any questions from Council regarding this department.

Carrie Helms reviewed the County power point presentation on the Treasurer's budget requests. There was no discussion or any questions from Council regarding this department.

Suzette Murphy reviewed the County power point presentation on the Auditor's budget requests. She reviewed the Homestead numbers and asked for pay increases for her employees. Jose Luis requested a pay study comparison from surrounding areas.

Veronica Thompson reviewed the County power point presentation of the Finance budget requests. There was no discussion or any questions from Council regarding this department.

Departmental Presentations for Departments without an Assigned Division

Robin Ghent reviewed the County power point presentation on the Veteran's Affairs' budget requests. There was no discussion or any questions from Council regarding this department.

Dr. April Williams reviewed the County power point presentation on the Library's budget requests. There was no discussion or any questions from Council regarding this department.

Brian Fulk reviewed the County power point presentation on Economic Development's budget requests. Jose Luis asked about attracting small business to Lancaster County. There was no discussion or any questions from Council regarding this department.

Mary Ann Hudson reviewed the County power point presentation on the Registration and Elections' budget requests. She stated they were requesting an increase in pay for poll workers. There was no discussion or any questions from Council regarding this department.

Ginny Merck-Dupont reviewed the County power point presentation on the Legal budget requests. There was no discussion or any questions from Council regarding this department.

Council took a break in the meeting starting at approximately 3:57 p.m. The break ended at approximately 4:11 p.m. Steve Harper called the meeting back to order and the meeting resumed.

Discussion of Capital Budget and American Rescue Plan Act (ARPA) Funding

Kim Belk reviewed the County power point presentation regarding the Capital Budget and American Rescue Plan Act (ARPA) Funding. She requested feedback from Council as she reviewed her presentation. Council and staff discussed different funding sources available for Capital Projects. She reminded Council that the ARPA funds must be obligated by 2024 and spent by 2026.

Frannie Heizer with Burr & Forman joined via telephone conference call at approximately 4:31 p.m. regarding the ballot question on the referendum that the voters passed for the cost of the detention center that would not exceed \$30 million. Ms. Heizer stated Council cannot spend more than \$30 million of Capital Sales Tax 3 on the new detention center because that's what the voters passed. She continued that there would be nothing to prevent Council from creating a new ordinance for a \$90 million detention center and Magistrate Court. Steve Harper stated Council would be requesting a new ordinance to come before Council for the new detention center and Magistrate Court. Frannie Heizer was released from the telephone conference call at approximately 4:59 p.m.

Adjournment

Jose Luis left the meeting at approximately 5:10 p.m. and joined via telephone conference call.

Brian Carnes moved to adjourn. Seconded by Charlene McGriff. Jose Luis voted to adjourn via telephone; Motion Passed 6-0. Absent: Terry Graham.

There being no further business, the Budget Workshop meeting adjourned at approximately 5:15 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Approve or amend the minutes from the April 5, 2023, Strategic Plan Special meeting.

Points to Consider:

The draft minutes from the April 5, 2023, Strategic Plan Special meeting are attached for Council's review and consideration.

Funding and Liability Factors:

There are no funding or liability factors regarding approval of minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 4-5-2023 Strategic Plan Special Meeting	4/20/2023	Backup Material

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

April 5, 2023

10:30 AM

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

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

SPECIAL MEETING MINUTES

Council Members present: Allen Blackmon, Brian Carnes (*who attended via phone*), Steve Harper, Jose Luis (*who entered the meeting late at approximately 10:58 a.m. during the discussion of the Vision, Mission and Values*), Charlene McGriff and Billy Mosteller.

Council Members absent: Terry Graham.

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Sherrie Simpson, Clerk to Council; Kim Belk, Budget Director; Jeff Catoe, Public Services Director; Lisa Robinson, Human Resources Director; Veronica Thompson, Chief Financial Officer; Ginny Merck-Dupont, County Attorney; Brenda Thompson, Communications and Marketing Director; Jason Gray, consultant with Willdan; various staff; citizens; and the press.

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 - Chairman Steve Harper

Chairman Steve Harper called the Strategic Plan Special meeting to order at approximately 10:30 a.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.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Allen Blackmon. A roll call vote was taken and the motion to approve the agenda Passed 5-0.; Ayes: McGriff, Mosteller, Harper, Blackmon, Carnes; Nays: None; Absent: Graham, Luis

Discussions regarding the 2023 Strategic Plan - Led by Jason Gray, Managing Principal, Willdan

Discussion regarding Preliminary Results from the County-wide Citizen Survey and Strategic Plan Focus Groups

Jason Gray reviewed the power point presentation that is attached to the written minutes in the Clerk to Council's office. He quickly reviewed the building blocks of strategic planning. He then spent time reviewing the results of the community engagement thus far, the results of which can be found in the County power point presentation. He explained that this information had come from the community surveys. He noted that these results were not the final outcome of the completed surveys, but were rather just based on the surveys completed thus far. He reminded Council that the survey was not scientific. Council and the consultant discussed that road maintenance or public works maintenance may be skewed because many of the roads in the County are State roads. Jason Gray noted that the County's community engagement was ongoing and that the County was scheduled to hold two more focus group meetings and had sent out new email "blasts" encouraging citizens to complete the community survey.

Discussion and Action Regarding a Preliminary Vision Statement, Mission Statement, Organizational Values, and Strategic Themes

Jason Gray then led a discussion on Vision, Mission and Values by reviewing the power point presentation. He quickly reviewed the current vision and mission statements and defined the values associated with those statements. He then discussed the various styles of vision statements: (1) one style is broad and would be similar to what the County has, or (2) the other style is very specific and laser focused and uses one mission/item that sets the place apart from all other places. He noted that the sample vision statement styles he was using in the power point presentation were based on currently emerging themes and that the statements were likely to change and were for discussion purposes only. Council and the consultant discussed what type of vision style they liked best: (1) the one similar to what the County is currently using - orange style; or (2) the one that uses one item that sets a place apart from all other places - green style. He noted that for the green style vision, the statement needed to be quantifiable. Council members discussed their concerns about the green style being too laser focused. They determined that they would like to see a vision that combined the two styles and would be easy for staff to memorize. They determined the style should be shorter and more condensed than what the County currently has but is more specific than what the County currently has. Jason Gray noted that the vision should be the end that the County is striving to become, but the mission is the means by which the County intends to get to the vision or how they enable the vision. Next, he discussed metrics within vision statements and asked Council for their feedback. He explained that if the vision and mission statements are more broad, then the objectives will need to be more focused. He then discussed whether the emerging values could be encapsulated by creating an acronym and he provided some examples.

Discussion regarding the County Strategic Plan Component: Objectives

Finally, Jason Gray led a discussion on Strategic Themes by reviewing the County power point presentation. He noted that the emerging themes from Council's top initiatives were: (1) public safety; (2) infrastructure; (3) county resources; (4) quality growth; and (5) high performance. They discussed possible objectives within those themes. He then asked Council to provide feedback and list three things they would like to see the County accomplish around public safety, infrastructure, county resources, quality growth and high performance within the next five years. After Council completed the feedback activity, Jason Gray explained that the strategic plan was

still on track for a July recommendation and an August action.

Adjournment

Charlene McGriff moved to adjourn the meeting. Seconded by Jose Luis. A roll call vote was taken and the motion to adjourn Passed 5-0.; Ayes: McGriff, Mosteller, Luis, Harper, Blackmon; Nays: None; Absent: Graham, Carnes

There being no further business, the Strategic Plan Special meeting adjourned at approximately 12:02 p.m.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Donna Greene / Deputy Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Approve or amend the minutes from the April 11, 2023, County Council regular meeting.

Points to Consider:

The draft minutes from the April 11, 2023, County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:

There are no funding or liability factors regarding approval of minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 4-11-2023 County Council Regular Meeting	4/20/2023	Backup Material

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

April 11, 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, Terry Graham, Steve Harper, Jose Luis, Charlene McGriff, and Billy Mosteller.

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; John Bodner, Assistant County Administrator; Sherrie Simpson, Clerk to Council; Veronica Thompson, Financial Services Director; Allison Hardin, Interim Planning Director; Dr. April Williams, Library Director; Sheriff Barry Faile; Clay Catoe; EMS Director; Jeff Catoe; Public Services Director; Brian Fulk, Economic Development Director; Chris Clouden, Parks & Recreation Director; Natalie Bowers, Communications & Marketing Specialist; the press; 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 led by Zoey Engel, granddaughter of Billy Mosteller, and Invocation led by Billy Mosteller

Zoey Engel, granddaughter of Councilmember Billy Mosteller, led the Pledge of Allegiance to the American Flag and Billy Mosteller delivered the Invocation.

Approval of the Agenda

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

Special Presentations

Dennis Marstall recognized April as National County Government Month. He stated the theme for this year was *Counties RISE*. He recognized two outstanding employees who have given 50 years of service to Lancaster County. He congratulated and thanked Nancy Berry, who works with Del Webb Library, and Wayne Willis, who works with EMS as a paramedic, on their years of service to the County.

Dennis Marstall then recognized the EMS Department for winning two state awards at their annual conference at Myrtle Beach. He recognized John Kennington for receiving the South Carolina EMT of the Year Award. He then recognized the Lancaster County PIER (Public Information and Education Resource) Team, which consists of Greg Brasington, Brian Collins, Jamie Deason, and Monica Graham. He explained that they received the South Carolina PIER Team of the Year Award. Monica Graham represented the PIER Team and accepted the award.

Dennis Marstall stated that County employees were being recognized for their outstanding job performance this month as well by being nominated for RISE awards. The following employees were nominated for and won overall RISE awards for each of the following categories: R for Resiliency, which was presented to Cathy McDaniel in Procurement for stepping up and performing job duties in Payroll when the County was short staffed; and I for Innovative, which was presented to Jeff Catoe in Public Works for developing a program to upgrade a creek crossing that saved taxpayer funds and prevented flooding. He explained that the overall award winner for the RISE awards was presented to Angie Estridge, Receptionist for the County, because she always greets taxpayers with a smile and goes out of her way to assist citizens.

Allison Hardin introduced Vagn Hansen, the consultant with Benchmark. He reviewed the power point presentation regarding the Lancaster 2040 Comprehensive Plan, which is attached as Schedule A to the written minutes in the Clerk to Council's office. This review pertained to the future land use concepts. Council and staff discussed the panhandle area that has both commercial and residential growth.

Citizens Comments

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

1. Tindall Yarborough, Lancaster, SC, spoke regarding the homelessness problem in Lancaster County.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, **7b.**, **7c.**, **7d.**, [which are the same as Item **a.**, **b.**, **c.**, and **d.** listed below]. Seconded by Charlene McGriff.

Allen Blackmon made a motion to amend the minutes from the 3/15/2023 Strategic Plan Workshop Meeting. He noted that the minutes had him abstaining from voting on adjourning and he would like those changed to show he voted in favor of adjourning. Seconded by Brian Carnes. Motion to Amend Passed 7-0.

Motion to Approve the Consent Agenda as Amended Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

- a. Approval of Minutes from the March 15, 2023 Strategic Plan Workshop Meeting
- b. Approval of Minutes from the March 15, 2023 Committee of the Whole Meeting
- c. Approval of Minutes from the March 27, 2023 County Council Regular Meeting
- d. 2nd Reading of Ordinance 2023-1842 regarding Authorization of a Special Source Revenue Credit Agreement with Project Spider

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And [An Entity Previously Identified By The County As Project Spider], Including Any Related Or Affiliated Entities, Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - *Passed 6-0 at the March 27, 2023 County Council Meeting (Charlene McGriff Absent). - Brian Fulk*

Non-Consent Agenda

Resolution 1233-R2023 regarding Approval of Settlements for Opioid Litigation

Resolution Title: A Resolution To Approve The Five National Opioid Settlements With Defendants Teva, Allergan, CVS, Walgreens, And Walmart And The South Carolina Opioid Settlement Allocation Agreement As Amended.

Brian Carnes moved to approve. Seconded by Allen Blackmon.

Dennis Marstall stated that this agreement would be structured so that the County would receive \$5.8 million over a 15 year period for opioid addiction treatment and medication. He stated the funds would have to be applied for on an annual basis for a different level of funding each year. He continued that the funding is very prescribed about what the state says you can apply for and the funding that is not spent will be rolled over to the next year.

Motion to approve Resolution 1233-R2023 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Resolution 1234-R2023 regarding Authorization of the Final Design of the Detention Center at a Cost of Approximately 90 Million Dollars

Resolution Title: A Resolution Authorizing The Lancaster County Administrator To Proceed With The Final Design Of The Detention Center Project At A Cost Of Approximately \$90,000,000

Charlene McGriff moved to approve. Seconded by Billy Mosteller.

Dennis Marstall stated the latest design was presented to have a core facility and bed spaces. He noted that the facility could be expanded. He explained that this vote would provide the authorization to move to final bid documents and design documents. He further explained that the classification system for prisoners has changed. He stated the Sheriff wanted the facility accredited, which requires a higher level of design. He stated they wanted officer safety, but were also concerned about inmate safety. He stated that the new facility would also address different areas for the following: mental health services; health services; food services; and other services based on the different classifications.

Charlene McGriff asked about the timeline and Dennis Marstall stated groundbreaking would be next Spring. Steve Harper stated he was concerned that the citizens did not vote for a jail that has doubled in cost. Allen Blackmon stated that he supports the project and believes it would be imperative to move forward. Brian Carnes also believes the previous plan the County had was not adequate and believes the County is headed in the right direction. Brian Carnes asked Sheriff Faile about bail reform and Sheriff Faile stated if the bill in the legislature passes, then the County could expect a twenty percent increase in inmates.

Motion to approve Resolution 1234-R2023 Passed 6-1. Ayes: Blackmon, Carnes, Graham, Luis, McGriff, Mosteller; Nays: Harper.

Public Hearing and Resolution 1232-R2023 regarding Approval of Conditional Use Permit for Tidal Wave Auto Spa

Resolution Title: A Resolution To Approve The Favorable Recommendation Of Both The Lancaster County Planning Staff And The Lancaster County Planning Commission Of A Conditional Use Application To Permit A Minor Maintenance And Repair (Auto) To Be Located Upon Tax Map # 0013-00-015.00), At 4138 Doby's Bridge Road For The Purpose Of Developing An Automated Car Wash. - *Planning Case Number: CU-2022-2447.*

Allison Hardin reviewed the County power point presentation regarding a conditional use permit for a minor maintenance and repair facility. Council and staff discussed the Highway 521 and Doby's Bridge Road access to the business.

Steve Harper opened the Public Hearing for Resolution 1232-R2023 at approximately 7:03 p.m. He noted that no one signed up to speak at the Public Hearing for the Resolution. There were approximately 18 citizens in attendance during the Public Hearing for this Resolution. 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 7:03 p.m.

Allen Blackmon moved to approve. Seconded by Charlene McGriff.

The motion to approve Resolution 1232-R2023 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Public Hearing and 1st Reading of Ordinance 2023-1843 Regarding Amending the Unified Development Ordinance for Building Height Requirements (Applicant Lancaster County Water And Sewer District)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 2.4, Building Heights, To Exempt Lancaster County Water & Sewer District (LCW&SD) Water Tank Towers From Height Regulations And Alter Setback Requirements For The Towers On The Effective Date Of This Ordinance - *Planning Case Number: UDO-TA-2023-0188.*

Allison Hardin reviewed the County power point presentation regarding amending the Unified Development Ordinance (UDO) for Building Height Requirements. Tim Kizer, professional engineer with Lancaster County Water and Sewer District, spoke regarding problems with water tanks if Highway 521 gets widened. He stated there are no problems because they have prior rights and deal with moving water lines. He stated there was plenty of room for road widening and tanks were designed to higher standards than other building standards and no cell antennas were allowed on their tanks.

Steve Harper opened the Public Hearing for Ordinance 2023-1843 at approximately 7:15 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 16 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 7:15 p.m.

Billy Mosteller moved to approve. Seconded by Charlene McGriff.

The motion to approve 1st Reading of Ordinance 2023-1843 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Steve Harper requested this Ordinance stay on the Non-Consent Agenda.

1st Reading of Ordinance 2023-1844 regarding Approval of an Easement for Duke Power

Ordinance Title: An Ordinance To Approve An Easement Grant To Duke Energy Carolinas, LLC Upon Real Property Owned By Lancaster County And Located At 1140 Elliott Street Bearing Tax Parcel Number 0082D-0K-020.00 And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Grant Of The Easements And To Effectuate The Purposes Of This Ordinance.

Brian Carnes moved to approve 1st Reading of Ordinance 2023-1844. Seconded by Charlene McGriff.

Dennis Marstall stated this easement would not interrupt any of our athletic fields nor have a negative impact on our property on Elliott Street. He recommended approval of the easement. Allen Blackmon questioned that granting the easement gives enough ingress and egress to be able to tear up our property. They discussed that the Ordinance addresses damages to property.

The 1st Reading of Ordinance 2023-1844 Passed 6-1. Ayes: Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: Blackmon.

1st Reading of Ordinance 2023-1846 regarding Establishing a Policy and Procedure for Naming Rights

Ordinance Title: An Ordinance Establishing A Policy And Procedure For Naming County-Owned Properties Or Structures.

Brian Carnes moved to approve 1st Reading of Ordinance 2023-1846. Seconded by Charlene McGriff.

John Bodner presented criteria for County Council to consider when naming or renaming County property and facilities.

There were discussions about using living individuals versus deceased individuals; businesses and businesses that become defunct or that merge; and the need to have language to remove or change the name based upon new circumstances.

Allen Blackmon made a motion to postpone and bring back to an upcoming Committee of the Whole meeting and then back to Council at a June meeting. Seconded by Jose Luis. The Motion to Postpone Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

The 1st Reading of Ordinance 2023-1846 was postponed to an upcoming Committee of the Whole meeting.

Discussion and Action Items

Approval of Appointments to Various Boards or Commissions for District 4

- Maureen Johnson as the District 4 Representative on the Keep Lancaster County Beautiful Committee to fill an unexpired term that would end on 06/30/2023 AND to fill a four year year term that would expire on 06/30/2027 (1st Term)
- M. David Aspesi as the District 4 Representative on the Recreation Advisory Board to fill an unexpired term that would end on 06/30/2023 AND to fill a four year year term that would expire on 06/30/2027 (1st Term)
- Gary Wayne Alden as the District 4 Representative on the Board of Zoning Appeals (BZA) to fill an unexpired term that would end on 06/30/2023 AND to fill a four year year term that would expire on 06/30/2027 (1st Term)
- Kelly Collins as the District 4 Representative on the Health and Wellness Commission to fill an unexpired term that would end on 06/30/2023 AND to fill a four year year term that would expire on 06/30/2027 (1st Term)

Charlene McGriff moved to approve the appointments as listed. Seconded by Allen Blackmon. The motion to

approve the appointments Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Status of items tabled, recommitted, deferred or held

- a. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 2nd Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
- Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - ***Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. Passed 5-2 at the January 9, 2023 County Council Meeting (Opposed Jose Luis and Billy Mosteller). 2nd Reading Postponed until the June 12, 2023 County Council Meeting by a vote of 6-1 (Opposed Jose Luis). - Allison Hardin***

There were no discussions regarding the status of items tabled, recommitted, deferred or held.

Miscellaneous Reports and Correspondence

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

Executive Session

One Item:

- 1. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter for land acquisition.***

Terry Graham moved to go into Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None. At approximately 7:38 p.m., Council went into Executive Session to discuss the one (1) item listed above.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:02 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Jose Luis. Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Items Requiring a Vote Following Executive Session

Upon returning to open session, Ginny Merck-Dupont noted, for the record, that during Executive Session, Council discussed one (1) item: receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter for land acquisition. She stated no decisions were made in Executive Session and no votes were taken.

Adjournment

Allen Blackmon moved to adjourn. Seconded by Jose Luis. Motion Passed 7-0.

There being no further business, the regular meeting of County Council adjourned at approximately 8:03 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Approve or amend the minutes from the April 12, 2023, Departmental Presentations and Budget Workshop meeting.

Points to Consider:

The draft minutes from the April 12, 2023, Departmental Presentations and Budget Workshop meeting are attached for Council's review and consideration.

Funding and Liability Factors:

There are no funding or liability factors regarding approval of minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 4-12-2023 Departmental Presentations and Budget Workshop Meeting	4/20/2023	Backup Material

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

April 12, 2023

1:00 PM

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

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

WORKSHOP MINUTES

Council Members present: Terry Graham, Steve Harper, Jose Luis (*who attended via Teams*), Charlene McGriff and Billy Mosteller.

Council Members absent: Allen Blackmon and Brian Carnes

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Sherrie Simpson, Clerk to Council; Kim Belk, Budget Director; Jeff Catoe, Public Services Director; Lisa Robinson, Human Resources Director; Veronica Thompson, Chief Financial Officer; Ginny Merck-Dupont, County Attorney; Brenda Thompson, Communications and Marketing Director; Paul Moses, Airport Manager; Alan Williams, Animal Shelter Director; Brandon Elliott, Director of Fleet Maintenance; Daniel Hammond, Building Maintenance Director; Scott Edgar, Stormwater Director; Darin Robinson, Building Department Director; Allison Hardin, Interim Planning Director; Chris Clouden, Parks and Recreation Director; Scott Hernandez, Information Technology Director; Ryan Whitaker, Risk Manager; Jeff Hammond, Clerk of Court; various Department Heads; and various staff.

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 updated County power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order - Chairman Steve Harper

Chairman Steve Harper called the Departmental Presentations and Budget Workshop meeting to order at approximately 1:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the Budget Workshop.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Due to Allen Blackmon's absence, Billy Mosteller led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Terry Graham. A roll call vote was taken and the motion to approve the agenda Passed 5-0.; Ayes: Graham, McGriff, Mosteller, Luis, Harper; Nays: None; Absent: Blackmon, Carnes

Discussion and Action Items

Departmental Presentations for Public Services

Paul Moses reviewed the County power point regarding the Airport's budget requests. Council and staff discussed the possible growth at the Airport.

Alan Williams reviewed the County power point regarding the Animal Shelter's budget requests. Council and staff discussed the possible need for additional kennels, potential growth implications, overcrowding at the Shelter, the requested cost of the Shelter versus the actual cost, the save rate at the Shelter and that the Shelter does not house the County's service dogs.

Brandon Elliott reviewed the County power point regarding Fleet's budget requests. Council and staff discussed that there are no vehicles available for replacement, including ambulance purchases. They also discussed the rising costs of vehicles, the rotation of Sheriff's vehicles and County vehicles, and the new telematics software request for Fleet that is actually in the Information Technology (IT) budget and how it could possibly help offset the department being short staffed.

Daniel Hammond reviewed the County power point regarding Building Maintenance's budget requests. There was no discussion or any questions from Council regarding this department.

Jeff Catoe reviewed the County power point regarding Road Maintenance's (Department 202) budget requests. Council and staff discussed the variance in operating costs and the traffic calming program. Jose Luis asked for details on the carry over on the fee.

Jeff Catoe reviewed the County power point regarding Solid Waste/Recycling's (Department 312) budget requests. Council and staff discussed planning for a landfill, the use of the Lee County landfill, and variances in personnel costs, which Jeff Catoe indicated may be due to an error in math.

Departmental Presentations for Development Services

Scott Edgar reviewed the County power point regarding Stormwater's budget requests. He also provided Council with a two-page handout of pictures of soil erosion and that handout is attached as Schedule A to the written minutes in the Clerk to Council's office. He used the pictures to explain why the County needed a soil scientist. Council and staff discussed the liability associated with hiring a soil scientist. Jose Luis asked Stormwater staff to set up an appointment with him for a ride along.

Darin Robinson reviewed the County power point regarding the Building Department's budget requests. There was no discussion or any questions from Council regarding this department.

Allison Hardin reviewed the County power point regarding Planning and Zoning's budget requests. Dennis

Marstall provided an update on the recruitment for a permanent Planning Director. Dennis Marstall and Allison Hardin explained that the Planning Department currently has many projects underway and that they need feedback from Council regarding what they want to see as priority projects for the Department. Council asked to have the Cluster and Overlay Ordinances come back to them in June.

Departmental Presentations for General Services

Lisa Robinson reviewed the County power point regarding Human Resources' budget requests. There was no discussion or any questions from Council regarding this department.

Chris Clouden reviewed the County power point regarding Parks and Recreation's budget requests. Council and staff discussed the possibility of increasing wages for staff that make under \$12.50 per hour. Council asked budget staff to provide information on whether revenue collected through Parks and Recreation increased last year. Council asked about the possibility of automating rentals; however, Chris Clouden explained that the rental coordinator needed to provide in person services in order to be effective and efficient. Dennis Marstall introduced the new Parks and Recreation Assistant Director, Jason McCray.

Scott Hernandez reviewed the County power point regarding Information Technology's (IT) budget requests. He explained that technology was key to the delivery of services for all other departments and that his budget reflected technology requests for other departments. Council and staff discussed the telematics software system for Fleet maintenance. Dennis Marstall explained that the County was continuing to move away from the outside contractor/vendor and moving towards full in house IT services.

Brenda Thompson reviewed the County power point regarding the Communications and Marketing's budget requests. There was no discussion or any questions from Council regarding this department.

Ryan Whitaker reviewed the County power point regarding Risk Management's budget requests. There was no discussion or any questions from Council regarding this department.

Department Presentations for Others

Jeff Hammond reviewed the County power point regarding the Circuit Court/Family Court's and the Clerk of Court's budget requests. He also provided Council with a handout entitled "Projects by Department," and that handout is attached as Schedule B to the written minutes in the Clerk to Council's office. Council and staff discussed the possibility of using American Rescue Plan Act (ARPA) funding to replace the boilers.

Council took a break in the meeting starting at approximately 3:17 p.m. The break ended at approximately 3:26 p.m. Steve Harper called the meeting back to order and the meeting resumed.

Discussion of Operating Budget

Dennis Marstall and Kim Belk led a discussion regarding the Operating Budget. During the discussion, they used and reviewed the updated County power point presentation, which is attached to the written minutes in the Clerk to Council's office. Dennis Marstall reviewed the budget goals. Next, Kim Belk provided a comparative revenue update for the budgets since 2019, a current revenue update, current revenue information, historic millage rates, operating budget update, and explained the budget evaluation matrix.

Dennis Marstall provided an overview of the proposal to consolidate the grounds crew. He noted that the proposed Director of Facilities and Grounds would be responsible for managing cleaning and maintenance contracts countywide. Next, Mr. Marstall led a discussion regarding the regional park. He explained that the park was being recommended to be completed in two phases. He noted that the first phase would include everything except the recreation center. He explained that the size of the recreation center could be either 50,000 square feet or 25,000 square feet, with the capability to expand at a later date. He further explained that the projected costs

for phase one would be approximately \$33,980,000 and that the projected costs for phase two would be approximately \$38,820,000. Council and staff discussed the fact that the hospitality tax brings in around two million dollars per year. Jose Luis asked for a breakdown of amenities and costs. Next, Dennis Marstall led a discussion regarding a possible new fleet operations facility. He provided Council with potential options for building sites and construction. He also provided Council with estimated costs for the facility. Council and staff discussed the dimensions of the building, using local vendors for building projects to hold down costs, and design of the facility. Finally, Mr. Marstall led a discussion about a potential transportation tax for the County. He provided the next steps for the budget: (1) a workshop on April 19, 2023, for a personnel budget discussion; (2) a workshop on May 3, 2023, to present the Administrator's recommended budget; and (3) the first reading of the budget ordinance presented to Council on May 22, 2023.

Executive Session

One Item:

1. Receipt of legal advice subject to the attorney-client privilege regarding pending or threatened litigation.

Charlene McGriff moved to go into Executive Session. Seconded by Billy Mosteller. A roll call vote was taken and the motion to go into Executive Session Passed 5-0.; Ayes: Graham, McGriff, Mosteller, Luis, Harper; Nays: None; Absent: Blackmon, Carnes. At approximately 4:26 p.m., Council went into Executive Session to discuss the item listed above.

Council came out of Executive Session and Steve Harper called the Budget Workshop meeting back to order at approximately 4:58 p.m. Terry Graham moved to come out of Executive Session. Seconded by Charlene McGriff. A roll call vote was taken and the motion to come out of Executive Session Passed 5-0.; Ayes: Graham, McGriff, Mosteller, Luis, Harper; Nays: None; Absent: Blackmon, Carnes.

Items Requiring a Vote Following Executive Session

Upon returning to open session, Ginny Merck-Dupont noted, for the record, that during Executive Session, Council discussed one item: receipt of legal advice subject to the attorney-client privilege regarding pending or threatened litigation. She stated that, during Executive Session, no decisions were made and no votes were taken.

Adjournment

Terry Graham moved to adjourn the Workshop. Seconded by Charlene McGriff. A roll call vote was taken and the motion to adjourn the Workshop Passed 5-0.; Ayes: Graham, McGriff, Mosteller, Luis, Harper; Nays: None; Absent: Blackmon, Carnes.

There being no further business, the Budget Workshop meeting adjourned at approximately 4:59 p.m.

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1235-R2023
Contact Person / Sponsor: Dennis Marstall / Administration
Department: Attorney
Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Increase the ARPA funding allocated to the EMS ambulance bay project by \$55,229 for a total of \$455,229.

Points to Consider:

On March 14, 2022, Council authorized the use of \$400,000 in ARPA funds to construct a building with two ambulance bays to house a training and spare Ambulance at the new EMS headquarters, as that feature was not included in the EMS HQ renovation project. Council authorized the expenditure of the \$400,000 in ARPA funds via Resolution 1193-R2022.

After the ambulance bay funding authorization, Council also authorized the purchase of a mass transport bus for EMS with ARPA funding on August 8, 2022 via Resolution 1207-R2022. Based on the dimensions of the EMS mass transport bus, the scope of the ambulance bay project was changed to also house the mass transport bus as well as add a "lean to" on the side of the facility to provide cover and protection for other EMS assets, including two trailers.

The bids for the project were recently opened with three bidders interested in the project. The lowest bid is \$455,229. Staff will evaluate what costs may be adjusted downward from the bid to help get the cost closer to the original \$400,000, but would like to have authorization up to the lowest bid amount of \$455,229 to keep the project moving forward.

There is approximately \$5 million in unallocated ARPA funds from the \$19 million provided that was provided to the County from the America Rescue Plan Act.

Funding and Liability Factors:

This is up to a \$55,229 increase in previously allocated funds, due to the increase in project scope and as a result of the competitive bidding process.

Recommendation:

Approve the increase in ARPA funds for the EMS ambulance bays project.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1235-R2023	4/19/2023	Resolution

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION 1235 - R2023

A RESOLUTION

**AUTHORIZING AN AMENDMENT TO AMERICAN RESCUE PLAN ACT (ARPA)
FUNDING FOR EMS HEADQUARTERS BAY CONSTRUCTION.**

WHEREAS, The American Rescue Plan Act of 2021 (ARPA) was signed into law on March 11, 2021 and provides direct funding to state and local governments.

WHEREAS, Lancaster County has been allotted over \$19 million of which \$9.5 million has already been received by Lancaster County.

WHEREAS, County management has identified a list of projects that fit the eligibility criteria for ARPA funds and those projects were prioritized by the County Administrator.

WHEREAS, the Council of Lancaster County has reviewed the priority list and believes that bay construction at Lancaster County EMS Headquarters is a projects of high priority and immediate need.

WHEREAS, as a result of the bid opening, and a change in the scope of work for the Lancaster County EMS Headquarters including accommodating the mass transit bus, an increase in the allocated American Rescue Plan Act of 2021 (ARPA) funding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of Lancaster County authorizes an amendment in the expenditure of ARPA funds on the EMS Headquarters Bay Construction up to an amount of \$55,229.00 for a total potential expenditure of \$455,229.00 and directs and authorizes the County Administrator to take all necessary steps to effectuate the amendment of ARPA funds for the listed project.

IT IS SO RESOLVED

by County Council this 24th day of April, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

Virginia L. Merck-Dupont, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1843/Planning Case Number: UDO-TA-2023-0188

Contact Person / Sponsor: Matt Blaszyk / Planning

Department: Planning

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Application by Lancaster County Water & Sewer District for an amendment to Section 2.4, regarding building heights, requesting an exemption for LCWSD water tanks and alteration from the current setback standards.

Points to Consider:

Lancaster County Water and Sewer Districts elevated water tanks are currently required to meet the setback requirement "For every foot of building height, the developer shall provide setbacks equal to the height of the building" This is more common for building facades than setbacks for utilities such as water tanks.

The text amendment proposed for the LCWSD elevated tanks would be required to meet the setback requirements of the zoning district they reside in. This would allow LCWSD staff to more easily access the towers as needed, and continue to allow the utility to serve the citizens with water using existing properties.

A chart listing the zoning setbacks is attached per Council's request from the last meeting.

Funding and Liability Factors:

N/A

Recommendation:

The proposed text amendment received unanimous recommendation for approval at March's Planning Commission meeting.

Staff also recommends approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1843	4/4/2023	Ordinance
Exhibit 1 to Ordinance 2023-1843 - Proposed Text	3/14/2023	Exhibit
Staff Report	3/14/2023	Exhibit
Application	3/14/2023	Exhibit
Chart regarding Zoning Setbacks	4/17/2023	Backup Material

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2023-1843

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) SECTION 2.4, BUILDING HEIGHTS, TO EXEMPT LANCASTER COUNTY WATER & SEWER DISTRICT (LCW&SD) WATER TANK TOWERS FROM HEIGHT REGULATIONS AND ALTER SETBACK REQUIREMENTS FOR THE TOWERS ON THE EFFECTIVE DATE OF THIS ORDINANCE

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council of Lancaster County (“Council”) finds and determines that:

- (a) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) to eighteen (18) months to complete.
- (b) Development interest and activity in Lancaster County continues to increase and development project are often presented to the Council that comply with technical requirements of the UDO, but do not fully realize the development policy goals of Lancaster County.
- (c) To address issues with development standards within the current UDO, Lancaster County directed its UDO consultants to develop an interim ordinance to address some of the larger issues associated with development projects that have been processed with the current UDO.
- (d) It is necessary and prudent to amend the UDO with this interim ordinance text amendment prior to the full UDO rewrite to ensure that high quality development projects occur in Lancaster County and that, prior to full UDO rewrite, development projects better achieve the development policy goals of Lancaster County.
- (e) The current Lancaster County UDO allows any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: for every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the relevant table(s).
- (f) The text amendment would add a footnote to each table within Section 2.4 of the UDO that exempt elevated water tanks installed by LCW&SD from building heights and the setback requirement “For every foot of building height, the developer shall provide setbacks equal to the height of the building”. LCW&SD’s elevated tanks would be required to conform to the setbacks within the zoning district they reside in.
- (g) The text amendment provides increased accessibility to Elevated Water Tank sites and increase opportunities for future sites. how many times the lot has been previously divided, lot size, zoning compliance, etc. will be considered.

- (h) The text amendment is consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
- (i) Lancaster County Planning Commission considered the proposed text amendment at its meeting on March 21, 2023 and by a unanimous vote recommended approval of the proposed text amendment.

Section 2. Amendment of Ordinance 2016-1442 (Unified Development Ordinance)

Ordinance 2016-1442 (Unified Development Ordinance), is amended as set forth in the “Interim Ordinance - Exhibit 1” attached hereto and incorporated herein by reference.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance, to the extent to of the conflict, supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 11, 2023
Public Hearing: April 11, 2023
Second Reading: April 24, 2023
Third Reading: May 8, 2023

Approved as to form:

Virginia Merck-Dupont, County Attorney

- 1. Accessory structures over 600 sf must comply with principal setback requirement.*
- 2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.*
- 3. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.*
- 4. The Development/District Exterior Setback/Buffer shall not apply between adjacent LI and HI districts. A waiver of these requirements may be granted by the Administrator for LI and HI lots existing at the adoption date of this ordinance which do not meet the specified minimum District/Development Area. In such instances the building setback standards for the AR District shall apply. A waiver of these requirements may also be granted by the Administrator in order to permit access to an adjacent railroad right-of-way.*
- 5. Elevated Water Tanks installed by the Lancaster County Water and Sewer District are exempt from building height requirements. The tanks shall also be exempt from the setback requirement "For every foot of building height, the developer shall provide setbacks equal to the height of the building". Lancaster County Water and Sewer District's Elevated Water Tanks will be required to conform to the setbacks within the zoning district they reside in.*

PROPOSAL: Amend Unified Development Ordinance Section 2.4, Building Heights, to exempt LCW&SD water tank towers, alter setbacks.

APPLICABLE CHAPTER(S): Chapter 2

APPLICANT: Bradley Bucy for Lancaster County Water & Sewer District

STATUTORY NOTICES: Hearing notice published 3/04/2023 in The Lancaster News
And 3/08/2023 in Carolina Gateway
Posted agenda in lobby and on website 3/14/2023

PROJECT SUMMARY & PROPOSAL:

On behalf of Lancaster County Water & Sewer District, a private utility company, applicant Bradley Bucy is proposing to amend Chapter 2 of the Unified Development Ordinance (UDO) to exempt LCW&SD water tank towers from height regulations in the ordinance and change the setback requirements for the towers.

OUTLINE OF TEXT AMENDMENT:

The following section of the UDO are proposed to be amended: 2.4

For any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.

With the addition of the following language:

Add a footnote to each table within section 2.4 of the UDO. The proposed footnote reads: Elevated Water Tanks installed by the Lancaster County Water and Sewer District are exempt from building height requirements. The tanks shall also be exempt from the setback requirement “For every foot of building height, the developer shall provide setbacks equal to the height of the building”. Lancaster County Water and Sewer District’s Elevated Water Tanks will be required to conform to the setbacks within the zoning district they reside in.

Based on staff’s findings, we offer the modifications attached to the Draft Ordinance for the Commission’s consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in strikethrough font. The proposed language is found in Attachment 2.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as with the applicable provisions of SC Code Title VI.

The proposed text amendment has been found to potentially increase accessibility to Elevated Water Tank sites and increase opportunities future sites.

Staff has no specific objections to exempting the Lancaster County Water and Sewer Districts Elevated Water Tanks from building height requirements and from UDO 2.4 setback requirement “For every foot of building height, the developer shall provide setbacks equal to the height of the building”.

It should also be noted that the County is currently in the process of updating the UDO and it may be appropriate to study any proposed changes regarding utilities as a part of that process.

STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed text amendment.

ATTACHMENTS:

1. Application
2. Proposed Text Amendment

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended 2.4 Building Height and Setbacks
Current Text Building Height is 35 feet to 60 feet and setbacks 4. For every foot
building height, the developer shall provide setbacks equal to the height of the
building.

Proposed Text _____
Add a footnote to each table within section 2.4 of the UDO. The proposed footnote reads: Elevated Water Tanks installed by the Lancaster County Water and Sewer District are exempt from building height requirements. The tanks shall also be exempt from the setback requirement "For every foot of building height, the developer shall provide setbacks equal to the height of the building". Lancaster County Water and Sewer District's Elevated Water Tanks will be required to conform to the setbacks within the zoning district they reside in."

Description of Need for Proposed Text Attached

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Lancaster County Water and Sewer District
Address 1400 Pageland Highway
City Lancaster State SC Zip 29720 Phone 803-416-5523
Fax 803-285-9575 Email bbucy@lcwasd.org

APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

LCWSD Timothy R. Kamin, Professional Engr. 3/10/23
Applicant _____ Date _____

SAME
Property Owner(s) _____ Date _____

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Text Amendment Application Fee - \$435.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval

Description of Need for Proposed Text: Elevated Tanks are normally 120 to 150 feet tall, and the elevated tank height is dependent on the ground elevation and water system hydraulic grade line.

We offer the following information to support the text amendment: Lancaster County Water and Sewer District (LCWSD) charter allows LCWSD to provide water and sewer service to the unincorporated areas of Lancaster County. LCWSD sites elevated water storage tanks based to topographical elevations and water system hydraulics throughout the County which prohibits LCWSD from siting them by zoning district. We simply must site the tank at the best location for system hydraulics and topography considerations. Also, looking for available property is a challenge in high growth areas. LCWSD is subject to SC Department of Health and Environmental Control Regulations which require maintenance of elevated water tanks to meet drinking water standards and elevated tank design and maintenance standards. There will never be a situation where a tank is left standing and in disrepair to become a safety issue. SC DHEC would require the tank to be taken out of service and removed if it became a drinking water liability. Elevated Tanks are designed according to the American Water Works Association (AWWA) Standard D-100 per SC DHEC regulation R.61.58.4C2a. "Steel structures shall be designed in accordance with current AWWA Standard D-100". AWWA Section 4.7 Tank Stability Against Overturning states "The tank stability against overturning shall be checked as outlined in Section 3.8.3, 12.4, and 12.5 with the tank empty and maximum wind load. If applicable, stability under seismic loading shall also be checked with the tank full". The most conservative analysis is applying the wind load with the tank empty and applying the seismic load with the tank full. Section 12.5.1 Overturning stability states "The size of the foundation shall be sufficient to maintain bearing pressures below the ultimate bearing capacity of the soil when subjected to an overturning moment equal to 1.5 times the overturning moment determined for wind or seismic loads". It is required that the safety factor of elevated tank design is very stringent with built in safety factors which far exceed the standard building code. Elevated water tanks are normally operated with substantial water in them (more than ½ full) and are only drained for inspections and maintenance which are highly regulated and monitored events done during appropriate weather conditions.

2.4 DISTRICT DEVELOPMENT STANDARDS

The following tables outline the primary development standards for each base zoning district in Lancaster County. For development on infill lots and additions to existing development, the standards in Chapter 1 shall also apply.

STANDARD	Agricultural Residential (AR)	Rural Residential (RR)	Rural Neighborhood (RN)	Rural Business (RUB)	Manufactured Housing (MH)
1. DEVELOPMENT STANDARDS					
A. District/Development Area (min)	n/a	n/a	n/a	n/a	n/a
B. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a
C. Density (max)	1 unit/acre	1 unit/acre	1 unit/acre	1 unit/acre	1 unit/acre
D. Open Space (min)	Exempt	Exempt	Exempt	Exempt	Exempt
E. Park Space (min)	Exempt	Exempt	Exempt	Exempt	Exempt
F. Building Floor Area (max)	n/a	n/a	n/a	n/a	n/a
G. Development Floor Area (max)	n/a	n/a	n/a	n/a	n/a
2. LOT STANDARDS					
A. Lot Area (min)	1.0 acre	1.0 acre	1.0 acre	1.0 acre	1.0 acre (3)
B. Lot Width at Front Setback (min)	130 lf	130 lf	130 lf	130 lf	130 lf
C. Pervious Surface (min)	65%	50%	50%	50%	50%
3. PRINCIPAL BUILDING					
A. Principal Front Setback (min)	40 ft	40 ft	40 ft	40 ft	40 ft
B. Street Side/Secondary Front Setback (min) Corner	20 ft	20 ft	20 ft	20 ft	20 ft
C. Side (from adjacent lot) Setback (min)	20 ft	20 ft	20 ft	20 ft	20 ft
D. Rear Setback (min)	25 ft	25 ft	25 ft	25 ft	25 ft
E. Other Standards	n/a	n/a	n/a	See Below (4)	n/a
4. ACCESSORY STRUCTURE	<i>Note: Accessory Structures have no front setbacks because they're not allowed in front yards</i>				
A. Side Setback	5 ft	5 ft	5 ft	5 ft	5 ft
B. Rear Setback	5 ft	5 ft	5 ft	5 ft	5 ft
C. Other Standards	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION					
A. Parking Location per Section 7.2	See Chart 7.2.3	See Chart 7.2.3	See Chart 7.2.3	See Chart 7.2.3	See Chart 7.2.3
B. Parking in Exterior Setback	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT					
A. Principal Building (max)	35 ft	35 ft	35 ft	35 ft	35 ft
B. Accessory Structure (max)	35 ft	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	n/a	n/a	n/a	n/a	n/a

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.
3. Manufactured/Mobile Home Parks have additional standards that apply to each designated manufactured/mobile home space as required in Chapter 5.
4. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.

STANDARD	Low Density Residential (LDR)	Medium Density Residential (MDR)	Professional Business (PB)	Neighborhood Business (NB)	General Business (GB)	Regional Business (RB)
1. DEVELOPMENT STANDARDS						
A. District/Development Area (min)	n/a	n/a	n/a	n/a	n/a	n/a
B. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a	n/a
C. Density (max)	1.5 unit/acre	2.5 units/acre	n/a	n/a	n/a	n/a
D. Open Space (min)	10%	20%	n/a	n/a	n/a	n/a
E. Park Space (min)	5%	5%	n/a	n/a	n/a	n/a
2. LOT STANDARDS						
A. Lot Area (min)	29,040 sf	10,000 sf	5,000 sf	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	90 ft Water/Sewer OR 130 ft Septic See Below (5)	70 ft Water/Sewer OR 130 ft Septic See Below (5)	100 ft	100 ft	100 ft	100 ft
C. Pervious Surface (min)	45%	45%	24%	24%	24%	24%
3. PRINCIPAL BUILDING						
A. Principal Front Setback (min)	40 ft	30 ft	10 ft	25 ft	50 ft	50 ft
B. Street Side/Secondary Front Setback (min)	20 ft	15 ft	10 ft	10 ft	15 ft	15 ft
C. Side (from adjacent lot) Setback (min)	20 ft	10 ft	10 ft	10 ft	15 ft	15 ft
D. Rear Setback (min)	25 ft	25 ft	10 ft	10 ft	15 ft	15 ft
E. Other Standards	n/a	n/a	See Below (4)	See Below (4)	See Below (4)	See Below (4)
4. ACCESSORY STRUCTURE						
A. Side Setback	5 ft	5 ft	40 ft	40 ft	50 ft	50 ft
B. Rear Setback	5 ft	5 ft	30 ft	30 ft	30 ft	30 ft
C. Other Standards	See Below (1,3)	See Below (1, 2)	See Below (1, 2)	See Below (1,2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION						
A. Parking Location per Section 7.2.3	See Chart 7.2	See Chart 7.2		Per building type	Per building type	Per building type
B. Parking in Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT						
A. Principal Building (max)	35 ft	35 ft	35 ft	35 ft or 3 stories (whichever is greater)	35 ft or 3 stories (whichever is greater)	50 ft
B. Accessory Structure (max)	2 stories	2 stories	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	n/a	n/a	n/a	n/a	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.
4. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
5. Any development/subdivision connected to both public water and sewer shall utilize the alternate dimensional standards given in the table.

STANDARD	Institutional (INS)	Open Space Preservation (OSP)	Light Industrial (LI)	Heavy Industrial (HI)	Mining (M)
1. DEVELOPMENT STANDARDS					
A. District/Development Area (min)	10,000 sf	n/a	2 acres*	6 acres	20 acres
B. Development/District Exterior Setback/Buffer	30 ft setback from adjacent AR, RR, RN, MH, LDR, MDR, HDR, OSP Districts. 10 ft setback from all other adjacent properties and adjacent streets.	n/a	25 ft setback from adjacent RB and GB Districts. 50 ft setback from all other adjacent properties and adjacent streets.	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)
C. Density (max)	n/a	n/a	n/a	n/a	n/a
D. Open Space (min)	6%	n/a	n/a	n/a	n/a
E. Park Space (min)	n/a	n/a	n/a	n/a	n/a
2. LOT STANDARDS					
A. Lot Area (min)	10,000 sf	n/a	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	100 ft	n/a	n/a	n/a	n/a
C. Pervious Surface (min)	n/a	n/a	n/a	n/a	n/a
3. PRINCIPAL BUILDING					
A. Principal Front Setback (min)	40 ft (3)	n/a	40 ft (3)	50 ft (3)	50 ft (3)
B. Street Side/Secondary Front Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
C. Side (from adjacent lot) Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
D. Rear Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
E. Other Standards	See Below (3)	See Below (3)	See Below (3)	See Below (3)	See Below (3)
4. ACCESSORY STRUCTURE					
A. Side Setback	5 ft	n/a	5 ft	5 ft	5 ft
B. Rear Setback	5 ft	n/a	5 ft	5 ft	5 ft
C. Other Standards	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION					
A. Parking Location per Section 9.3	7.2.3		7.2.3	7.2.3	7.2.3
B. Parking in Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT					
A. Principal Building (max)	50 ft	35 ft	50 ft	50 ft	60 ft
B. Accessory Structure (max)	35 ft	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	1 ft additional height permitted with each 2 ft horizontal setback		1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
4. The Development/District Exterior Setback/Buffer shall not apply between adjacent LI and HI districts. A waiver of these requirements may be granted by the Administrator for LI and HI lots existing at the adoption date of this ordinance which do not meet the specified minimum District/Development Area. In such instances the building setback standards for the AR District shall apply. A waiver of these requirements may also be granted by the Administrator in order to permit access to an adjacent railroad right-of-way.

5. Subject to approval by the Fire Marshal Office, the height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, tanks, equipment, conveyors, flagpoles, masts, and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). With the exception of water towers, observation towers, transmission towers, and antennas, in no instance shall a non-habitable structure exempted under this section exceed a height of 90-ft or 70-ft when located within 100 feet of a residential use or district. Said height exemption for non-habitable structures shall also apply to the UDO Chapter 3 MX Districts subject to Fire Marshal Office approval. See Section 4.2.1, McWhirter Field Aviation Overlay District, and Chapter 5, Use Regulations, for additional height limitations related to airports zones and communications towers. (Ord. No. 2019-1608, 11.12.19)

Note: For Mixed Use Zones, where form determines site design, minimum front setbacks range from 0 ft - 15 ft. Mixed use design standards require mixed use structures to be built up to the street; others have 5 - 15 ft setbacks. Code citations below:

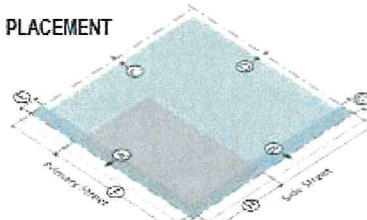
3.6 BUILDING TYPE DEVELOPMENT STANDARDS

3.6.1 MIXED USE BUILDING

A. LOT



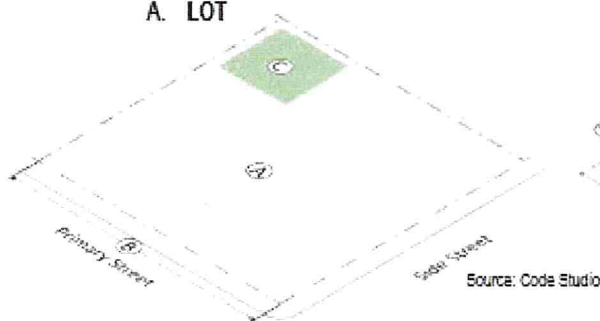
B. PLACEMENT



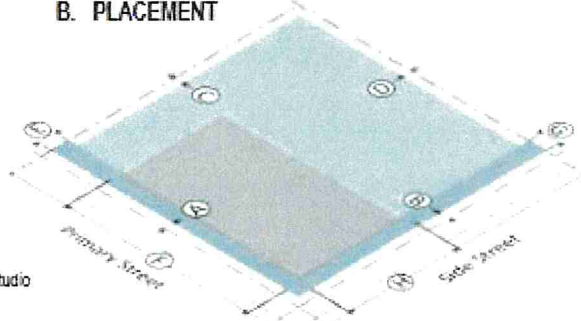
Lot Dimensions		Building Setbacks		
A	Lot area (min)	5,000 SF	A Primary street (min)	0'
B	Lot width (min)	50'	B Side street (min)	0'
Lot Parameters		C	Side interior (min)	0' or 5'
C	% of outdoor amenity space (min)	10%	C Side interior, abutting protected district, RMX or UR (min)	10'

3.6.2 GENERAL BUILDING

A. LOT



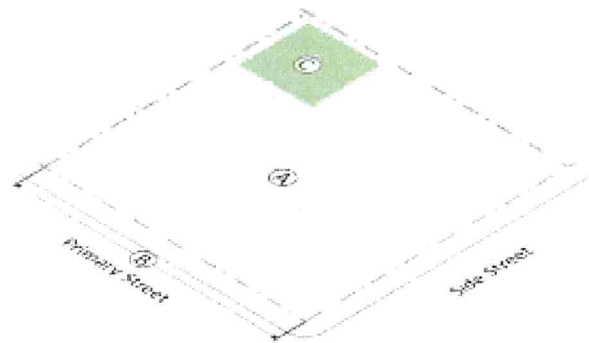
B. PLACEMENT



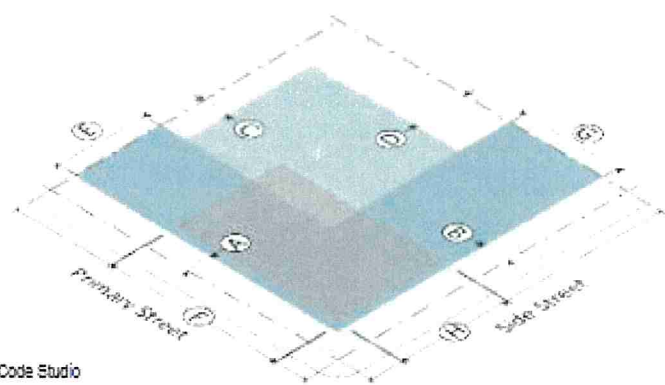
Lot Dimensions		Building Setbacks		
A	Lot area (min)	5,000 SF	A Primary street (min)	5'
B	Lot width (min)	50'	B Side street (min)	5'
Lot Parameters		C Side interior (min)		0' or 5'
C	% of outdoor amenity space (min)	10%	C Side interior, abutting protected district, RMX or UR (min)	10'

3.6.3 CIVIC BUILDING

A. LOT



B. PLACEMENT

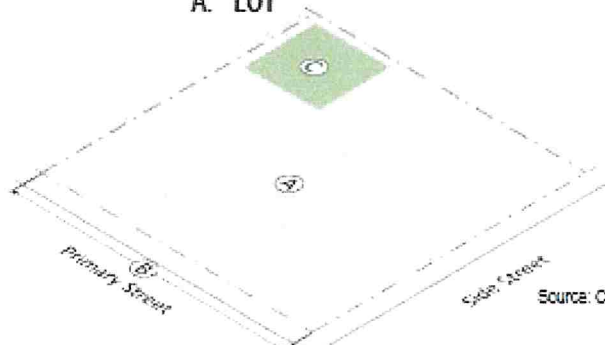


Source: Code Studio

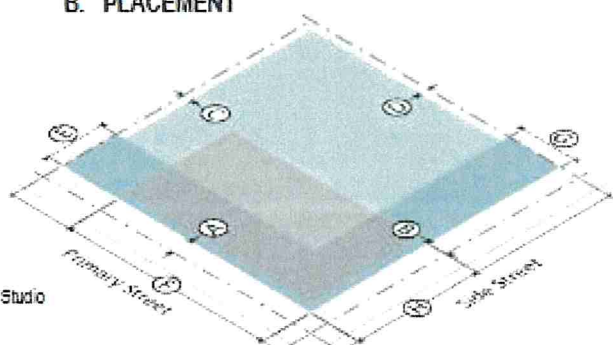
Lot Dimensions		Building Setbacks		
A	Lot area (min)	5,000 SF	A Primary street (min)	10'
B	Lot width (min)	50'	B Side street (min)	10'
Lot Parameters		C Side interior (min)	10'	
C	% of outdoor amenity space (min)	10%	D Rear (min)	20'

3.6.4 APARTMENT BUILDING

A. LOT



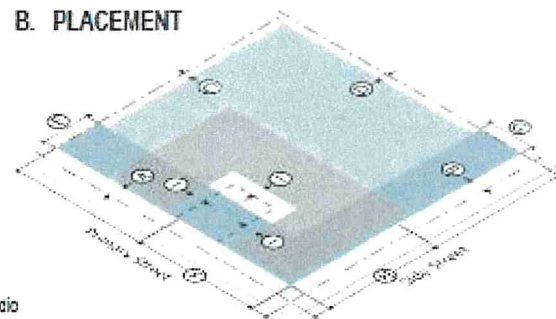
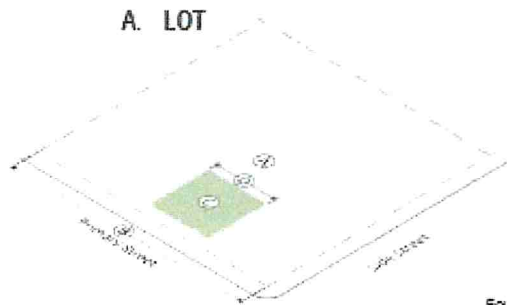
B. PLACEMENT



Source: Code Studio

Lot Dimensions		Building Setbacks		
A	Lot area (min)	12,500 SF	A Primary street (min)	10'
B	Lot width (min)	100'	B Side street (min)	10'
Lot Parameters		C Side interior (min)		0' to 5'
C	% of outdoor amenity space (min)	10%	C Side interior, abutting protected district, RMX or UR (min)	10'

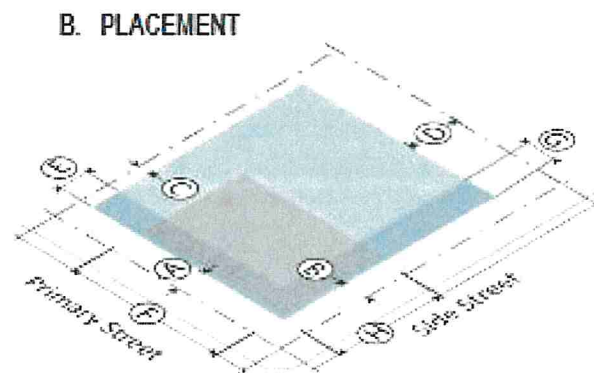
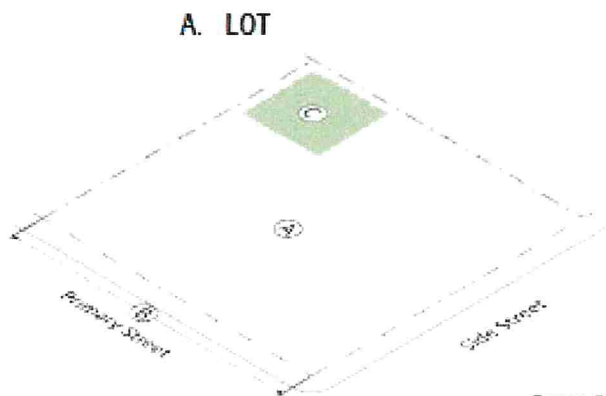
3.6.5 APARTMENT COURT



Source: Code Studio

Lot Dimensions			Building Setbacks	
A	Lot area (min)	30,000 SF	A Primary street (min)	10'
B	Lot width (min)	150'	B Side street (min)	10'
Courtyard Dimensions			C Side interior (min)	0' or 5'
			C Side interior, abutting protected district, RMX or UR (min)	10'
C	Area (min)	2,000 SF	C Side interior, abutting protected district, RMX or UR (min)	10'
C	% of outdoor amenity space (min)	10%	D Rear (min)	0' or 5'
D	Width (min)	45'	D Rear, abutting protected district, RMX or UR (min)	20'

3.6.6 GARDEN APARTMENT

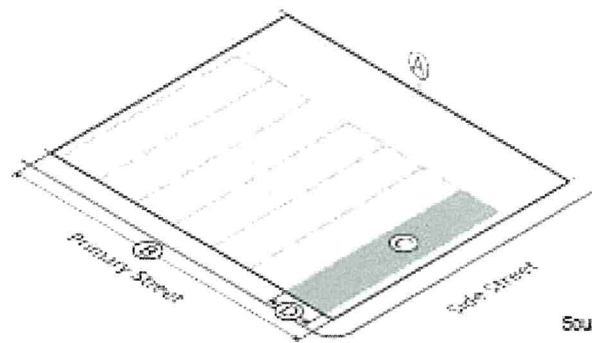


Source: Code Studio

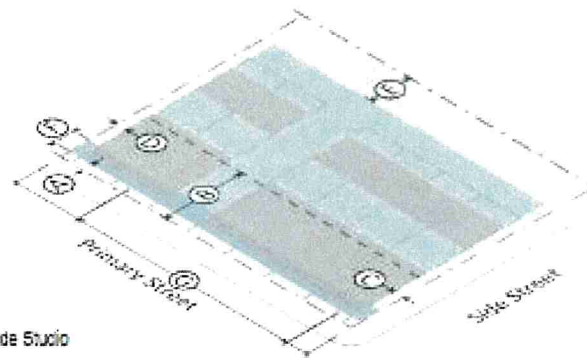
Lot Dimensions			Building Setbacks		
A	Lot area (min)	12,500 SF	A	Primary street (min)	10'
B	Lot width (min)	100'	B	Side street (min)	10'
Lot Parameters			C	Side interior (min)	5'
			C	Side interior, abutting protected district or UR (min)	10'
C	% of outdoor amenity space (min)	10%	D	Rear (min)	20'
D	Dwelling units per building (max)	12			

3.6.7 STACKED FLAT

A. LOT



B. PLACEMENT

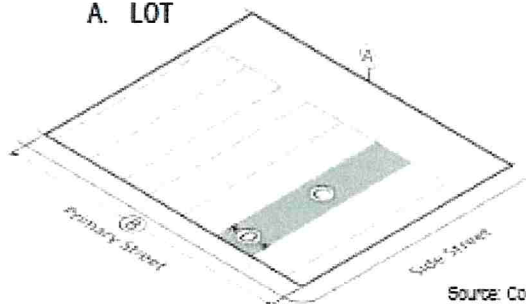


Source: Code Studio

Site Dimensions		Building Setbacks	
A	Site area (min)	12,500 SF	A Primary street - principal building (min) 5'
B	Site width (min)	100'	B Primary street - accessory structures (min) 40'
Lot Dimensions		C	Side street (min) 5'
C	Lot area (min)	1,300 SF	D Side interior, end unit only (min) 5'
D	Unit width (min/max)	20' to 30'	D Side interior, abutting protected district, RMX or UR (min) 10'

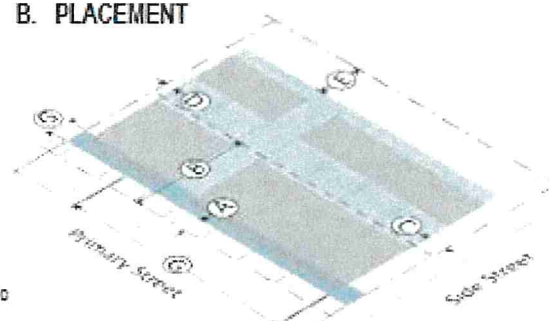
3.6.8 TOWNHOUSE

A. LOT



Source: Code Studio

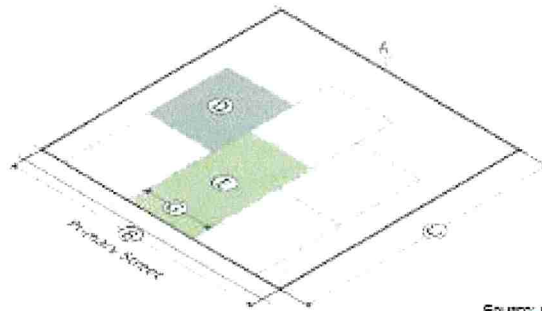
B. PLACEMENT



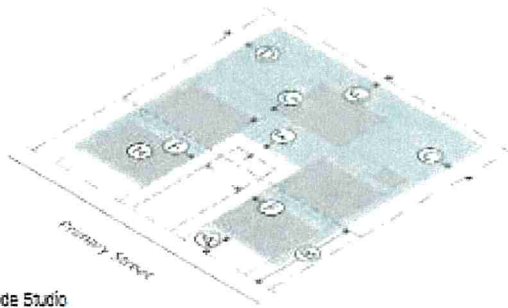
Site Dimensions		Building Setbacks	
A	Site area (min)	10,000 SF	A Primary street - principal building (min) 5'
B	Site width (min)	100'	B Primary street - accessory structures (min) 40'
Lot Dimensions		C	Side street (min) 10'
C	Lot area (min)	1,300 SF	D Side interior, end unit only (min) 5'
D	Unit width (min/max)	20' to 30'	D Side interior, abutting protected district, RMX or UR (min) 10'
E	RMX: Dwelling units per building (max)	6	E Rear (min) 20'

3.6.9 COTTAGE COURT

A. LOT



B. PLACEMENT

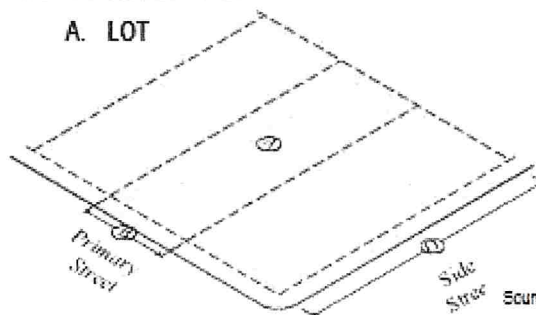


Source: Code Studio

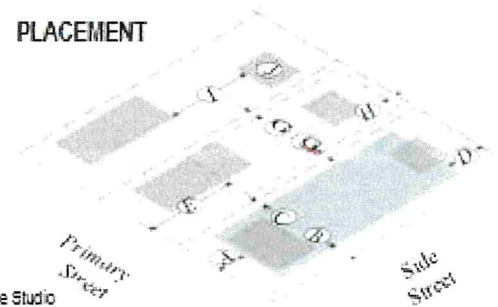
Site Dimensions		Building Setbacks	
A	Site area (min)	22,500 SF	A Primary street - principal buliding (min) 15'
	Site area per detached house (min)	4,500 SF	B Primary street - accessory structures (min) 30'
	Detached houses per site (max)	9	C Side street (min) 10'
B	Site width (min)	150'	D Side interior (min) 7.5'
C	Site depth (min)	150'	E Rear (min) 10'

3.6.10 DETACHED HOUSE

A. LOT



B. PLACEMENT

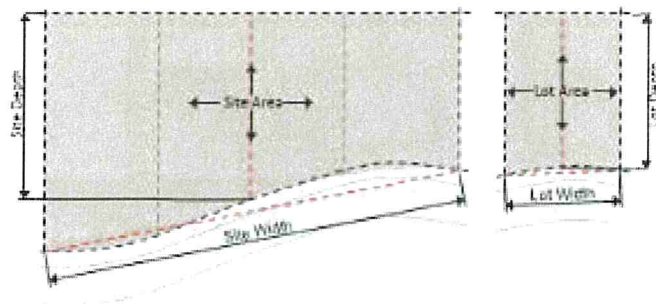


Source: Code Studio

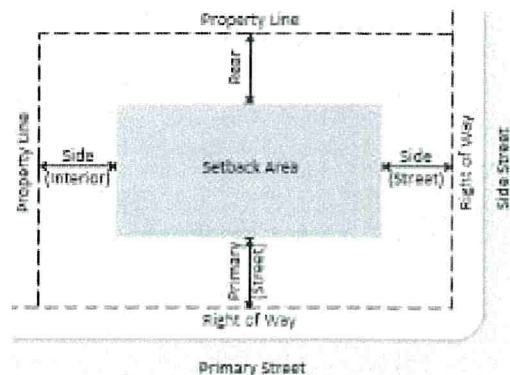
Lot Dimensions		Principal Building Setbacks	
A	Lot area (min)	7,500 SF	A Primary street (min) 15'
A	Lot area - rear loaded (min)	5,000 SF	B Side street (min) 10'
B	Lot width (min)	50'	C Side interior (min) 7.5'
B	Lot width - rear loaded (min)	40'	D Rear (min) 20'
C	Dwelling units per lot (max)	1	D Abutting alley 4' or 20' min

3.8 RULES FOR ALL BUILDING TYPES

A. Site



B. Lot



Source: Code Studio

C. Building Setbacks

1. Generally: There are 4 types of setbacks – primary street, side street, side interior, and rear.
2. Measurement of Building Setbacks
 - i. Primary and side street setbacks are measured from the edge of the right-of-way.
 - ii. Side interior setbacks are measured from the side property line.
 - iii. When the side interior setback is 0 or 5 feet, the building or structure must be placed on the side property line or be placed a minimum of 5 feet from the side property line.
 - iv. Rear setbacks are measured from the rear property line or the edge of the right-of-way where there is an alley.
 - v. When the rear setback is 4 or 20 feet, the building or structure must be placed exactly 4 feet from the rear property line or be placed a minimum of 20 feet from the rear property line.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1844

Contact Person / Sponsor: Ginny L. Merck-Dupont / County Attorney

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Whether to grant an easement to Duke Energy Carolinas, LLC ("Duke Energy") for the purpose of providing electrical service and communication lines to 1112 Elliott Street.

Duke Energy received a request for service to the property adjacent/near the County's property, the Laurie Brice Soccer Field. In order to provide service to the requesting customer, Duke Energy will need to obtain a new easement agreement from the County to install facilities across County property located at 1140 Elliott Street. An easement is needed from the County to allow Duke Energy to install, maintain and access the facilities.

Points to Consider:

The easement agreement is Exhibit A to Ordinance 2023-1844.

Parks and Recreation Director, Chris Clouden, has seen the easement map and has stated that the easement will not interfere with anything at the field because the easement itself is out of the way and that the field is not being utilized right now.

Funding and Liability Factors:

There are no funding issues in regards to the easement.

Recommendation:

Approve the easement agreement.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1844	4/4/2023	Ordinance
Exhibit A to Ordinance 2023-1844 - Easement	4/6/2023	Exhibit
Easement Map	3/29/2023	Backup Material

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2023 - 1844

AN ORDINANCE

TO APPROVE AN EASEMENT GRANT TO DUKE ENERGY CAROLINAS, LLC UPON REAL PROPERTY OWNED BY LANCASTER COUNTY AND LOCATED AT 1140 ELLIOTT STREET BEARING TAX PARCEL NUMBER 0082D-0K-020.00 AND TO AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS AS ARE NECESSARY TO EFFECTUATE THE GRANT OF THE EASEMENTS AND TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and determinations.

Council finds and determines that:

- (1) Lancaster County (the “County”) owns land at tax parcel number 0082D-0K-020.00.
- (2) To provide appropriate power infrastructure to an adjacent property, Duke Energy Carolinas, LLC (“Duke Energy”) wishes to provide both overhead and underground facilities across the County’s property, allowing Duke Energy to provide the transmission and distribution of electrical energy for the purpose related to the operation of the electric facilities and for communication purposes of Incumbent Local Exchange Carriers (“Facilities”).
- (3) Duke Energy requires a strip of land thirty feet (30’) in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20’) in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10’) wide on all sides of the foundation of any of Duke Energy’s enclosure/transformer, vault and/or manhole.
- (4) The County desires to grant utility easements rights over a portion of the County property so Duke Energy may construct and maintain overhead and underground electrical facilities.
- (5) The easement grant is in the best interest of the County and is in furtherance of the development and improvement of a county asset, the new soccer complex on Harrisburg Road.
- (5) It is the purpose of this ordinance to approve the easement grant from the County to Duke Energy.

Section 2. Approval of right-of-way easements.

Council authorizes and approves the grant of the easements to Duke Energy for the construction, management, and maintenance of an underground and overhead electrical facilities over and upon Tax Map No. 0082D-0K-020.00 as described in Section 1.

The form of the Easement instrument is attached to this ordinance as Exhibit A and all terms, provisions and conditions of the easements are incorporated herein by reference as if the easements were set out in this ordinance in its entirety. The County Administrator is authorized to execute and deliver the Easement instrument on behalf of the County. By adoption of this ordinance, Council approves the easement instrument and all its terms, provisions and conditions. The easement instrument is to be in substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the easement instrument, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Easement instrument attached to this ordinance.

Section 3. Authority to act.

The Council Chair, the Clerk to Council, the County Administrator, and County Attorney each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

Section 4. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 5. Conflicting provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, resolutions or orders, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 6. Effective date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED, this _____ day of _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 11, 2023
Second Reading: April 24, 2023
Public Hearing: April 24, 2023
Third Reading: May 8, 2023

Approved as to form:

Virginia L. Merck-Dupont, County Attorney

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Exhibit A to Ordinance No. 2023-1844

**Duke Energy Right of Way -Elliot Street Easement Agreement
Lancaster County to Duke Energy Carolinas, LLC**

Tax Map No. 0082D-0K-020.00

See attached.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Prepared by: Duke Energy Carolinas, LLC
Return To: Duke Energy Carolinas, LLC
Attn: Marie Laine
PO Box 6318
High Point, NC 27262

Parcel # 0082D-0K-020-00

EASEMENT

State of South Carolina
County of Lancaster

THIS EASEMENT ("Easement") is made this ____ day of _____, 20____, from **LANCASTER COUNTY, a politic of the state of South Carolina** ("Grantor", whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company ("Grantee").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book S6, Page 7-8**, also shown on a Plat", as recorded in **Plat No. 6438** Lancaster County Register of Deeds ("**Property**").

The Facilities may be both overhead and underground and located in, upon, over, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land thirty feet (30') in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20') in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.

3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. The rights granted in this Easement include the right to install Facilities wherever needed on the Property to serve future development on the Property and adjoining lands. Portions of the Facilities may be installed immediately, and other portions may be installed in the future as the need develops. Facilities installed in the future shall be installed at locations mutually agreeable to the parties hereto if they are to be located outside of the Easement Area. Upon any future installations of Facilities at mutually agreed locations, the Easement Area shall be deemed to include such future locations.
9. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20____.

Witnesses:

**LANCASTER COUNTY, a politic of the state
of South Carolina**

(Witness #1)

(SEAL)
Dennis E. Marstall, Lancaster County
Administrator

(Witness #2)

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, certify that Dennis E. Marstall, as Lancaster County Administrator of LANCASTER COUNTY, a politic of the state of South Carolina, personally appeared before me this day and acknowledged the due execution of the forgoing EASEMENT.

Witness my hand and notarial seal, this ____ day of _____, 20____.

Notary Public: _____

Commission Expires: _____

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Whether to appoint Marshall Walker to the Airport Advisory Board as the District 5 representative. Mr. Walker currently serves as the District 4 representative; however, due to redistricting, he needs to move to District 5. If reappointed, he would be filling an unexpired term that would end on 06/30/2025.

Whether to appoint Joie Bier to the Airport Advisory Board as the District 4 representative. If appointed, she would be filling an unexpired term that would end on 06/30/2023 AND filling her first four year term that would expire on 06/30/2027.

Whether to appoint William R. Crothers to the Airport Advisory Board as the District 7 representative. If appointed, he would be filling an unexpired term that would end on 06/30/2025.

Whether to appoint Revery Johnson to the Library Board as the District 4 representative. Revery Johnson cannot serve on both the Pleasant Valley Fee Board and the Library Board because it would be considered dual office holding. Therefore, Mr. Johnson would like to resign from the Fee Board and just serve on the Library Board. If appointed, he would be filling an unexpired term that would end on 06/30/2023 AND filling his first four year term that would end on 06/30/2027.

Points to Consider:

Marshall Walker's, Joie Bier's, William R. Crothers', and Revery Johnson's applications are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

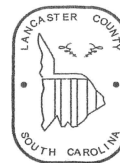
Recommendation:

Approve the appointments.

ATTACHMENTS:

Description	Upload Date	Type
Application from Marshall Walker for the Airport Advisory Board	4/17/2023	Backup Material
Application from Joie Bier for the Airport Advisory Board	4/17/2023	Backup Material
Application from William Crothers for the Airport Advisory Board	4/17/2023	Backup Material
Application from Revery Johnson for the Library Board	4/19/2023	Backup Material

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name Marshall Walker County Council District 5

Mailing Address _____ City/Zip Lancaster, SC

Street Address _____
29720 _____ Registered Voter yes x no _____

Tel. Number (home) _____ (work) _____ (other) _____

Email: rockw@comporium.net

Occupation retired Place of employment _____

Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Airport advisory council 2nd choice _____

3rd choice _____

Reason for interest *I am a pilot and have been flying from and have kept an aircraft on Lancaster Airport for 30 plus years and would like to see the airport reach its full potential. I am excited about the new terminal, lighting vault, REIL, and other upgrades that make the facility attractive to vistors who are exploring areas to expand their business or locate a new facility.*

Why do you feel you are qualified to serve on these boards? *In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)*

I graduated from Clemson in Electrical Engineering. I owned and Operated Harper Electric in Lancaster for 35 years before selling and retiring from the business. In addition to flying I enjoy fishing, and travel.

Do you presently serve any State, County or Municipal Boards? _____ If yes, list I am currently on the Lancaster Airport advisory board for district four which is changing shortly.

Have you ever served on a county board? no If yes, list _____ See above _____

Additional pertinent information

Applicant's signature Marshall Walker Date 1 APRIL 2023
Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1-20-17

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE

Name Joie Bier County Council District 7

Mailing Address _____ City/Zip Indian Land 29707

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: _____

Occupation Feasibility Liaison Place of employment PPD

Address Remote Normal working hours 7:30-4:30
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Airport Advisor Committee 2nd choice _____

3rd choice _____

Reason for interest

My husband is a professional pilot and I'm a student pilot

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

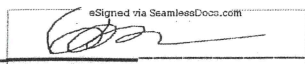
I served 12 year in aviation logistics. As the owner of my own aircraft I have a vested interest in the general community. My husband is a professional pilot in the part 91, part 135, and part 121 aviation.

Do you presently serve any State, County or Municipal Boards? No If yes, list _____

Have you ever served on a county board? No If yes, list _____

Additional pertinent information

Applicant's signature

 eSigned via SeamlessDoc.com

Date

22mar2023

Receipt of applica... Key: 34059b47d83d0e97ae264bd1c91dd9e an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

Form Revised 1-20-17

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE

Name William R. Crothers County Council District 1

Mailing Address _____ City/Zip 29707

Street Address _____ Registered Voter yes X no _____

Tel. Number (home) _____ (work) _____ (other) _____

Email: _____

Occupation retired Place of employment _____

Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Airport Advisory Committee 2nd choice _____

3rd choice _____

Reason for interest

As a pilot and 25 years active at the airport, I want to promote aviation activities in the county...I own 88 acres of land adjacent to the airport & also own the closed hangar facility on the airport property.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

See above...Wake Forest University graduate in Business Admin. and USAF graduate from flight school in 1969.

Do you presently serve any State, County or Municipal Boards? no If yes, list _____

Have you ever served on a county board? no If yes, list _____

Additional pertinent information

Applicant's signature William R. Crothers Date 3/23/2023

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name Revery Johnson **County Council District** 4

Mailing Address _____ **City/Zip** Indian Land 29707

Street Address _____ **Registered Voter** yes XX no _____

Tel. Number (home) _____ (work) _____ (other) _____

Email: _____

Occupation Business owner **Place of employment** Kitchen Tuneup of Fort Mill

Address 10831 Valley Hill Rd **Normal working hours** 8-5
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Library **2nd choice** _____

3rd choice _____

Reason for interest

Indian land has a deficit of opportunities for our kids, literacy is critical to our future.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

Care deeply about Lancaster county and or local community. Degreed chemical engineer.

Do you presently serve any State, County or Municipal Boards? Yes _____ **If yes, list** PVFD fee board

Have you ever served on a county board? _____ **If yes, list** Same

Additional pertinent information

Applicant's signature  **Date** _____

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1842 - POSTPONED UNTIL THE 5/22/2023 COUNCIL MEETING PER APPLICANT'S REQUESTS

Contact Person / Sponsor: Brian Fulk / Economic Development

Department: Economic Development

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Approve the Second Reading of Ordinance 2023-1842 on April 11, 2023. The client is requesting that the Public Hearing and 3rd Reading then be held for one month, and then hold the public hearing and third reading on May 22 at which time the company's name would be revealed.

During the first reading, County Council expressed concern with clarity in the number of jobs required by the employer to receive economic development incentives. While the company anticipates hiring approximately 167 positions in Lancaster County, the firm agreement number is 125 jobs.. This will be better articulated in the Ordinance for third reading.

There was also a Companion Inducement Resolution 1231-R2023 to this Ordinance.

Points to Consider:

Project Spider originates from the underlying company's desire to consolidate its two corporate office locations from North Carolina to Lancaster, South Carolina. Project Spider is a privately owned concern and has been in operation since the 1970's in the Southeastern United States. It operates in the transportation industry.

The Company intends to purchase an office building in the Indian Land area for \$6,000,000 and then upgrade over a five-year investment period by investing another \$900,000.00.

Funding and Liability Factors:

The State of South Carolina is providing a large incentives package for this project, around \$9 million in total incentives over a 10 year period, to include Job Development Credits, Job Tax Credits, and a one-time headquarters tax credit.

The project will be in a multi-county park. Normal ad valorem property taxes will apply, but we are also offering a 30% Special Source Revenue Credit Agreement (SSRC) for the first ten years. The millage rate will vary, and is not fixed.

Recommendation:

To proceed with three readings and conclude with approval of this Economic Development Incentive request.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2022-1831 / Planning Case Number: RZ-2022-1759 - POSTPONED UNTIL THE 6/12/2023 MEETING

Contact Person / Sponsor: M. Blaszyk / Planning

Department: Planning

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Application by King's Mountain Self-Storage LLC to rezone 4.84 acres (TM# 0013-00-024.00) located at 4263 Doby's Bridge Road, Indian Land, from Low Density Residential (LDR) to Institutional (INS) district, to allow development of a daycare facility.

Points to Consider:

The property is adjacent to other parcels zoned Institutional (Indian Land Elementary School)

The proposed INS District is generally consistent with the surrounding area which is comprised of INS and LDR Districts.

Lancaster County Water and Sewer District may require an off-site waterline extension. The applicant intends to serve the site with an onsite septic system.

Staff has received several phone calls from concerned residents about potential traffic issues.

Funding and Liability Factors:

Not applicable

Recommendation:

Planning Commission unanimously recommended **approval** during their September 2022 meeting. A brief discussion occurred related to the viability of a potential septic system and the prior history of the property (prior dumping activity).

Staff also recommended approval.

This item was deferred by Council at the November 14th, 2022 First Ordinance Reading to January 9, 2023. The deferral was made to provide the applicant more time to demonstrate how site access and onsite parking/circulation will be successfully employed relative to the curving alignment of Doby's Bridge Road. The applicant has worked with a traffic and civil engineer to develop an updated concept plan addressing these concerns. The applicant has also coordinated with SCDOT staff for preliminary feedback on their proposed site access. These efforts have shifted the proposed site access further eastward when compared to the original concept plan shared in November.

The updated (non-binding) concept plan is attached.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1846 - POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING

Contact Person / Sponsor: John Bodner / Administration and Chris Clouden / Parks & Recreation

Department: Administration

Date Requested to be on Agenda: 4/24/2023

Council Action Requested:

Adopt criteria by which County Council will consider in the naming or renaming of County property and facilities.

Points to Consider:

Lancaster County has numerous assets of real property and facilities, particularly in the parks and recreation department, that can be utilized to honor local residents or even monetized to maximize revenue for the County.

The County recently added two new athletic / soccer complexes, plus renovated the Indian Land Recreation Center. In addition, the County is embarking on the construction of a new 84-acre regional park and new Detention Facility.

These new facilities, plus others planned, give the County Council an opportunity to determine names for these new facilities.

There are a myriad of ways the County Council can approach naming of County property and facilities, with this proposed ordinance identifying some criteria or parameters to consider.

This ordinance outlines a general naming policy, but would be used in tandem with an administrative policy related to sponsorships, for the instance when sponsorships can be parlayed into naming rights that would be presented to County Council.

Funding and Liability Factors:

Naming of public property or facilities can evoke a lot of emotions depending on the name and rationale utilized. Having a policy and transparent process can mitigate any concerns for how names are determined.

The only funding factor is having expenses to pay for signage and potential advertising. However, there could be significant revenue generated based on sponsorship opportunities with naming rights.

Recommendation:

Approve ordinance.