

Council Members

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

**County Administrator**

Dennis Marstall

County Attorney

John K. DuBose III

Clerk to Council

Sherrie Simpson

March 28, 2022

6:00 PM

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

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

MINUTES

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

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; Veronica Thompson, Financial Services Director; Jamie Gilbert, Economic Development Director; Jeff Catoe, Public Services Director; Sheriff Barry Faile; Clay Catoe, EMS Director; Darren Player, Fire Rescue/Emergency Management Director; April Williams, Library Director; Paul Moses, Airport Manager; Mandy Catoe, Keep Lancaster County Beautiful Committee, Staff Coordinator; Ken Holt, Holt Consulting; 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 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 Larry Honeycutt. Motion Passed 7-0.

Special Presentations

Mandy Catoe, Staff Coordinator with Keep Lancaster County Beautiful, stated that on Saturday, March 19th, one hundred and fifty (150) volunteers moved approximately three hundred and seventy-five (375) bags of litter from Lancaster County road sides in two (2) hours. Ms. Catoe stated they are planning another cleanup in June.

Citizens Comments

Steve Harper stated there were two (2) individuals signed up to speak at Citizen Comments if a motion is made to reconsider the rezoning of the project between Bent Creek and Walnut Creek. Mr. Harper stated that no motion had been made at this point, but that until the meeting is over, there is always a possibility the motion could be made. Mr. Harper noted that if the motion was made, these two individuals would be given three (3) minutes to speak.

Clare McConaughay, Indian Land, SC, spoke in support of the County budget, specifically the evidence storage facility at the Sheriff's Office and salaries. Ms. McConaughay also noted that the minutes from the March 14, 2022 County Council meeting need to reflect that the Library does *not* currently allow non-profit organizations to use the Library after hours, but that the plan is to allow non-profit organizations this option, at their discretion, once the security upgrades have been made.

Consent Agenda

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

a. **Approval of Minutes from the March 11, 2022 County Council Bus Tour and Special Meeting**

b. **Approval of Minutes from the March 14, 2022 County Council Regular Meeting**

c. **2nd Reading of Ordinance 2022-1798 regarding Approval of an Easement Grant to Lancaster County Water and Sewer District for the Indian Land Recreation Center**

Ordinance Title: An Ordinance To Approve An Easement Grant To Lancaster County Water And Sewer District Upon Real Property Owned By Lancaster County Bearing Tax Parcel Number 0013-00-047.01 And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Grant Of The Easement And To Effectuate The Purposes Of This Ordinance.

Non-Consent Agenda

Resolution 1187-R2022 regarding Authorization of Funding for Sheriff's Office Evidence Storage Facility

Resolution Title: A Resolution Authorizing American Rescue Plan Act (ARPA) Funding For An Evidence Storage Facility For The Lancaster County Sheriff's Office

Charlene McGriff moved to approve. Seconded by Larry Honeycutt.

Dennis Marstall stated the County has committed \$10 million of the \$19 million being received under the America Rescue Plan Act (ARPA). The next item requested for Council's agenda was the Sheriff's Office evidence storage facility. Mr. Marstall noted this facility would be a 7,000 square foot facility, which would be adjacent to the existing evidence facility but located on the new parcel of land being purchased.

The Motion to Approve Resolution 1187-R2022 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

3rd Reading of Ordinance 2022-1796 regarding Utilization of Excess Capital Project Sales Tax Collections from the First Reimposed Capital Project Sales Tax Pursuant to the State Budget Proviso

Ordinance Title: An Ordinance To Specifying The Purposes For Which Excess Capital Project Sales Tax Collections From The First Reimposed Capital Project Sales Tax Will Be Utilized Pursuant To State Budget Proviso And The Capital Project Sales Tax Act.

Allen Blackmon moved to approve. Seconded by Charlene McGriff.

Dennis Marstall stated the approving ordinance was to complete the library projects for approximately \$259,000; the Highway 9 pedestrian connections around the University of South Carolina Lancaster for approximately \$1 million; phase 2 of the Lindsay Pettus Greenway for approximately \$1.5 million; and the list of 22 county / state maintained roads for approximately \$9 million. Mr. Marstall stated that the total for the Proviso projects would be \$11.7 million of the \$24 million. Mr. Marstall noted that all other funds would go to the Detention Center. Billy Mosteller, Charlene McGriff, and Terry Graham stated that while they intended to support the Ordinance, they do not support Cleveland Street being included on the list of roads to be repaved with this ordinance due to the fact that Cleveland Street was listed in Capital Project Sales Tax 3 (CPST #3).

The third reading of Ordinance 2022-1796 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Public Hearing and 2nd Reading of Ordinance 2022-1800 regarding Approval of an Easement Grant to Duke Energy Carolinas, LLC for the Indian Land Soccer Complex

Ordinance Title: An Ordinance To Approve An Easement Grant To Duke Energy Carolinas, LLC Upon Real Property Owned By Lancaster County And Located On Harrisburg Road Bearing Tax Parcel Number 0005-00-077.00 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.

John DuBose stated this was an easement grant to Duke Energy Carolinas, LLC to provide electrical service infrastructure to the Indian Land Soccer Complex. He explained that Duke would be moving an existing pole and on-ground transformer. He noted that there was no exhibit because this easement was going to be a blanket easement for utilities. He further explained that Duke Energy was agreeable if the County wanted to survey the actual easement area to be set forth but that the County would be responsible for paying for the survey. He stated the easement would be to service the soccer complex and that utilities favor these blanket easements because it allows for future improvements without having to get another easement grant. He noted that the rough location of the easement area was attached in the agenda package. Allen Blackmon stated his concern was the Ordinance was vague with future access to the property. He noted that it would be cleaner if the location of the easement was detailed.

Steve Harper opened the Public Hearing for Ordinance 2022-1800 at approximately 6:28 p.m.

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

There were approximately 20 citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:28 p.m.

Terry Graham moved to approve. Seconded by Larry Honeycutt.

The 2nd Reading of Ordinance 2022-1800 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

2nd Reading of Ordinance 2022-1801 regarding Authorization of Acquisition of Real Property for the New County Detention Center

Ordinance Title: An Ordinance Authorizing The Acquisition Of Approximately Sixty-Four (64) Acres Of Real Property Located On Pageland Highway For The Construction Of A New County Detention Center And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Purchase Of The Real Property And The Purposes Of This Ordinance.

Terry Graham moved to approve. Seconded by Billy Mosteller.

Dennis Marstall stated this Ordinance would approve the purchase of approximately 64 acres of rural property for a new Lancaster County Detention Center. He noted the Detention Center was the first project on Capital Sales Tax Project #3. He stated the subject property was located at 1666 Pageland Highway and was adjacent to the Lancaster County Sheriff's Office.

The 2nd Reading of Ordinance 2022-1801 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

1st Reading of Ordinance 2022-1799 regarding Amending the County Code Related to Certain Departments

Ordinance Title: An Ordinance To Amend The Lancaster County Code Related To Certain Departments To Provide Lancaster County Increased Flexibility In The Organizational Structure Of Lancaster County Government

Charlene McGriff moved to approve. Seconded by Larry Honeycutt.

Dennis Marstall stated over time Lancaster County has done ordinances that stipulated or outlined different functions of certain staff related to functions they perform. These ordinances have been reviewed and need to be updated more in line with the current standards. He noted there are ten (10) County departments where updates are needed. There were discussions about changing Emergency Preparedness to Emergency Management and also possibly separating Emergency Management from Fire Rescue; there were questions regarding a Deputy County Administrator versus an Assistant County Administrator and having one position or two positions; there were questions about Procurement and their authority; and questions about engaging an Attorney for a period that would not exceed six (6) months.

Allen Blackmon moved to amend and postpone action on this item until further discussion can be had at the April Committee of the Whole meeting. Seconded by Billy Mosteller.

Larry Honeycutt noted that if this ordinance was passed, this Council would be binding future Councils down the road to allow staff to set salaries without the consent of Council.

Motion to Amend Passed 7-0.

Steve Harper requested that Council members email comments and changes as soon as possible so they will be considered.

Discussion and Action Items

Presentation regarding the Roof Design and Drainage for the New Airport Terminal - Ken Holt, Holt Consulting, LLC

Dennis Marstall stated there were concerns raised at previous meetings regarding the roofing and drainage design of the proposed Airport Project. Ken Holt, Holt Consulting, introduced his architectural partner, Grady Woods with Woods Dendy Architects, PLLC, who would address those concerns with Council. He provided an overview of the design to Council and that overview is attached as Schedule A to the written minutes in the Clerk To Council's office.

There was discussion on the different types of roof designs regarding a range of slopes, warranties on roofs, drainage issues, and overflow.

Allen Blackmon moved to request a redesign by the architect for Council's consideration. Seconded by Brian Carnes. Motion for redesign failed 3 to 4. Ayes: Blackmon, Carnes, Harper; Nays: Honeycutt, McGriff, Mosteller, Graham

Development Impact Fee Study for the Remaining Parts of Lancaster County - Dennis Marstall

Dennis Marstall stated in February 2020, Lancaster County engaged Tischler Bise to perform a development Impact Fee study and in April 2021, the Council adopted the Capital Improvement Plan (CIP) and Impact Fee for new developments from Highway 5 to the northern border of the County in the panhandle. He explained that this was where funds were collected from new constructions at the time the building permit was issued. He stated the fees were a one-time payment for new development that was a proportionate share of the capital cost of infrastructure. At that time, he explained that Council decided not to charge impact fees county-wide, based upon the assumption there would not be significant growth in the southern part of the County below Highway 5. He stated the Ordinance was adopted by Council for a certain defined area and the fee was established. He suggested that, based upon the growing developments throughout Mecklenburg County, Council might want to think about how the County could get ahead of development and utilize the new development to pay for some of the upcoming capital needs from the Sheriff, Parks & Recreation, Fire Rescue/Emergency Management and other county services. He stated the question presented tonight for Council was if they would like to engage in another study to consider what a capital program would look like for the remainder of Lancaster County currently not covered by the impact fees. He stated this request was for a study only and would come back to Council for review. He stated the last study cost approximately \$76,000 and he estimated the cost for this study would be approximately \$60,000. He noted that the study could be paid for with funds from the Comprehensive Plan Study excess funds.

There was discussion about development agreements instead of impact fees because constituents would be opposed to impact fees. John DuBose stated a study would identify the needs in the service area and whether it would be feasible. He also stated the impact fees would be different in the different areas of Lancaster County.

Terry Graham moved to approve. Seconded by Charlene McGriff. Motion Passed 7-0.

After more discussion, Terry Graham moved to Amend the motion to authorize the County Administrator to get a proposal for the impact fee study for the remaining parts of Lancaster County. Seconded by Charlene McGriff. Motion Passed 7-0.

Status of items tabled, recommitted, deferred or held

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

Miscellaneous Reports and Correspondence

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

Citizens Comments

All citizens were heard during Citizens Comments held at the beginning of the Council meeting.

Executive Session

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

1. Discussion of Proposed Contractual Matter. SC Code 30-4-70(a)(2).

Charlene McGriff moved to go into Executive Session. Seconded by Allen Blackmon. Motion Passed 7-0. At approximately 7:42 p.m., Council went into Executive Session to discuss the following items: (1) Discussion of a proposed contractual matter, pursuant to South Carolina Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:34 p.m. Larry Honeycutt moved to come out of Executive Session. Seconded by Billy Mosteller. Motion Passed 7-0.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council had discussed a proposed contractual matter. He also noted that, during Executive Session, no decisions were made and no votes were taken.

Brian Carnes moved that Council authorize the County Administrator to retain a consulting firm to analyze economic incentives provided by Lancaster County compared to competing jurisdictions. Seconded by Allen Blackmon. Motion Passed 7-0.

Adjournment

Larry Honeycutt moved to adjourn. Seconded by Billy Mosteller. Motion Passed 7-0.

The meeting adjourned at approximately 8:34 p.m.

Respectfully Submitted:

Donna Greene

Donna Greene
Deputy Clerk to Council

Approved by Council

on Monday, April 11, 2022

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

Billy Mosteller, Secretary