

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 13, 2023

6:00 PM

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

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

MINUTES

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

Council Members absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Kayla Vaughn, Communications and Marketing Assistant; Allison Hardin, Interim Planning Director; Brenda Thompson, Communications and Marketing Director; Sheriff Barry Faile; Chad Catledge, Precision Builders; various Department Heads; various elected officials; various staff; the press; and citizens.

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

Call to Order Regular Meeting - Chairman Steve Harper

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

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Brinley and Olivia Pate, Councilmember Allen Blackmon's granddaughters, led the Pledge of Allegiance to the American Flag and Allen Blackmon delivered the Invocation.

Approval of the Agenda

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

Special Presentations

Dennis Marstall recognized Brittani Howington of the Animal Shelter as Employee of the 4th Quarter for 2022. Brittani was nominated by Coroner Karla Knight. Mr. Marstall thanked Brittani Howington for "going the extra mile" for work.

Chairman Harper recognized Ron Lewis and David Streater, with Foundation Forward, Inc. They reviewed a power point presentation on the Charters of Freedom, which is attached as Schedule A to the written minutes in the Clerk to Council's office. They stated they would be following up with County Council once funding is established.

Chairman Harper introduced Grazier Rhea, the Community Development Director of the Catawba Regional Council of Governments. Grazier Rhea reviewed the County power point presentation regarding the community needs list and prioritization of community needs for 2022 and whether the needs list should be updated. She also reviewed upcoming community development block grant (CDBG) opportunities. Council and staff discussed income surveys, focus on the need for demolition of vacant, dilapidated structures in low and moderate income neighborhoods, tracts #107 and #108 in the Brooklyn Avenue area, and the Health Department located inside the Barnett building that could be updated to make County buildings, Americans with Disabilities Act (ADA) compliant and energy efficient. Grazier Rhea stated the infrastructure grants would be due in April and the other grant applications would be due in the fall. Grazier Rhea offered to meet with Council during a Work session regarding possible grant opportunities.

Steve Harper opened the Community Needs Assessment Public Hearing at approximately 7:07 p.m.

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

The following speakers came forward to make comments or sent in written comments regarding this Public Hearing: None.

Steve Harper closed the Public Hearing at approximately 7:08 p.m.

Chairman Harper recognized Chad Catledge and Frank Randall to give the update of the proposed new detention center project and its projected costs. Frank Randall reviewed the County power point presentation on the design plan and on the project budget, which they value engineered to get under \$90 million. Dennis Marstall explained that bond discussion would be held at the next Committee of the Whole meeting.

Citizens Comments

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

1. Joe Grier and Ann Christie, from the Historical Commission, spoke regarding the placement of the Charters of Freedom. A written copy of the letter was provided to Council and those comments are attached as Schedule B to the written minutes in the Clerk to Council's office; and
2. Gwendolyn Brown James, Lancaster, SC spoke regarding Ordinance 2023-1840 regarding connectivity.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.** , **7b.** and **7c.** [which are the same as

Item **a.**, **b.**, and **c.** listed below]. Seconded by Charlene McGriff.

Jose Luis moved to amend the February 15th minutes to show he stated "he was in favor of promoting local retail businesses and would like to move forward with the discussion and review of the proposal". Seconded by Allen Blackmon. 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; Naves: None.

- a. **Approval of Minutes from the February 15, 2023 County Council Committee Of The Whole Meeting, as amended**
- b. **Approval of Minutes from the February 27, 2023 County Council Regular Meeting**
- c. **3rd Reading of Ordinance 2023-1839 regarding Rezoning Property Located at 168 Fort Mill Highway from Mixed Use District (MX) to General Business District (GB) (Applicants George Banks McGinn and Sallie Cooper)**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.9 Acres (TM# 0008-00-007.00) Located At 168 Fort Mill Highway, Indian Land, From Mixed Use (MX) District To General Business (GB) District. - ***Planning Department Case Number: RZ-2022-2335.***

Non-Consent Agenda

2nd Reading of Ordinance 2023-1840 regarding Amending the Unified Development Ordinance (UDO) regarding Section 6.4.1., Connectivity

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 6.4.1, Connectivity, To Modify Standards Pertaining To The Maximum Number Of Lots Which Take Access From A Road Where One End Is Permanently Closed On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2022-2602.***

Allen Blackmon moved to approve 2nd Reading of Ordinance 2023-1840. Seconded by Brian Carnes.

Allison Hardin recommended passing 2nd reading which would allow Planning and Public Works time to correct some issues with the road hierarchy within the rural areas without creating issues in the Panhandle area.

The 2nd Reading of Ordinance 2023-1840 Passed 6-1. Ayes: Blackmon, Carnes, Graham, Harper, McGriff, Mosteller; Naves: Luis.

Discussion and Action Items

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

Status of items tabled, recommitted, deferred or held

- a. POSTPONED UNTIL THE 3/27/2023 COUNCIL MEETING - 1st Reading of Ordinance 2023-1841 regarding Amending the Unified Development Ordinance (UDO) regarding Chapters 2 and 4 related to standards for Medium Density Residential District and Cluster Subdivision Overlay District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapters 2 And 4: Standards For Medium Density Residential District And Cluster Subdivision Overlay District On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2022-2606. The Planning Commission recommended approval by unanimous vote and the Planning***

staff also recommended approval of the text amendment. Motion to Postpone until the March 27, 2023 Council Meeting Passed 7-0 at the February 27, 2023 County Council Meeting. - Allison Hardin

- 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***

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

Miscellaneous Reports and Correspondence

Allen Blackmon asked where Lancaster County stood on developing investment policies. Dennis Marstall stated these policies would be discussed as part of the budget process.

Executive Session

Four Items:

- 1. Receipt of legal advice subject to the attorney-client privilege regarding potential fee agreements.***
- 2. Receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements.***
- 3. Receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements.***
- 4. Receipt of legal advice subject to the attorney-client privilege regarding an Economic Development Discussion: Project Spider.***

Jose Luis moved to go into Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, MrGriff, Mosteller; Nays: None. At approximately 7:59 p.m., Council went into Executive Session to discuss the four (4) items listed above.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:47 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Billy Mosteller.

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 four (4) items: receipt of legal advice subject to the attorney-client privilege regarding potential fee agreements; receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements; receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements; and receipt of legal advice subject to the attorney-client privilege regarding an Economic Development Discussion: Project Spider. She stated no decisions were made and no votes were taken.

The Motion to come out of Executive Session Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None

Adjournment

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

There being no further business, the regular meeting of County Council adjourned at approximately 8:49 p.m.

Respectfully Submitted:

Approved by Council on March 27, 2023

Donna Greene

Donna Greene
Deputy Clerk to Council

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

Billy Mosteller, Secretary