Council Members		County Administrator
District 1: Terry Graham		Dennis Marstall
District 2: Charlene McGriff		
District 3: Billy Mosteller, Secretary		County Attorney
District 4: Larry Honeycutt		John K. DuBose III
District 5: Steve Harper, Chair		
District 6: Allen Blackmon		Clerk to Council
District 7: Brian Carnes, Vice-Chair		Sherrie Simpson

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

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; Kimberly Belk, Budget Director; Jamie Gilbert, Economic Development Director; Jeff Catoe, Public Services Director; Sheriff Barry Faile; Clay Catoe, EMS Director; Robert Purser, 911 Public Safety Communications Director; Jim Kiley, GIS Director; Brad Carnes, Assessor; Brittany Grant, Register of Deeds; Scott Hernandez, IT Director; Karla Deese, Coroner; Hal Hiott, Parks & Recreation Director; Paul Moses, Airport Director; 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 6:06 p.m. and apologized for the delay, which was due to technical difficulties.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Allen Blackmon 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.

Brian Carnes moved to amend the agenda to add an item under section 9, Economic Incentives, which would be for discussion only. Seconded by Charlene McGriff. Motion to Amend Passed 7-0.

The Motion to Approve the Agenda as Amended Passed 7-0.

Special Presentations

There were no Special Presentations held during the Council meeting.

Citizens Comments

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

Ned Blackmon, Lancaster, SC spoke about the noise from the shooting range that is located next to his property on Greenbriar Drive. He noted the property in question was owned by Reverend Michael Anderson.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda item 7a. [as listed in the Agenda package, which is the same as Item a. listed below]. Seconded by Larry Honeycutt. Motion Passed 7-0.

a. Approval of Minutes from the February 14, 2022 County Council Regular Meeting

Non-Consent Agenda

Resolution 1189-R2022 regarding Approval of an Exception to County Property Disposal Plans and Procedures for Vehicles

Resolution Title: A Resolution Approving An Exception To County Property Disposal Plans And Procedures For Vehicles To Allow Donation Of A Used EMS Unit To The South Carolina Fire Academy In Exchange For Training Credits

Brian Carnes moved to approve. Seconded by Allen Blackmon. Motion Passed 7-0.

Resolution 1190-R2022 regarding Amending the Second Master Multi-County Park Agreement with Chesterfield County to Add Property Located in Chesterfield County that is Known As Project Flair

Resolution Title: A Resolution To Amend The Second Master Multi-County Park Agreement Between Chesterfield County And Lancaster County, Dated As Of October 1, 2018, So As To Add To The Agreement Property Located In Chesterfield County That Is Known To Chesterfield County As Project Flair And Is Owned And/Or Operated By Ogburn Solar, LLC.

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

Resolution 1191-R2022 regarding Authorization of Submission of a Grant Application to the Federal Aviation Administration (FAA) for Funding a Lighting Vault And Authorization of Funding Plans for a Lighting Vault and a New Terminal

Resolution Title: A Resolution Authorizing The Submission Of A Grant Application To The Federal Aviation Administration (FAA) For Funding Of A Lighting Vault And Authorizing Development Of County Funding Plans For

The Lighting Vault And A New Terminal

Larry Honeycutt moved to approve. Seconded by Billy Mosteller.

Dennis Marstall stated this project has been discussed among Council for approximately one year. He explained that the County had engaged Holt Consulting to help with the Federal Aviation Administration (FAA) application. He noted that the funds for the project would be contributed by the FAA, the State Aeronautics Commission, and local funds. He further noted that for the terminal and the vault project, the cost would be $3.2 million for the County's portion and the total project cost would be $4.6 million. The County has two options for procuring local funds for the project; either use fund balance or use potential bonding. He also stated, as part of federal relief funds, the FAA was doing a new grant program just for terminals and air traffic control towers. Therefore, the County is going to submit a grant that will potentially pay up to 95% for a new terminal. The grants are due March 28. Mr. Marstall stated the FAA should make their decision on the first round of grants by July. He stated that if the County does not get selected in this first round, then we will be able to apply in year 2, 3, 4 and 5.

Billy Mosteller moved to amend to authorize the Lancaster County Administrator or his designee to submit a grant application to FAA for funding of the lighting vault and develop a funding plan for the lighting vault and terminal project for phases of the terminal project for inclusion in the 22-23 budget. Seconded by Charlene McGriff.

Allen Blackmon wanted to go on the record, stating those two wings with the roof line sloping in towards the building is a major leak waiting to happen and a major repair in about 20 years. He noted it would have to be re-roofed time and time again.

Steve Harper stated this is a preliminary design.

The Motion to Amend Passed 7-0.

The Motion to Approve Resolution 1191-R2022 as Amended Passed 7-0.

Resolution 1192-R2022 Regarding Authorization of ARPA Funding for Various Information Technology Projects, the Coroner's Office Expansion, and Lancaster County Water and Sewer District Wastewater Project

Resolution Title: A Resolution Authorizing American Rescue Plan Act (ARPA) Funding For Information Technology Projects, Expansion Of The Lancaster County Coroner's Office, And The Hannah's Creek Wastewater Expansion Project

Brian Carnes moved to approve. Seconded by Charlene McGriff.

Kim Belk and Scott Hernandez provided an overview of American Rescue Plan Act (ARPA) funding projects and the power point presentation they utilized is attached as Schedule A to the written minutes in the Clerk To Council's Office.

There were technical difficulties with the sound system. At approximately 6:50 p.m., Council took a short break so the sound system could be reset.

At approximately 6:53 p.m., Council resumed the meeting and Kim Belk continued her presentation.

Dennis Marstall explained that the recommendation from Administration was to move forward with all 3 projects: all IT projects, the expansion of the Coroner's Office, and the project for Lancaster County Water & Sewer District (Hannah's Creek Outfall).

Council and staff discussed potential costs associated with each project and that the cost should not exceed the amounts provided in the Resolution. John Dubose stated the form of approval was by way of Resolution and that the dollar amounts listed were finite amounts.

Allen Blackmon moved to amend the motion to approve the IT projects not to exceed $3 million; to approve the Coroner's Office expansion not to exceed $1,770,000; and to approve the Lancaster County Water & Sewer District project not to exceed $500,000. Seconded by Brian Carnes.

Allen Blackmon moved to amend the previous motion and approve all items in the Resolution 1192-R2022 not to exceed the listed amounts. Seconded by Brian Carnes.

The Motion to Amend Passed 7-0.

The Motion to Approve Resolution 1192-R2022 as Amended Passed 7-0.

3rd Reading of Ordinance 2022-1794 regarding Approving a First Amendment to the Development Agreement for The Reserve at Barber Rock

Ordinance Title: An Ordinance To Approve A First Amendment To The Development Agreement Between Bonterra Builders, LLC And Lancaster County For The Reserve At Barber Rock To Remove Approximately 1.017 Acres Of Real Property From The Development Agreement And To Authorize Execution And Delivery Of The First Amendment To The Development Agreement With Bonterra Builders, LLC. ***- Planning Department Case Number: DA-2019-0803.***

Charlene McGriff moved to approve. Seconded by Terry Graham.

Brian Carnes moved to amend Ordinance 2022-1794 and Exhibit A to Ordinance 2022-1794 in the form of the proposed third reading versions of each document that are attached to the agenda package. The amendments to each document reflect the transfer of development rights under the Development Agreement from Bonterra Builders, as the original developer, to Taylor Morrison, as the subsequent developer. Seconded by Larry Honeycutt.

The Motion to Amend Passed 7-0.
The Motion to Approve the 3rd Reading of Ordinance 2022-1794 as Amended Passed 7-0.

2nd Reading of Ordinance 2022-1795 regarding Amending the Unified Development Ordinance (UDO) in Section 7.2.4. regarding Off-Street Parking and Loading Requirements

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 7.2.4., Off-Street Parking And Loading Requirements, To Modify Minimum Required Parking Spaces. ***- Planning Department Case Number: UDO-TA-2021-2981.***

Brian Carnes moved to approve. Seconded by Charlene McGriff.

Rox Burhans reviewed the power point in agenda packet. Staff recommended no changes. Steve Harper voiced concerns regarding parking.

Motion Passed 7-0.

1st 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.

Larry Honeycutt moved to approve. Seconded by Billy Mosteller.

Dennis Marstall stated that the County's Capital Project Sales Tax #2 (CPST) was coming to a close at the end of April and that there are $23 million in excess funds. He noted that there is a State Proviso which outlines how counties can use excess funds; either on roads, pedestrian access and intersection improvements. He explained that the excess funds could also be rolled to future projects if a CPST was renewed or re-extended by voters.

Mr. Marstall explained that the recommendation from Administration was to use excess funds on 21 new county road projects that total $7.6 million and also complete the Hwy. 9 pedestrian connections around USC Lancaster, and to also complete phase 2 of the Lindsay Pettus Greenway. He explained that the remaining $13.3 million in excess funds would roll over to the first priority project for CPST #3, which would be the Detention Center.

Council and staff discussed finishing the libraries and the county road repair list. Council requested that Hector Road and Cleveland Street be added to the road repair list. Council and staff discussed the need for the libraries to be open to the public after hours and whether to fund the Highway 521 widening project.

Jeff Catoe spoke regarding Cleveland Street. He stated this is a state road and was included on the CPST #3. He stated the excess funds from CPST #2 are focused on County roads.

Billy Mosteller stated he supports the repair of roads and completing the libraries but that he wanted the roll over of $13.3 million to go to Detention Center.

Council requested that staff provide additional information and other potential projects for the 2nd Reading of Ordinance.

The 1st Reading of Ordinance 2022-1796 Passed 6-1; Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nayes: Blackmon

Discussion and Action Items

Approval of Appointments to the Van Wyck Fire Protection District Fee Board

- Lorrie Ayers to the Van Wyck Fire Protection District Fee Board as one of the four appointees to fill a four year term that would expire on 06/30/2025 (1st Term)
- David Basri to the Van Wyck Fire Protection District Fee Board as one of the four appointees to fill a four year term that would expire on 06/30/2025 (1st Term)
- Sheena Hinson to the Van Wyck Fire Protection District Fee Board as one of the four appointees to fill a two year term that would expire on 06/30/2023 (1st Term)
- Monty King to the Van Wyck Fire Protection District Fee Board as one of the four appointees to fill a two year term that would expire on 06/30/2023 (1st Term)

Larry Honeycutt moved to approve all appointments. Seconded by Allen Blackmon. Motion Passed 7-0.

Economic Incentives

Brian Carnes explained that the County had been having discussions on whether they should continue to offer economic incentives to new businesses because this area was now one where businesses and people wanted to come. He further explained that he would like to see the County engage an attorney or site consultant to prepare a proposal for a specific project to see what incentives the business would need in order to come to Lancaster County versus Charlotte. It was suggested that a comparison study be obtained. Jamie Gilbert suggested using an attorney or site consultant for the study. He suggested that the study should be performed by a third party. Brian Carnes requested that this item be moved forward to a future agenda for further discussion.

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

Billy Mosteller stated that the update of the major projects was helpful. Steve Harper stated that the projects were really shaping up. Hal Hiott stated the design firm, Kelvin Alexander and the contractors were meeting monthly. The playground equipment has been ordered and was approximately 12 weeks out. He stated the Indian Land Recreation Center was beginning to move along now that the precast walls have arrived.

Larry Honeycutt requested that the mistreatment of animals/cruelty to animals be placed on a future agenda.

Citizens Comments

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

Executive Session

There was no Executive Session held during the Council meeting.

Adjournment

Larry Honeycutt moved to adjourn the Council meeting. Seconded by Charlene McGriff. Motion Passed 7-0. There being no further business, the regular meeting of Council adjourned at approximately 7:48 p.m.

Respectfully Submitted:

Donna Greene

Donna Greene
Deputy Clerk to Council

Approved by Council on 3/14/2022

Billy Mosteller, Secretary