

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

February 27, 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 (*via teleconference call*), 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; Kim Belk, Budget Director; Veronica Thompson, Finance Director; Brenda Thompson, Communications and Marketing Director; Sheriff Barry Faile; Darren Player, Fire Rescue/Emergency Management Director; Stuart Barfield, Chief of Operations, Planning & Implementation/Emergency Management; Paul Moses, Airport Director; 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 Terry Graham

Terry Graham led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Brian Carnes moved to approve the agenda. Seconded by Charlene McGriff. A roll call vote was taken and the motion to approve the agenda Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

Special Presentations

Dennis Marstall announced that Lancaster County has been awarded a \$3 million grant for the Airport Terminal. He stated this funding was through the bi-partisan grant through the Federal Aviation Administration (FAA). Mr. Marstall also handed out the photo showing production of the mass transport unit for EMS. The photo is attached as Schedule A to the written minutes in the Clerk to Council's office.

Chairman Harper recognized Cane Creek Watershed Board for winning the South Carolina Association of Conservation Districts Outstanding Watershed District of the Year. He recognized Joe Ghent, Chairman of the Lancaster Soil and Water Conservation District; Amanda Roberts, District Manager; Daniel Griffin, USDA-NRCS District Conservationist; and Joe Clark, Cane Creek Watershed Director.

Andrew Pack, Project Director with Woolpert reviewed the County power point presentation. Council and staff discussed parking, seating for USC-Lancaster ball field, and pickle ball courts. Allen Blackmon asked about cross country trails being added. There was discussion regarding the need of a larger facility or a smaller facility. Council and staff discussed bonding for the project. They discussed installment purchase revenue bonds, which will be discussed further at the last meeting in March. Council and staff discussed a 50,000 square foot recreation center versus a 25,000 square foot recreation center. Mr. Pack will return in April with more options for the proposed recreation center.

Chad Catledge with Precision Builders reviewed the County power point presentation. Mr. Catledge stated they were looking to have figures ready for full presentation to Council at the March 13th meeting. Chairman Harper asked that operational cost estimates be included. Council and staff discussed secure transport for the magistrate's court. Mr. Catledge stated they were planning for an estimated 318 maximum beds and for a core space of 496 beds which would be located going south.

Citizens Comments

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

1. Kevin Garon, Indian Land, SC spoke regarding growth, and that it was too much and too fast; and
2. Tindall Yarborough, Lancaster, SC spoke regarding the need for a regional park

The following citizens submitted electronic, written comments for Citizens Comments:

1. Rebecca Hammond, Lancaster, SC sent an electronic comment regarding the need for a regional park. A written copy of the comment was placed at each Councilmembers seat and a copy is also attached as Schedule B to the written minutes in the Clerk to Council's office.

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. A roll call vote was taken and the Consent Agenda was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

- a. **Approval of Minutes from the January 31, 2023 County Council Retreat and Workshop Meeting**
- b. **Approval of Minutes from the February 13, 2023 County Council Regular Meeting**
- c. **2nd 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

Resolution 1226-R2023 regarding Adoption of the Lancaster County Multi-Jurisdictional Hazard Mitigation Plan

Resolution Title: A Resolution Adopting The Lancaster County Multi-Jurisdictional Hazard Mitigation Plan As Approved By The Federal Emergency Management Agency.

Brian Carnes moved to approve Resolution 1226-R2023. Seconded by Billy Mosteller.

Stuart Barfield and Darren Player explained that the Lancaster County Multi-Jurisdictional Hazard Mitigation Plan is a team effort. Mr. Barfield stated while it is primarily worked on as Emergency Management (EM), they also work closely with a lot of other County departments that gather a lot of the data for EM, which goes into the planning process and project formulation. He stated the hazard mitigation plan looks at all the risks that are out there that could affect Lancaster County. He stated they look at the measures already in effect, and look at what can be improved. He stated the County goes through this update process every five years and that the plan is reviewed annually. He noted this was an ongoing process with the same county agency departments as well as with other outside organizations. He stated all of the jurisdictions that adopt it are eligible for Federal Disaster Recovery funds if something major happens in their county. Council recognized Stuart Barfield and Darren Player for a job well done on this plan.

A roll call vote was taken and Resolution 1226-R2023 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None

Public Hearing and 3rd Reading of Ordinance 2023-1838 regarding Amending the Fiscal Year 2022-2023 Budget

Ordinance Title: An Ordinance To Amend Ordinance No. 2022-1803, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 (FY 2022-2023), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Kim Belk stated there were no changes on Ordinance 2023-1838.

Steve Harper opened the Public Hearing for Ordinance 2023-1838 at approximately 7:16 p.m.

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

There were approximately 6 citizens in attendance during the Public Hearing for this Ordinance.

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

Steve Harper closed the Public Hearing at approximately 7:16 p.m.

Terry Graham moved to approve 3rd Reading of Ordinance 2023-1838. Seconded by Charlene McGriff. A roll

call vote was taken and 3rd Reading of Ordinance 2023-1839 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

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.*

Billy Mosteller moved to postpone item 8(c), 2nd Reading of Ordinance 2023-1840 amending the Unified Development Ordinance, Section 6.4.1., Connectivity, until the March 13, 2023 Council meeting in order to allow staff additional time to evaluate all options available to address concerns previously raised. Seconded by Charlene McGriff. A roll call vote was taken and the motion to postpone 2nd Reading of Ordinance 2023-1840 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

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.*

Brian Carnes moved to approve the 1st Reading of Ordinance 2023-1841. Seconded by Terry Graham.

Allison Hardin reviewed minimum residential lot sizes in neighboring communities. She researched Marvin, Waxhaw, and Weddington in North Carolina and Rock Hill and York in South Carolina. Her handout is attached as Schedule C to the written minutes in the Clerk to Council's office. Council and staff discussed the Planning Commission's role and single family housing, cluster developments, and medium density residential (MDR) districts. Council and staff discussed that Council needs to give staff clear and precise details about what they wanted to see in the Unified Development Ordinance. Jose Luis requested to split chapter 2 and 4 on cluster developments and vote separately on chapter 2 and send chapter 4 back to Planning staff for clarification. There was further discussion.

Jose Luis amended the motion to postpone 1st Reading of Ordinance 2023-1841 to the March 27th Council meeting. Seconded by Charlene McGriff. A roll call vote was taken and the motion to postpone 1st Reading of Ordinance 2023-1841 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None

Discussion and Action Items

Approval of Reappointments to the Employee Grievance Committee

- Reappoint Mike Barnes to the Employee Grievance Committee to fill a three year term that would end on 12/30/2025 (2nd Term)
- Reappoint Joshua Faulkenberry to the Employee Grievance Committee to fill a three year term that would end on 12/30/2025 (2nd Term)

Brian Carnes moved to approve all reappointments as listed. Seconded by Billy Mosteller. A roll call vote was taken and the motion to approve 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

Two Items:

1. ***Receipt of legal advice subject to the attorney-client privilege regarding a land-use issue.***
2. ***Receipt of legal advice subject to the attorney-client privilege regarding a potential intergovernmental agreement.***

Brian Carnes moved to go into Executive Session. Seconded by Charlene McGriff. A roll call vote was taken and the Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None. At approximately 8:11 p.m., Council went into Executive Session for two (2) items listed above.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:05 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Terry Graham.

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 two items: receipt of legal advice subject to the attorney-client privilege regarding a land use issue and receipt of legal advice subject to the attorney-client privilege regarding a potential intergovernmental agreement. She stated no decisions were made and no votes were taken.

A roll call vote was taken to come out of Executive Session and the Motion 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 9:06 p.m.

Respectfully Submitted:

Approved by Council on March 13, 2023

Donna Greene

Donna Greene
Deputy Clerk to Council

A handwritten signature in dark ink, appearing to read "B Mosteller", is written over a horizontal line.

Billy Mosteller, Secretary