

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

February 14, 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**

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Charlene McGriff**
4. **Approval of the Agenda**
[deletion and additions of non-substantive matter]
5. **Special Presentations**
 - a. 2021 Update from the Lancaster Soil and Water Conservation District - Presented by Amanda Roberts, District Manager for the Lancaster Soil and Water Conservation District
6. **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.]
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 January 12, 2022 County Council Committee Of The Whole Meeting
 - b. Approval of Minutes from the January 21, 2022 County Council Retreat and Workshop Meeting

- c. Approval of Minutes from the January 24, 2022 County Council Regular Meeting
- d. Approval of Minutes from the January 31, 2022 County Council Special Meeting

8. Non-Consent Agenda

- a. 2nd 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. The Planning Commission recommended approval by a vote of 6-0 and the Planning staff also recommend approval of the request. Passed 7-0 at the January 24, 2022 County Council Meeting. - Rox Burhans***

- b. Public Hearing and 1st 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. The Planning Commission recommended approval by a vote of 5-1 and staff recommended approval of the text amendment. - Rox Burhans***

9. Discussion and Action Items

- a. Approval of Appointments to the Employee Grievance Committee
 - Bill Allen from Public Works to serve a two year term that will expire 12/30/2023
 - Mike Barnes from Parks and Recreation to serve a one year term that will expire 12/30/2022
 - Terrance Barr from Stormwater to serve a three year term that will expire 12/30/2024
 - Dawn R. Faulkenberry from the Auditor's Office to serve a three year term that will expire 12/30/2024
 - Joshua Faulkenberry from EMS to serve a one year term that will expire 12/30/2022
 - Carolyn Harris from Public Safety Communications to serve a two year term that will expire 12/30/2023
 - Patricia Rutledge from the Assessor's Office to serve a three year term that will expire 12/30/2024
- b. Approval of Appointment to the Health and Wellness Commission
 - Bridget Harris to the Health and Wellness Commission as the Hospital Representative to fill an unexpired term that will end on 06/30/2025

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

11. Miscellaneous Reports and Correspondence

12. Citizens Comments

[If Council delays until end of meeting]

13. Executive Session

[motions from Members may follow]

- a. Three Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

- 1. One Economic Development Discussion: Project Genesis. SC Code 30-4-70(a)(5).*
- 2. Legal Briefings regarding Pending or Threatened Litigation Matters. SC Code 30-4-70(a)(2).*
- 3. Discussion of a Proposed Contractual Matter. SC Code 30-4-70(a)(2).*

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://www.youtube.com/channel/UCgSIMrcYjcYcu1m-e6TV54w>*

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: Administration

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Amanda Roberts, District Manager for the Lancaster Soil and Water Conservation District (SWCD), will be making a short presentation on the District's 2021 year. She will also be providing details about a few of the completed watershed projects and a new program that the SWCD Board is administering.

Points to Consider:

Please find attached the annual report from the Lancaster Soil and Water Conservation District.

Funding and Liability Factors:

The County provided funding for Lancaster Soil and Water in Fiscal Year 2021-2022 in the amount of \$113,370.00.

Council Options:

There is no action for Council to take at this time.

Recommendation:

This presentation is informational only for Council and citizens.

ATTACHMENTS:

Description	Upload Date	Type
Annual Report	2/7/2022	Backup Material

Lancaster

SOIL AND WATER CONSERVATION DISTRICT

Biggest Achievement of 2021



The Lancaster SWCD is a sponsor on the five PL-566 Flood Control Lakes in Lancaster County. The Cane Creek and Little Lynches oversee the maintenance work for the sites. All three boards have one full time employee that work for the boards.

The Cane Creek Watershed Board and staff worked to complete their biggest project to repair the plunge basins at three of their sites:

Site 18A Gills Creek

Site 16 Ghent Reservoir

Site 7 Campbell Lake

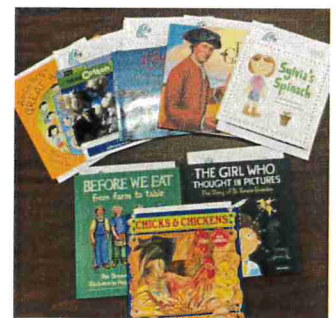
Over the years heavy rains storms caused the plunge basins to erode.

These projects cost \$46,000 to complete. NRCS staff assisted with the engineering designs and overseeing the contractor during the construction of the projects. The partnership with NRCS saved the boards over \$60,000 on the construction designs for the projects.

Other Notable Accomplishment

The Lancaster Soil and Water Conservation District and the Lancaster County Farm Bureau started a partnership to sponsor each of the 13 public elementary schools in Lancaster County with the Book of the Month program.

The Book of the Month program is a literacy outreach initiative for anyone looking for a valid ag-related resource to utilize in a classroom.



Conservation by the Numbers

CSP	16 Contracts	3264.4 Acres	\$351,137.13
CSP- GCI	9 Contracts	312.1 Acres	\$27,752.20
EQIP	14 Contracts	433.3 Acres	\$172,348.50

Total: 39 Contracts

Total: 4009.8 Acres

Total Obligation: \$551,237.83

25 landowners assisted with EQIP and CSP Applications

2022 District Plans

- Conservation Poster and Photo Contests- promote and present winners with awards
- Sowing Seeds Program- promote and administer the program to Lancaster County landowners
- \$750 Glenn Alexander Memorial Scholarship and \$750 Bill Ardrey Forestry Scholarship and \$500 Phil Cleveland Conservation Education Mini Grant- present awards to the recipients
- Present the Conservationist of the Year Award
- Update the Long-Range Plan for 2022-2027
- Flood Control Lakes- continuing to support the Watershed Boards and the maintenance on the five sites in the County.
- Hosting Arbor Day at one of the schools in Lancaster County

Conservation Education Programs

The Lancaster Soil and Water Conservation District's "Sowing Seeds Program" provides native/ heirloom vegetable, fruit, and wildflower seeds to Lancaster County residents via US Mail at no cost.

Lancaster County residents may complete the form on our website to sign up for the program. A selection of five or six free seed packets will be mailed to people who sign up in the spring (March/April) and summer (August/September) of 2022. There is a limit to one request per household while supplies last.

Once you receive your seeds and you start on your garden, please tag us on Facebook or send us pictures of your garden.

Spring Seeds:

Tomato

Cucumber

Squash

Watermelon

Okra

Southeast Wildflower Mix for pollinators

Fall Seeds:

Collards

Mustard

Turnips

Kale

Black Eye Susan Wildflower



"Our Sowing Seeds Program will help support home and community gardens in the county. The goals of the program are to provide education on growing food/ flowers and promoting sustainable gardening practices. This program will also increase the habitat for pollinators in our communities," said Amanda Roberts, District Manager of Lancaster SWCD.

You may sign up for the program on the Conservation District's website at <https://www.lancasterswcd.com/sowing-seeds-program>. Please like and follow us on Facebook @lancasterswcd.



Let the fun begin with learning about our natural resources! The Lancaster Soil and Water Conservation District would like to tell you about some of our conservation contests for the students in Lancaster County.

Currently we have a poster and photo contest available for all students that attend school in Lancaster County.

These contests are open to all students in grades K-12 who are attending public, private or home school in Lancaster County. Any student who wants to enter the contest may do so individually, or through a participating school.

Deadline for these contests is on April 18, 2022. Entry forms and guidelines may be found online at www.lancasterswcd.com, or you may call or email Amanda Roberts at 803-286-4455 extension 100, aman-da.roberts@sc.nacdnet.net to receive a copy.

Scholarship Opportunities

2021 Bill Ardrey Forestry Scholarship Recipient

Eric Jerrod Byrd, II, a 2021 graduate from Lancaster High School was awarded the \$750 2021 Bill Ardrey Forestry Scholarship this summer.

He is attending South Carolina State University and majoring in Agricultural Economics with a minor in Marketing.

In his essay Byrd stated "Agriculture is the backbone of our country, down to the food we eat and the clothes we wear. We cannot function without agriculture."

"We are very excited to award this scholarship to Eric. In his essay he understands the importance that agriculture is to our country. We depend on this everyday of our life. We established this scholarship in recognition of Bill Ardrey's 42 years of service with the Conservation District and his dedication to our County," said Amanda Roberts, District Manager of Lancaster Soil and Water Conservation District.



The sponsors of this scholarship program include: the Lancaster Soil and Water Conservation District Board of Commissioners, businesses, organizations, and individual citizens who have designated funds for this program.

The scholarship is presented to a high school or college student who is from Lancaster County. The student must be attending a fully accredited high school, college, university or technical college. The recipient must be majoring in a forestry related major.

2022 Bill Ardrey Forestry Scholarship

The Lancaster Soil and Water Conservation District established the Bill Ardrey Forestry Scholarship in recognition of Bill Ardrey's 42 years of service with the Lancaster Soil and Water Conservation District.

"Bill has devoted 42 years to promoting conservation and conservation education in Lancaster County and in the state of South Carolina. It is a privilege for the Conservation District to honor Bill with this scholarship. This scholarship will continue Bill's legacy of educating our future conservationists in Lancaster County. Over the years he has received awards and recognition from Lancaster County, SC Department of Natural Resources, South Carolina Association of Conservation Districts and Southeast National Association of Conservation Districts," said Joe Ghent, Chairman of the Lancaster Soil and Water Conservation District.



"We appreciate his countless hours of dedication to the board, the county, and the partnership. He encourages the citizens in Lancaster County to be good stewards of the land. His willingness to serve and educate the public about the natural resources is an excellent example of his dedication. He received one of the highest honors as a Commissioner when he was inducted into the SENACD Hall of Fame in 2015," said Amanda Roberts, District Manager for the Lancaster Soil and Water Conservation District.

"We appreciate his countless hours of dedication to the board, the county, and the partnership. He encourages the citizens in Lancaster County to be good stewards of the land. His willingness to serve and educate the public about the natural resources is an excellent example of his dedication. He received one of the highest honors as a Commissioner when he was inducted into the SENACD Hall of Fame in 2015," said Amanda Roberts, District Manager for the Lancaster Soil and Water Conservation District.

The Lancaster Soil and Water Conservation District is now accepting applications for the Bill Ardrey Forestry Scholarship in the amount of \$750. The scholarship will be presented to a college student who is from Lancaster County. The student must be attending a fully accredited college, university or technical college. The recipient must be majoring in a forestry related major. The deadline to apply is **March 28, 2022 at 3:00 pm.**

2022 Glenn Alexander Memorial Scholarship



The Lancaster Soil and Water Conservation District is now accepting applications for the Glenn Alexander Memorial Scholarship in the amount of \$750 to go to a high school senior residing in Lancaster County. The student must be attending a fully accredited college, university or technical college. The Conservation District prefers that the recipient is majoring in an agricultural or environmental related field such as: agricultural education, agricultural economics, agricultural engineering, agronomy, biology, forestry, horticulture, soils, or wildlife management but it is not a requirement. The deadline to apply is **March 28, 2022 at 3:00 pm.**

The Lancaster Soil and Water Conservation District established this scholarship in recognition of Glenn Alexander's 57 years of service with the Conservation District and his dedication to our County.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Approve or amend the minutes from the January 12, 2022 County Council Committee Of The Whole meeting.

Points to Consider:

The draft minutes from the January 12, 2022 County Council Committee Of The Whole meeting are attached for Council's review and consideration.

Funding and Liability Factors:

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

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 1-12-2022 Committee of the Whole Meeting	2/8/2022	Backup Material

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

January 12, 2022

4:00 PM

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

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

MINUTES

Council Members present: Allen Blackmon [*who entered the meeting late at approximately 4:11 p.m. after the vote for the **Approval of Agenda***], Brian Carnes, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller.

Council Members absent: Terry Graham.

Staff Members/Others present: Dennis Marstall, County Administrator; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; Ashley Davis, Senior Planner; Vagn Hanson, consultant with Benchmark Planning; Jeff Catoe, Public Services Director; Scott Edgar, County Engineer; various Department Heads; various staff 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 Committee of the Whole meeting to order at approximately 4:03 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the Committee meeting.

Pledge of Allegiance and Invocation - Council Member Brian Carnes

Brian Carnes led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of Agenda

Larry Honeycutt moved to approve the agenda. Seconded by Charlene McGriff. Motion Passed 5-0.; Absent: Blackmon, Graham

Citizens Comments

The following citizens signed up for and spoke during Citizens Comments: None.

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

Discussion and Action Items

Comprehensive Plan Kick-Off - Rox Burhans/Ashley Davis

Ashley Davis, Senior Planner with the Planning Department, and Vagn Hanson, consultant with Benchmark Planning, provided Council with a progress update on the 2040 Comprehensive Plan. Allen Blackmon entered the meeting during this presentation. Vagn Hanson reviewed a power presentation entitled, "Lancaster 2040 Comprehensive Plan," and that presentation is attached as Schedule A to the written minutes in the Clerk to Council's office.

Council asked that the City of Lancaster be included in the Stakeholder Committee or Focus Group. They explained that the Mayor had asked that the City be included in this process. Rox Burhans explained that the City has been an identified member of the Focus Group.

Rox Burhans noted that he would send Council a list of the Stakeholder Committee members and Council requested a copy of the power point presentation.

Update on the Black Horse Run Road Stormwater Project - Scott Edgar

Scott Edgar reviewed the Technical Memorandum to the Black Horse Run Drainage Study report that was attached to the agenda packet. Council asked if there had been funds appropriated for Man-O-War Drive and Scott Edgar said that there had not been any funding allocated for that project at this time. Council and staff discussed the flooding around Man-O-War Drive. Scott Edgar then reviewed a power point presentation entitled, "Engineering & Environmental Services A.K.A. Stormwater Management," and that presentation is attached as Schedule B to the written minutes in the Clerk to Council's office.

Citizen Comments

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

Adjournment

Larry Honeycutt moved to adjourn the Committee of the Whole meeting. Seconded by Charlene McGriff. The motion to adjourn Passed 6-0.; Absent: Graham. There being no further business, the Committee of the Whole meeting adjourned at approximately 4:52 p.m.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Approve or amend the minutes from the January 21, 2022 County Council Retreat and Workshop meeting.

Points to Consider:

The draft minutes from the January 21, 2022 County Council Retreat and 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.

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 1-21-2022 Council Retreat	2/9/2022	Backup Material

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

January 21, 2022

8:30 AM

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

**LANCASTER COUNTY COUNCIL
Catawba Falls Events, 4223 Cedar Creek Road,
Lancaster, SC 29720**

WORKSHOP MINUTES

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

Council Members Absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; Sherrie Simpson, Clerk to Council; Veronica Thompson, Chief Financial Officer; Kim Belk, Budget Director; Rox Burhans, Development Services Director; Jeff Catoe, Public Services Director; John DeLoache, Senior Staff Attorney with the South Carolina Association of Counties; Curt Walton, former Charlotte City Manager; Sheriff Barry Faile, Lancaster County Sheriff's Department; various staff; 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.

Call to Order - Chairman Steve Harper

Chairman Steve Harper called the meeting to order at approximately 8:30 a.m.

Welcome and Opening - County Administrator Dennis Marstall

Dennis Marstall explained that he had been in the County Administrator position for three months. He thanked everyone for their time and he explained the importance of retreats and that he wanted everyone to be on "the same page" as the County moves forward. He noted that, in the future, he would like to have strategic plan retreats and then use the strategic plan as a guiding document for the County.

He also noted that he would like for Council to have a bus tour of various developments within the next month. He also stressed the importance of the upcoming budget workshops so that the County can focus its resources in the right way.

He further explained that the communication within the County has been very helpful thus far so that he could hit

the ground running in his new position.

Discussion and Action Items

Overview of Council-Administrator Form of Government - Presented by John K. DeLoache, Senior Staff Attorney, SC Association of Counties

John DeLoache presented an overview of the Council-Administrator form of government. He presented the overview by reviewing a nine page power point presentation and that presentation is attached as Schedule A to the written minutes in the Clerk to Council's office.

During the presentation, Council and the attorney discussed Council communication with line employees and the need for a County policy for Council's interactions with employees, the difference between committee meetings or workshops (where language for ordinances can be developed) versus regular Council meetings (where formal actions of Council are conducted), the role of the County attorney, that the County attorney reports to the County Administrator and that Council can hire outside legal counsel if needed.

Council took a break in the meeting at approximately 9:47 a.m. Council resumed the meeting at approximately 10:10 a.m.

Growth: Lessons Learned from Charlotte, North Carolina and Visioning Discussion - Presented by Curt Walton, Charlotte City Manager, 2007 - 2012

Curt Walton led a discussion on the challenges and opportunities regarding growth management. He explained that he had three general areas to cover regarding growth management. First, he noted that the County should want to shift from being the pursuer of growth to being the pursued. He explained that the County should not be desperate for growth because of the access this area of the country has to airports, the interstate and ports. He further explained that the County can say "no" to projects because something else will come along that will be just as good or better. Also, he noted that the County should not have to be aggressive with incentives for growth. Secondly, he explained that not all growth was positive because it drives up costs and has an impact on schools and the environment, such as air quality and water quality. Thirdly, he explained that even the right growth takes time to be profitable and that money has to be expended up front. He compared growth to a long term start up company.

He also explained that the County should have a strategic framework for managing growth and consider growth as a system. He suggested using this fill in the blank sentence: the goal is to grow in order to ____? ____ (and fill in the blank for the County's vision). He further explained that the County should work collaboratively with other jurisdictions and agencies, which he noted can be difficult due to varying goals. He stated that the County should even collaborate regionally if possible. He discussed the need to strategize and/or incentivize infrastructure such as water and sewer and transportation, even though they may not be a function of County government. Next, he explained that the County needed to plan, plan and plan for growth. He suggested incentivizing parks and green space, which he noted were important for business recruitment and quality of life. Next, he explained that the County should try to anticipate and mitigate impacts of growth, such as traffic. He stressed the importance of communication with citizens. He also discussed the need for investment in staffing because growth is a large consumer of resources. Lastly, he noted that the County needed workforce development, such as high school programs and community colleges.

After the presentation, Council and the presenter discussed the need for a variety of housing and development, the importance of downtown redevelopment, the need for affordable housing, the need for amenities for new residents, whether the County should or could help direct growth, whether stormwater requirements should be implemented throughout the County and whether the County should have Impact Fees throughout the County. The County Administrator explained that he would like to work with Council on a vision for growth to help guide

development.

Council took a lunch break. The meeting resumed at approximately 12:35 p.m.

Annual Planning Topics

- Budget Process and Approach - *Dennis Marstall, County Administrator*
- Capital Projects Sales Tax Funds - *Veronica Thompson, Chief Financial Officer (CFO)*
- American Rescue Plan Act (ARPA) Funds Process -- Department Requests - *Kim Belk, Budget Director*
- Compensation and Classification Implementation Overview - *Dennis Marstall, County Administrator*

Dennis Marstall reviewed the Fiscal Year 2022-2023 Budget Calendar, which is attached as Schedule B to the written minutes in the Clerk to Council's office. He noted that January 26, 2022 will be the date for the internal budget kick-off and that the administrator's budget will be well vetted prior to being presented to Council.

Veronica Thompson presented an update on Capital Project Sales Tax #2 via a power point presentation and that seven page presentation is attached as Schedule C to the written minutes in the Clerk to Council's office. Jeff Catoe provided an update to the road projects for Capital Project Sales Tax #2 via a one page handout and that handout is attached as Schedule D to the written minutes in the Clerk to Council's office. Council discussed various options for using the excess funds. It was noted that the County has until April 30, 2022 to determine how the excess funds will be used. The County Administrator noted that he would provide Council with a final legal opinion about the use of the funds.

Kim Belk provided an update to Council regarding the American Rescue Plan Act (ARPA) via a power point presentation and that thirteen page presentation is attached as Schedule E to the written minutes in the Clerk to Council's office. Charlene McGriff stated that funds should be set aside for non-profits. After Kim Belk provided a review of county project proposals, the County Administrator explained that he would bring back a prioritized list of project proposals for Council at the February Committee of the Whole meeting. He explained that, at that time, Council could add to the list, if they desired.

In the absence of the Human Resources Director, Dennis Marstall provided an overview and implementation proposal for the compensation and classification study, as well as a minimum hourly wage increase proposal. He provided that update to Council via an eight page power point presentation that is attached as Schedule F to the written minutes in the Clerk to Council's office. Council agreed that the County should move forward with the \$12 an hour plan. Council and the County Administrator discussed the study itself and whether a compensation committee should be created; however, there was no consensus on the compensation committee idea. Council noted that the workforce was the County's greatest asset and there was general support to bring the compensation proposal forward as part of the budget process.

Discussion of Assessment and Goals - Presented by Dennis Marstall, County Administrator

Dennis Marstall reviewed the Intergovernmental Luncheon agenda with Council and that proposed agenda is attached as Schedule G to the written minutes in the Clerk to Council's office.

He then reviewed his goals as County Administrator with Council. He noted that his focus has been on assessing operations and structure. He explained that he would be focusing on the following items moving forward: (1) implementing an annual performance evaluation; (2) bringing legal counsel in house as a staff position in the Administrator's Office; (3) creating a communications and marketing department by centralizing positions from Parks and Recreation, Economic Development and Human Resources; (4) hiring in house IT staff once the virtual Chief Information Officer (CIO) contract with VC3 expires in May of 2023; (5) making adjustments to the Organizational Chart; (6) establishing a vision for growth; (7) hiring a consultant to lead the development of a county wide strategic plan; (8) developing an outline for the many space use issues; (9) clarifying the expectations of the planning and development services to the Towns/municipalities; (10) developing a light industrial land strategy; (11) identifying a public-private partnership to build a speculative building for economic development;

(12) bringing a York Tech campus back to Lancaster County; and (13) using the Committee of the Whole meetings to bring forward future agenda items in a more productive manner.

Open Discussion - Led by Dennis Marstall, County Administrator

Council and the County Administrator discussed whether the County should have an Indian Land service center. Dennis Marstall noted that the County's option on the Cauthen property, which could be used for a future Detention Center, expires on February 11, 2022 but that the County was asking for an extension. Council explained that they wanted a ground breaking on the regional park before the end of the year. Dennis Marstall noted that Council should have a discussion on whether they wanted to invest in more open/green space. Council and Dennis Marstall discussed the need for updating the County website and the need for enhanced online services. They also discussed whether the County needed Impact Fees throughout the County and whether the County should have service agreements for development services. Finally, they discussed fire protection districts, the lack of volunteers in fire departments and what that means for fire services moving forward.

Adjournment

Larry Honeycutt moved to adjourn the Council retreat. Seconded by Allen Blackmon. The motion to adjourn Passed 7-0. There being no further business, the Council retreat adjourned at approximately 3:38 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: 2/14/2022

Issue for Consideration:

Approve or amend the minutes from the January 24, 2022 County Council regular meeting.

Points to Consider:

The draft minutes from the January 24, 2022 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.

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 1-24-2022 County Council Regular Meeting	2/9/2022	Backup Material

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

January 24, 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, Terry Graham, Charlene McGriff [*who left the meeting early at approximately 6:47 p.m.*] and Billy Mosteller.

Council Members Absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Veronica Thompson, Chief Financial Officer; Kim Belk, Budget Director; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; Clay Catoe, EMS Director; Grant Davis, CPA, Director with Mauldin & Jenkins and Subsidiaries, LLC; various Department Heads; 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 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 6:03 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

Charlene McGriff moved to approve the agenda. Seconded by Larry Honeycutt. Motion Passed 7-0.

Special Presentations

Grant Davis, CPA and Director with Mauldin & Jenkins and Subsidiaries, LLC, provided an overview of the Annual Comprehensive Financial Report For the Fiscal Year Ended June 30, 2021. He provided the overview by using a power point presentation entitled, "Lancaster County, South Carolina Financial & Compliance Audit - June 30, 2021," and that presentation is attached as Schedule A to the written minutes in the Clerk to Council's office. He did note that their office issued a clean opinion, or an unmodified opinion, for Lancaster County. He explained that this result is the only acceptable result for a financial statement audit.

After the presentation, Council and Grant Davis discussed the difference between unassigned versus unrestricted fund balance and the increase in the County's net position. Allen Blackmon stated that he wanted to go on the record and note that the County was doing some good things from a financial perspective. He also asked when the County last had a bond rating review and Veronica Thompson explained that it was reviewed earlier in the year. Grant Davis pointed out that his Company made a recommendation to the County in regards to cyber security, which was the same recommendation they made last year during the audit.

Citizens Comments

The following citizens signed up for and spoke during Citizens Comments: None.

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

Consent Agenda

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

- a. **Approval of Minutes from the January 10, 2022 County Council Regular Meeting**
- b. **3rd Reading of Ordinance 2021-1768 regarding Rezoning Property Located at 327 Monroe Highway from LDR to GB (Applicants William and Blanca Cox)**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 2.07 Acre Parcel Of Property (TMS# 0061P-0D-003.00), Located At 327 Monroe Highway, Lancaster, South Carolina, From LDR, Low Density Residential District, To GB, General Business District.- *Planning Department Case Number: RZ-2021-2327.*
- c. **3rd Reading of Ordinance 2021-1790 regarding Termination of a Public Safety or Fire Protection Charge in the Preserve at Tree Tops Effective Upon the Imposition of Charges in the Van Wyck Fire Protection District**
Ordinance Title: An Ordinance To Terminate The Imposition And Collection Of A Public Safety Or Fire Protection Rate Or Charge In The Preserve At Tree Top Development Effective Upon The Imposition And Collection Of Rates And Charges In The Van Wyck Fire Protection District.
- d. **3rd Reading of Ordinance 2021-1791 regarding Amending Ordinance 2021-1761 by Substituting A Corrective Map for the School Development Impact Fee**

Ordinance Title: An Ordinance To Amend Ordinance 2021-1761 By Substitution Of A Corrective

Map That Accurately Reflects The School Development Impact Fee Collection Area And By Inclusion Of An Updated And Corrected School Development Impact Fee Study And Capital Improvement Plan.

Non-Consent Agenda

3rd Reading of Ordinance 2021-1769 regarding Approval of a Development Agreement with Arbor Construction, LLC

Ordinance Title: An Ordinance To Approve A Development Agreement With Arbor Construction, LLC, In Connection With A Major Subdivision Preliminary Plat SD-2021-0528, Which Proposes A 92-Lot Single-Family Cluster Subdivision Overlay District (CSO) Development, Establishing The Regulations For The Development Of The Property, And Other Matters Related Thereto. - *Planning Department Case Number: DA-2021-0528.*

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1769. Seconded by Charlene McGriff.

Allen Blackmon suggested that developers should be vetted from a financial position and that it should be part of the County's process.

The motion to approve the 3rd Reading of Ordinance 2021-1769 Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1792 regarding a First Amendment to Nutramax Laboratories' 2018 Fee Agreement

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A First Amendment To The Fee Agreement By And Among Nutramax Manufacturing, Inc., Nutramax Laboratories, Inc., Nutramax Properties, LLC, And Nutramax Land Holdings, Inc., And Lancaster County, South Carolina, Dated As Of November 26, 2018

Steve Harper opened the Public Hearing for Ordinance 2021-1792 at approximately 6:30 p.m.

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

There were approximately 15 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 6:30 p.m.

Allen Blackmon moved to approve the 3rd Reading of Ordinance 2021-1792. Seconded by Charlene McGriff. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1784 regarding Approval and Adoption of a Redistricting Plan

Ordinance Title: An Ordinance To Approve And Adopt A Redistricting Plan For The Election Districts Used To Elect Members Of County Council; To Authorize The County Administrator And Other County Officials To Take Any Necessary Actions To Effectuate The Purposes Of This Ordinance; And To Adopt Other Matters Related Thereto.

John DuBose noted that Council has to redraw district lines every ten years based on new Census population numbers and he reviewed the legal requirements of redistricting. He explained that Council has proposed a map that would comply with State law, the United State Constitution, the State Constitution and relevant case law. He noted, for the record, that Exhibit A to the agenda packet showed the current Council districts with 2020 Census population data and that the population spread on that is close to seventy-five percent and so getting the amounts under the mandated ten percent home rule act took some effort and work from the Committee.

Brian Carnes, the Redistricting Study Committee Chair, thanked the Committee members and explained that the

Committee did meet eight times. He stated that he believed that the proposed map was fair and could withstand any type of challenge.

Steve Harper opened the Public Hearing for Ordinance 2021-1784 at approximately 6:37 p.m.

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

There were approximately 15 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 6:37 p.m.

Brian Carnes moved to approve the 2nd Reading of Ordinance 2021-1784 with the new exhibits attached to it. Seconded by Larry Honeycutt.

Billy Mosteller moved to amend Ordinance 2021-1784 in the form of the "proposed second reading version of Ordinance 2021-1784" included in the agenda package and incorporate into the Ordinance Exhibit A and Exhibit B, also attached to the agenda package. He further stated that Exhibit B was the proposed County Council Map labeled "Proposal 10" and was the map that was recommended by the Redistricting Study Committee at its meeting of January 19, 2022. Seconded by Terry Graham. The motion to amend Passed 7-0.

The motion to approve the 2nd Reading of Ordinance 2021-1784 as amended Passed 7-0.

John DuBose noted, for the record, that the 3rd Reading of Ordinance 2021-1784 would be held at a Special meeting of County Council scheduled for January 31, 2022 at 6:00 p.m.

Public Hearing and 1st 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.*

Rox Burhans provided an overview of the project via the County power point presentation attached to the written minutes in the Clerk to Council's office.

Steve Harper opened the Public Hearing for Ordinance 2022-1794 at approximately 6:43 p.m.

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

There were approximately 15 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 6:43 p.m.

Billy Mosteller moved to approve the 1st Reading of Ordinance 2022-1794. Seconded by Brian Carnes. Motion Passed 7-0.

Discussion and Action Items

Approval of Appointment to the Board of Assessment Appeals

- Nakisha Procope to the Board of Assessment Appeals as the District 1 representative to fill a four year term that will expire on 06/30/2025 (1st Term)

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

Lancaster County EMS Donation - Dennis Marstall/Clay Catoe

Clay Catoe explained that EMS wanted to donate one of their old ambulances with high mileage to the South Carolina Fire Academy and he noted that, in exchange, they would receive \$5000.00 worth of free training. John DuBose explained that the procurement process allowed for exceptions to the procurement process.

Brian Carnes moved to approve the transfer. Seconded by Larry Honeycutt.

Charlene McGriff left the Council meeting at approximately 6:47 p.m. due to an emergency and she did not return to the meeting.

After discussion, the motion to approve the transfer Passed 6-0.; Absent: McGriff

Approval of the Proposed Update to the Lancaster County Prioritized Community Needs List - Dennis Marstall

Dennis Marstall explained that the Catawba Regional Council of Governments updated the Prioritized Community Needs list based on Council's input at the last meeting. He noted that if they approved of the updated list, then they would need to make a motion to approve it.

Terry Graham moved to approve. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: McGriff

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. Legal Briefings regarding Pending or Threatened Litigation Matters. SC Code 30-4-70(a)(2).

Brian Carnes moved to go into Executive Session. Seconded by Terry Graham. Motion Passed 6-0.; Absent: McGriff. At approximately 6:52 p.m., Council went into Executive Session to discuss the following item: (1) Legal Briefings regarding Pending or Threatened Litigation Matters, 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 7:28 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: McGriff

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council received legal briefings regarding pending or threatened litigation matters. He also noted that, during Executive Session, no decisions were made and no votes were taken.

Adjournment

Larry Honeycutt moved to adjourn the Council meeting. Seconded by Terry Graham. The motion to adjourn Passed 6-0.; Absent: McGriff. There being no further business, the regular meeting of Council adjourned at approximately 7:29 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: 2/14/2022

Issue for Consideration:

Approve or amend the minutes from the January 31, 2022 County Council Special meeting.

Points to Consider:

The draft minutes from the January 31, 2022 County Council 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.

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 1-31-2022 County Council Special Meeting	2/10/2022	Backup Material

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

January 31, 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**

SPECIAL MEETING MINUTES

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

Council Members Absent: Steve Harper and Terry Graham.

Staff Members/Others present: Dennis Marstall, County Administrator; Sherrie Simpson, Clerk to Council; John DuBose, County Attorney, attended via Conference Call; 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 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

Due to Steve Harper's absence, Acting Chair Brian Carnes called the Special meeting to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Acting Chair Brian Carnes welcomed everyone to the meeting. He noted, for the record, that a quorum of Council was present for the meeting. He also noted that Steve Harper and Terry Graham would not be present at the meeting.

Pledge of Allegiance and Invocation - Council Member Larry Honeycutt

Larry Honeycutt led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Larry Honeycutt moved to approve the agenda. Seconded by Allen Blackmon.

Billy Mosteller moved to amend the agenda by moving the approval of the Redistricting Committee minutes, Items **5a.** and **5b.**, to the Non-Consent agenda as Items **6a.** and **6b.** respectfully. Seconded by Charlene McGriff. Motion Passed 5-0.; Absent: Graham, Harper

The motion to approve the agenda as amended Passed 5-0.; Absent: Graham, Harper

Citizens Comments

The following citizens signed up for and spoke during Citizens Comments: None.

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

Non-Consent Agenda

3rd Reading of Ordinance 2021-1784 regarding Approval and Adoption of a Redistricting Plan

Ordinance Title: An Ordinance To Approve And Adopt A Redistricting Plan For The Election Districts Used To Elect Members Of County Council; To Authorize The County Administrator And Other County Officials To Take Any Necessary Actions To Effectuate The Purposes Of This Ordinance; And To Adopt Other Matters Related Thereto.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1784. Seconded by Billy Mosteller. Motion Passed 5-0.; Absent: Graham, Harper

Approval of Minutes from the January 13, 2022 Redistricting Study Committee Meeting

Allen Blackmon asked if all of Council would approve the Committee minutes and John DuBose responded that just the three Redistricting Study Committee members, which would be Allen Blackmon, Brian Carnes and Charlene McGriff, should approve those Committee minutes.

Allen Blackmon moved to approve both sets of minutes. Seconded by Charlene McGriff. Allen Blackmon, Brian Carnes and Charlene McGriff voted to approve both the January 13, 2022 and the January 19, 2022 Redistricting Study Committee meeting minutes.

Approval of Minutes from the January 19, 2022 Redistricting Study Committee Meeting

The vote on this item was held during the vote for the Approval of Minutes from the January 13, 2022 Redistricting Study Committee Meeting. Please see that item above for the discussion and vote.

Discussion and Action Items

Approval to Sunset the Redistricting Study Committee - Dennis Marstall

Charlene McGriff moved to approve the sunseting of the Redistricting Study Committee. Seconded by Allen Blackmon. Motion Passed 5-0.; Absent: Graham, Harper

Citizens Comments

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

Adjournment

Larry Honeycutt moved to adjourn the Special meeting of County Council. Seconded by Charlene McGriff. The motion to adjourn Passed 5-0.; Absent: Graham, Harper. There being no further business, the Special meeting of Council adjourned at approximately 6:06 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2022-1794 / Planning Case Number: DA-2019-0803

Contact Person / Sponsor: A. Davis / Planning

Department: Planning

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Application by Taylor Morrison to amend the Development Agreement for The Reserve at Barber Rock (portion of 0003-00-068.00), to reflect a decrease in acreage from 35.10 acres to 34.08 acres, with reference to transfer to adjacent owner.

Taylor Morrison/ Bonterra Builders, LLC has requested to amend Ordinance 2014-1274. This ordinance served as the original development agreement for the Preserve at Barber Rock (also known as the Reserve at Barber Rock). The original agreement included 35.10 acres this amendment proposes a removal of 1.017 acres to result in a new total acreage of 34.083.

Points to Consider:

The removal will not result in an adjustment of lots, removal of lots, or realignment of roads. The proposed 1.017 acres to be removed are located in a common open space area which is separated from the remainder of the property by a stream. The intent in removing this 1.017 acres is to sell the land to the adjacent property owner for their use at a later date. The Reserve at Barber Rock will continue to comply with open space requirements after the land transfer.

An updated Exhibit A to Ordinance 2022-1794, First Amendment to the Development Agreement for the Reserve At Barber Rock Development is attached to the agenda materials. The amended Exhibit A contains the legal description and plat for the removed property.

If the revised, updated Exhibit A meets the approval of County Council a motion to amend Ordinance 2022-1794 to substitute revised Exhibit A should be made.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the proposed amendment

Recommendation:

Planning Commission recommended **approval** by a vote of 6-0 at their December 2021 meeting.

Staff also recommends approval of this request.

There is also an associated Preliminary Plat amendment intended to effect the land transfer contemplated by the proposed Development Agreement amendment. Planning Commission issued a conditional approval for the associated Preliminary Plat amendment subject to County Council approval of this proposed Development Agreement amendment.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2022-1794	1/18/2022	Ordinance
Exhibit A to Ord 2022-1794 - First Amendment of Development Agreement	2/8/2022	Exhibit

Planning Staff Report	12/14/2021	Planning Staff Report
Exhibit 1: Application	12/14/2021	Exhibit
Exhibit 2: Zoning Map	12/14/2021	Exhibit
Exhibit 3: Proposed Plat	12/14/2021	Exhibit

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2022-1794

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COUNTY OF LANCASTER

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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.

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

Section 1. Findings and Determinations; Purpose.

A. The Council finds and determines that:

- (a) Lancaster County is authorized by the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended (the "Act"), and by the Development Agreement Ordinance for Lancaster County, South Carolina, Ordinance No. 663, codified as 9.2.18 in Chapter 9 of the Unified Development Ordinance (the "Ordinance"), to enter into development agreements with developers;
- (b) By passage of Ordinance 2014-1308, County Council approved a development agreement between Bonterra Builders, LLC ("Developer") and the County of Lancaster for the Reserve at Barber Rock Development, and that Development Agreement, dated November 12, 2014, is recorded in the records of the Lancaster County Register of Deeds in Deed Book 831, Pages 97-121 (the "Development Agreement");
- (c) Developer has requested that County Council approve amendments to portions of the Development Agreement to allow removal of 1.017 acres of real property, more or less, from the Development Agreement. Developer intends to convey the acreage to an adjacent property owner. The removal of the acreage will not result in adjustment of lots, removal of lots, or realignment of roads. The proposed acreage is located within common open space separated from the remainder of The Reserve at Barber Rock by a stream.

B. It is the purpose of this ordinance to approve an amendment to the Development Agreement relating to removal of 1.017 acres of real property, more or less, from the Development Agreement.

Section 2. Approval of First Amendment; Authorization to Act.

A. The Council Chair and Council Secretary are each authorized, empowered and directed to execute, acknowledge and deliver a First Amendment to the Development Agreement between Bonterra Builders, LLC and the County of Lancaster (the "First Amendment") in the name and on behalf of the County of Lancaster. The form of the First Amendment is attached hereto as Exhibit A and all terms, provisions and conditions of the First Amendment are incorporated herein by reference as if the First Amendment were set out in this ordinance in its entirety. By adoption of this ordinance, the Council

approves the First Amendment and all of its terms, provisions and conditions. The First Amendment 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 same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the First Amendment attached to this ordinance.

B. The Council Chair and Council Secretary are each authorized to execute and deliver any related instruments, documents, certificates and other papers as are necessary to effectuate the purpose of this ordinance and the First Amendment. The Council and its duly elected or appointed officers and any other County official are each authorized to take any and all action as may be necessary to effectuate the purposes of this ordinance and the First Amendment.

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, orders and resolutions, the provisions contained in this ordinance 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 _____, 2022.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 24, 2022
Public Hearing: January 24, 2022
Second Reading: February 14, 2022
Third Reading: February 28, 2022

Approved as to form:

John DuBose, County Attorney

STATE OF SOUTH CAROLINA) FIRST AMENDMENT TO THE
) DEVELOPMENT AGREEMENT
COUNTY OF LANCASTER) RESERVE AT BARBER ROCK DEVELOPMENT

RECITALS

WHEREAS, amendment of the Development Agreement complies with sound land use planning principles and does not result in the removal of the acreage will not result in adjustment of lots, removal of lots, or realignment of roads. The proposed acreage is located within common open space separated from

the remainder of The Reserve at Barber Rock by a stream. Removal of the proposed acreage is not offensive to sound land use planning principles.

FIRST AMENDMENT

NOW THEREFORE, in consideration of the foregoing and the terms and conditions set forth in this First Amendment, the receipt and sufficiency of such consideration being acknowledged by the parties, the parties to this First Amendment intending to be legally bound, agree as follows:

Section 1. The above recitals are incorporated in this First Amendment as if the recitals were set out in this First Amendment in their entirety.

Section 2. The definitions in Section 1.02 of the Development Agreement are amended by adding definitions for "First Amendment" and "Ordinance No. 2022-1794":

“(7)” ‘First Amendment’ means the First Amendment to the Development Agreement Reserve at Barber Rock development, dated _____, 2022, and approved by passage of Ordinance No. 2022-1794.

(12A) ‘Ordinance No. 2022-1794’ means Ordinance No. 2022- 1794 of the County approving the First Amendment.”

Section 3. Exhibit A to the Development Agreement is amended to reflect removal of the acreage and a new legal description of the Property is attached hereto and incorporated herein as Exhibits A, A-1, and A-2.

Section 4. Exhibit E of the Development Agreement, relating to Laws and Land Development Regulations, is amended to read:

“Exhibit E Laws and Land Development Regulations

1. Ordinance No. 2014-1274, zoning the Property R-15P, Moderate Density Residential/Agricultural Panhandle District with a Cluster Subdivision Overlay.
2. Ordinance No. 2015-1308, approving this Development Agreement.
3. The Development Agreement Ordinance for Lancaster County, South Carolina: Ordinance No. 663.
4. Unified Development Ordinance of Lancaster County (UDO): Ordinance No. 309, as amended as of the Agreement Date. The UDO includes Ordinance No. 328, as amended, as of the Agreement Date and which is cited as the Land Development Regulations of Lancaster County. A copy of the UDO is filed in the County Planning Department.
5. Land Development Regulations of Lancaster County: See Unified Development Ordinance of Lancaster County.
6. Article V, Chapter 26, Lancaster County Code of Ordinances, Road Construction Standards.
7. Ordinance No. 2022-1794 approving the First Amendment to this Development Agreement.”

Section 5. County agrees to record this First Amendment with the Lancaster County Register of Deeds within fourteen (14) days of the execution of this First Amendment.

Section 6. (A)(1) The County represents that it has approved this First Amendment by adoption of Ordinance No. 2022-1794 in accordance with the procedural requirements of the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended, Lancaster County Ordinance No. 663, the terms of the Development Agreement recorded in the records of the County Register of Deeds in Deed Book 831, Pages 97-121, and any other applicable law.

(2) The County represents that prior to the final reading of Ordinance No. 2022-1794 that at least two public hearings were held after publication of the required notice and the publication of a notice of intent to consider a proposed amendment to the development agreement.

(B) Developer represents and warrants that the execution, delivery, and performance by the individual or entity signing this First Amendment on behalf of Developer has been duly authorized and approved by all requisite action on the part of Subsequent Developer.

Section 7. This First Amendment may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.

Section 8. This First Amendment is effective upon its execution.

IN WITNESS WHEREOF, Bonterra Builders, LLC, has caused this instrument to be executed by its duly authorized _____, all by order and authority duly granted by its corporate board of directors, as of the day and year first above written.

BONTERRA BUILDERS, LLC

A North Carolina limited liability corporation

Witness #1

By: _____

Its: _____

Witness #2

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged that he is the _____ of Bonterra Builders, LLC, a North Carolina limited liability corporation, and that he, being duly authorized to do so, executed the foregoing for and on behalf of said corporation.

Witness my hand and official stamp or seal, this ____ day of _____, 2022.

NOTARY SEAL

Signature of Notary Public

My Commission Expires: _____

COUNTY SIGNATURES FOLLOW ON THE NEXT PAGE.

IN WITNESS WHEREOF, the County of Lancaster, South Carolina, has caused this instrument to be executed by its duly authorized Chair and Secretary, as of the day and year first above written.

**COUNTY OF LANCASTER,
SOUTH CAROLINA**

Witness #1

By: _____
Steve Harper, Chair, County Council

Witness #2

Witness #1

By: _____
Billy Mosteller, Secretary, County Council

Witness #2

**STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER**

I, _____, a Notary Public of the County and State aforesaid, certify that Steve Harper personally appeared before me this day and acknowledged that he is Chair of the County Council of Lancaster County, South Carolina, a body politic and corporate, a political subdivision of the state of South Carolina, and that he, being duly authorized to do so, executed the foregoing for and on behalf of said County and that Billy Mosteller personally appeared before me this day and acknowledged that he is Secretary of the County Council of Lancaster County, South Carolina, a body politic and corporate, a political subdivision of the state of South Carolina, and that he, being duly authorized to do so, executed the foregoing for and on behalf of said County.

Witness my hand and official stamp or seal, this _____ day of _____, 2022.

NOTARY SEAL

Signature of Notary Public
My Commission Expires: _____

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Exhibit A
Amended Property Description Removing Acreage

This Amended Property Description consists of:

(1) The Original Property Description, which is Exhibit A to the Original Development Agreement dated November 12, 2014 and recorded in the County's Register of Deeds Office in Deed Book 831, Pages 97-121, a copy of which is also Exhibit A-1 hereto; but

(2) Less and except the parcel of land identified as 1.0173 acres on the attached Subdivision & Easement Plat, comprising the property hereby removed from the Reserve at Barber Rock Development Agreement, prepared by GPA Professional Land Surveyors of Charlotte, NC, Inc., dated February 1, 2022, a copy of which is Exhibit A-2 hereto.

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Exhibit A-1
Original Property Description

Tax Map Nos. 0003-00-063.01 and 0003-00-068.00:

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATED ALONG BARBERVILLE ROAD IN INDIAN LAND TOWNSHIP, LANCASTER COUNTY, SOUTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTH CAROLINA GEODETIC SURVEY MONUMENT “KIMBRELL 160”, HAVING SOUTH CAROLINA GRID COORDINATES OF NORTH = 1,154,954.37 AND EAST = 2,023,059.98; THENCE N 52-34-59 W, 12,485.53 FEET (GROUND DISTANCE), TO A FOUND #4 REBAR, A COMMON CORNER OF JOSEPH BONETTI (DEED BOOK 757 PAGE 109), CARSON STEEN (DEED BOOK B005 PAGE 296) AND MYRTLE DOUGLAS (DEED BOOK C10 PAGE 18) AS RECORDED IN THE LANCASTER COUNTY REGISTER OF DEEDS; THENCE N 19-00-38 W, 763.64 FEET TO A FOUND #4 REBAR ALONG THE LINE OF TERRY AND MELONEE GREEN (DEED BOOK 117 PAGE 288); THENCE N 47-04-03 E PASSING A FOUND #4 REBAR AT 200.64 FEET, A FOUND #2 REBAR AT 490.60 FOR A TOTAL DISTANCE OF 620.30 FEET TO A FOUND 1” PIPE, A COMMON CORNER WITH ROBERT BLACKWELL (DEED BOOK 346 PAGE 229) AND BETTIE PETTUS (DEED BOOK D6 PAGE 3933); THENCE S 41-07-52 E PASSING A FOUND #4 REBAR AT 220.95 FEET, A FOUND 1” PINCHED PIPE AT 412.26 FEET, A FOUND ¾” PIPE AT 487.44, A FOUND #4 REBAR AT 1,810.57, A TOTAL DISTANCE OF 1,840.69 TO A POINT AT OR NEAR THE CENTERLINE OF BARBERVILLE ROAD (SR S-29-42), SAID ROAD HAVING A 66’ PUBLIC RIGHT OF WAY (PLAT BOOK 2012 PAGE 578) THENCE WITH SAID ROAD ELEVEN (11) COURCES AND DISTANCES; (1) S 38-37-47 W 50.69 FEET TO A POINT; (2) S 34-21-36 W 49.56 FEET TO A POINT; (3) S 30-05-51 W 46.94 FEET TO A POINT; (4) S 25-06-15 W 50.74 FEET TO A POINT; (5) S 23-00-31 W 45.65 FEET TO A POINT; (6) S 22-47-58 W 47.60 FEET TO A POINT; (7) S 21-44-20 W 44.81 FEET TO A POINT; (8) S 22-03-23 W 49.66 FEET TO A POINT; (9) S 22-16-40 W 58.87 FEET TO A POINT; (10) S 21-23-29 W 195.03 FEET TO A POINT; (11) S 21-23-29 W 27.72 FEET TO A POINT; THENCE LEAVING SAID ROAD S 01-54-31 E 35.41 FEET TO A FOUND #4 REBAR WITH CAP ON THE SOUTH WEST SIDE OF ROAD; THENCE S 26-14-29 W 151.79 FEET TO A PONT IN SAID ROAD, A COMMON CORNER WITH CHURCH OF THE GREAT GOD (DEED BOOK 197 PAGE 202) AND BONTERRA BUILDERS, LLC (DEED BOOK 758 PG 194) THENCE WITH THE LINE OF THE CHURCH OF THE GREAT GOD TWO (2) COURCES AND DISTANCES; (1) N 47-20-34 W PASSING A FOUND #5 REBAR AT 33.00 FEET A TOTAL DISTANCE OF 325.00 FEET TO A FOUND #5 REBAR; (2) N 62-29-49 W 290.43 FEET TO A FOUND #5 REBAR A COMMON CORNER WITH JAMES AND ZELDA SHUTE (DEED BOOK C006 PAGE 4922); THENCE WITH THE LINE OF SHUTE N 32-40-49 E PASSING A FOUND #5 REBAR AT 195.33 FEET A TOTAL DISTANCE OF 354.70 FEET TO A FOUND #5 REBAR IN THE LINE OF MYRTLE DOUGLAS (DEED BOOK C10 PAGE 18); THENCE WITH THE LINE OF DOUGLAS N 64-37-29 W PASSING A FOUND #5 REBAR AT 89.35 FEET A TOTAL DISTANCE OF 847.14 FEET TO THE POINT OF BEGINNING CONTAINING 35.134 ACRES AS SHOWN ON SURVEY BY ESP ASSOCIATES, P.A. ENTITLED “BOUNDARY SURVEY OF TAX PARCELS 3-00-063.01 AND 3-00-068.00 BEING 35.134 ACRES TOTAL” DATED 01-22-2014. BEING THE SAME PROPERTY CONVEYED TO MYRTLE DOUGLAS IN DEED BOOK C10 PAGE 18 AND BONTERRA BUILDERS, LLC IN DEED BOOK 758 PAGE 194 AS RECORDED IN THE LANCASTER COUNTY REGISTER OF DEEDS.

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[Subdivision & Easement Plat Identifying 1.0173 Acres Removed from Development Agreement Attached]



PROPOSAL: Application by Taylor Morrison/ Bonterra Builders, LLC to amend an approved a Development Agreement with Lancaster County to reduce the development from 35.10 acres to 34.083. This application is associated with the companion Preliminary Plat Amendment SD-2019-0803.

COUNCIL DISTRICT: District 7, Brian Carnes

Taylor Morrison/ Bonterra Builders, LLC has requested to amend Ordinance 2014-1274. This ordinance served as the original development agreement for the Preserve at Barber Rock (also known as the Reserve at Barber Rock). The original agreement included 35.10 acres this amendment proposes a removal of 1.017 acres to result in a new total acreage of 34.083.

The removal will not result in an adjustment of lots, removal of lots, or realignment of roads. The proposed 1.017 acres to be removed are located in a common open space area which is separated from the remainder of the property by a stream. The intent in removing this 1.017 acres is to sell the land to the adjacent property owner for their use at a later date.

August 18, 2021

Lancaster County Planning Commission
P.O. Box 1809
Lancaster, SC 29720

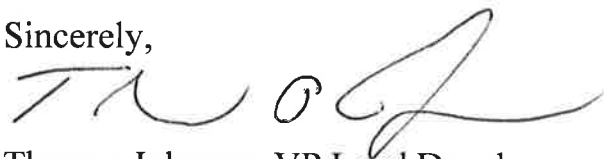
Re: Development Agreement Amendment Request for The Preserve at
Barber Rock
Lancaster County, South Carolina

Planning Commission Members,

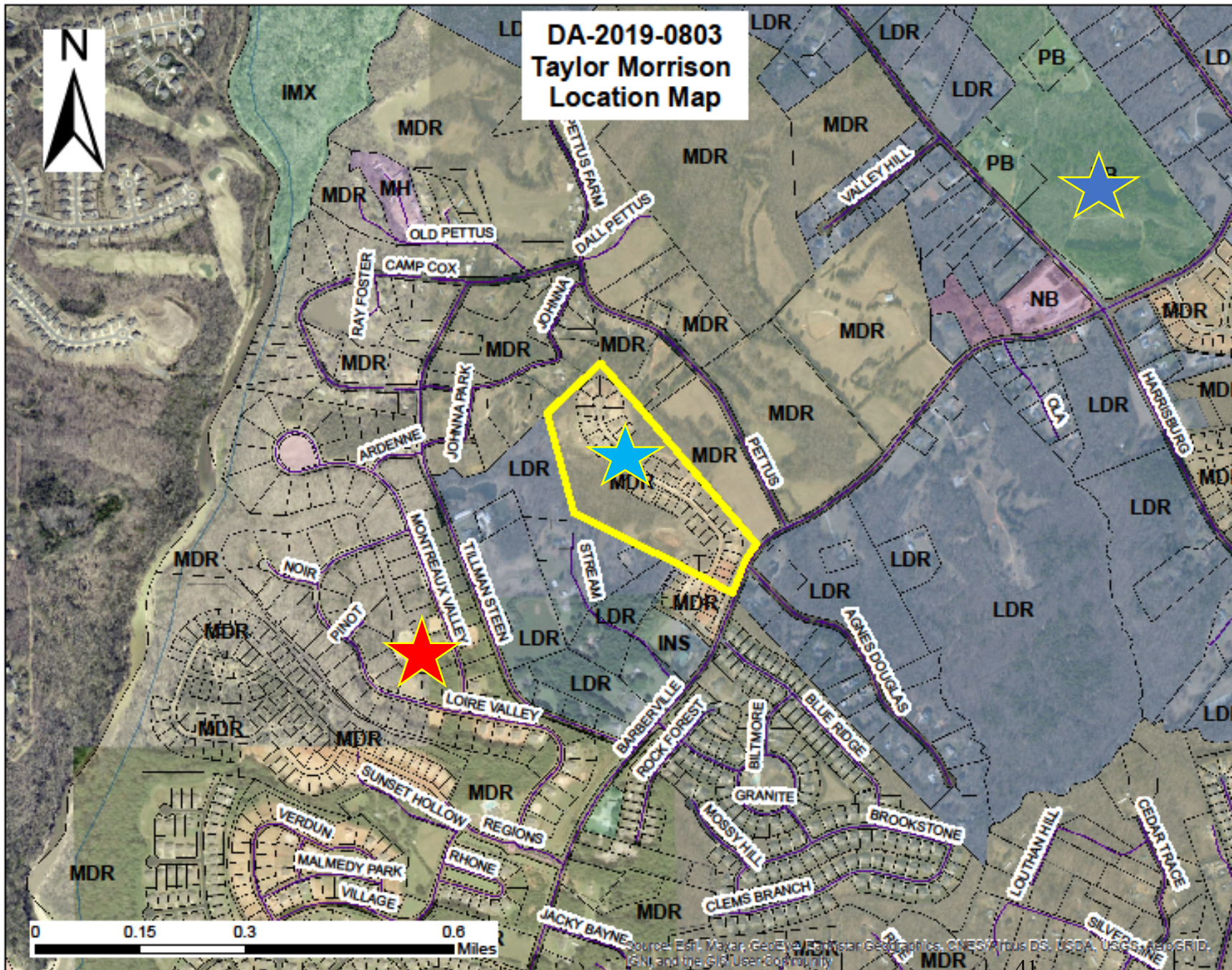
On behalf of Bonterra Builders, LLC, this letter has been prepared to request an amendment to the Major Development Agreement (Ord 2014-1274) for The Preserve at Barber Rock. This amendment is required to allow the recombination of 1.017 acres of common open space located on the west side of the development into parcel 00003-00-065.00, owned by McCarthy Properties, LLC, for the purpose of development of a single-family residential development current know as Tillman Steen Road Subdivision.

This recombination of land will not bring the Preserve at Barber Rock out of compliance with and land development code. After the proposed land swap, the common open space is reduced from 18.80 acres (53.5%) to 17.783 acres (52.12%). Additionally, the area to be recombined is essentially unusable by the residents of The Preserve due to the fact that it is cut off by the existing creek. Please see drawing titled Land Swap Exhibit for mor information.

Sincerely,



Thomas Johnson, VP Land Development
Bonterra Builders, LLC



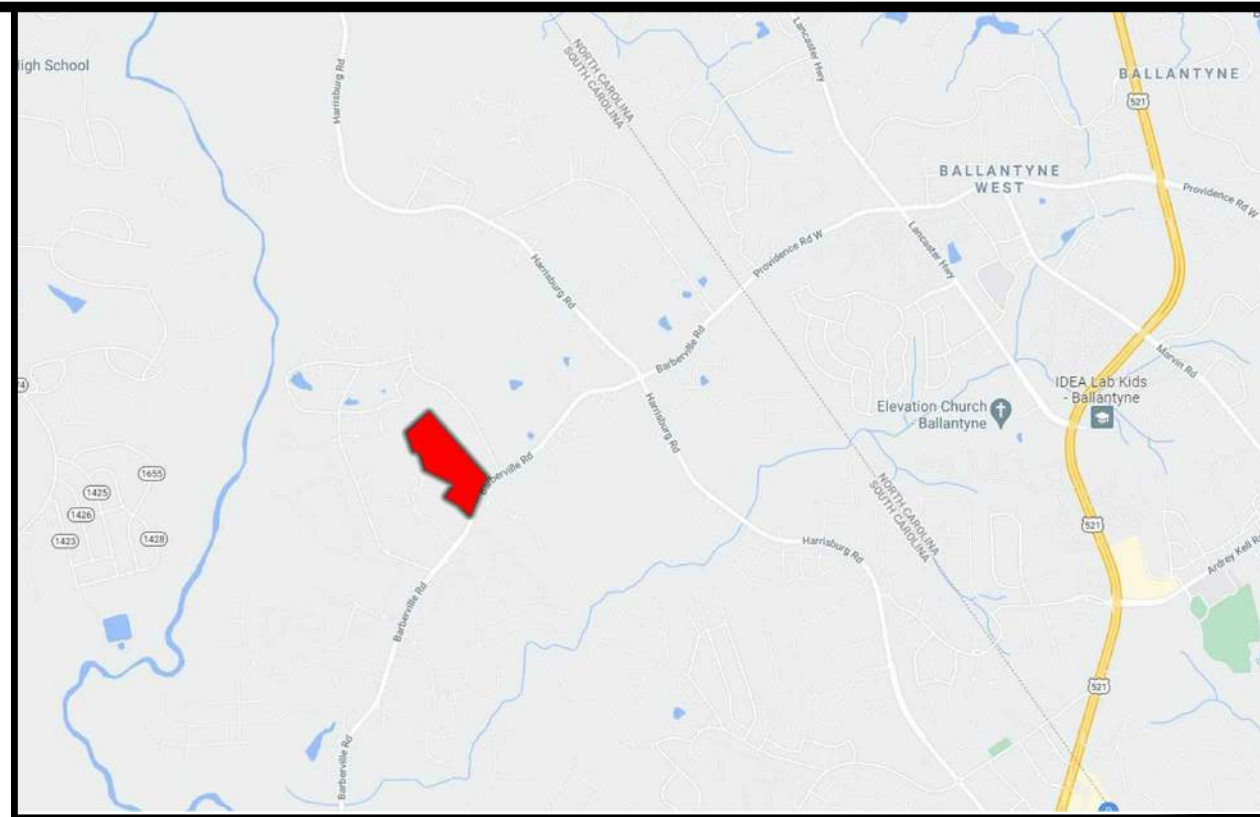
Proposal:
Request to amend an existing
development.

Legend:

-  Subject Property
-  Redwoods
-  Bretagne
-  Preserve at Barber Rock

THE PRESERVE AT BARBER ROCK

LOCATED IN LANCASTER COUNTY, SOUTH CAROLINA



VICINITY MAP
NOT TO SCALE

Development Data:

Tax Parcels: A portion of 0003-00-068.00
Site Area: 34.12 Acres
Location: Lancaster County, SC
Land Use: Vacant
Existing: Single-Family Detached Residential
Proposed: Single-Family Detached Residential
Zoning: R-15P CSOD (Ordinance #2014-1274)
(Cluster Subdivision Overlay District)

Total Lots: 52 Lots

61'x125' Lots: 18 Lots (34%)
71'x130' Lots: 17 Lots (33%)
81'x135' Lots: 17 Lots (33%)

Proposed Density: 1.52 DU/AC

Total Open Space Proposed: +/- 13.74 Acres

Primary Conservation Areas: +/- 3.83 Acres

Total Open Space Proposed = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas.
TO = ((TP-PC)OSP)+PC
TO = Total Open Space Proposed (Acres)
TP = Total Parcel (Acres)
PC = Primary Conservation Area (Acres)
OSP = Open Space Percentage (% of Site Acreage excluding PC)
TO = ((34.12 - 3.83) .25) + 3.83
TO = 11.40 Acres of Total Open Space Required

Note: The Preserve at Barber Rock CSOD shall include provisions for the protection of trees and other natural amenities within the areas designated for open space in accordance with Section 6F9 of the Lancaster County CSOD Ordinance.

Proposed Fire Hydrants: 4 Hydrants

Connectivity Index (Links/Nodes):
Required: 1.0*
Provided: 1.4 (7 Links / 5 Nodes)
* Refer to Development Agreement, Ordinance No. 2014-1308, Article III, Section 3.01A

R-15P CSOD Lot Standards:

Minimum Lot Width: 50'
Minimum Lot Area: 5,000 sf
Smallest Lot Provided: 7,625.00 sf

Minimum Setbacks:
Front: 20'
Side: 5**
Rear: 30'
* If side yards are five feet (5') then the following conditions must be met:
- Dwelling units must have fire resistant siding as approved by the Lancaster County Building Official
- Vented soffits must be avoided for dwellings less than 10' from an adjacent dwelling unit or structure.
- Windows of dwelling units must be offset from windows of adjacent units.
** Where a lot fronts on any corner, front-yard setbacks shall be in accordance with Lancaster County UDO Section 5.4.4b.

Boundary Information
Boundary information obtained from survey by ESP Associates, Inc. entitled "Boundary Survey of Tax Parcels 3-00-063.01 and 3-00-068.00 Being 35.134 Acres Total" dated 1/22/2014.

Topographic Information
Topographic information obtained from survey by ESP Associates, Inc. entitled "Topographic Survey of Parcels 3-00-063.01 and 3-00-068.00 Being 35.135 Acres Total" dated 1/22/2014.

Stream and Wetland Information
Stream and wetland information obtained from preliminary survey by ESP Associates, Inc. entitled "Wetland Survey of Tax Parcels 3-00-063.01 and 3-00-068.00" dated 4/13/2014.

Road Improvement
Road improvements are subject to available right of way and coordination with SCDOT during driveway permitting process.

Off Site Utility Improvements
Final alignment of all off site utility improvements to be determined during design phase in coordination with LCWSD.

Total Open Space Proposed
Total Open Space Proposed includes property buffers, pocket parks, natural areas, and water quality areas as well as Primary Conservation Areas.

Road Names & Lengths:

Chalet Lane +/- 747.9 LF
Garden Gate Drive +/- 2,142.8 LF
Juneberry Place +/- 215.0 LF
Total Length of Proposed Roads: +/- 3,105.7 LF

Notes:

- Preliminary Plan is subject to minor revisions during the design process as may be required.
- See Sheets 1-3 for detailed lot dimensions.
- Applicant to provide and install road signs for this subdivision.
- Applicant to install a central mail kiosk for this community. Location shown on Preliminary Plan is conceptual and subject to final approval from USPS. Location and number of kiosks is subject to change.
- All roads within The Preserve at Barber Rock CSOD are to be privately maintained and have a minimum pavement width of 22' as per Lancaster County Ordinance No. 2014-1285.
- Developer agrees to grant easement over private street road ROW after construction to LCWSD for access to water and sewer infrastructure.
- Although streets will be private, water, sewer, and hydrants will be public and maintained by LCWSD.
- Proposed locations of water and sewer lines shown on Preliminary Plan are preliminary and have not been designed. Design and details of water and sewer systems shall be provided during construction document phase.
- Location and size of Potential Stormwater Management Areas are conceptual and preliminary and still need to be determined. The exact size and location of these areas will be determined during construction document phase.
- Signage and monumentation details, including sizing and locations, will be determined upon the submittal of Construction Documents. Monumentation and signage to be permitted separately. Monumentation to be installed outside of sight triangles & sight distance lines.
- Street signs to be consistent with SCDOT details or approved equivalent. Decorative street signs may be installed as long as they meet or exceed the minimum specifications established by SCDOT.
- Construction plans for water, storm and sewer systems to be provided during construction document phase.
- Road grading and profile is to be determined during the construction document phase.
- Site grading, cut, and fill to be determined during the construction document phase.
- Detailed landscape planning plans, outlining landscaping and buffer plantings, to be provided during the construction document phase.
- Site distance plan and profile to be provided during construction documentation phase as requested by SCDOT.
- Fire hydrants to be spaced and installed to ensure that each phase of construction of development has adequate hydrant protection. Phasing to be determined at construction documentation phase, hydrant locations to be adjusted to provide coverage based on phasing.
- Proposed sewer easements shall have no steeper than 4:1 slope as requested by LCWSD.
- As requested by LCWSD, proposed pump station to be graded to ensure proper drainage.
- Based on meeting with Lancaster County on 1/29/15 applicant agrees to install street trees outside of 3' planting strip behind sidewalk. Street trees to be located 3-4' behind back of sidewalk either in the front yard of each lot, side yard of each lot or in a common open space area. Exact locations to be determined at construction documents to avoid conflicts with utilities and driveways.
- Applicant agrees to provide an increased curb radius located at the entrance from Barberville Road (in lieu of deceleration lane). Exact curb radius size to be provided as specified by SCDOT. Size to be coordinated during construction document phase.

ENGINEERING FIRM:

ESP ASSOCIATES, INC.
3475 LAKEMONT BLVD.
FORT MILL, SC 29708
(803) 802-2440
(803) 802-2515
MATTHEW W. MANDLE, P.L.A.

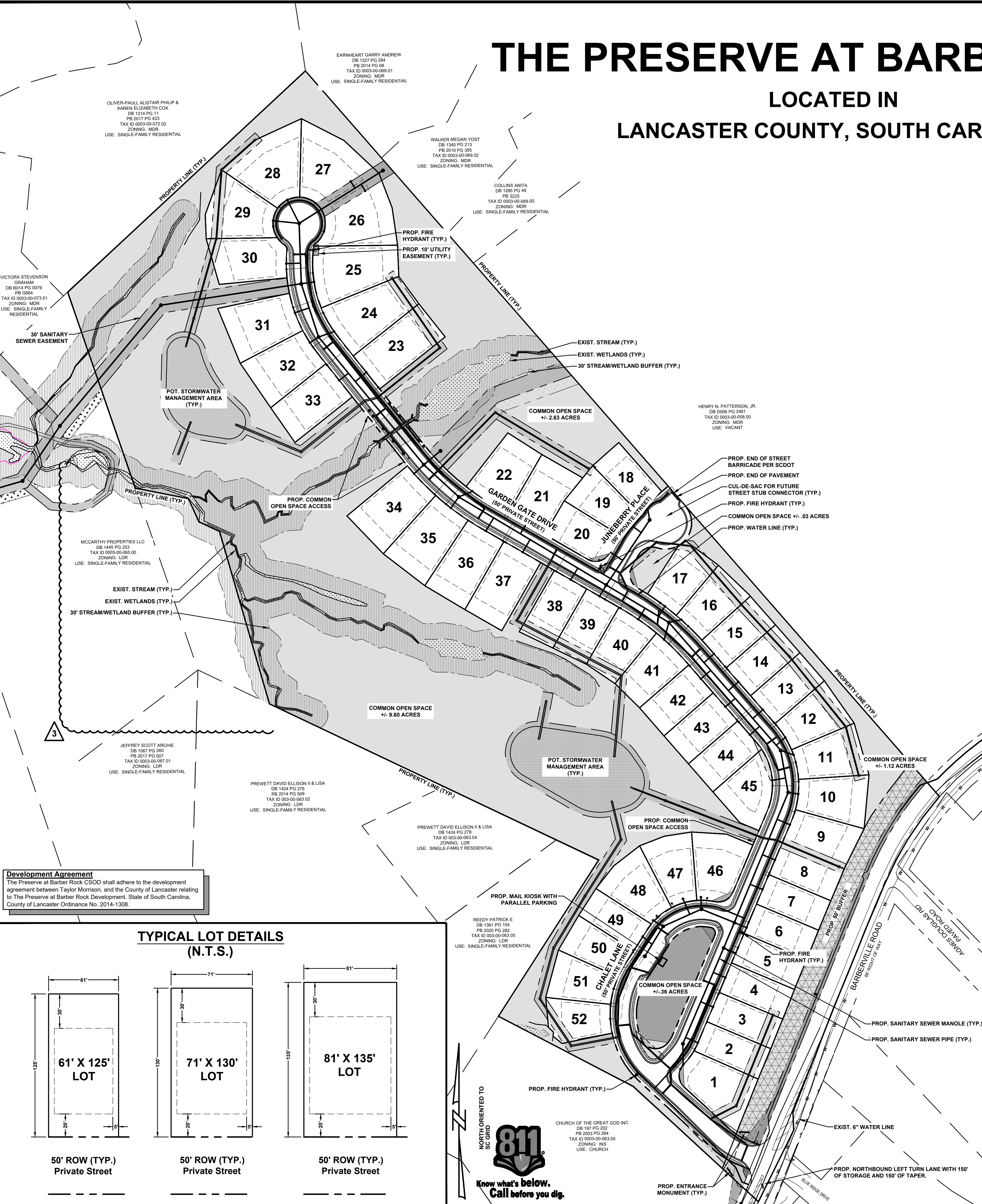
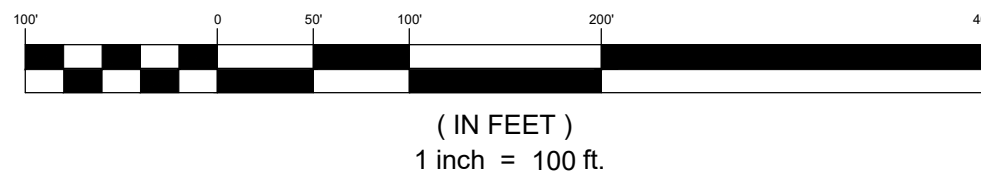
DEVELOPER:

TAYLOR MORRISON
11405 NORTH COMMUNITY HOUSE ROAD, SUITE 150
CHARLOTTE, NC, 28277
(704) 251-8137
MR. THOMAS JOHNSON

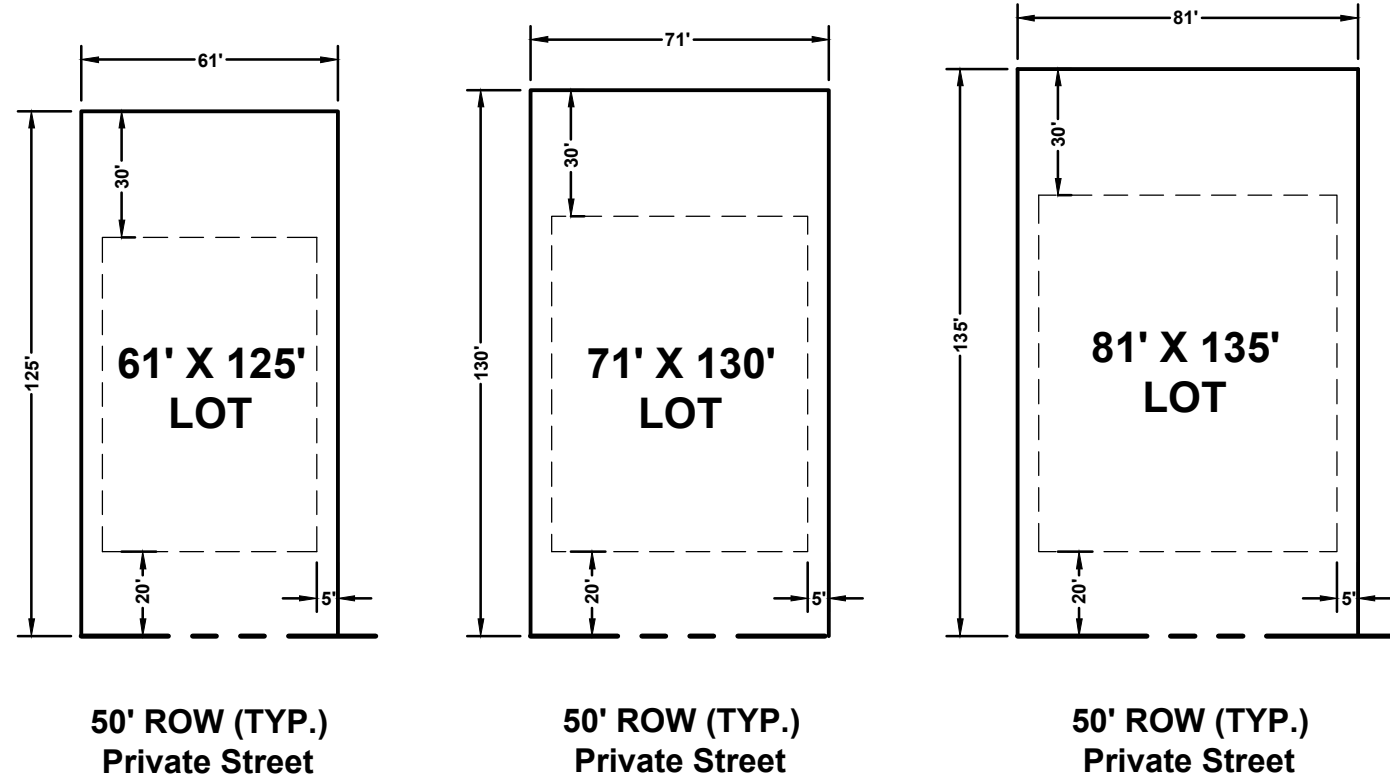
REVIEW AGENCY:

LANCASTER COUNTY
101 NORTH MAIN STREET
LANCASTER, SC, 29720
(803) 285-6005

GRAPHIC SCALE



TYPICAL LOT DETAILS (N.T.S.)



Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2022-1795 / Planning Case Number: UDO-TA-2021-2981

Contact Person / Sponsor: Robert Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Application by Lancaster County to amend Unified Development Ordinance Section 7.2.4, Off-Street Parking and Loading Requirements, to modify minimum required parking spaces.

Points to Consider:

The Planning Department has noticed in its review of various recent development proposals that the minimum amount of off-street parking that would be required for certain uses appeared to be inadequate to support the demand those uses would realistically have, which would in turn result in parking spill over onto adjacent properties.

This amendment would increase the amount of off-street parking required to be provided for future Personal Services (i.e. hair salons, nail salons), Professional Services limited to medical services (i.e. doctor/dental offices), General Commercial (i.e. retail sales), and Hospital development and expansions, but would not impact or otherwise require any existing such uses to provide additional parking.

Additionally, the minimum off-street parking requirement for Places of Assembly will also be modified to no longer differentiate between the use being within a residential zoning district or not, and all Places of Assembly will be calculated at the current rate of 1 per 80 square feet in the main assembly hall.

It should be noted that the minimum off-street parking requirements proposed in this text amendment were determined based upon research and analysis of various minimum off-street parking requirements for similar uses in surrounding jurisdictions, as well as others in located in both North Carolina and South Carolina.

Funding and Liability Factors:

N/A

Council Options:

To approve or disapprove the proposed text amendment.

Recommendation:

The Planning Commission voted 5-1 to recommend **approval** of the text amendment to County Council. The objecting vote was not specific to any content of the proposed amendment, but rather to having any amendment to the UDO during such time that the County's consultants are updating the UDO. The UDO consultants will likely be making updates to the parking section of the UDO in the summer/fall of 2022.

No one from the public spoke in favor or in opposition to the proposed text amendment.

Staff recommends approval of the text amendment.

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Ordinance 2022-1795	2/7/2022	Ordinance
Ordinance 2022-1795, Exhibit 1	2/7/2022	Exhibit
Staff Report	1/11/2022	Planning Staff Report
Ex 1: Application	12/30/2021	Exhibit
Ex 2: Text Amendment	1/4/2022	Exhibit
Ex 3: Research From Surrounding Jurisdictions	12/30/2021	Exhibit
Public Hearing Notice for Ordinance 2022-1795 (Planning Department Case Number: UDO-TA-2021-2981)	2/8/2022	Public Hearing Notices

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2022-1795

COUNTY OF LANCASTER

)

)

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.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Lancaster County made application to amend Chapter 7 of the Unified Development Ordinance (UDO) to increase or establish certain off-street parking requirements.
- (b) The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Section 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.
- (c) The proposed text amendment will assure that future development projects have adequate off-street parking.
- (d) Lancaster County Planning Commission considered the proposed text amendment at its meeting on January 20, 2022, and by a 5-1 vote recommended approval of the text amendment.

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

Ordinance 2016-1442 (Unified Development Ordinance) Section 7.2.4., Off-Street Parking and Loading Requirements, is amended as set forth in “Exhibit 1” attached hereto and incorporated herein by reference.

The amendments are generally described as follows:

- a) Section 7.2.4.A, Parking Requirements by Use Table:

The text amendment establishes a minimum off-street parking requirement for Personal Services use at 1 per 350 sf, Professional Services (Medical Services) use at 1 per 250 sf, Professional Services (all other) use at 1 per 500 sf, General Commercial use at 1 per 250 sf, Hospital use at 1 per bed, plus 1 per 300 sf of administrative floor space

The use table is also amended so that it no longer differentiates the parking rate for Places of Assembly on the basis of whether that use is located in a residential zoning district versus a non-residential zoning district. All Places of Assembly will be calculated at a rate of 1 per 80 sf in the main assembly hall.

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 _____, 2022.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: February 14, 2022
Public Hearing: February 14, 2022
Second Reading: February 28, 2022
Third Reading: March 14, 2022

Approved as to form:

John DuBose, County Attorney

Exhibit 1 - Ordinance 2022-1795

7.2.4 OFF-STREET PARKING AND LOADING REQUIREMENTS

A. PARKING REQUIREMENTS BY USE TABLE

The following table details the required minimum and maximum (where applicable) parking ratios by major land use. All area calculations use gross leasable area (GLA). For uses not covered in this table, the parking requirements shall be those of the most similar use as determined by the Administrator, and any documentation of parking demand generation for the particular use.

Use Category	Minimum Required Auto Spaces
Residential	
Dwelling - Single Family & Two Family	1 per unit
Dwelling – Three Family & Four Family	1.5 per unit
Dwelling - Multifamily & Townhome	1.5 per unit
Dwelling - Accessory	1 space per unit
Live-Work Units	1 per 500 sf
Residential Care Facilities	1 per 2 units
All Other Residential Uses	1 per unit
Lodging – All Uses	1 per room
Office/Service	
Medical Clinic	1 per 350 sf
<u>Personal Services</u>	<u>1 per 350 sf</u>
<u>Professional Services (Medical Services)</u>	<u>1 per 250 sf</u>
<u>Professional Services (All other)</u>	<u>1 per 500 sf</u>
All Other Office/Service Uses	1 per 500 sf
Commercial/Entertainment	
Amusements (Indoor & Outdoor)	No requirement
Bar/Tavern/Brewpub	1 per 50 sf of indoor seating area
	1 per 400 sf of brewing area
	1 per 3 occupants of outdoor seating area, dance floor, standing room only food/beverage areas, etc. (per occupant load)
<u>General Commercial</u>	<u>1 per 250 sf</u>
Restaurant	1 per 75 sf of indoor seating area
	1 per 3 occupants of outdoor seating area, dance floor, standing room only food/beverage areas, etc. (per occupant load)
Theater (Indoor & Outdoor)	1 per 80 sf in auditorium
All Other Commercial/Entertainment Uses	1 per 400 sf
Civic	
Places of Assembly (Residential Districts)	No requirement
Places of Assembly (All Other Districts)	1 per 80 sf in main assembly hall
Private Recreational Facility	1 per 250 sf
All Other Civic Uses	1 per 500 sf
Educational/Institutional	

Child/Adult Day Care Centers (6 or more persons)	1 per 500 sf
<u>Hospital</u>	<u>1 per bed, plus 1 per 300 sf of administrative floor area</u>
All Other Educational/Institutional Uses	1 per 1000 sf
Automotive	
Vehicle Services – Minor Maintenance/Repair	1 per gas pump and repair bay
Vehicle Services – Major Repair/Body Work	2 per repair bay
All Other Automotive Uses	1 per 400 sf of office space
Industrial/Wholesale/Storage – All Uses	No requirement
Agricultural – All Uses	No requirement
Infrastructure – All Uses	No requirement

PROPOSAL: Amend Unified Development Ordinance Section 7.2.4, Off-Street Parking and Loading Requirements, to modify minimum required parking spaces.

APPLICABLE CHAPTER(S): Chapter 7

APPLICANT: Lancaster County

PROJECT SUMMARY & PROPOSAL:

The Planning Department has noticed in its review of various recent development proposals that the minimum amount of off-street parking that would be required for certain uses appeared to be inadequate to support the demand those uses would realistically have, which would in turn result in parking spill over onto adjacent properties. Accordingly, Lancaster County is proposing to amend Chapter 7 of the Unified Development Ordinance (UDO) address these deficiencies.

OUTLINE OF TEXT AMENDMENT:

The following sections of the UDO are proposed to be amended:

Section 7.2.4.A, Parking Requirements by Use Table:

The proposed text amendment would establish specific minimum off-street parking requirements for the following uses:

Use Category	Minimum Required Auto Spaces
Personal Services	1 per 350 sf
Professional Services (Medical Services)	1 per 250 sf
Professional Services (All other)	1 per 500 sf
General Commercial	1 per 250 sf
Hospital	1 per bed, plus 1 per 300 sf of administrative floor area

Additionally, the minimum off-street parking requirement for Places of Assembly will also be modified to no longer differentiate between the use being within a residential zoning district or not, and all Places of Assembly will be calculated at the current rate of 1 per 80 square feet in the main assembly hall.

It should be noted that the minimum off-street parking requirements proposed in this text amendment were determined based upon research and analysis of various minimum off-street parking requirements for similar uses in surrounding jurisdictions, as well as others in located in both North Carolina and South Carolina. This research is provided as an attachment to this staff report.

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 ~~striketrough~~ 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.

This amendment would increase the amount of off-street parking required to be provided for future Personal Services (i.e. hair salons, nail salons), Professional Services limited to medical services (i.e. doctor/dental offices), General Commercial (i.e. retail sales), and Hospital development and expansions, but would not impact or otherwise require any existing such uses to provide additional parking.

STAFF RECOMMENDATION:

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

ATTACHMENTS:

1. Application
2. Proposed Text Amendment
3. Research from Surrounding Jurisdictions

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@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 Section 7.2.4, Off-Street Parking and Loading Requirements

Current Text See Attached

Proposed Text See Attached

Description of Need for Proposed Text Current minimum parking rates are not consistent with industry standards.

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Lancaster County

Address 101 N. Main Street

City Lancaster State SC Zip 29720 Phone 803-285-6005

Fax N/A Email planning@lanastersc.net

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.

Dennis S. Martell
Applicant

12/29/21
Date

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 30 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.

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.

7.2.4 OFF-STREET PARKING AND LOADING REQUIREMENTS

A. PARKING REQUIREMENTS BY USE TABLE

The following table details the required minimum and maximum (where applicable) parking ratios by major land use. All area calculations use gross leasable area (GLA). For uses not covered in this table, the parking requirements shall be those of the most similar use as determined by the Administrator, and any documentation of parking demand generation for the particular use.

Use Category	Minimum Required Auto Spaces
Residential	
Dwelling - Single Family & Two Family	1 per unit
Dwelling – Three Family & Four Family	1.5 per unit
Dwelling - Multifamily & Townhome	1.5 per unit
Dwelling - Accessory	1 space per unit
Live-Work Units	1 per 500 sf
Residential Care Facilities	1 per 2 units
All Other Residential Uses	1 per unit
Lodging – All Uses	1 per room
Office/Service	
Medical Clinic	1 per 350 sf
<u>Personal Services</u>	<u>1 per 350 sf</u>
<u>Professional Services (Medical Services)</u>	<u>1 per 250 sf</u>
<u>Professional Services (All other)</u>	<u>1 per 500 sf</u>
All Other Office/Service Uses	1 per 500 sf
Commercial/Entertainment	
Amusements (Indoor & Outdoor)	No requirement
Bar/Tavern/Brewpub	1 per 50 sf of indoor seating area
	1 per 400 sf of brewing area
	1 per 3 occupants of outdoor seating area, dance floor, standing room only food/beverage areas, etc. (per occupant load)
<u>General Commercial</u>	<u>1 per 250 sf</u>
Restaurant	1 per 75 sf of indoor seating area
	1 per 3 occupants of outdoor seating area, dance floor, standing room only food/beverage areas, etc. (per occupant load)
Theater (Indoor & Outdoor)	1 per 80 sf in auditorium
All Other Commercial/Entertainment Uses	1 per 400 sf
Civic	
Places of Assembly (Residential Districts)	No requirement
Places of Assembly (All Other Districts)	1 per 80 sf in main assembly hall
Private Recreational Facility	1 per 250 sf
All Other Civic Uses	1 per 500 sf
Educational/Institutional	

Child/Adult Day Care Centers (6 or more persons)	1 per 500 sf
<u>Hospital</u>	<u>1 per bed, plus 1 per 300 sf of administrative floor area</u>
All Other Educational/Institutional Uses	1 per 1000 sf
Automotive	
Vehicle Services – Minor Maintenance/Repair	1 per gas pump and repair bay
Vehicle Services – Major Repair/Body Work	2 per repair bay
All Other Automotive Uses	1 per 400 sf of office space
Industrial/Wholesale/Storage – All Uses	No requirement
Agricultural – All Uses	No requirement
Infrastructure – All Uses	No requirement

	RETAIL SALES OR SERVICES		PERSONAL SERVICES		HOSPITAL			MEDICAL SERVICES	
	<i>Minimum</i>	<i>Equalized SF @ 1 per</i>	<i>Minimum</i>	<i>Equalized SF @ 1 per</i>	<i>Minimum</i>	<i>Equalized @ per bed</i>	<i>Equalized SF @ 1 per</i>	<i>Minimum</i>	<i>Equalized SF @ 1 per</i>
Lancaster County, SC	1 per 400 sf	400	1 per 500 sf	500	1 per 1,000 sf		1000	1 per 350 sf	350
Cabarrus County, NC	1 per 300 sf	300	1 per 300 sf	300	1 per 300 sf		300	1 per 1,000 sf	1000
Charleston, SC (peninsula)	1 per 400 sf	400	1 per 400 sf	400	1 per 2 beds	0.5		1 per emp, plus 1.5 per op room	
Charleston, SC (all other)	1 per 200 sf	200	1 per 200 sf	200					
	1 per 500 sf	500	1 per 500 sf	500	Cumulative based upon uses within Medical Campus			1 per 500 sf	500
Charlotte, NC	1 per 750 sf	750	1 per 750 sf	750				1 per 750 sf	750
Columbia, SC	See Sheet 2	402.01	See Sheet 2	396	1 per 300 sf		300	5 per 1,000 sf	200
Concord, NC	1 per 300 sf	300	See Sheet 2	350	1 per 400 sf		400	1 per 300 sf	300
Fort Mill, SC	See Sheet 2	313.73	N/A		N/A			4.5 per 1,000 sf	222
Greenville, SC	1 per 500 sf	500	1 per 500 sf	500	1 per 400 sf		400	1 per 600 sf	600
Greenville County, SC	3 per 1,000 sf	333	N/A		1 per bed	1		3 per exam rm	
Indian Trail, NC	4 per 1,000 sf	250	4 per 1,000 sf	250	2 per bed	2		4 per 1,000 sf	250
Kershaw County, SC	1 per 350 sf	350	1 per 350 sf	350	1 per bed	1		1 per 200 sf	200
Matthews, NC	1 per 200 sf	200	1 per 300 sf	300	1 per bed	1		1 per 200 sf	200
Matthews, NC (HUC, SRN, C-MF, MUD, TS, and ENT)	1 per 400 sf	400	1 per 400 sf	400	N/A			1 per 300 sf	300
Mecklenburg County, NC	1 per 250 sf	250	1 per 250 sf	250	1.2 per bed	1.2		1 per 200 sf	200
Mount Pleasant, SC	1 per 300 sf	300	1 per 300 sf	300	1 per room			1 per 300 sf	300
Richland County, SC	1 per 250 sf	250	N/A		1 per 4 beds	0.25		1 per 375 sf	375
Rock Hill, SC	1 per 250 sf	250	1 per 200 sf	200	2 per bed, plus 1 per 300 sf	2	300	1 per 250 sf	250
Union County, NC	1 per 400 sf	400	1 per 400 sf	400	1 per bed, plus 1 per 300 sf	1	300	1 per 300 sf	300
York County, SC	Grocery/Conv: 1/150 sf	150	1 per 250 sf	250	1 per bed, plus 1 per 300 sf	1	300	1 per 300 sf	300
	All other: 1/250 sf	250							
<i>Average All Researched</i>		336		359		1.10	329		367
<i>Average Unique Values</i>		359		393		0.94	350		466
<i>Median All Researched</i>		300		350		1.00	300		300
<i>Median Unique Values</i>		333		350		0.75	350		375

	Personal Services Uses			Retail Sales Uses		
		Minimum per 1,000 sf	Minimum @ 1 per		Minimum per 1,000 sf	Minimum @ 1 per
Columbia, SC	Bank, Retail	3		Building Supplies and Equipment Store	1.7	
	Beauty Salon or Barbershop	2.5		Consumer Goods Establishment	3	
	Body Piercing Facilities or Tattoo Establishment	2.5		Convenience Store	3	
	Dry Cleaning Pick-Up	1.7		Farmers' Market	1	
	Laundry, Coin-Operated	2.5		Fuel Sales (bulk)	1.7	
	Nail Salon	2.5		Grocery Store	3	
	Non-Depository Personal Credit Institution	3		Liquor Store	3.5	
	Repair of Personal Goods	2.5		Pawn Shop	3	
	AVERAGE	2.53	396.04	AVERAGE	2.49	402.01
Fort Mill, SC				General Retail (not in shopping center)	3.5	
				Grocery (freestanding)	5	
				Shopping Centers	4	
				Convenience Store	0.25	
	AVERAGE			AVERAGE	3.19	313.73
Concord, NC	Personal Services (Dry Cleaners, etc.)		500			
	Personal Care Services (Hair, Skin, etc.)		200			
	AVERAGE		350.00			

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission and County Council will conduct public hearings on Thursday, January 20th, 2022 and Monday, February 14, 2022, respectively. The public hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N Main Street, Lancaster, SC.

1. CU-2019-0942, Monte Carlo Garage Suites: Conditional Use Permit application by Garage Investors-I, LLC to allow Minor Maintenance and Repair at 8461 Possum Hollow Road (TM# 0010G-0A-106.00 & 0010G-0A-108.00).
2. CU-2021-2844, Monte Carlo Business Center: Conditional Use Permit application by Garage Investors-I, LLC to allow Minor Maintenance and Repair at 8461 Possum Hollow Road (portion of TM# 0010-00-037.04).
3. UDO-TA-2021-2980, Cluster Subdivision Overlay District: Application by Lancaster County to amend Unified Development Ordinance Section 4.4, Character Protection Overlays, to eliminate subsection 4.4.1, Cluster Subdivision Overlay District (CSO), in its entirety.
4. UDO-TA-2021-2981, Parking Requirements: Application by Lancaster County to amend Unified Development Ordinance Section 7.2.4, Off-Street Parking and Loading Requirements, to modify minimum required parking spaces.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department located at 101 North Main Street, Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to the Planning Commission or to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (<https://www.mylancastersc.org/>), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on January 5th 2022.

SWORN to before me this 8th day of

February, 2022

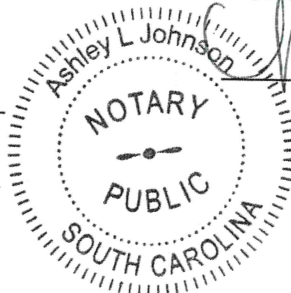
Ashley L. Johnson

Notary Public for South Carolina

My Commission Expires: 01/20/2027

Newspaper Rep Signature

[Signature]



CAROLINA GATEWAY

PUBLIC HEARING NOTICE

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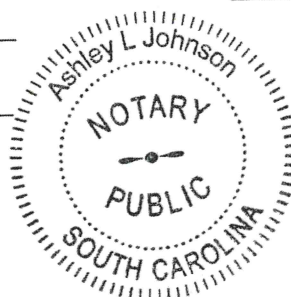
701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

the above notice published in the Carolina Gateway in Lancaster County, South Carolina, in accordance with law on January 5th 2022.

SWORN to before me this 8th day of February, 2022
Ashley Johnson
Notary Public for South Carolina
My Commission Expires: 01/20/2027

Newspaper Rep Signature

Chavifactor



Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Whether to appoint the following employees to the Employee Grievance Committee: Bill Allen from Public Works, Mike Barnes from Parks and Recreation, Terrance Barr from Stormwater, Dawn Faulkenberry from the Auditor's Office, Joshua Faulkenberry from EMS, Carolyn Harris from Public Safety Communications, and Patricia Rutledge from the Assessor's Office. Each employee's application is attached for Council's review and consideration.

Points to Consider:

The State of South Carolina prescribes how a county's grievance process is administered. This process incorporates the ability for a county employee to request a grievance hearing by a committee of peers established by the County Council, if they are not satisfied with disciplinary decisions made by their supervisor or department director that impacts their employment.

The County has had this Committee established, but overtime the membership has not been updated due to inactivity of the Committee because of the lack of grievance hearing requests.

The grievance hearing allows a requesting employee facing disciplinary action to present their side of the story and ask for reconsideration to the Committee, which in turn, makes a recommendation to the County Administrator to uphold the disciplinary action or change it.

After the Committee has made its recommendation to the County Administrator, the decision of the County Administrator is final.

The Supervisors for these employees have approved the appointments and they have been recommended by the Human Resources Department for this Committee.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the appointments.

Recommendation:

Approve the appointments.

ATTACHMENTS:

Description	Upload Date	Type
Application from Bill Allen	2/8/2022	Backup Material
Application from Mike Barnes	2/8/2022	Backup Material
Application from Terrance Barr	2/8/2022	Backup Material
Application from Dawn Faulkenberry	2/8/2022	Backup Material
Application from Joshua Faulkenberry	2/8/2022	Backup Material
Application from Carolyn Harris	2/8/2022	Backup Material

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Bill Allen

Years of Service with County 21

Current Position Title: engineer Tech

County Department Public Works

County Department Address 1980 Pageland Hwy Normal working hours 6:30-4:30

County Supervisor Name Jeff Catoe

County Supervisor Signature for Approval to Serve [Signature]

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.

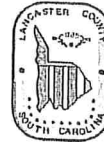


Please check the box to acknowledge that you understand that you will be asked to evaluate disciplinary action or other decisions and evaluate situations and circumstances based on information presented and vote on recommended action(s) when you serve on this Committee. Term of Appointment is 3 years or less.

Applicant's signature [Signature] Date 1/26/2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Mike Barnes

Years of Service with County
10 years

Current Position
Title: Programming Division Supervisor

County Department Parks & Recreation

County Department Address 1228 Colonial Commons Normal working hours 8:30-5
suite 204

County Supervisor
Name Katherine Jones

County Supervisor Signature for Approval to
Serve [Signature] 1/26/22

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

Over the years, there have been a few situations where employees were very challenging. While they may have been great people, they were not the people who needed to work with children. With close monitoring, these people were assigned certain tasks that would highlight their deficiencies. Instead of handling these tasks, the employees would quit. The employees realized that this job was not for them and by quitting, there were no H.R. issues.

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.



Mike Barnes, Grievance Committee

Over the years, there have been a few situations where employees were very challenging. While they may have been great people, they were not the type who needed to work with children. With close monitoring, these people were assigned certain task that would highlight their deficiencies. Instead of handling these tasks, the employee would quit. The employee realized that this job was not for them and, by quitting, there were no HR issues.

Please check the box to acknowledge that you understand that you will be asked to evaluate disciplinary action or other decisions and evaluate situations and circumstances based on information presented and vote on recommended action(s) when you serve on this Committee. Term of Appointment is 3 years or less.

Applicant's signature  Date 12/6/2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809,
Lancaster, SC 29721
Form Revised 1/25/2022

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name: Terrance D Barr

Years of Service with County: 4 yrs

Current Position Title: Deputy Director of Sormwater/Engineering

County Department: Stormwater/Engineering

County Department Address: 8451 Charlotte Hwy, Indian Land, SC Normal working hours: 8am – 4:30p

County Supervisor Name: T. Scott Edgar

County Supervisor Signature for Approval to Serve [Signature]

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

The one area that has been a challenge for me is remembering the use of military time and dates on documents. The way I learned to address this challenge was just simply asking myself, "would the average person understand what I just wrote?" Once I am able to answer the question then I have accomplished my goal.

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.

☒ X

Please check the box to acknowledge that you understand that you will be asked to evaluate disciplinary action or other decisions and evaluate situations and circumstances based on information presented and vote on recommended action(s) when you serve on this Committee. Term of Appointment is 3 years or less.

Applicant's signature Terrance D Barr Date January 26, 2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Dawn R. Faulkenberry
Years of Service with County 11 years 5 months
Current Position Title: Deputy Auditor
County Department Auditor
County Department Address 101 W. Main St. Normal working hours 8:30am - 7:30pm
County Supervisor Name Suzette Murphy
County Supervisor Signature for Approval to Serve Suzette Murphy
Briefly outline what has been a challenging experience in your career with the County and how you addressed it?
See attached

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.



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Applicant's signature Dawn R. Faulkenberry Date 1/26/2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

1/26/22 Dawn R. Faulkenberry

Attachment to Lancaster County Grievance Committee Application:

Question: *Briefly outline what has been a challenging experience in your career with the County and how you addressed it?*

I have had many challenging experiences during my career here at Lancaster County. My most recent is coming in with Suzette Murphy, Auditor, as her deputy Auditor. When she asked me to come I was working in the Probate Court and had been there about three and half years, and was content. I worked in the Auditor's office when I first came to the county in 2010 under Cheryl Morgan. I worked for her for 7 years. I told Suzette yes after much prayer. I was very nervous and excited when we were told that the previous Auditor was going to be removed and the transition was going to be quick. I was working from home and tried my best to leave my position at the Probate Court in a good place. When Suzette and I came into the Auditor's office on January 6, 2021, overwhelmed would be an understatement. The office was a mess in to many ways to name. On January 7, 2021 was the day we came in and met the staff. I had not met any of them and was nervous about how they would respond to the change. I have been extremely blessed in the fact that Suzette has let me be such a part of organizing and changing the office as a whole. We tried to let the staff know how much we were happy they stayed and how much we appreciate them and the work they do. We went through every inch of the office, cabinets, desk and rooms and cleaned and organized. We made the office more welcoming by redecorating and changing offices around and help the staff do better time management and provided them with anything to help them be more organized and efficient in their jobs. It has been the hardest, but the most rewarding past year of my career and I look forward to every challenge that comes.

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Joshua Eugene Faulkenberry

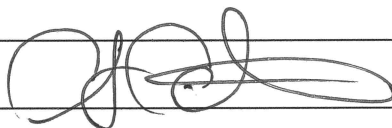
Years of Service with County 17

Current Position Title: Paramedic/Shift Supervisor

County Department EMS

County Department Address 3752 Charlotte Hwy Normal working hours 24 hours shifts

County Supervisor Name Clay Catoe

County Supervisor Signature for Approval to Serve 

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

I would describe the past three years within our service as a challenging experience. Between COVID and staffing as well as the move to our new HQ, things have been hectic. I believe that the thing that has held us all together is our most tried and true method.... Sticking together. I have joined with Administration to do all that we can as a team to make sure that we have tried to improve our service during this time and not just stay afloat. In my opinion, team work will always be the best method of tackling any problem that our service my face.

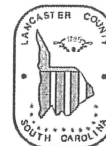
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☒ Please check the box to acknowledge that you understand that you will be asked to evaluate disciplinary action or other decisions and evaluate situations and circumstances based on information presented and vote on recommended action(s) when you serve on this Committee. Term of Appointment is 3 years or less.

Applicant's signature  Date 1/26/2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Departmentl.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Carolyn Harris

Years of Service with County 11 years

Current Position Title: Training Manager

County Department Lancaster County Public Safety Communications

County Department Address 1941 Pageland Hwy Normal working hours Mon-Fri 8 AM - 5 PM

County Supervisor Name Robert Parser

County Supervisor Signature for Approval to Serve [Signature]

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

I've never had any challenging experiences that I can recall.

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.



Please check the box to acknowledge that you understand that you will be asked to evaluate disciplinary action or other decisions and evaluate situations and circumstances based on information presented and vote on recommended action(s) when you serve on this Committee. Term of Appointment is 3 years or less.

Applicant's signature Carolyn Harris Date 1-26-2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

LANCASTER COUNTY GRIEVANCE COMMITTEE
APPLICATION



Employee Name Patricia M Rutledge

Years of Service with County 21 yrs

Current Position Title: Clerk

County Department: Assessor

County Department Address 101 N Main St Normal working hours 37.5

County Supervisor Name Brad Carnes

County Supervisor Signature for Approval to Serve Brad Carnes

Briefly outline what has been a challenging experience in your career with the County and how you addressed it?

Repeatedly being passed over for positions that you are more than capable of performing. The requirement of a college degree for most positions within the county does not take into consideration the knowledge and years of experience the applicant can contribute or their ability to perform duties of a position.

I intend to continue applying for positions that I am capable of performing. Maybe someday, someone will acknowledge my potential without a college degree to back it up.

Brief Description of Duties for Members Serving on the Grievance Committee: Members attend hearings and listen to evidence presented to the Committee pursuant to the Lancaster County Employee Grievance Procedure (Policy 7.2). The Committee will, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator.



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Applicant's signature Patricia M. Rutledge Date 1-27-2022
Receipt of application does not guarantee an appointment. Applicants will be notified of appointment by the Human Resources Department.

Return completed application to Sherrie Simpson, Office of Lancaster County Council, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1/25/2022

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 2/14/2022

Issue for Consideration:

Whether to appoint Bridget Harris to the Health and Wellness Commission as the Hospital Representative. She would be replacing Lisa Roddey and she would be filling an unexpired term that would end on 06/30/2025.

Points to Consider:

Bridget Harris' application is attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the appointment.

Recommendation:

Approve the appointment.

ATTACHMENTS:

Description	Upload Date	Type
Application from Bridget Harris for the Health and Wellness Commission	2/9/2022	Backup Material

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE

Name Bridget Harris County Council District Lancaster

Mailing Address _____ City/Zip 29720

Street Address _____ Registered Voter yes _____ no _____

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

Email: bridgetharrismw@gmail.com

Occupation Certified Tobacco Treatment Specialist Place of employment MUSC - Lancaster & Chester

Address 800 West Meeting St. Lancaster, S.C. 29720 Normal working hours 8:00a.m.-4:30p.m.
(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 Lancaster County Health & Wellness Commission- hospital representative 2nd choice _____

3rd choice _____

Reason for interest

I am a certified tobacco treatment specialist counselor and a Mastered level social worker with over 18 years of experience within in the community and medical field. I serve here at MUSC Lancaster and Chester. If given the opportunity to serve as the hospital representative for Lancaster County Health & Wellness Commission I would offer my expertise, insight, knowledge, education and assistance to our community. I'm highly interested and believe this would be an awesome opportunity.

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 am a certified tobacco treatment specialist counselor inpatient and outpatient counselor at MUSC Lancaster & Chester. I have a BSW and MSW degree with over 18 years of experience within in the community and medical field. If given the opportunity to serve as the hospital representative for Lancaster County Health & Wellness Commission I would offer my expertise, insight, knowledge, education and assistance to our community.

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 Bridget Harris Date 1/20/2022

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