

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**

MINUTES

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

Council Members Absent: Larry Honeycutt.

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director, who attended Executive Session only; Amanda Roberts, District Manager for Lancaster Soil and Water Conservation District; 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 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting. He introduced April Williams as the new Library Director.

Pledge of Allegiance and Invocation - Council Member Charlene McGriff

Charlene McGriff led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Brian Carnes moved to approve the agenda. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Special Presentations

Amanda Roberts, District Manager for the Lancaster Soil and Water Conservation District presented the 2021 update from the District. She introduced Mr. Joe Ghent, Chairman of the Conservation District Board and Mr. Jim Boling, one of the Cane Creek Watershed Board Directors. She reviewed the District newsletter attached to the agenda packet and explained the new Sowing Seeds Program, limited to one packet per household. She provided Council with a handout entitled, "Farmers' Guide to Farm Bill Programs" and that handout is attached as Schedule A to the written minutes in the Clerk to Council's office. She discussed how they work with Emergency Management and Public Safety Communications to communicate when residents need to evacuate the area due to a high-hazard dam break. She informed the Council about the 5 lakes they oversee in Lancaster County; site 7 - Campbell Lake off Campbell Lake Road; site 16 - Ghent Reservoir off New Cut Circle; site 18A - Gills Creek off Catoe Road; site 10D - Bear Creek off Potter Road, which is the only one with public access to a county park; site 12 - Little Lynches in Kershaw. The 4 upper lakes protect Lancaster along the city limits from flooding and Little Lynches protects Kershaw from flooding.

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 6-0.; Absent: Honeycutt

- 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**

Non-Consent Agenda

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.***

Terry Graham moved to approve the 2nd Reading of Ordinance 2022-1794. Brian Carnes seconded the motion.

Allen Blackmon moved to amend Exhibit A to Ordinance 2022-1794 by substitution and replacement with the revised Exhibit A that is included in the agenda package. The revised Exhibit A contains the legal description of the property removed from the Development Agreement.

The motion to approve the 2nd Reading of Ordinance 2022-1794, as amended, passed 6-0.; Absent: Honeycutt

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.***

Steve Harper opened the Public Hearing for Ordinance 2022-1795 at approximately 6:24 p.m.

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

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

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

Steve Harper closed the Public Hearing at approximately 6:24 p.m.

Allen Blackmon moved to approve the 1st Reading of Ordinance 2022-1795. Seconded by Charlene McGriff.

Council and staff discussed whether the County should wait until the UDO is rewritten before moving forward with this Ordinance, Council discussed their concerns regarding unintended consequences for small places of assembly; and discussed whether businesses could be grandfathered in if they were expanding.

Motion to approve the 1st Reading of Ordinance 2022-1794 Passed 6-0.; Absent: Honeycutt

Discussion and Action Items

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

Charlene McGriff moved to approve the appointments. Seconded by Brian Carnes.

Council asked if the two Faulkenberry appointments were related; and staff responded they are not.

Motion Passed 6-0.; Absent: Honeycutt

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

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

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

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).

Charlene McGriff moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt. At approximately 6:31 p.m., Council went into Executive Session to discuss the following items: (1) one Economic Development Discussion, Project Genesis, pursuant to South Carolina Code 30-4-70(a)(5); (2) legal briefings regarding pending or threatened litigation matters, pursuant to South Carolina Code 30-4-70(a)(2); (3) discussion of a proposed contractual matter, pursuant to South Carolina Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 7:16 p.m. Brian Carnes moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council discussed one Economic Development matter, Project Genesis; received legal briefings regarding pending or threatened litigation matters; and had a discussion of a proposed contractual matter. He also noted that, during Executive Session, no decisions were made and no votes were taken.

Allen Blackmon asked for discussion regarding the tonage that has doubled at Public Works from 2020 to 2021. Chairman Harper stated this discussion will be held at the April Committee of the Whole meeting.

Adjournment

Terry Graham moved to adjourn the Council meeting. Seconded by Brian Carnes. The motion to adjourn Passed 6-0.; Absent: Honeycutt. There being no further business, the regular meeting of Council adjourned at approximately 7:18 p.m.

<Signatures follow on next page>

Respectfully Submitted:

Donna Greene

Donna Greene
Deputy Clerk to Council

Approved by Council on 2/28/2022

A handwritten signature in dark ink, appearing to read "B Mosteller", is written over a horizontal line. The signature is stylized with a large initial "B" and a cursive "Mosteller".

Billy Mosteller, Secretary