

Council Members

District 1: Stuart Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Vice Chair
District 4: Jose Luis
District 5: Steve Harper
District 6: Bryant Neal, Secretary
District 7: Brian Carnes, Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

March 10, 2025

6:00 PM

LANCASTER COUNTY COUNCIL

COUNTY COUNCIL CHAMBERS, COUNTY ADMINISTRATION
BUILDING, 101 NORTH MAIN STREET, LANCASTER, SC 29720

MINUTES

Council Members Present: Steve Harper, Bryant Neal, Brian Carnes, Billy Mosteller, Charlene McGriff, Jose Luis, Stuart Graham.

Staff Members/Others Present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Stephany Snowden, Deputy County Administrator; Sabrena Harris, Chief Financial Officer; Jeff Catoe, Public Works Director; Allison Hardin, Development Services Director; April Williams, Planning Director; Amy Carnes, Economic Development Coordinator; the press; various elected officials; various Department Heads; various employees; and citizens.

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

Call to Order Regular Meeting - Chairman Brian Carnes

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

Welcome and Recognition - Chairman Brian Carnes

Chairman Brian Carnes welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Stuart Graham

Stuart 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 Steve Harper. The motion Passed by a vote of 7-0.

Citizens Comments

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

1. Logan Hedges, Lancaster, SC, spoke in opposition of the proposed Cresswind Development and the lack of medical services available in the area of the proposed development.

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

Special Presentations

a. Recognition of Lancaster County's 240th Birthday Celebration - *Presented by Stephany Snowden*

Stephany Snowden highlighted how the Communications and Marketing Department would be recognizing Lancaster County's "240th Birthday" during the week of March 10-14, 2025, which included partnering with the Historical Commission and the library, and a cupcake celebration following the Committee of the Whole meeting scheduled for March 12, 2025. Ms. Snowden provided a brief overview of the history of Lancaster County.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, **7b.**, and **7c.** [which are the same as Item **a.**, **b.**, and **c.** listed below]. Seconded by Stuart Graham. The motion to approve the Consent Agenda Passed by a vote of 7-0.

- a. Approval of Minutes from the February 4, 2025, County Council Retreat Meeting**
- b. Approval of Minutes from the February 12, 2025, County Council Committee of the Whole Retreat Meeting**
- c. Approval of Minutes from the February 24, 2025, County Council Regular Meeting**

Non-Consent Agenda

- a. Public Hearing and 1st Reading of Ordinance 2025-1948**
Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapter 2 District Development Standards/Use Chart And Chapter 5 Use Regulations, To Add A New Use "Retreat Center" And Regulations For "Retreat Center" In Agricultural (AR) And Rural Residential (RR) Zoning Districts. - *Planning Department Case Number: TA-2024-2368. The Planning Commission recommended approval of a blended ordinance blending requests from the Applicant with input from Planning staff by unanimous vote. - April Williams*

Steve Harper moved to approve the 1st Reading of Ordinance 2025-1948. Seconded by Charlene McGriff.

Allison Hardin reviewed the proposed text amendment via the County's PowerPoint presentation and explained that the proposed use was for a retreat center, which would be used for spiritual, cultural or educational programs.

Brian Carnes opened the Public Hearing for Ordinance 2025-1948 at approximately 6:19 p.m.

He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 27 citizens, including staff members, 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. Brian Carnes closed the Public Hearing at approximately 6:19 p.m.

Allison Hardin explained that there were two versions of the Ordinance provided to Council; one was what staff and the Planning Commission recommended, and the other was the applicant's version. Ms. Hardin stated that the differences between the two proposed ordinances were regarding the buffer requirements, parking requirements, agri-tourism, and ecotourism. Ms. Hardin explained the three different types of buffers found in the Lancaster County code, and explained why staff recommended Type B. Council and staff discussed a sliding scale for buffers, and Ms. Hardin stated that the proposal would need to be sent back to the Planning Commission for their review, if Council wanted to look into a sliding scale.

Steve Harper made a motion to approve the applicant's version of the Ordinance in its entirety. Seconded by Billy Mosteller. Jose Luis suggested that the proposed text amendment be sent back to the Planning Commission to look into a sliding scale for the buffer requirements. The applicant, Adam Thomas, reviewed pictures of the property and proposed site plan via the County's PowerPoint presentation. There was no discussion from Council. Mr. Harper's motion Passed by a vote of 7-0.

Ginny Merck-Dupont explained that the original motion that was on the floor was to adopt Planning staff's version of the proposed Ordinance, and since Council voted to adopt the applicant's version of the Ordinance, the original motion died. Ms. Merck-Dupont stated, for the record, that the Clerk to Council had noted that the motion to amend was to adopt the applicant's version of the Ordinance.

There was no further discussion from Council. The motion to approve the 1st Reading of Ordinance 2025-1948 Passed, as amended by a vote of 7-0. Chairman Carnes noted that the 2nd Reading of Ordinance 2025-1948 would be placed on the Consent Agenda at the next regular Council meeting scheduled for March 24, 2025.

b. Public Hearing and 1st Reading of Ordinance 2025-1956

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 38.83 Acres (TM# 0015-00-059.00), Which Is Located At 6872 Waxhaw Hwy, From The Rural Neighborhood (RN) District To The General Business (GB) District, To Open A Business Park. - Planning Department Case Number: RZ-2024-0859. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. - April Williams

Stuart Graham moved to approve the 1st Reading of Ordinance 2025-1956. Seconded by Jose Luis.

April Williams reviewed the rezoning request via the County's PowerPoint presentation and explained that the intent of the rezoning was to open a flex-use business park that offered services and retail goods to the surrounding areas. Ms. Williams noted that both Planning staff and the Planning Commission recommended approval of the rezoning request.

Brian Carnes opened the Public Hearing for Ordinance 2025-1956 at approximately 6:48 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 26 citizens, including staff members, 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. Brian Carnes closed the Public Hearing at approximately 6:48 p.m.

There was no discussion from Council. The 1st Reading of Ordinance 2025-1956 Passed by a vote of 7-0. Chairman Carnes noted that the 2nd Reading of Ordinance 2025-1956 would be kept on the Non-Consent Agenda at the next regular Council meeting scheduled for March 24, 2025.

c. Public Hearing and 1st Reading of Ordinance 2025-1957

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.1 Acres (TM# 0060-00-034.00), Which Is Located At The Intersection Of Old Pardue And Camp Creek Roads, From Low Density Residential (LDR) District To Neighborhood Business (NB) District, For The Purpose Of Constructing A Dollar General On The Site. - Planning Department Case Number: RZ-2024-2690. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. - April Williams

Steve Harper explained that he was under contract with the developer of the property, so he recused himself from the 1st Reading of Ordinance 2025-1957. At approximately 6:49 p.m., Steve Harper recused himself and stepped out of Council Chambers. A copy of Mr. Harper's Statement of Recusal is attached as Schedule A.

Stuart Graham moved to approve the 1st Reading of Ordinance 2025-1957. Seconded by Charlene McGriff.

April Williams reviewed the 1st Reading of Ordinance 2025-1957 via the County's PowerPoint presentation and explained that the intent of the rezoning was to develop a Dollar General on the parcel.

Brian Carnes opened the Public Hearing for Ordinance 2025-1957 at approximately 6:52 p.m. He noted that 2 people signed up to speak at the Public Hearing for the Ordinance. There were approximately 26 citizens, including staff members, 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:

1. Greg Googer, Spartanburg, SC, stated that he was the applicant and explained that the property would be accessed off of Old Pardue Road, so traffic would already be slowing down due to there being a stop sign placed at the intersection.
2. Keith Sterling, Lancaster, SC, spoke in opposition of the project and stated that there were six Dollar General locations within 5.5 miles of the proposed site and noted that the intersection where the property was located is dangerous and there are often car accidents there due to speeding.

Brian Carnes closed the Public Hearing at approximately 6:57 p.m.

Billy Mosteller explained that the property was located in his district, and he had received calls from concerned citizens regarding this proposal, and he was not in support of the rezoning. Council and the applicant discussed how much fresh produce would be offered at the proposed Dollar General and the number of other Dollar General locations within a 5-mile radius of the property.

There was no further discussion from Council. The 1st Reading of Ordinance 2025-1957 Failed by a vote of 0-6-1; Ayes: None; Nays: Neal, Carnes, Mosteller, McGriff, Luis, Graham; Recused: Harper.

At approximately 7:02 p.m., Steve Harper reentered Council Chambers and returned to the dais.

d. 1st Reading of Ordinance 2025-1950

Ordinance Title: To Authorize And Approve The Execution And Delivery Of A First Amendment To The Amended And Restated Fee In Lieu Of Tax Agreement By And Between Lancaster County, South Carolina And Keer America Corporation; And To Provide For Other Matters Related Thereto. - Amy Carnes

Charlene McGriff moved to approve the 1st Reading of Ordinance 2025-1950. Seconded by Bryant Neal.

Amy Carnes explained the amendment between Lancaster County and Keer America Corporation and noted that the amounts of each claw-back payment for Keer America Corporation had been adjusted to coincide with specific tax bills which aligned with the Delinquent Tax office's processes.

There was no discussion from Council. The 1st Reading of Ordinance 2025-1950 Passed by a vote of 7-0.

e. Public Hearing and 3rd Reading of Ordinance 2025-1949

Ordinance Title: An Ordinance To Amend Ordinance No. 2024-1910, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2024, And Ending June 30, 2025 (FY 2024-2025), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto. - Passed 7-0 at the February 10, 2025, County Council Meeting. Passed 7-0 at the February 24, 2025, County Council Meeting. - Sabrena Harris

Sabrena Harris explained the five budget items included within the proposed Ordinance. Ms. Harris explained that for the request for the Baile's Ridge Trail, \$115,000 was required for contractual costs associated with the study to determine the scope and costs of its long-term repair and restoration.

Brian Carnes opened the Public Hearing for Ordinance 2025-1949 at approximately 7:09 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 25 citizens, including staff members, 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. Brian Carnes closed the Public Hearing at approximately 7:09 p.m.

Because of the multiple aspects and financial implications involved in this Ordinance, Council immediately began to address individual items outlined in the Ordinance with the amendment process with no objection from any Council Member. The amendments were properly motioned and seconded and individually voted upon. The Ordinance as presented by staff was ultimately properly motioned and seconded as amended and it passed 3rd Reading as Amended.

Council and staff discussed the Baile's Ridge Trail study and how the funding from the Parks and Recreation Department would be realigned. Jeff Catoe reviewed the budget request regarding waste tires and reviewed the County's PowerPoint presentation. Mr. Catoe explained that the funding was needed so that the County could continue to remove waste tires for the next three months, before the next fiscal year started. Council and staff discussed transferring funds from other departments to cover the funds for the Baile's Ridge Trail study, instead of increasing the budget.

Steve Harper made a motion to amend the Ordinance to remove the funding for the engineering study for Baile's Ridge Trail in the amount of \$115,000. Seconded by Bryant Neal. Several Council members expressed interest in the County finding a new plan to address the Baile's Ridge Trail concerns. There was no further discussion from Council. The motion to amend the Ordinance Passed by a vote of 6-1; Ayes: Harper, Neal, Carnes, Mosteller, Luis, Graham; Nays: McGriff.

Jose Luis made a motion to amend the amended Ordinance to remove the \$209,000 funding request for the waste tires from the general fund. Seconded by Stuart Graham. Jose Luis questioned if staff could use funds from other department funds instead of taking the funds from the general fund, and Council discussed where funds could come from. There was no further discussion from Council. The motion to amend the amended Ordinance Failed by a vote of 3-4; Ayes: Carnes, Luis, Graham; Nays: Harper, Neal, Mosteller, McGriff.

There was no further discussion from Council. The 3rd Reading of Ordinance 2025-1949 Passed, as amended, by a vote of 5-2; Ayes: Harper, Neal, Mosteller, McGriff, Graham; Nays: Carnes, Luis.

f. Resolution 1290-R2025

Resolution Title: A Resolution To Acknowledge Lancaster County's Acceptance Of The Contribution Of A 2017 Ford Transit Connect Van From Comporium. - Sabrena Harris

Charlene McGriff moved to approve Resolution 1290-R2025. Seconded by Jose Luis.

Sabrena Harris explained that the Resolution was for the County Library to accept a vehicle that was donated by Comporium. The vehicle would be used as a mobile book library that would service the underserved areas of the County.

There was no discussion from Council. Resolution 1290-R2025 Passed by a vote of 7-0.

g. 1st Reading of Ordinance 2025-1958

Ordinance Title: An Ordinance To Amend The Lancaster County Code, Specifically Chapter 2, Article II, Division 2 – Rules Of Parliamentary Procedure Applicable To Council Meetings, Including Committee Meetings, And All Boards And Commissions

For Which County Council Appoints A Majority Of Members. - Ginny Merck-Dupont

Bryant Neal moved to approve the 1st Reading of Ordinance 2025-1958. Seconded by Brian Carnes.

Ginny Merck-Dupont reviewed the proposed Council Rules of Procedures via the County's PowerPoint presentation. Steve Harper stated that the new rules would need to be adopted via Ordinance instead of by Resolution because the process seemed rushed. Steve Harper made a motion to amend the Ordinance to remove the adoption to be done by Resolution, and replace it to be adopted by Ordinance. Brian Carnes stated that the rules needed to be changed and simplified and Council had discussed the matter several times. After further discussion, Steve Harper amended his motion to have Chapter 2 remain as is and amend the procedures via Ordinance. In other words, Council was not repealing and deleting the procedures, but rather amending and restating them in Ordinance form. Seconded by Charlene McGriff. There was no discussion from Council. The motion to amend Passed by a vote of 7-0.

There was no further discussion from Council. The 1st Reading of Ordinance 2025-1958 Passed by a vote of 7-0.

Discussion and Action Items

a. Receive Information and Take Desired Action Regarding Removals from Various Boards and Commissions - Sherrie Simpson

1. Accommodations Tax Advisory Committee

Sherrie Simpson explained that Scott Edwards was the representative for the Food and Beverage Industry on the Accommodations Tax Advisory (ATAX) Committee. However, the restaurant he owned, Punky's, was no longer in business, so he no longer met the criteria to represent that position.

There was no discussion from Council. Charlene McGriff moved to remove Scott Edwards from the ATAX Committee. Seconded by Jose Luis. The motion Passed by a vote of 7-0.

b. Receive Information and Take Desired Action Regarding Appointments to Various Boards and Commissions - Sherrie Simpson

1. Reappointment to the Library Board for District 1 - 1st Term (Previously filled unexpired Term) AND for an At-Large Position - 2nd Term

2. Keep Lancaster County Beautiful Board for District 4 - Filling Unexpired Term ending on 06/30/2027

3. Current Board/Commission Vacancies

4. Upcoming Board/Commission Expirations

1. Sherrie Simpson explained that staff had received an application for reappointment from Anne Murphy (District 1) for the Library Board. Ms. Murphy was serving under an unexpired term, so if reappointed, this would be her first full term as a Board member. An application for reappointment was also received from Deborah Hegler (At-Large) for the Library Board, and if reappointed, she would be serving her second term. Jose Luis moved to appoint the two applicants. Seconded by Charlene McGriff. There was no discussion from Council. The motion Passed by a vote of 7-0.

2. Sherrie Simpson explained that staff had received an application from Bruce Cohen (District 4) for the Keep Lancaster County Beautiful Commission. If appointed, he would be filling an unexpired term. Jose Luis moved to appoint Mr. Cohen. Seconded by Steve Harper. There was no discussion from Council. The motion Passed by a vote of 7-0.
3. Sherrie Simpson explained that the current list of Board and Commission vacancies was included in the agenda packet.
4. Sherrie Simpson explained that the list of upcoming Board and Commission expirations was included in the agenda packet.

c. Rise Lane and Cleveland Street Road Projects - *Dennis Marstall / Jeff Catoe*

Dennis Marstall highlighted that all but two projects on the Capital Project Sales Tax 2 (CPST2) Provisio list had been completed: Cleveland Street (Kershaw) and Rise Lane (Indian Land). Jeff Catoe explained that the County and DOT had been working on the Cleveland Street project for a while due to the amount of design work that went into the project because of utilities, right-of-ways, railroads, drainage, etc. Jeff Catoe explained the history of Rise Lane and stated that the project would be challenging since it was a dead-end road. Dennis Marstall stated that the County was estimating the cost to repair Rise Lane to be about \$900,000, which was more than what was anticipated. Council and staff discussed what the other options or alternatives were due to the cost escalations, and Jeff Catoe stated that he did not think there was another alternative to address the issues. Steve Harper stated that the residents on Rise Lane were promised that the road would be fixed, so he wanted an updated estimate and an update on Capital Project Sales Tax 3 (CPST3) because the County might be over on collections.

Jose Luis made a motion to amend the Provisio to remove Rise Lane. Seconded by Stuart Graham. Steve Harper stated that removing Rise Lane would put staff in a terrible position since staff would be the ones to relay the message to the constituents. Mr. Harper requested that Council be responsible for notifying the residents on Rise Lane by certified letters to take the responsibility off of the County Administration and the Public Works Director. There was no further discussion from Council. The motion to amend the Provisio Failed by a vote of 2-5; Ayes: Luis, Graham; Nays: Harper, Neal, Carnes, Mosteller, McGriff.

The County would move forward with Rise Lane.

Status of Items Tabled, Recommitted, Deferred or Held

There was no discussion of items tabled, recommitted, deferred or held.

Executive Session

a. One Item:

1. Receipt of legal advice subject to the attorney-client privilege regarding potential contractual matters relating to County Fire Service.

Brian Carnes stated that he needed a motion to go into Executive Session in regard to one item: for the receipt of legal advice subject to the attorney-client privilege regarding potential contractual matters relating to County Fire Service and to invite the Fire Rescue Director in to discuss the item. Charlene McGriff stated that she so moved. Seconded by Steve Harper.

The motion to go into Executive Session Passed by a vote of 7-0. At approximately 8:25 p.m.,

Council went into Executive Session.

Items Requiring a Vote Following Executive Session

Council came out of Executive Session and Brian Carnes called the Council meeting back to order at approximately 9:07 p.m. Jose Luis moved to come out of Executive Session. Seconded by Charlene McGriff. The motion to come out of Executive Session Passed by a vote of 7-0.

Upon returning to open session, Ginny Merck-Dupont stated that Council met in Executive Session in regard to one item: for the receipt of legal advice subject to the attorney-client privilege regarding potential contractual matters relating to County Fire Service. She stated that during Executive Session, no motions were made, and no votes were taken.

Adjournment

Jose Luis moved to adjourn the meeting.

There being no further business to discuss, the regular meeting of Council adjourned at approximately 9:07 p.m.

Respectfully Submitted:

Lauren Hill

Lauren Hill
Deputy Clerk to Council

Approved by Council on March 24, 2025.

Bryant Neal

Bryant Neal, Secretary



Lancaster County, South Carolina

Post Office Box 1809 Lancaster, South Carolina 29721-1809

STATEMENT OF RECUSAL

In accordance with State Code § 8-13-700(b), I hereby abstain from all votes, deliberations, and other action on the following matter(s):

Public Hearing and 1st Reading of Ordinance
2025 - 1957

SECTION 8-13-700. Use of official position or office for financial gain; disclosure of potential conflict of interest.

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated shall:

- (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;
- (2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from votes, deliberations, and other action on the matter on which a potential conflict exists;
- (3) if he is a public employee, he shall furnish a copy of the statement to his superior, if any, who shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take the action prescribed by the State Ethics Commission;
- (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes;
- (5) if he is a public member, he shall furnish a copy to the presiding officer of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.

Reason(s) for Disqualification:

Under contract on
another property with the developer

Name:

, County Council Member

Date:

3/10/2025