

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Secretary
District 4: Jose Luis
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

December 11, 2023

6:00 PM

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

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

MINUTES

Council Members Present: Allen Blackmon, Brian Carnes (via conference call), Steve Harper, Billy Mosteller, Charlene McGriff, Terry Graham, and Jose Luis.

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Lauren Hill, Deputy Clerk to Council/Administrative Assistant; Stephany Snowden, Deputy County Administrator; Veronica Thompson, Chief Financial Officer; Allison Hardin, Development Services 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 Steve Harper

Chairman Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m. and noted that this was the only Council meeting being held in December due to the upcoming holidays.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting and recognized Veronica Thompson for her years of service with Lancaster County. Council members wished her well in her retirement.

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

Charlene McGriff moved to approve the agenda. Seconded by Terry Graham. A roll call vote was taken. Motion Passed 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Citizens Comments

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

1. Steve Willis, Lancaster, SC, spoke regarding Veronica Thompson's retirement and recognized her years of service and accomplishments while working for Lancaster County.

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

Special Presentations

Allison Hardin provided an update on procedures regarding the Carolina Heelsplitter via the County PowerPoint presentation and that presentation is attached to the written minutes in the Clerk to Council's office. She also provided an update on the Carolina Heelsplitter's required credit banking process. She noted that developers would have to work with the United States Fish and Wildlife Service (USFWS) unless the County decided to develop its own conservation bank. She explained that a new, County run conservation bank would be less cumbersome than working directly with USFWS. She provided options to continue the Heelsplitter habitat protection, but noted that it could possibly be administered by Lancaster County instead of USFWS.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a., 7b., 7c., and 7d.** [which are the same as Item **a., b., c., and d.** listed below]. Seconded by Charlene McGriff. A roll call vote was taken. The Consent Agenda items Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

- a. **Approval of Minutes from the November 15, 2023 County Council Committee of the Whole Meeting**
- b. **Approval of Minutes from the November 27, 2023 County Council Regular Meeting**
- c. **3rd Reading of Ordinance 2023-1869 regarding Rezoning Property Located at 2458 Mineral Mining Road, Kershaw, from Light Industrial (LI) to Agricultural Residential (AR) District (Applicants Charles and Ruth Strunk)**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 6.60 Acres (TM# 0098-00-037.01) Located At 2458 Mineral Mining Road, Kershaw, From Light Industrial (LI) District To Agricultural Residential (AR) District. - ***Planning Department Case Number: RZ-2023-1197.***
- d. **3rd Reading of Ordinance 2023-1881 regarding Amending the Future Land Use Designation for Property Located at 2458 Mineral Mining Road, Kershaw, SC, from Special District-Industrial to Rural Living (Applicants Charles and Ruth Strunk)**

Ordinance Title: An Ordinance To Approve The Request Of Charles And Ruth Strunk To Amend The Future Land Use Map Contained In The Lancaster County, South Carolina Comprehensive Plan 2014-2024, Changing The Future Land Use Designation For Their Property Located At 2458 Mineral Mining Road, Kershaw, SC, From Special District-Industrial To Rural Living (TMS # 0098-00-

Non-Consent Agenda

Public Hearing and 3rd Reading of Ordinance 2023-1880 regarding Amending the Fiscal Year 2023-2024 Budget Related to Land Acquisition and Sheriff's Uniforms

Ordinance Title: An Ordinance To Amend Ordinance No. 2023-1849, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2023 And Ending June 30, 2024 (FY 2023-2024), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Jose Luis moved to approve the 3rd Reading of Ordinance 2023-1880. Seconded by Allen Blackmon.

Veronica Thompson noted no changes since the 2nd Reading of Ordinance 2023-1880.

Steve Harper opened the Public Hearing for Ordinance 2023-1880 at approximately 6:22 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 18 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. Steve Harper closed the Public Hearing at approximately 6:22 p.m.

There was no discussion from Council. A roll call vote was taken. The 3rd Reading of Ordinance 2023-1880 Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Public Hearing and 3rd Reading of Ordinance 2023-1883 regarding an Intergovernmental Agreement with the Town of Heath Springs

Ordinance Title: An Ordinance Of Lancaster County, South Carolina Authorizing The Execution Of An Intergovernmental Agreement By And Between Lancaster County, South Carolina And The Town Of Heath Springs, South Carolina; And Other Matters Relating Thereto.

Allen Blackmon moved to approve the 3rd Reading of Ordinance 2023-1883. Seconded by Charlene McGriff.

Allison Hardin noted that the changes regarding an annual review and termination period that Council requested were reflected in the 3rd Reading. Ms. Hardin pointed out a town name typo in the Intergovernmental Agreement and stated that she would make the appropriate corrections for that scrivener's error.

Steve Harper opened the Public Hearing for Ordinance 2023-1883 at approximately 6:25 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 18 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. Steve Harper closed the Public Hearing at approximately 6:25 p.m.

There was no discussion from Council. A roll call vote was taken. The 3rd Reading of Ordinance 2023-1883 Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Public Hearing and 3rd Reading of Ordinance 2023-1884 regarding an Intergovernmental Agreement with the Town of Kershaw

Ordinance Title: An Ordinance Of Lancaster County, South Carolina Authorizing The Execution Of An Intergovernmental Agreement By And Between Lancaster County, South Carolina And The Town Of Kershaw, South Carolina; And Other Matters Relating Thereto.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2023-1884. Seconded by Billy Mosteller.

Allison Hardin noted that the changes regarding an annual review and termination period that Council requested

were reflected in the 3rd Reading.

Steve Harper opened the Public Hearing for Ordinance 2023-1884 at approximately 6:26 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 18 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. Steve Harper closed the Public Hearing at approximately 6:26 p.m.

There was no discussion from Council. A roll call vote was taken. The 3rd Reading of Ordinance 2023-1884 Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Public Hearing and 3rd Reading of Ordinance 2023-1885 regarding Amending Article IV of Chapter 25 of the County Code

Ordinance Title: An Ordinance To Amend Article IV Of Chapter 25 Of The Lancaster County Code So As To Amend The Duties Of The Building Department, Planning Department, And The Zoning Department Per The Intent Of The Intergovernmental Agreements Signed Between Lancaster County And The Towns Of Heath Springs And Kershaw.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2023-1885. Seconded by Terry Graham.

Allison Hardin noted no changes since the previous reading of Ordinance 2023-1885.

Steve Harper opened the Public Hearing for Ordinance 2023-1885 at approximately 6:28 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 18 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. Steve Harper closed the Public Hearing at approximately 6:28 p.m.

There was no discussion from Council. A roll call vote was taken. The 3rd Reading of Ordinance 2023-1885 Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

1st Reading of Ordinance 2023-1865 regarding Amending the Unified Development Ordinance related to Chapter 2, Section 2.4 District Standards for Medium Density Residential (MDR)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Chapter 2 (District Standards), Chapter 5 (Use Regulations), And Chapter 6 (Subdivision And Infrastructure Standards) Relating To The Medium Density Residential (MDR) Zoning District, On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0972.***

Chairman Harper called for a motion, but no motion was made. The 1st Reading of Ordinance 2023-1865 died on the floor.

1st Reading of Ordinance 2023-1870 regarding Amending the Unified Development Ordinance (UDO) related to Chapter 4, Section 4.4.1 Cluster Subdivision Overlay Standards

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Sections 4.4.1 (Cluster Subdivision Overlay District) On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0973.***

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1870. Seconded by Terry Graham.

Allison Hardin reviewed the County PowerPoint presentation with Council and highlighted that the overlay allows for different configuration of properties. Ginny Merck-Dupont noted that the adoption of the text amendment would be best if it was included in the new Unified Development Ordinance (UDO), rather than it being treated as a stand-alone ordinance. Terry Graham stated that he was not in favor of Cluster Subdivision Overlay

Districts. Steve Harper stated that Council needed more in-depth discussion before taking a vote on the matter, and Charlene McGriff agreed with him.

A roll call vote was taken. The 1st Reading of Ordinance 2023-1870 Failed by a vote of 2-5. Ayes: Carnes, Graham. Nays: Blackmon, Harper, Mosteller, McGriff, Luis.

Public Hearing and 1st Reading of Ordinance 2023-1879 regarding Amending the Unified Development Ordinance (UDO) regarding Chapters 2, 5, And 10 to Add a Definition and Regulations for Non-Metallic Mineral Product Manufacturing (Applicant Kim Lineberger on behalf of KCH Real Estate LLC)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Chapters 2, 5, And 10 To Include A New Use Definition For “Nonmetallic Mineral Product Manufacturing,” To Create “Nonmetallic Mineral Product Manufacturing” As A Use Permitted With Review (PR), And To Establish The Conditions For The Use, On The Effective Date Of This Ordinance - *Planning Department Case Number: UDO-TA-2023-1819.*

Allen Blackmon moved to approve the 1st Reading of Ordinance 2023-1879. Seconded by Billy Mosteller.

Allison Hardin reviewed the County PowerPoint presentation with Council and noted that this proposed use was not allowed in the current Unified Development Ordinance (UDO). She explained that this amendment would apply to all properties in the County that are zoned Heavy Industrial (HI). The applicant, Kim Lineberger of Rock Hill, SC, spoke and noted that this was a business expansion decision. She provided Council with a handout that shows the aerial view of the property. A copy of the handout is attached as Schedule A to the written minutes in the Clerk to Council's office. Ms. Lineberger also discussed that the facility would be required to follow the standards implemented by the Department of Health and Environmental Control (DHEC). Several Council members spoke in favor of the amendment and highlighted that it would allow the business to move forward and create new jobs for Lancaster County residents. Jose Luis voiced concerns regarding the environment and the health and safety of residents.

Steve Harper opened the Public Hearing for Ordinance 2023-1879 at approximately 6:56 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 17 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. Steve Harper closed the Public Hearing at approximately 6:56 p.m.

A roll call vote was taken. The 1st Reading of Ordinance 2023-1879 Passed by a vote of 6-1. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham. Nays: Luis.

1st Reading of Ordinance 2023-1887 Fee Agreement Amendment for Project Cobalt

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A First Amendment To Fee Agreement By And Among Lancaster County, South Carolina, Project Cobalt And Project Cobalt Affiliate; And To Provide For Other Matters Related Thereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1887. Seconded by Terry Graham.

Amy Carnes presented Project Cobalt to Council and highlighted that they were a long-time employer in Lancaster County. She explained that the company has requested more flexibility in the minimum number of employees requirement and an 18% reduction in their Special Source Revenue Credit.

There was no discussion from Council. A roll call vote was taken. The 1st Reading of Ordinance 2023-1887 Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Discussion and Action Items

Appointments to Various Boards and Commissions

- Dale Sullivan as one of the District 1 Representatives to the Keep Lancaster County Beautiful Board to fill an unexpired term that would end on 06/30/2025
- Danielle Calabro as the Department of Social Services' representative to fill an unexpired term that would end on 06/30/2025
- Adrienne Robinson as the Adult Education Representative for the Catawba Regional Workforce Board to fill a three year term that would end on 12/31/2026

Charlene McGriff moved to approve the Appointments to Various Boards and Commissions. Seconded by Allen Blackmon.

There was no discussion from Council. A roll call vote was taken. The motion Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Status of items tabled, recommitted, deferred or held

- HOLD UNTIL PARK COVENANTS AMENDED - 2nd Reading of Ordinance 2023-1877 regarding Rezoning Property Located at 1662 MacMillan Park Drive from Light Industrial (LI) to Institutional (INS) District to Convert an Existing Structure to a K-12 Private School Facility (Applicants Brian Cillian/Greybridge MacMillan LLC and LEH SC MacMillan LLC)**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 7.286 Acres (TM# 0007-00-008.05) Located At 1662 Macmillan Park Dr, From Light Industrial (LI) District To Institutional (INS) District - *Planning Department Case Number: RZ-2023-1464. The Planning Commission recommended denial by unanimous vote and the Planning staff also recommended denial of the rezoning request. At the October 9th Council Meeting, the public hearing was held but the 1st Reading was postponed until the October 23, 2023 County Council Meeting. 1st Reading Passed 5-1 at the October 23, 2023 County Council Meeting (Billy Mosteller Opposed). At the November 13th Council Meeting, the 2nd Reading was postponed until the November 27, 2023 County Council Meeting. At the November 27th Council Meeting, the 2nd Reading was postponed until the Park Covenants have been amended. - Allison Hardin*

There was no discussion regarding the status of any tabled, recommitted, deferred or held items.

Executive Session

Two Items:

1. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to land acquisition.
2. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to land acquisition.

Steve Harper stated that he needed a motion to go into Executive Session for the receipt of legal advice subject to the attorney-client privilege regarding two separate potential contractual matters relating to land acquisition. Terry Graham stated that he so moved. Seconded by Charlene McGriff. A roll call vote was taken. The motion to go into Executive Session Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis. At approximately 7:04 p.m., Council went into Executive Session.

Items Requiring a Vote Following Executive Session

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 7:33 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Jose Luis. A roll call vote was taken. The motion to come out of Executive Session Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Upon returning to open session, Ginny Merck-Dupont noted that during Executive Session, Council received legal advice subject to attorney-client privilege regarding two separate potential contractual matters relating to land acquisition. She stated that during Executive session, no motions were made and no votes were taken.

Jose Luis made a motion to authorize the County Administrator to enter into negotiations and execute all necessary documentation related to the purchase of property for the County Fleet Operations within the parameters discussed during Executive Session. Seconded by Allen Blackmon. A roll call vote was taken. The motion Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

Adjournment

Jose Luis moved to adjourn the Council meeting. Seconded by Terry Graham. A roll call vote was taken. The motion to adjourn Passed by a vote of 7-0. Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Graham, Luis.

There being no further business, the regular meeting of Council adjourned at approximately 7:35 p.m.

Respectfully Submitted:

Approved by Council on January 8, 2024

Lauren Hill

Lauren Hill
Deputy Clerk to Council

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

Billy Mosteller, Secretary