

Council Members

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

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

February 13, 2023

6:00 PM

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

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

MINUTES

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

Council Members absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Leah Clevenger, Information Technology (IT) Project Manager; Natalie Bowers, Communications and Marketing Assistant; Allison Hardin, Interim Planning Director; Kim Belk, Budget Director; Veronica Thompson, Finance Director; various Department Heads; various elected officials; various staff; the press; and citizens.

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

Call to Order Regular Meeting - Chairman Steve Harper

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

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Brian Carnes

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

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 Item **6a.**, **6b.**, **6c.**, **6d.** and **6e.** [which are the same as Item **a.**, **b.**, **c.**, **d.**, and **e.** listed below]. Seconded by Charlene McGriff. A roll call vote was taken and the Consent Agenda was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None.

- a. Approval of Minutes from the January 11, 2023 County Council Committee Of The Whole Meeting
- b. Approval of Minutes from the January 13, 2023 County Council Tour And Workshop Meeting
- c. Approval of Minutes from the January 23, 2023 County Council Regular Meeting
- d. 3rd Reading of Ordinance 2023-1837 regarding Rezoning Property from Low Density Residential (LDR) to Professional Business (PB) in order to Build a Medical Office (Applicant Nathan Terry)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately .488 Acres (Portion Of TM# 0016-00-046.00) Located At The Northern Intersection Of Charles Pettus Road And Charlotte Highway, From Low Density Residential (LDR) District To Professional Business (PB) District. - *Planning Department Case Number: RZ-2022-2224.*
- e. 2nd Reading of Ordinance 2023-1838 regarding Amending the Fiscal Year 2022-2023 Budget
Ordinance Title: An Ordinance To Amend Ordinance No. 2022-1803, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 (FY 2022-2023), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Non-Consent Agenda

Resolution 1228-R2023 regarding Authorizing the Transfer of Funds within the Court Security Fund to Allow for Purchase of a Replacement of the Intercom System in the Courthouse

Resolution Title: A Resolution To Authorize The Purchase Of A Replacement Intercom System In The Courthouse; To Authorize Certain County Officials To Take Actions Necessary To Effectuate The Purposes Of This Resolution; And To Provide For Other Matters Related Thereto.

Brian Carnes moved to approve Resolution 1228-R2023. Seconded by Terry Graham.

Kim Belk explained the Sheriff was requesting a transfer of approximately \$31,000 within the court security fund. She stated the fund has its own millage and was separate from the general fund. She stated this request would replace the intercom system which was an integral part of the security and communications at the courthouse. She continued that the total cost of that system was approximately \$73,000 and this resolution would allow staff to move enough funds within the current budget for this fiscal year. She explained it would not increase or decrease the budget overall.

A roll call vote was taken and Resolution 1228-R2023 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None

Public Hearing and 1st Reading of Ordinance 2023-1839 regarding Rezoning Property Located at 168 Fort Mill Highway from Mixed Use District (MX) to General Business District (GB) (Applicants George Banks McGinn and Sallie Cooper)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.9 Acres (TM# 0008-00-007.00) Located At 168 Fort Mill Highway, Indian Land, From Mixed Use (MX) District To General Business (GB) District. - *Planning Department Case Number: RZ-2022-2335.*

Allison Hardin reviewed the proposed rezoning via the County power point presentation.

Steve Harper opened the Public Hearing for Ordinance 2023-1839 at approximately 6:14 p.m.

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

There were approximately 10 citizens in attendance during the Public Hearing for this Ordinance.

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

Steve Harper closed the Public Hearing at approximately 6:14 p.m.

Jose Luis moved to approve 1st Reading of Ordinance 2023-1839. Seconded by Charlene McGriff. A roll call vote was taken and 1st Reading of Ordinance 2023-1839 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None. Mr. Harper stated this item would be moved to the Consent Agenda for the next meeting.

Public Hearing and 1st Reading of Ordinance 2023-1840 regarding Amending the Unified Development Ordinance (UDO) regarding Section 6.4.1., Connectivity

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 6.4.1, Connectivity, To Modify Standards Pertaining To The Maximum Number Of Lots Which Take Access From A Road Where One End Is Permanently Closed On The Effective Date Of This Ordinance - *Planning Department Case Number: UDO-TA-2022-2602.*

Allison Hardin reviewed the County UDO regarding Section 6.4.1., Connectivity, via the County power point presentation.

Steve Harper opened the Public Hearing for Ordinance 2023-1840 at approximately 6:31 p.m.

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

There were approximately 10 citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding this Ordinance:

Gwendolyn James, Lancaster, SC, a member of the Brown family came forward to speak. She stated her appreciation for what has been discussed but believes their situation is different. She stated they own over 200 acres of land and have a huge family and they need the dirt roads extended and need more assistance with this matter.

Steve Harper closed the Public Hearing at approximately 6:36 p.m.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2023-1840. Seconded by Terry Graham. Staff and Council discussed that there were more options to consider with this area being rural that would need

roads and possibly exempt plat process was discussed to fit the need that would be brought back for discussions in March. A roll call vote was taken and 1st Reading of Ordinance 2023-1840 was approved by a vote of 6-1. Ayes: Blackmon, Carnes, Graham, Harper, McGriff, Mosteller; Nays: Luis

Discussion and Action Items

Approval of Appointments to Various Boards or Commissions

- Nakisha Procope as the District 1 representative to the Health and Wellness Commission to fill an unexpired term that would end on 06/30/2025
- Anne Marie Murphy as the District 1 representative to the Library Board to fill an unexpired term that would end on 06/30/2025
- Kenneth E. Walters as the Camp Creek Fire Department representative to the Fire Commission to fill an unexpired term that would end on 06/30/2024

Billy Mosteller moved to approve all appointments as listed. Seconded by Charlene McGriff. Jose Luis asked that the first appointment to the Health and Wellness Commission be eliminated from the original motion to approve. Charlene McGriff amended the motion and moved to approve the second and third name on the appointment list. Seconded by Jose Luis. A roll call vote on the amendment was taken and the motion to approve those two appointments Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None

Charlene McGriff moved to approve the appointment for the Health and Wellness Commission. Seconded by Billy Mosteller. A roll call vote was taken and the motion to approve the Health and Wellness Commission appointment Passed 4-3. Ayes: Carnes, Graham, McGriff, Mosteller; Nays: Blackmon, Harper, Luis

Status of items tabled, recommitted, deferred or held

- a. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 2nd Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
- Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - *Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. Passed 5-2 at the January 9, 2023 County Council Meeting (Opposed Jose Luis and Billy Mosteller). 2nd Reading Postponed until the June 12, 2023 County Council Meeting by a vote of 6-1 (Opposed Jose Luis). - Allison Hardin*

There were no discussions regarding the status of items tabled, recommitted, deferred or held.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence discussed during the Council meeting.

Executive Session

Three Items:

- 1. Discussion of contractual terms regarding certain incentives that are being provided by Lancaster County for a certain project.*
- 2. Discussion of contractual terms regarding certain incentives that are are being provided by Lancaster County for a certain project.*
- 3. Receipt of legal advice subject to the attorney-client privilege regarding a land-use issue.*

Brian Carnes moved to go into Executive Session. Seconded by Charlene McGriff. A roll call vote was taken and the Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None. At approximately 6:46 p.m., Council went into Executive Session for three (3) items listed above.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 7:47 p.m. At this time, Allen Blackmon did not rejoin the meeting via conference call and was not present for the remainder of the Council meeting. Brian Carnes moved to come out of Executive Session. Seconded by Terry Graham.

Items Requiring a Vote Following Executive Session

Upon returning to open session, Ginny Merck-Dupont noted, for the record, that during Executive Session, Council discussed contractual terms regarding certain incentives that were being provided by Lancaster County for a certain project on two items and for the receipt of legal advice subject to the attorney-client privilege regarding a land use issue. She stated no decisions were made and no votes were taken.

A roll call vote was taken to come out of Executive Session and the Motion Passed 6-0. Ayes: Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nays: None; Absent: Blackmon

Adjournment

Jose Luis moved to adjourn the Council meeting. Seconded by Brian Carnes. The motion to adjourn Passed 6-0; Absent: Blackmon

There being no further business, the regular meeting of County Council adjourned at approximately 7:55 p.m.