

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

June 24, 2024

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, Billy Mosteller, Charlene McGriff, and Jose Luis (via conference call).

Council Members Absent: Terry Graham.

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; Allison Hardin, Development Services Director; Sabrena Harris, Chief Financial Officer; Jamie Privuznak, Budget Director; Monique Beasley, Accounting Supervisor; Brenda Thompson, Communications and Marketing Director; Gary Baker, Communications Manager; Sheriff Faile; Clay Catoe, Emergency Medical Services Director; Robert Purser, Public Safety Communications Director; Jeff Catoe, Public Services Director; Jason McCray, Deputy Director for Parks and Recreation; Brian Fulk, Economic Development Director; Michael Worley, Economic Development Business Retention and Expansion Manager; 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 within 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. Mr. Harper highlighted that this meeting was Councilman Allen Blackmon's last night serving on Council. All Councilmembers took a moment to say a few words to Mr. Blackmon and thanked him for his service on Council and for his service to the residents of Lancaster County.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Allen Blackmon 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. A roll call vote was taken. The motion Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Citizens Comments

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

1. Ann Dyckman, Indian Land, SC spoke regarding employee raises, taxes and growth in the Indian Land area of the County.

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

Special Presentations

Steve Harper presented a Proclamation that recognized the month of July as Parks and Recreation Month in Lancaster County. The Proclamation was received by Jason McCray, Deputy Director of the Parks and Recreation Department.

Steve Harper recognized the 2024 Board Member of the Year nominees and congratulated Chief Greg Nicholson with the Fire Commission as the winner of the Ted Arant Board Member of the Year Award. A short video from the Award Ceremony was played.

Chairman of the Accommodations Tax (ATAX) Committee, Haskell Faulkenberry, presented the Committee's recommendations of grant recipients. Mr. Faulkenberry explained that the County received over \$240,000 in funding requests, but only had \$80,197 in funds to disburse. Mr. Faulkenberry reviewed the Committee's recommendations: \$26,000 for the Carolinas Chili Championship, \$22,500 for the Lancaster County SC 250 Committee, \$10,000 for the Lancaster County Council of the Arts, \$10,000 for the Lindsay Pettus Greenway, and \$10,000 for the Lancaster County Community Center. Mr. Faulkenberry stated that there was \$1,697 left over, and the Committee recommended that the left-over funds be rolled over into the next fiscal year grant cycle.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.** and **7b.** [which are the same as Item **a.** and **b.** listed below]. Seconded by Allen Blackmon. A roll call vote was taken. The motion to approve the Consent Agenda Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

- Approval of Minutes from the June 5, 2024, County Council Special Meeting**
- Approval of Minutes from the June 10, 2024, County Council Regular Meeting**

Non-Consent Agenda

Resolution 1264-R2024 regarding Endorsement of the Recommendations from State Accommodations

Tax Advisory Committee

Resolution Title: A Resolution To Endorse The Recommendation Of The Lancaster County State Accommodations Tax Advisory Committee For The Distribution Of Funds From The State Accommodations Tax In Fiscal Year 2023-2024.

Charlene McGriff moved to approve Resolution 1264-R2024. Seconded by Brian Carnes.

Billy Mosteller expressed his disappointment that the Lancaster County Society for Historical Preservation did not receive a funding recommendation from the Accommodations Tax (ATAX) Committee. Charlene McGriff stated that the County needed to show appreciation for the Society of Historical Preservation and the tourism that they had historically promoted in Lancaster County. Haskell Faulkenberry explained why the Committee did not recommend funding. Steve Harper requested that the County find another source to fund the Society of Historical Preservation's request.

Allen Blackmon made a motion to take \$1,000 from each grant recipient, plus the \$1,697 that was set to be rolled over into the next fiscal year grant cycle, totaling \$6,697, towards the Society of Historical Preservation's archive project. Seconded by Charlene McGriff. A roll call vote was taken. The amendment Failed by a vote of 3-3; Ayes: Blackmon, Mosteller, McGriff; Nays: Carnes, Harper, Luis; Absent: Graham.

Brian Carnes made a motion to have County staff find another funding source for the Society of Historical Preservation. Seconded by Charlene McGriff. A roll call vote was taken. The motion Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Ginny Merck-Dupont clarified that the amendment to look for additional funding for the Society of Historical Preservation was an amendment outside of Resolution 1264-R2024. To alleviate confusion, Allen Blackmon made a motion to reconsider both amendments that had been previously made. Seconded by Charlene McGriff. A roll call vote was taken. The motion to reconsider Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

A roll call vote was taken for Resolution 1264-R2024, as presented. Resolution 1264-R2024 Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Brian Carnes made a motion to have County staff find another funding source for the Society of Historical Preservation. Seconded by Charlene McGriff. A roll call vote was taken. The motion Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

2nd Reading of Ordinance 2024-1913 regarding Rezoning Approximately 2.56 Acres of Property from Urban Residential (UR) District to Medium Density Residential (MDR) District (Applicant Carlos Sanchez)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.56 Acres (TM# 0006-00-072.04), Which Is Located At The Intersection Of Country Acres Dr And Reid Pointe Ave, From Urban Residential (UR) District To Medium Density Residential (MDR) District - *Planning Department Case Number: RZ-2024-0584.*

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2024-1913. Seconded by Allen Blackmon.

Allison Hardin noted that there had been no changes since the 1st Reading of the Ordinance.

There was no discussion from Council. A roll call vote was taken. The 2nd Reading of Ordinance 2024-1913 Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

2nd Reading of Ordinance 2024-1914 regarding Rezoning Approximately 5.80 Acres of Property Located at 1743 Lynwood Drive from Medium Density Residential (MDR) District to General Business (GB) District (Applicant Courtney Lomax)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 5.819 Acres (TM# 0087G-0C-004.00), Which Is Located At 1743 Lynwood Dr, From Medium Density Residential (MDR) District To General Business (GB) District For The Purpose Of Opening A Day Care Center. - **Planning Department Case Number: RZ-2024-0627.**

Brian Carnes moved to approve the 2nd Reading of Ordinance 2024-1914. Seconded by Charlene McGriff.

Allison Hardin noted that there had been no changes since the 1st Reading of the Ordinance.

There was no discussion from Council. A roll call vote was taken. The 2nd Reading of Ordinance 2024-1914 Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Public Hearing and 3rd Reading of Ordinance 2024-1910 regarding Approval of the Fiscal Year 2024-2025 Budget

Ordinance Title: An Ordinance To Appropriate Funds And Approve A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2024 And Ending June 30, 2025 (FY 2024-25); To Set Millage Rates For The Levy Of Ad-Valorem Taxes; To Approve A Schedule Of Taxes, Fees And Charges For FY 2024-25; And To Provide For Matters Related Thereto.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2024-1910. Seconded by Billy Mosteller.

Jamie Privuznak noted that each Councilmember received a budget notebook. A copy of the notebook is attached as Schedule A to the written minutes in the Clerk to Council's office. Ms. Privuznak reviewed the proposed budget and the changes that were made during the 2nd Reading of this Ordinance via the County's PowerPoint presentation. Council and Staff discussed the Sheriff Department's replacement vehicles request in the Capital Improvement Fund. Council and Staff followed up on the discussion from the 2nd Reading of this Ordinance regarding the Planning and Building Department budget requests. Dennis Marstall highlighted that even though there were vacancies in the Planning and Building Departments, the proposed wages and salary line items reflected a 3.5% increase.

Steve Harper opened the Public Hearing for Ordinance 2024-1910 at approximately 7:06 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 44 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 7:06 p.m.

Council and Staff continued their discussion regarding the Planning and Zoning Department staff vacancies and budgeted positions and referenced the line-item breakdown that was distributed to Council via a Council Communication. A copy of the section of the Communication referenced is attached as Schedule B to the written minutes in the Clerk to Council's office. Allison Hardin explained that the Planning and Zoning departments had expended less money than what was budgeted in FY24 because the departments had several vacancies.

Allen Blackmon compared Firefighter salaries for the City of Lancaster and the County, and questioned if the County's salaries for first responders were competitive when compared to surrounding Counties and municipalities. Allen Blackmon questioned if it was appropriate to set aside money in the special projects budget to potentially use towards first responder salary increases in the future, and Charlene McGriff expressed interest in the idea.

Billy Mosteller expressed his disappointment after reading a letter from a Lancaster County Emergency Medical Services (EMS) employee that highlighted the salaries for EMTs. A copy of the letter is attached as Schedule C to the written minutes in the Clerk to Council's office. Clay Catoe explained that EMT salaries start at \$13.20 per hour, and then they work 848 hours of overtime each year, which totaled an annual salary of approximately \$43,000.

Allen Blackmon made a motion to add \$207,214 to the Council Special Projects budget with the intent to allocate

the money for compensation for the fire service and/or EMS employees, which would increase the County Operating millage from 88.2 mils to 88.6 mils. Seconded by Charlene McGriff. Mr. Blackmon stated, for the record, that the County Operating millage was still at a lesser millage than FY24. A roll call vote was taken. The amendment Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Council had nothing further to discuss for this Ordinance. A roll call vote was taken. The 3rd Reading of Ordinance 2024-1910 Passed, as amended, by a vote of 5-1; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff; Nays: Luis; Absent: Graham.

3rd Reading of Ordinance 2024-1909 regarding Approval of the Amendment to the Capital Improvement Plan (CIP)

Ordinance Title: An Ordinance To Adopt The Revised Lancaster County Capital Improvement Plan Fiscal Year 2021-2022 Through 2030-2031 As Recommended By The Lancaster County Planning Commission.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2024-1909. Seconded by Brian Carnes.

Jamie Privuznak reviewed the Capital Improvement Plan (CIP) via the County's PowerPoint presentation. Ms. Privuznak noted that if Ordinance 2024-1909 was adopted, Council would not be authorizing funding at the time of adoption, as it was solely a financial planning tool.

There was no discussion from Council. A roll call vote was taken. The 3rd Reading of Ordinance 2024-1909 Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

2nd Reading of Ordinance 2024-1906 regarding a Proposed Transportation Sales Tax

Ordinance Title: An Ordinance To Levy And Impose A One Percent Sales And Use Tax, Subject To A Referendum, Within Lancaster County Pursuant To Section 4-37-30 Of The Code Of Laws Of South Carolina 1976, As Amended; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For Which Such Tax May Be Imposed; To Provide The Estimated Cost Of The Projects Funded From The Proceeds Of The Tax; To Provide For A County-Wide Referendum On The Imposition Of The Sales And Use Tax And The Issuance Of General Obligation Bonds And To Prescribe The Contents Of The Ballot Questions In The Referendum; To Provide For The Conduct Of The Referendum By The Board Of Elections And Voter Registration Of Lancaster County; To Provide For The Administration Of The Tax, If Approved; To Provide For The Payment Of The Tax, If Approved; And To Provide For Other Matters Relating Thereto.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2024-1906. Seconded by Allen Blackmon.

Jeff Catoe reviewed the Transportation Sales Tax proposal via the County's PowerPoint presentation. Dennis Marstall highlighted that since the 1st Reading of this Ordinance, the widening of Highway 521 verbiage had been added to the ballot question. Mr. Marstall noted that Staff's recommendation for the general obligation bond amount for Lancaster County would be an amount not to exceed \$250 million. Mr. Marstall explained that both ballot questions would need to pass in order for the Transportation Tax to pass. Billy Mosteller stated that the proposed Transportation Tax vote should be held off until next year so that Council and staff would have additional time to identify the project needs in the County. Mr. Mosteller also expressed his concern with the Transportation Tax question going on the ballot at the same time as the Lancaster County School District bond referendum.

Charlene McGriff made a motion to include the language for an amount not to exceed \$250 million in the second question on the ballot. Seconded by Brian Carnes. A roll call vote was taken. The amendment Passed by a vote of 4-2; Ayes: Blackmon, Carnes, Harper, McGriff; Nays: Mosteller, Luis; Absent: Graham.

A roll call vote was taken. The 2nd Reading of Ordinance 2024-1906 Passed, as amended, by a vote of 4-2; Ayes: Blackmon, Carnes, Harper, McGriff; Nays: Mosteller, Luis; Absent: Graham.

Discussion and Action Items

Approval of Appointments and Reappointments to Various Boards or Commissions

- Jamie K. Gainer as the Bell Town Fire Department representative to the Fire Commission to fill a four year term that would expire on 06/30/2028 (1st Term)
- Toby F. Roberts as the Camp Creek Fire Department representative to the Fire Commission to fill a four year term that would expire on 06/30/2028 (1st Term)
- Billy R. Robinson as the Elgin Fire Department representative to the Fire Commission to fill a four year term that would expire on 06/30/2028 (1st Term)
- Clint R. Sowell as the McDonald Green Fire Department representative to the Fire Commission to fill a four year term that would expire on 06/30/2028 (1st Term)
- Michelle "Shelly" Richards as the District 5 representative to the Planning Commission to fill an unexpired term that would end on 06/30/2025
- Alan Patterson as the District 7 representative to the Planning Commission to fill an unexpired term that would end on 06/30/2025
- John Paul Cavalier as the District 1 representative to the Planning Commission to fill an unexpired term that would end on 06/30/2025

Steve Harper noted that there was a scrivener's error in the name of the appointee for District 1 of the Planning Commission. The correct name was Jason Paul Cavalier. Mr. Harper also noted that the appointment for Alan Patterson would be left out of the first appointment vote and voted on separately.

Allen Blackmon made a motion to approve the appointments and reappointments to various boards and commissions, excluding Alan Patterson. Seconded by Charlene McGriff. A roll call vote was taken. The motion to approve the appointments and reappointments Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Brian Carnes made a motion to approve the appointment of Alan Patterson to the Planning Commission, with an address change on his application to 206 Niven Road, Lancaster, South Carolina 29720. Seconded by Allen Blackmon. There was no discussion from Council. A roll call vote was taken. The appointment of Alan Patterson to the Planning Commission Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham.

Status of items tabled, recommitted, deferred or held

- a. HOLD - Public Hearing and 3rd Reading of Ordinance 2024-1908 Authorization of a Second Amendment to Fee Agreement for Project Tree and Project Tree Sponsor Affiliate
Ordinance Title: To Authorize And Approve The Execution And Delivery Of A Second Amendment To Fee Agreement By And Among Lancaster County, South Carolina, Project Tree And Project Tree Sponsor Affiliate; And To Provide For Other Matters Related Thereto. - **Passed 7-0 at the May 28, 2024 County Council Meeting. Passed 6-0 at the June 10, 2024 County Council Meeting (Charlene McGriff Absent).** - **Amy Carnes**
- b. HOLD - 1st Reading of Ordinance 2024-1898 regarding Amending the Lancaster County Code Relating to Parliamentary Procedures / Rules of Procedure for Meetings
Ordinance Title: An Ordinance To Amend The Lancaster County Code, Relating To Parliamentary Procedures/Rules Of Procedure For Council Meetings, Including Committee Meetings, And All Boards And Commissions For Which County Council Appoints A Majority Of Members. - **By a Vote of 6-0, 1st Reading Postponed (Allen Blackmon Absent).** - **Dennis Marstall / Ginny Merck-Dupont**

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

Executive Session

One Item:

1. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to an Economic Development project: Nutramax Laboratories.

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 a potential contractual matter relating to an Economic Development project, Nutramax Laboratories, and to invite Economic Development staff into Executive Session. Allen Blackmon stated that he so moved. Seconded by Brian Carnes. A roll call vote was taken. The motion to go into Executive Session Passed by a vote of 6-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff, Luis; Absent: Graham. At approximately 8:15 p.m., Council went into Executive Session.

Jose Luis left the meeting at approximately 8:15 p.m., before 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 8:29 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Charlene McGriff. A roll call vote was taken. The motion to come out of Executive Session Passed by a vote of 5-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff; Absent: Graham, Luis.

Upon returning to open session, Ginny Merck-Dupont stated that Council met in Executive Session for the receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to an Economic Development project. She stated that during Executive Session, no motions were made, and no votes were taken.

Adjournment

Allen Blackmon moved to adjourn the Council meeting. Seconded by Brian Carnes. A Roll call vote was taken. The motion to adjourn Passed by a vote of 5-0; Ayes: Blackmon, Carnes, Harper, Mosteller, McGriff; Absent: Graham, Luis.

There being no further business to discuss, the regular meeting of Council adjourned at approximately 8:30 p.m.