

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: "Vacant"
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

August 12, 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: Brian Carnes, 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; Stephany Snowden, Deputy County Administrator; Allison Hardin, Development Services Director; Sabrena Harris, Chief Financial Officer; Jamie Privuznak, Budget Director; Jeff Catoe, Public Works Director; Chris Clouden, Parks and Recreation Director; Brian Fulk, Economic Development Director; Darren Player, Fire Service/Emergency Management Director; Britt Blackmon, Fire Service Training Officer; Chief Larry Ammons, Kershaw Fire Department; Clay Catoe, Emergency Medical Services (EMS) Director; Greg Brasington, Emergency Medical Services (EMS) Special Operations Coordinator; Stacy Chapman, Emergency Medical Services (EMS) Compliance Manager; Karla Deese, Coroner; 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.

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. The motion Passed by a vote of 6-0.

Citizens Comments

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

1. Barbara Scannell, Indian Land, SC spoke regarding the Transportation Sales Tax and stated that educational material that should be added to the County's website.

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

Special Presentations

Clay Catoe thanked County Council and Administration for the continued support of the Emergency Medical Services (EMS) Department and High School EMS Program, and then introduced Stacy Chapman, the EMS Compliance Manager and EMS High School Program Director. Together, they discussed the successes of the EMS High School Program. Ms. Chapman stated that the program had a 100% passage rate, and three of the students are currently employed by Lancaster County EMS. Ava Basore, a graduate of the program, thanked Council for the implementation of the High School EMS program.

Clay Catoe, Britt Blackmon and Greg Brasington recognized Jaquan Moore, a Firefighter for the Kershaw Fire Department, for his life saving action using a ratchet strap as a tourniquet for someone who had suffered a gunshot wound. Mr. Catoe presented an EMS Challenge Coin to Mr. Moore for his life saving action. Jose Luis thanked Mr. Catoe for his hard work and the efforts put forward for the High School EMS program. Mr. Luis stated that Mr. Moore went above and beyond and thanked him for his dedication.

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. The motion to approve the Consent Agenda Passed by a vote of 6-0.

- Approval of Minutes from the July 15, 2024, County Council Regular Meeting**
- Approval of Minutes from the July 17, 2024, County Council Committee of the Whole Meeting**
- 2nd Reading of Ordinance 2024-1915 regarding Authorization of a Special Source Revenue Credit (SSRC) Agreement for Project Aurora**
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And Project Aurora, An Entity Previously Identified By The County As Project Aurora, Including Any Related Or Affiliated Entities, Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.
- 2nd Reading of Ordinance 2024-1920 regarding Rezoning 6.8 Acres of Property Located at 2001 Charlotte Highway from General Business (GB) District to Institutional (INS)**

District to Convert the Existing Structures to Use as County Offices (Applicant Lancaster County)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 6.8 Acres Of A 10.3-Acre Tract (TM# 0062-00-005.01), Which Is Located At 2001 Charlotte Hwy, From General Business (GB) District To Institutional (INS) District - *Planning Department Case Number: RZ-2024-1011.*

Non-Consent Agenda

Resolution 1277-R2024 regarding Approval of a Grant Match from the South Carolina Aeronautics Commission

Resolution Title: A Resolution To Direct County Staff To Take Appropriate Action To Move Forward With The Erosion Control Grant Match Award With The South Carolina Aeronautics Commission, To Execute Such Other Documents As May Be Necessary And Convenient, And To Take Any Other Action As May Be Needed To Carry Into Effect This Resolution.

Brian Carnes moved to approve Resolution 1277-R2024. Seconded by Charlene McGriff.

Dennis Marstall stated that the County needed to perform drainage repair work along the runway at the Lancaster County Airport as a result of two box drains failing. Mr. Marstall explained that the South Carolina Aeronautics Commission had a grant program that would cover 75% of the project cost, so the County would only be responsible for the remaining 25% of the project cost. He noted that the local match could be funded through the County's grant match fund that was budgeted for each fiscal year. Mr. Marstall noted that the South Carolina Aeronautics Commission would begin their review of grant applications by August 20, 2024.

There was no discussion from Council. Resolution 1277-R2024 Passed by a vote of 6-0.

1st Reading of Ordinance 2024-1912 regarding Rezoning Approximately 3.63 Acres Located at Lodge Road from Low Density Residential (LDR) District to General Business (GB) District (Applicants James and Yen Ngo)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 3.63 Acres (TM# 0008-00-069.07) Located Along Lodge Rd, From Low Density Residential (LDR) District To General Business (GB) District - *Planning Department Case Number: RZ-2024-0259.*

Allison Hardin explained that the applicant requested that the 1st Reading of Ordinance 2024-1912 be postponed until the applicant requested to bring it to Council.

Charlene McGriff made a motion to postpone the 1st Reading of Ordinance 2024-1912 until the applicant requested to bring it to Council. Seconded by Billy Mosteller. Council and staff discussed the process if the 1st Reading was not postponed, and what additional information the applicant wanted to gather before presenting to Council.

Charlene McGriff moved to amend her original motion to postpone the 1st Reading of Ordinance 2024 until the applicant could go back to the Planning Commission and then return before Council for the 1st Reading. Seconded by Jose Luis. There was no discussion from Council. The amended motion Passed by a vote of 6-0.

Public Hearing and 1st Reading of Ordinance 2024-1918 regarding Rezoning Property Located at 6989 Pageland Highway from Rural Business (RUB) District to Rural Residential (RR) District to Allow Conforming Expansion of Residential Use (Applicant Jeffrey C. Hinson)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 1.04 Acres (TM# 0056-00-012.00), Which Is Located At 6989 Pageland Hwy, From Rural Business (RUB) District To Rural Residential (RR) District - *Planning Department Case Number: RZ-2024-0826.*

Billy Mosteller moved to approve the 1st Reading of Ordinance 2024-1918. Seconded by Brian Carnes.

Allison Hardin reviewed the rezoning request via the County's PowerPoint presentation. Ms. Hardin explained that the intent of the rezoning was to allow the applicant to be eligible for a Home Occupation permit to carry out his home catering business.

Steve Harper opened the Public Hearing for Ordinance 2024-1918 at approximately 6:29 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 29 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 6:29 p.m.

Billy Mosteller stated that the property was in his district, and he expressed his support of the rezoning request. There was no further discussion from Council. The 1st Reading of Ordinance 2024-1918 Passed by a vote of 6-0.

Public Hearing and 1st Reading of Ordinance 2024-1921 regarding Rezoning Property Located at 1890 High Point Circle from Manufactured Housing (MH) District to Medium Density Residential (MDR) District (Applicant Saul Lopez)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 1.53 Acres (TM# 0086F-0B-001.00), Which Is Located At 1890 High Point Cir, From Manufactured Home (MH) District To Medium Density Residential (MDR) District - *Planning Department Case Number: RZ-2024-1081.*

Charlene McGriff moved to approve the 1st Reading of Ordinance 2024-1921. Seconded by Terry Graham.

Allison Hardin reviewed the rezoning request via the County's PowerPoint presentation. Ms. Hardin highlighted that the rezoning aligned with the 2040 Comprehensive Plan, and that the Planning Commission recommended approval of the request.

Steve Harper opened the Public Hearing for Ordinance 2024-1921 at approximately 6:33 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. Steve Harper closed the Public Hearing at approximately 6:33 p.m.

Several Council members voiced their support of the rezoning, as it would help with the revitalization of the area. There was no further discussion from Council. The 1st Reading of Ordinance 2024-1921 Passed by a vote of 6-0.

1st Reading of Ordinance 2024-1923 regarding Amending the Membership of the Economic Development Advisory Board to Remove the Greater Indian Land Chamber of Commerce

Ordinance Title: An Ordinance To Amend Ordinance 2016-1425 Related To The Lancaster County Department Of Economic Development Advisory Board And To Provide For Matters Related Thereto.

Brian Carnes moved to approve the 1st Reading of Ordinance 2024-1923. Seconded by Terry Graham.

Dennis Marstall explained that the Greater Indian Land Chamber of Commerce had dissolved, so the originating Ordinance for the Economic Development Advisory Board needed to be amended to reflect that.

There was no discussion from Council. The 1st Reading of Ordinance 2024-1923 Passed by a vote of 6-0.

1st Reading of Ordinance 2024-1924 regarding Amending the Fiscal Year 2024-2025 Budget

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.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2024-1924. Seconded by Billy Mosteller.

Jamie Privuznak introduced Josiah Parke, the County's new Budget Analyst. Ms. Privuznak reviewed the budget amendments via the County's PowerPoint presentation. Ms. Privuznak explained that the South Carolina General Assembly increased the State Aid to Library System funding from \$2.25 to \$2.50 per capita. The County's FY25 budget allotted \$185,000 for the State Aid to Library fund, but with the increase, the budget line item needed to be increased to \$240,975. The Transportation Committee Fund adopted a budget of \$1.4 million for State and County road improvements. The County received a notice of the C-Fund apportionment for the gas tax, that would be paid to the County in monthly installments, which would increase the revenue by \$4,570,300. Ms. Privuznak stated that the request for Council was to adopt the amended budget line item as \$5,970,300. Ms. Privuznak reviewed the fee schedule revisions for building inspection fees, planning and zoning fees, parks and recreation fees, FOIA fees for the Sheriff's Department, and other miscellaneous County fees.

There was no discussion from Council. The 1st Reading of Ordinance 2024-1924 Passed by a vote of 6-0.

Dennis Marstall explained that on the 2nd Reading of Ordinance 2024-1924, Council would see a request to increase the Fire Service Software Maintenance line item by \$28,821, in order to purchase the annual software agreement, which included the maintenance cost. Ms. Privuznak discussed two options for Council to consider for this request: (1) option one being to appropriate one-time funds from the General Fund Balance to the Fire Service Software Maintenance budget; or (2) the second option being to transfer the requested amount from the Lancaster County Firefighters Special Project line item to the Fire Service Software Maintenance line item. Several Councilmembers voiced their interest in moving forward with option one, once presented to Council at the 2nd Reading of Ordinance 2024-1924, because the Firefighters Special Project budget was generally used for recruitment and retention purposes.

1st Reading of Ordinance 2024-1925 regarding Amending the County Code to Resolve Conflicts Between the County Code and the South Carolina Building Codes, As Adopted

Ordinance Title: An Ordinance To Amend Chapter 7 Of The Lancaster County Code To Resolve Conflicts Between The County Code And The South Carolina Building Codes, As Adopted, And To Provide For Other Updates Related Thereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2024-1925. Seconded by Brian Carnes.

Allison Hardin stated that this Ordinance was to update the County's general code as discussed at the July 2024 Committee of the Whole meeting. Council and staff discussed section 7.4.2.(g) in the County code regarding permit issuance and the verbiage regarding revocation of a permit due to an error on either the applicant or County's part. Steve Harper questioned the financial guarantee discussed in section 7.2.7., and Ms. Hardin stated that it had been at 125% for the past several years, but the code was never updated to reflect the correct percentage. Ms. Hardin explained that 125% was the standard for financial guarantees on roads, sidewalks, street trees, asphalt, etc. Council and staff also discussed section 7.2.5.(a)(3) regarding the County Administrator's authority to waive fees, instead of the Building Code Official.

There was no further discussion from Council. The 1st Reading of Ordinance 2024-1925 Passed by a vote of 4-2; Ayes: Carnes, Mosteller, McGriff, Graham; Nays: Harper, Luis.

Discussion and Action Items

Approval of Appointment to Health and Wellness Commission

- Tasha Anderson as the District 7 representative to the Health and Wellness Commission to fill an unexpired term that would end on 06/30/2025 AND to fill her first four year term that would end on 06/30/2029

Charlene McGriff moved to approve the appointment of Tasha Anderson to the Health and Wellness Commission. Seconded by Brian Carnes.

There was no discussion from Council. The motion Passed by a vote of 6-0.

Status of items tabled, recommitted, deferred or held

- a. 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***
- b. HOLD UNTIL 8/26/2024 PER APPLICANT'S REQUEST - 2nd Reading of Ordinance 2024-1917 regarding Rezoning 26.94 Acres Located at 2491 Highway 9 Bypass from Neighborhood Business (NB) District to Medium Density Residential (MDR) District (Applicant Ben Stevens for BRD Land and Investments)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 26.94 Acres (TM# 0081-00-045.01), Which Is Located Adjacent To 2491 Hwy 9 Bypass, From Neighborhood Business (NB) District To Medium Density Residential (MDR) District - ***Planning Department Case Number: RZ-2024-0623. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Passed 6-0 at the July 15, 2024 County Council Meeting. - Allison Hardin***

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

Miscellaneous Reports and Correspondence

Dennis Marstall stated that the County's Civics 101 program would start August 13, 2024, and that there would be 23 citizens participating in the program this year.

Executive Session

One Item:

1. Receipt of legal advice subject to the attorney-client privilege regarding a potential contractual matter relating to the Coroner's Office.

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 the Coroner's Office and to invite the Coroner and Deputy County Administrator into Executive Session to discuss the matter. Charlene McGriff stated that she so moved. Seconded by Brian Carnes.

The motion to go into Executive Session Passed by a vote of 6-0. At approximately 7:06 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 7:36 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 6-0.

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

Adjournment

Brian Carnes moved to adjourn the Council meeting. Seconded by Jose Luis. The motion to adjourn Passed by a vote of 6-0.

There being no further business to discuss, the regular meeting of Council adjourned at approximately 7:37 p.m.

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