

MINUTES OF THE REGULAR MEETING
OF THE
LANCASTER COUNTY COUNCIL

April 6, 2009

Chairman Thomas called the meeting to order on Monday, April 6, at 6:00 p.m. Cotton Cole offered the invocation.

County Council members present were Chairman Fred Thomas, Vice-Chairman Rudy Carter, Secretary Larry Honeycutt, Jack Estridge, Kathy Sistare, Larry McCullough, and D. W. Cotton Cole. Also present were Steve Willis, Mike Ey, Chris Karres, Irene Plyler, Jay Rainey, Eric Rowell, spectators, and 2 members of the press.

The following press were notified of the meeting by mail or by fax in accordance with the Freedom of Information Act: Lancaster News, York Observer, Kershaw News Era, The State, The Rock Hill Herald, Fort Mill Times, WRHI Radio, Cable News 2, Channel 9, and the local Government Channel.

AGENDA APPROVAL

MOTION was made by Rudy Carter to approve the agenda. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

CITIZENS COMMENTS

Kamil Nassrah, 1602 Rocky River Road, Lancaster, spoke about the county's decision to close the trash sites. He feels that the retired gentlemen who work at these sites need their jobs and the extra income to support their families. Feels that consideration should be given to these gentlemen. He asked County Council to reconsider closing the sites the extra days. In addition, when sites are closed on Tuesdays, more trash will be seen on farmland, roads and other properties and will end up costing the county more to clean these up.

COMMITTEE REPORTS

There were no committee reports.

COUNCIL COMMITTEE ASSIGNMENTS

Fred Thomas assigned council members to the following committees. He noted that the first name under each committee will be the chair of that committee with the exception of Clemson Ext. Advisory, Emergency Training Center, Local Emergency Planning Committee, E-911 Committee and Economic Development Corp. Board, because these are larger committees or boards of which Council members are a part.

Airport - Jack Estridge, Cotton Cole, Larry McCullough
Development Agreement - Fred Thomas, Larry Honeycutt, Kathy Sistare
Judicial Housing - Rudy Carter, Fred Thomas, Kathy Sistare
Council Procedural Committee - Jack Estridge, Larry Honeycutt, Cotton Cole

Pleasant Valley Fire Commission Committee - Larry Honeycutt, Cotton Cole, Larry McCullough
Noise/Nuisance Ordinance - Larry Honeycutt, Cotton Cole, Larry McCullough
Finance - Fred Thomas, Rudy Carter, Jack Estridge
Tobacco - Jack Estridge, Kathy Sistare, Larry McCullough
E-911 Committee - Rudy Carter
Local Emergency Planning Committee - Larry Honeycutt
Emergency Training Center - Rudy Carter
Clemson Ext. Advisory Committee - Larry Honeycutt, Rudy Carter, Fred Thomas
Economic Dev. Board of Dir. - Rudy Carter, Jack Estridge, Fred Thomas, Chris Karres, Steve Willis

MONTHLY FINANCE REPORT

Veronica Thompson was not in attendance; therefore, a review of the finance report was not held. The finance report was included in Council's agenda, and Council was advised by the Administrator that if they had any questions, to contact Ms. Thompson.

COUNTY ATTORNEY REPORT

Mike Ey did not have a report in open session.

SEE LANCASTER

Jay Rainey, Task Force Chairman, and Eric Rowell, Board Chairman, from See Lancaster presented during the last meeting 3 proposals for council to consider to restructure the See Lancaster organization. Proposal #1 left the organization as it is, but revised the mission statement and scope of work. Proposal #2 transferred the Welcome Center function and employee to Lancaster County and located the Center in the renovated County courthouse. The remaining functions would be controlled and supervised by the City of Lancaster. Proposal #3 was the same as proposal #2, but added the Performing Arts Series. Proposal #4 was to discontinue funding See Lancaster. The City of Lancaster voted on proposal #3. During discussions, it was brought up that the Historical Commission had been told that the old courthouse would be a museum in the future and, therefore, County Council wanted that Commission to be involved in the discussions concerning plans for the renovated courthouse.

MOTION was made by Larry Honeycutt to accept proposal #3 and include the Historical Commission in the discussions of the old courthouse. The County Administrator to be given authority to do whatever is needed to accomplish this. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

KEYSTONE SUBSTANCE ABUSE LETTER

MOTION was made by Rudy Carter approve the letter of support to the Sims Foundation on behalf of the grant application to be submitted by Keystone Substance Abuse. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

GLEN LAUREL SUBDIVISION ROADS

Steve Willis advised that the county does not have a certificate from the developer that they have legal authority to transfer the roads to the county. Council could not take action as they were unsure of who owned the roads in the Glen Laurel Subdivision.

MOTION was made by Larry McCullough to table to the next meeting any action on this request. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

VETERANS AFFAIRS RECORDS

Steve Willis advised that Clerk of Court Jeff Hammond has requested that the Veterans' Affairs records be transferred from his custody to that of the Veterans' Affairs Officer. According to State Code, County Council approval is necessary.

MOTION was made by Cotton Cole to allow the transfer of records from the custody of the Clerk of Court to the Veterans' Affairs Officer. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

PATROL VEHICLE

Steve Willis advised during the last meeting that a patrol vehicle was damaged a few months back and the county's insurance carrier settled the claim in the amount of \$15,759. He requested permission to utilize \$13,000 in patrol vehicle acquisition funds to go with the insurance settlement and replace the wrecked car.

MOTION was made by Larry Honeycutt to authorize the use of \$13,000 is the patrol vehicle acquisition fund to replace the wrecked Sheriff's vehicle. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

RESOLUTION #683- DAVE LYLE BOULEVARD PROJECT

MOTION was made by Rudy Carter adopt Resolution #683 approving Lancaster County's participation with York County in submitting an application for funding to the State Infrastructure Bank for the proposed extension of Dave Lyle Boulevard. SECONDED by Larry Honeycutt. PASSED 5-2. Opposed: Jack Estridge, Cotton Cole

BOARD & COMMISSION APPOINTMENTS

MOTION was made by Rudy Carter to appoint Ms. Joan Williams to an unexpired term on the Lancaster County Historical Commission representing District #2. Her term to expire 6/30/2010. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

MOTION was made by Larry Honeycutt to appoint Don Brouwer to an unexpired term on the Lancaster County Board of Zoning Appeals representing District #4. His term to expire 6/30/2009. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

MOTION was made by Rudy Carter to reappoint Erick Crawford to a 4-year term on the Lancaster County Library Board. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

MOTION was made by Rudy Carter to reappoint Steve Harper to a 4-year term on the Lancaster County Planning Commission representing District #5. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

MOTION was made by Kathy Sistare to reappoint Calvin Blackmon to a 4-year term on the Lancaster County Planning Commission representing District #7. SECONDED by Jack Estridge. PASSED UNANIMOUSLY 7-0

MOTION was made by Larry McCullough to reappoint Melvin Threatt to a 4-year term on the Lancaster County Planning Commission representing District #1. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

MOTION was made by Larry McCullough to reappoint James Brooks to a 4-year term on the Lancaster County Board of Zoning Appeals representing District #1. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

MOTION was made by Rudy Carter to reappoint Bill Melton to a 4-year term on the Lancaster County Library Board representing District #5. SECONDED by Jack Estridge. PASSED UNANIMOUSLY 7-0

MOTION was made by Rudy Carter to reappoint Betty Broome and Brenda Jones to 4-year terms as non-voting advisors on the Lancaster County Historical Commission. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

MOTION was made by Cotton Cole to reappoint Laura Briggs to a 4-year term on the Lancaster County Library Board representing District #3. SECONDED by Rudy Carter. PASSED UNANIMOUSLY 7-0

MOTION was made by Kathy Sistare to reappoint Charles Clark to a 4-year term on the Joint Recreation Commission representing District #7. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

ORDINANCE READINGS

Consent Ordinances

MOTION was made by Rudy Carter to adopt the consent ordinances as follows. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

Ordinance #975 – 3rd reading - amending the county zoning map, specifically property petitioned by Emily Knight located on Lynwood Circle (tax map 87G, block F, parcel 22.01) from R-15 Moderate Density Residential/Agricultural District to R-15S Moderate Density Manufacturing Housing/Agricultural District.

Ordinance #976 rezoning property petitioned by Braj Lal located on Possum Hollow Road (Tax map 10, Parcels 39, 40, 41, 41.03, 41.04, 41.05, and 42) from R-15S Moderate Density Residential/Agricultural District to R-15 Moderate Density Manufactured Housing/Agricultural District.

Ordinance #978 amending the county zoning map, specifically property petitioned by Tammy Kirk located at 914 Juneau Road (tax map 79P, Block A, Parcel 4.01) from R-30 Low Density Residential/Agricultural District to R-30S Low Density Residential/Manufactured Housing/Agricultural District.

Ordinance #979 amending the UDO, petitioned by Haile Gold Mine, Inc. specifically deleting Section 4.3.4 Mining and Extraction Operations, in Chapter 4, which would delete Mining and Extraction Operations as a special exception and adding Section 4.1.29 to Chapter 4 to make Mining and Extraction Operations a Conditional Use.

Ordinance #980 amending the county zoning map, specifically property petitioned by Haile Gold Mine, Inc. located on Haile Gold Mine Road and Gold Mine Highway (tax map 141, parcel 09, tax map 140, parcel 01, tax map 136, parcels 37 and 38, tax map 141, parcels 07 & 9.01) from R-45A Rural Residential Intense Agricultural District to I-2 Heavy Industrial District

Ordinance #981 amending the UDO, Chapter 5, Density and Dimensional Regulations, Section 5.2, Residential Density, by adding the definition for Primary Residence with Accessory Apartment.

Ordinance #977 – Energy Savings Contract

MOTION was made by Rudy Carter to hold 3rd reading of Ordinance #977, authorizing and providing for the execution and delivery of a guaranteed energy savings contract between the county and Energy Systems Group, LLC; authorizing and approving the financing thereof in an amount not exceeding \$1,750,000; authorizing the County Administrator to determine certain matters relating to the contract and the financing; and other matters relating thereto. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

County Council asked Mr. Bennett from ESG to provide them with semi-annual updates.

ORDINANCE #982 EXCHANGE OF PROPERTY (ROY HARDIN PARK)

Mike Ey advised that this ordinance authorizes an exchange agreement for property in Indian Land, namely, 9.9 acres of property owned by the County (Roy Hardin Park) for 4.9 acres located on Shelly Mullis Road under contract by York Development Group to be used as the new Roy Hardin Park. This ordinance is being adopted by title only for first reading and the entire document will be provided to Council at 2nd reading.

MOTION was made by Cotton Cole to hold first reading of Ordinance #982, by title only, approving the exchange of a portion of Roy Hardin Park consisting of approximately 9.9 acres of real property owned by Lancaster County for 4.9 acres of real property located on Shelly Mullis Road under contract by York Development Group, LLC; to approve an exchange agreement for the properties; and to authorize county officials to take such actions as necessary to effectuate the purposes of this ordinance. SECONDED by Rudy Carter. PASSED UNANIMOUSLY 7-0

Larry Honeycutt stated that he does not want to see gravel walkways in this park. The walking paths should be paved for the folks who want to taken advantage of walking in this park. He was also concerned that the people in Indian Land would be left without a park. He felt that the county should not give up the old Roy Hardin Park until the new one is completed and ready to use.

Ordinance #983 – Register of Deeds position

MOTION was made by Larry Honeycutt to hold first reading of Ordinance #983, by title only, establishing the office of Register of Deeds in Lancaster County and matters pertaining thereto. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

EXECUTIVE SESSION

MOTION was made by Larry Honeycutt to go into executive session concerning legal matters. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

MOTION was made by Rudy Carter to go out of executive session and back into regular session. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

As Council came out of executive session, Chairman Thomas advised that Council went into executive session to be briefed on some legal matters. No action was taken as a result of executive session.

ADJOURNMENT

MOTION was made by Jack Estridge to adjourn. PASSED UNANIMOUSLY 7-0. The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Irene Plyler
Clerk to Council

Approved by Council 04-27-2009

Larry Honeycutt, Secretary