

MINUTES OF THE REGULAR MEETING  
OF THE  
LANCASTER COUNTY COUNCIL

August 11, 2008

Chairman Carter called the meeting to order at 5:00 p.m.

EXECUTIVE SESSION

MOTION was made by Fred Thomas to go into executive session concerning a legal issue. SECONDED by Larry Honeycutt PASSED 6-0. Absent during vote: Bryan Vaughn

A brief recess was held.

REGULAR MEETING

Chairman Carter called the meeting back to order at 6:00 p.m.

MOTION was made by Wayne Kersey to go out of executive session and back into regular meeting. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

As Council came out of executive session, Chairman Carter announced that Council received legal advice and no action would be forthcoming.

Chairman Carter offered the invocation.

County Council members present were Chairman Rudy Carter, Vice-Chairman Fred Thomas, Secretary Wesley Grier, Wayne Kersey, Jack Estridge, Fred Thomas, Bryan Vaughn and Larry Honeycutt. Also present were Steve Willis, Mike Ey, Irene Plyler, Chris Karres, Keith Tunnell, and three 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

A request to was made Wesley Grier to remove Resolution #642, add a fire update and add discussion to reconsider the tax mills.

MOTION was made by Fred Thomas to approve the agenda as amended. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

### EMPLOYEE OF THE QUARTER

Chairman Carter recognized Monte Craig from the Sheriff's Office for being chosen Employee of the 3<sup>rd</sup> quarter and presented him with a plaque.

### PUBLIC HEARINGS

#### Capital Projects Sales Tax Referendum

MOTION was made by Wayne Kersey to go into public hearing to receive comments from the public concerning adoption of Ordinance #934 to impose, subject to referendum approval and pursuant to the Capital Project Sales Tax Act, a one percent (1%) sales and use tax (the "Tax") within Lancaster County for not more than seven (7) years; to order a county-wide referendum on the question of imposing the tax and authorizing the issuance of General Obligation Bonds in a principal amount not to exceed \$34,000,000; to prescribe the contents of the ballot question; to specify the purposes for which the proceeds from the tax are to be used, the maximum time for the imposition of the tax, and certain provisions relating to the issuance of the bonds; to provide for the issuance of the bonds, if approved by referendum, by subsequent action of Council and to provide for other matters relating thereto. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

There were no comments.

MOTION was made by Larry Honeycutt to go out of public hearing and back into regular session. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

### CITIZENS COMMENTS

Linda Burke, Lancaster Workforce Center Area Director, wanted council to be aware that this is the worst time for layoffs since the 80s. Spoke of the need for training in the area. There are about 18,000 people who lost jobs just with Springs. There are presently 400 in training at this time and about 900 waiting to be trained, so was in favor of funding the schools to provide training for these individuals.

Bryant Fersner, 115 N. Matson St., Kershaw, 475-3721, thanked County Council for considering funding the Kershaw Industrial Park project. Encouraged County Council to support the funding which will stimulate job creation in the southern part of the county.

Alan Patterson, 206 Patterson Lane, Indian Land, 548-5317, spoke about the design of the new courthouse house. He is in favor of a new courthouse, but opposed to a traditional courthouse facility. He felt that there was a lot of commercial space available in the county and questioned whether a \$33 million facilities was needed now.

### FIRE UPDATE

Steve Willis gave council an update on actions that have been taken related to the fire issues.

### COMMITTEE REPORTS

Development Committee – Fred Thomas advised that he, Wayne Kersey, and Larry Honeycutt, met on Wednesday with a group of developers who are looking at a consortium of four developers. They are looking at a 600 acre tract of land on Highway 521. Included in the property are the County's Recreation Dept., EMS building, all the way north to INSP. Roy Hardin Park is also part of the property. A separate arm of INSP will be one of the four partners. There were no decisions made during the meeting and no recommendations from the committee at this time.

### COUNTY ATTORNEY REPORT

The Attorney did not have a report.

### RECONSIDERATION OF TAX MILLAGE

Steve Willis asked County Council to reconsider their previous decision not to increase the tax millage this year. He specifically asked Council to consider one extra mil for USC-L and one mil for York Tech. In addition, he noted that Lancaster County leads the state in the number of workers needing retraining for new jobs. Whether USC-L trains for front office management or York Tech trains for technical jobs, he feels Lancaster County must invest in higher education to give our residents the skills they need. In addition, he asked Council to consider earmarking 1.5 mils to be used solely for expenses related to the recent courthouse fire which are not covered by insurance and for complying with Chief Justice Toal's order to provide on-site security by the Sheriff's Department and to upgrade security in buildings where court records are stored, which are not covered by insurance. He also suggested that the ordinance amending the budget to include the 3.5 mil increase require that any unexpended funds in this account on June 30, 2009, be transferred to the Local Option Sales Tax Rollback account so any unused funds would be returned to the taxpayers. He asked County Council to consider first reading by title only. A lengthy discussion was held.

MOTION was made by Bryan Vaughn to move this to an action item on the next agenda to raise millage by 1.5 mils and dedicate it to the Sheriff's Office to be used for higher training and equipment and additional personnel. SECONDED by Larry Honeycutt.

MOTION was made by Fred Thomas to table this motion. SECONDED by Wesley Grier. DEFEATED 2-5. For: Fred Thomas, Wesley Grier. Opposed: Rudy Carter, Jack Estridge, Wayne Kersey, Wesley Grier, Larry Honeycutt

MOTION TO MOVE TO AN ACTION ITEM PASSED 4-3. For: Bryan Vaughn, Larry Honeycutt, Rudy Carter, Jack Estridge. Opposed: Wayne Kersey, Wesley Grier, Fred Thomas.

### KERSHAW INDUSTRIAL PARK

Jack Estridge had, during the last meeting, asked that this be placed on the agenda for discussion and, during that meeting, a vote was taken to place it as an action item on tonight's meeting. He felt that Council should step up and do something to get jobs in Lancaster County and do everything they can to solve the unemployment problem, and asked Council to consider moving forward with the \$400,000 for the Kershaw Industrial Park project.

MOTION was made by Jack Estridge to provide \$400,000 of funding for the Kershaw Industrial Park. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

Wesley Grier asked that a committee be formed to take a look at doing a Comprehensive Industrial Park long range land use plan and asked that a representative from Lynches River, Duke Power and Comporium be included on the committee.

#### BOARD & COMMISSION APPOINTMENTS

Recreation Commission – MOTION was made by Bryan Vaughn to appoint Bob Daniels to an unexpired term on the Lancaster County Joint Recreation Commission representing District #1. His term to expire June 30, 2010. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

Planning Commission – MOTION was made by Larry Honeycutt to appoint Samuel Keel Kelly to an unexpired term on the Lancaster County Planning Commission representing District #4. His term to expire June 30, 2011. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

#### CONSENT ACTION ITEMS

MOTION was made by Larry Honeycutt to accept the consent information items as follows and to place certain items, as noted, on the next agenda as action items. SECONDED by Wayne Kersey. PASSED UNANIMOUSLY 7-0.

- 1) Resolution #643 accepting Heath Springs Industrial Drive within the Heath Springs Industrial Park into the county road system
- 2) Resolution #644 authorizing disposal of surplus property
- 3) Resolution #645 declaring that building and zoning permit fees associated with the expansion of the project at HOPE of Lancaster are waived.

#### CONSENT ORDINANCE READINGS

MOTION was made by Larry Honeycutt to adopt the Consent Ordinance Readings as follows: SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

- 1) 3<sup>rd</sup> reading – Ordinance #936 amending Chapter 14 of the Lancaster County Code by eliminating Section 14-23(d) Fire Commission Membership
- 2) 2<sup>nd</sup> reading – Ordinance #938 amending the county zoning map; specifically property petitioned by Ken McManus located on Highway 9 west of Buford Crossroads (tax map 58, parcels 95, 96, 97, 98, 99, 100, 101) from R-45B Rural Residential/Business/Agricultural District to B-3 General Commercial District
- 3) 2<sup>nd</sup> reading- Ordinance #939 amending the county zoning map; specifically property petitioned by John McManus located at 2603 Cimмерon Road (tax map 70, parcels 44, 44.01) from R-45A Rural Residential Agricultural District and R-30D Low Density Residential/Manufactured Housing/Agricultural District to R-30 Low Density Residential/Agricultural District.
- 4) 2<sup>nd</sup> reading - Ordinance #940 amending the county zoning map; specifically property petitioned by Charles Mathis located at 1347 Lymon-Reece Road (tax map 811, block

- B, parcel 4.04) from B-2 Community Business District to MF Multiple Family/Agricultural District.
- 5) 2<sup>nd</sup> reading – Ordinance #941 amending the county zoning map; specifically property petitioned by Matthew McCoy located at 2303 Thorn Hill Road (tax map 172, parcel 22) from R-45A Rural Residential Agricultural District to B-3 General Commercial District.

#### ORDINANCE READINGS

##### Ordinance #934 – Capital Projects Sales Tax Referendum - **tabled**

MOTION was made by Bryan Vaughn to table 3<sup>rd</sup> reading of Ordinance #934 imposing, subject to Referendum and approval and pursuant to the Capital Projects Sales Tax Act, a 1% sales and use tax within Lancaster County for not more than 7 years. SECONDED by Fred Thomas. PASSED UNANIMOUSLY 7-0.

##### Ordinance #935 – Lauth Special Source Revenue Bonds

MOTION was made by Larry Honeycutt to hold 3<sup>rd</sup> reading of Ordinance #935 authorizing the issuance and sale of Lancaster County Special Source Revenue Bonds (Lauth Project) in a principal amount not to exceed \$4,550,000; to authorize the acquisition or construction of the infrastructure to be paid for with proceeds from the issuance of the Special Source Revenue Bonds; to prescribe the terms and conditions for the issuance and sale of the Special Source Revenue Bonds; and to authorize certain county officials to execute and deliver and to take such actions as necessary to effectuate the issuance and sale of the Special Source Revenue Bonds. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

##### Ordinance #937 – amending UDO Section 11.14

MOTION was made by Wesley Grier to hold 3<sup>rd</sup> reading of Ordinance #937 amending the UDO, Chapter 11, Parking, Section 11.14, Shade Trees in Parking Areas, to add landscaping requirements for trees and shrubs in landscaped islands located at the end of all parking aisles. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0.

##### Ordinance #942 – amending Section 26-30 of Code of Laws

Steve Willis advised that Section 26-30 of the Lancaster County Code is not in compliance with state law. Code presently states that the county road supervisor shall have the authority to restrict the use of any road maintained or deeded to Lancaster County and he has the power to restrict the use of any road as to vehicles without posting an appropriate sign or signs to properly notify persons of the restriction. County Council, and not the road supervisor, is the only entity with the authority to do so according to state law; therefore, the Lancaster County Code must be amended to reflect this.

MOTION was made by Larry Honeycutt to hold first reading of Ordinance #942 amending the Lancaster County Code, to bring Section 26-30 into compliance with State law, which

will permit only County Council to restrict the use of any road maintained or deeded to the County. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

EXECUTIVE SESSION

MOTION was made by Wesley Grier to go into executive session concerning an economic development matter. SECONDED by Wayne Kersey. PASSED UNANIMOUSLY 7-0.

MOTION was made by Wesley Grier to go out of executive session and back into regular session. SECONDED by Wayne Kersey. PASSED UNANIMOUSLY 7-0.

As Council came out of executive session, Chairman Carter announced that one economic development issue was discussed and that no action would be taken.

ADJOURNMENT

MOTION was made by Wayne Kersey to adjourn. SECONDED by Wesley Grier. PASSED UNANIMOUSLY 7-0.

The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Irene Plyler  
Clerk to Council

Approved by Council 09-08-2008

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Wesley Grier, Secretary