

MINUTES OF THE REGULAR MEETING
OF THE
LANCASTER COUNTY COUNCIL

September 14, 2009

Chairman Rudy Carter called the meeting to order on Monday, September 14, at 6:00 p.m. Cotton Cole offered the invocation.

County Council members present were Chairman Rudy Carter, Vice-Chairman Larry Honeycutt, Secretary Kathy Sistare, Jack Estridge, Larry McCullough, and D. W. "Cotton" Cole. Also present were Steve Willis, Mike Ey, Veronica Thompson, Irene Plyler, Chris Karres, spectators, and two 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 Larry Honeycutt to approve the agenda as amended by removing Agenda Item 9(c) regarding Firethorne roads, removing agenda item 10(b) which was the ordinance regarding Roy Hardin Park, and add resolutions #692 through 698. SECONDED by Kathy Sistare. PASSED 6-0.

RESOLUTIONS

#692 - Dave Lyle Boulevard

MOTION was made by Larry Honeycutt to adopt Resolution #692 supporting the TIGER grant application of the Catawba Indian Nation, in conjunction with York County, for funding to assist in the construction of the Dave Lyle Boulevard extension and to request that Senators Lindsey Graham, Senator Jim DeMint, and Rep. John Spratt support the TIGER grant application. SECONDED by Kathy Sistare. PASSED 4-2. For: Larry Honeycutt, Kathy Sistare, Rudy Carter, Larry McCullough. Opposed: Jack Estridge, Cotton Cole

Consent Resolutions #693-698

MOTION was made by Larry Honeycutt to adopt Resolution #692 through #698 regarding the presentation of service side arms to retiring law enforcement officers permitted pursuant to SC Code 23-1-225 (Towanna Barnes, Ronnie Williams, Larry Robertson, Andy Rollins, Monty Craig, Buddy Watkins). SECONDED by Larry McCullough. PASSED 6-0.

PUBLIC HEARING

Ordinance #994 – Founders Federal Credit Union fee agreement

MOTION was made by Kathy Sistare to go into public hearing to receive comments from the public concerning Ordinance #994 authorizing the execution and delivery of a fee agreement by and between Lancaster County, South Carolina, and Founders Federal Credit Union providing for a payment of a fee-in-lieu of taxes, the provision of an infrastructure credit, and other matters related thereto. SECONDED by Larry McCullough. PASSED 6-0.

There were no comments.

MOTION was made by Larry Honeycutt to go out of public hearing and back into regular session. SECONDED by Larry McCullough. PASSED 6-0.

CITIZENS COMMENTS

Winston Smith, 1820 Havenwood Drive, spoke about the article in the newspaper concerning new regulations put out by DHEC regarding tire disposal which the news said will be taking effect on September 24, which is before the next County Council meeting. Asked Council to be careful and not create a bigger problem.

HOPE OF LANCASTER PARKING

Steve Willis advised that HOPE of Lancaster has asked that the county look into expanding the parking area to the east of their building by adding gravel when they move back into that facility. The cost to expand the parking lot and add gravel would be \$3,292. He advised this project would tie up the Special Projects crew for approximately three days. He wanted Council to be aware that he has agreed to expand the parking lot. This was not a budgeted item, but he explained that the stone account was increased this budget year and funds will be used from that account. He asked Council to contact him if they were not in agreement.

RIGHT-OF-WAY CUTTINGS

In reply to a request made by Council during the last meeting, Steve Willis advised that it would cost approximately \$3,400 to operate two mowers ten hours per days for four weekends to get caught up on cutting the rights of way on county maintained roads. He informed council that he, the Finance Director and the Public Works Director believe that the overtime needed to perform this task can be covered within the regular salaries budgeted amount, since Public Works has had two employees out on extended medical leaves. Council did not object and accepted this as information.

CELL TOWERS

Chris Karres advised that the current requirement is that setbacks for cell towers is the height of the tower. A request was received to reduce the setback and to go to the fall zone for the tower, which is normally 50% of the height of the tower. The request came because of the need for cell towers in Indian Land. The way it is now written, the cell tower companies would have to lease or buy approximately 4.5 acres, but the property owners are reluctant to tie up that amount of land in a lease. He recommended changing the height limit to the fall zone for the tower and deleting the requirement that the area that was needed to meet the setbacks for a tower be leased or purchased by the cell phone companies. Larry

Honeycutt was concerned that the adjacent property owners do not have a say if a tower is to be placed adjacent to their homes. He asked for discussion at the next meeting.

MOTION was made by Larry Honeycutt to place discussion of cell towers on the next agenda. Chris Karres to present more information. SECONDED by Larry McCullough. PASSED 6-0.

COUNCIL COMMITTEE REPORTS

Rudy Carter advised that the Finance Committee met today to review possible vendors for the new courthouse.

Larry McCullough advised that the sign committee has not had an official committee meeting as yet. However, there was a presentation from Rob McCoy at the Indian Land **Action Council** last week. **Correction made 9/28/09 meeting: Rob McCoy made a presentation at the Indian Land Chamber of Commerce.**

COUNTY ATTORNEY REPORT

There was no attorney report.

HOPE OF LANCASTER RENT

MOTION was made by Cotton Cole that the rent for HOPE of Lancaster for space at the EMS complex on Pageland Highway be waived through June 30, 2011. SECONDED by Larry Honeycutt. PASSED 6-0.

YOUTH CONFERENCE

Steve Willis recommended that funding in the amount of \$10,000 for the Lancaster Coalition for Healthy Youth Prevention Conference to be held at USC-L in October be taken from the General Fund, Direct Assistance budget, as some funds budgeted in Direct Assistance will not be granted to one agency this year and those fund can be used.

MOTION was made by Larry Honeycutt that the County Administrator and Finance Director be authorized to utilize funds in the Direct Assistance account to fund the Alcohol and Drug Abuse Conference in the amount of \$10,000. SECONDED by Larry McCullough. PASSED 5-1. Opposed: Jack Estridge

Larry McCullough asked the committee to come back to Council to report on the success of the conference.

BOARDS & COMMISSION APPOINTMENTS

MOTION was made by Jack Estridge to appoint Jonathan Scott to fill an unexpired term on the Lancaster County Joint Recreation Commission representing District #6. SECONDED by Larry Honeycutt. PASSED 6-0.

ORDINANCE READINGS

Consent Ordinances

MOTION was made by Larry McCullough to adopt the consent ordinances as listed below. SECONDED by Cotton Cole. PASSED 6-0

- 3rd reading - Ordinance #991 - rezoning 1.76 acres on Highway 200 (tax map 81P, block A, parcel 6) from R-15 Moderate Density Residential/Agricultural District to B-3 General Commercial District – Phillip Mullis
- 3rd reading - Ordinance #993 amending Section 14-23 of the Lancaster County Code, which amends the composition of the Fire Commission by reducing the number of members from 20 to 19.
- 3rd reading – Ordinance #995 – amending the 2009-2010 county budget, Section 7.03 in the Schedule of Fees, to increase the Special Tax District Uniform Service charge from \$80 to \$90.
- 2nd reading - Ordinance #996 - rezoning 2.5 acres located at the end of Country Meadows Road (tax map 60, parcel 9) from R-30 to R-30D – Jeffery Simpson

Ordinance #994 - Founders Federal fee agreement

MOTION was made by Larry Honeycutt to hold 3rd reading of Ordinance #994 authorizing the execution and delivery of a fee agreement by and between Lancaster County, South Carolina, and Founders Federal Credit Union providing for a payment of a fee-in-lieu of taxes, the provision of an infrastructure credit, and other matters related thereto. SECONDED by Cotton Cole. PASSED 6-0.

Ordinance #997 – postponing reassessment

MOTION was made by Jack Estridge to hold first reading of Ordinance #997 postponing countywide reassessment and equalization for the 2010 tax year pursuant to S.C. Code Section 12-43-217(B). SECONDED by Larry McCullough. PASSED 6-0.

ADJOURNMENT

MOTION was made Larry Honeycutt to adjourn. SECONDED by Kathy Sistare. PASSED 6-0. The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Irene Plyler
Clerk to Council

Approved by Council 09-28-2009

Kathy Sistare, Secretary