

MINUTES OF THE REGULAR MEETING
OF THE
LANCASTER COUNTY COUNCIL

January 4, 2010

Chairman Rudy Carter called the January 4, 2010, meeting to order at 6:00 p.m. Charlene McGriff offered the invocation.

County Council members present were Chairman Rudy Carter, Vice-Chairman Larry Honeycutt, Secretary Kathy Sistare, Jack Estridge, Larry McCullough, D. W. "Cotton" Cole and Charlene McGriff. Also present were Steve Willis, Mike Ey, Irene Plyler, Chris Karres, Jeff Petroski, Doug Barnes, 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

Larry Honeycutt asked that discussion pertaining to protection for animal control officers be placed on the agenda.

Steve Willis noted that, per the request of the County Attorney, Resolution #709 be postponed to the January 25 meeting.

MOTION was made by Larry McCullough to approve the agenda as amended. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0.

Larry McCullough distributed pictures of Edenmoor roads for Council's information, which can be used at a later date for discussion.

SPECIAL PRESENTATION

Chairman Rudy Carter recognized the Lancaster County Parks and Recreation Mite All Stars for winning the 2009 Mite Soccer State Championship and presented them with a proclamation congratulating them on their achievement.

CITIZENS COMMENTS

John Baker, 2293 New Hope Road, Heath Springs, 283-8399, spoke about the Capital Improvement Plan. He felt that Council should look further down the road than just five years. The county needs a long-term plan. Also, he was asked to get information on animal control officers. He found out that in order to carry firearms to protect themselves, they would need to be constables and would need to attend the Criminal Justice Academy.

USE OF OLD LANDFILL

Jeff Petroski came before Council to ask permission to start a club using the old landfill as a sanctioned AMA (Academy of Model Aeronautics) chartered airfield for radio controlled model planes. There would be no cost to the county. He presented Council with detailed information about the Academy of Model Aeronautics, who insure flyers and landowners at AMA chartered clubs through membership dues and club field dues. He examined the old county landfill and found it to be extremely well suited for a radio control flying field. He noted that currently there are flyers who travel out of county to practice their hobby or they may be flying in local pastures and public fields. An airfield at the old landfill would provide local flyers with a safe and financially insured environment, as an AMA chartered field guarantees protection for all parties involved.

MOTION was made by Larry Honeycutt to move this to an action item on the next agenda. SECONDED by Larry McCullough. PASSED UNANIMOUSLY 7-0

AIRPORT ACTIVITIES UPDATE

Doug Barnes, Chairman of the Airport Commission, informed Council of the following:

- the FBO at the airport went out of business, but there has been a person hired by the county to manage the airport terminal during the week.
- They are in the process of leasing out the maintenance hangar to some mechanics who are interested in the maintenance operation.
- The runway will be overlaid in the spring with concrete but, as a result, the airport will be closed for 45 to 60 days while the runway is resurfaced. It will not increase the airports classification to the next level, but it will make the runway much stronger.
- They are trying to make improvements to their fencing.
- The FAA just published new approaches and for a more modern aircraft or updated aircraft that has the right GPS equipment, the airport has a WOS approach that will allow them to fly in with a ceiling down to 200 feet and $\frac{3}{4}$ mile visibility, which means that there will be a lot more days when a corporate jet can get in and out of Lancaster regardless of the weather.

In answer to a question posed, he mentioned that what he would like to see in the future at the airport is a new terminal facility.

COUNCIL ON AGING

Steve Willis advised that Sally Sherrin from the Lancaster County Council on Aging advised that SC DOT has issued a Job Access Reverse Commute contract. South Carolina DOT has proposed that the Council on Aging use \$35,000 of the funds that County Council appropriated to the project to match the DOT \$35,000 in operations. In addition, SC DOT has indicated that the Council on Aging will receive a grant for 80% of a bus in the next cycle of funding, and DOT would like for them to use the remaining \$15,000 of the 20% match for the bus. Steve Willis asked whether Council had any objections to consenting to this request, especially since the original \$50,000 grant match was a blanket match with no specific breakdown.

MOTION was made by Cotton Cole that the requested authorization to utilize \$35,000 in grant match for operations and the remaining \$15,000 for capital acquisition be granted. SECONDED by Jack Estridge. PASSED UNANIMOUSLY 7-0

CAPITAL IMPROVEMENT PLAN

Council had asked that this topic be placed on the agenda for discussion as the Capital Improvement Plan never had 3rd reading. It was a 5-year plan that would run through 2011 and was completed by the Catawba Regional Council of Governments during a 4-5 month time frame. Chris Karres noted that even though it had not been formally adopted, it had been used as a guide during budget preparation. This was the first CIP ever completed for the county. Discussion was held concerning a county-wide CIP and extending the CIP to 10, 15, or 20 years rather than just completing a 5 year plan. It was decided that further discussion of the CIP would be held during Council's annual planning session. It was suggested that a facilitator be used for the planning session this year. Steve Willis to check into acquiring a facilitator.

CONVENIENCE SITE POSITION

Steve Willis requested Council's authorization to move two part-time convenience site positions to one full-time position on a trial basis until June 30, 2010. This person would rotate between two of the convenience sites that have the lowest volume (Fort and McGill). This would not involve any additional funding. He felt that this would allow the county to institute site maintenance standards and hold an employee accountable for site operations. He noted that as part of this project, the county intends to develop a job description that includes standards for how much weight a convenience site employee should be able to lift. The design of the sites make it necessary to lift some heavy items to dispose of them, and he felt that the attendant should be performing this task, not the citizens. He stated that if the trial works well, he would like to include this as a permanent position in next year's budget and consider expanding it to other sites as they have openings within the part-time ranks.

MOTION was made by Larry Honeycutt to move 2 part-time convenience site positions to one full-time position on a trial basis for 6 months until June 30, 2010. SECONDED by Charlene McGriff. PASSED 6-1. Opposed Jack Estridge.

VETERANS AFFAIRS

Steve Willis announced that Linda Blackmon, the Veterans Affairs Officer, retired as of the end of December after 13 years of service with the county. Robin Helms, who was the Deputy Veterans Affairs Officer, was appointed by the Senator to fill the vacant seat.

PROPOSED EXEMPT EMPLOYEE LIST

Steve Willis presented Council for their review and discussion a list of county positions recommended to be under an exempt status under the Fair Labor Standards Act, which means they would become salaried positions rather than hourly. He advised that, during the next meeting, a resolution will be on the agenda to formally adopt the classifications.

CAPITAL FUNDS

Steve Willis advised that Sheriff Faile had \$17,500 remaining in the vehicle acquisition line item after completing his patrol vehicle purchases and after various rebates and volume purchase savings. He requested permission to use these funds to acquire a basic pick up truck with a bed cover for his Crime Prevention Deputy. This would allow him to transport items he frequently uses to make presentations, such as displays, folding tables, etc, that do not fit into a patrol car. He has had to use his own vehicle many times to transport items for county events. He noted that if the request is granted, they would remove one patrol car from the Sheriff's fleet.

MOTION was made by Larry Honeycutt to authorize the Sheriff and Finance Director to utilize the remaining funds in the FY09-10 Sheriff's vehicle acquisition line item to acquire a pickup truck for use by the Crime Prevention Deputy. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

ANIMAL CONTROL PROTECTION

Larry Honeycutt was told that Animal Control has had run-ins with vicious animals and all they had to protect themselves was a stick. He felt that this was not adequate and asked that something be done to better protect our employees. Discussion was held and several alternatives were mentioned, such as tasers, hot sticks, or a weapon. It was mentioned that in order for the officers to carry weapons, they would need to attend the Criminal Justice Academy. However, they were turned down by the Academy. If Animal Control fell under the Sheriff's Office, then the Academy would accept them. Sheriff Faile was in attendance and advised that he would find out what legally the officers can use.

MOTION was made by Larry Honeycutt to move this to an action item on the next agenda. SECONDED by Larry McCullough. PASSED UNANIMOUSLY 7-0

COUNCIL COMMITTEE REPORTS

Larry Honeycutt advised that the Council Recreation Committee met with the Joint Recreation Commission today and had a good discussion about what can be done to assist them and what they need to do to help County Council make good decisions concerning the Recreation Department. They will be meeting again in the near future.

COUNTY ATTORNEY REPORT

There was no attorney report.

SHERIFF OFFICE GRANT APPLICATIONS

During the last regular meeting, Steve Willis advised that the Sheriff requested authorization to apply for several grants which would be 95% federally funded and require a 5% local match. There were 9 grants with a federal share of \$1,860,137 and a local share of \$97,899 for a total of \$1,958,035 in grants applied for. The grants were for Crime Scene Investigators, 60 Mobile Data terminals, tactical equipment, and six equipment and personnel grants (two gang investigators and

administrative assistance, one child abuse and elder abuse investigator, three narcotics investigators and administrative assistance, one white collar crime investigator, one evidence technician, and one drug analyst and lab equipment).

MOTION was made by Larry Honeycutt that Sheriff Faile is authorized to submit the preceding grant requests with the local matches as identified. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

POSITION FOR FORFEITED LAND COMMISSION

Steve Willis advised that the County Attorney recently met with the Forfeited Land Commission (Register of Deeds, John Lane, Auditor Cheryl Morgan, and Treasurer Dick Rowell) and Tax Collector Debbie Hardin concerning the parcels that did not sell at the tax sale and now fall under the control of the Forfeited Land Commission. The number of parcels was much higher than last year, and the attorneys felt that the Forfeited Land Commission needed clerical assistance to handle the volume. Steve Willis recommended that a part-time employee in the Register of Deeds/Records Management Dept. be brought to a full-time status in order to assume the responsibility for clerical functions in addition to her current duties. Funds to cover the State Retirement and State Insurance costs can be transferred from within the Register of Deeds Department. The extra cost to the county would not exceed \$6,200 and could be taken from the undesignated fund balance.

MOTION was made by Larry Honeycutt that the County Administrator and Register of Deeds are authorized to change a part-time Register of Deeds/Records position to full-time to assist with the Forfeited Land Commission duties. Funding for FY 2009-10 in an amount not to exceed \$6,200 from undesignated fund balance is authorized. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0

APPROVAL OF MINUTES

MOTION was made by Charlene McGriff to approve the minute of the November 30, December 7, December 9, and December 21, 2009, County Council meetings. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

BOARD & COMMISSION APPOINTMENTS

Board of Zoning Appeals – District #2 – to be placed on the next agenda.

Board of Assessment Appeals – District #5 - MOTION was made by Jack Estridge to appoint Doug Crenshaw to an unexpired term on the Board of Assessment Appeals representing District #5. SECONDED by Charlene McGriff. PASSED UNANIMOUSLY 7-0

BOARDS & COMMISSIONS ORDINANCE

Steve Willis asked Council for feedback concerning the ordinance amending the board and commission terms of office in addition to other changes. He wanted clarification as the ordinance that was adopted at 2nd reading included a strict requirement for residency for all boards. It was the consensus of Council that they would prefer only the Planning Commission, Board of Zoning

Appeals, and Joint Recreation Commission have residency requirements and that other boards would stipulate “residency in the County Council district preferred, but not required.” Third reading will be placed on the next agenda.

ORDINANCE READINGS

Ordinance #1008 – Amend UDO – Ice Plants

MOTION was made by Cotton Cole to hold 3rd reading of Ordinance #1008 amending the text of the UDO to add Ice Plants to the B-3 General Commercial District in the Table of Permissible Uses. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

Ordinance # 1009 – Prisoner Housing Fees

County Attorney Mike Ey explained that the form of the ordinance has changed since second reading; however, the substance did not change. He noted that the ordinance was circulated to the County Administrator, Detention Center, Sheriff, and City police for feedback. He felt that it was a good ordinance.

MOTION was made by Cotton Cole to hold 3rd reading of Ordinance #1009 to amend Section 2-233 of the Lancaster County Code, relating to responsibility for medical expenses of inmates, so as clarify the medical and dental expenses for which the county is financially responsible; to amend Division 5, Article V, Chapter 2 of the Lancaster County Code, relating to prisoner housing fees, so as to add a voluntary labor program, to provide for certain prison laborers to be covered by workers’ compensation, and to direct the county attorney to pursue civil judgments against certain inmates for medical expenses. SECONDED by Charlene McGriff. PASSED UNANIMOUSLY 7-0

Ordinance #1012 – Amend Table Of Permissible Uses

MOTION was made by Larry Honeycutt to adopt 2nd reading of Ordinance #1012 amending the UDO, Table of Permissible Uses as follows: Delete from I-1, Light Industrial District, Veterinary Service with outdoor pens; Boarding Horses, Retail Store – Home Furniture, Furnishings and Appliances; Drive-In Movie Theater; Religious Institutions; Home Occupation; and delete from I-2 Heavy Industrial District, Home Occupation and Automotive Repair Shop. SECONDED by Kathy Sistare. PASSED UNANIMOUSLY 7-0

Ordinance #1014 rezoning property on Catoe Road

Chris Karres advised that Ronald Deese applied to rezone a one-acre portion of property located on Catoe Road from R-30 to R-30D in order to locate a doublewide mobile home on the property. The land is presently vacant. The Planning Dept. recommended denial as most homes in that area are site built. The motion of the Planning Commission was to approve, but the vote was tied 2-2; therefore, the motion failed and the request was denied.

MOTION was made by Jack Estridge to hold first reading of Ordinance #1014 amending the county zoning map; specifically property petitioned by Ronald Deese located on Catoe Road (tax map 69, portion of parcel 73.04) from R-30 Low Density Residential/Agricultural District

to R-30D Low Density Residential/Manufactured Housing/Agricultural District. SECONDED by Charlene McGriff. PASSED 6-1. Opposed: Larry McCullough

SPECIAL MEETING

Chairman announced that a special meeting would be held on Monday, January 11, and the council would go into executive session to discuss a personnel matter.

EXECUTIVE SESSION

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

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

As Council came out of executive session, Chairman Carter announced that Council discussed contractual matters and a motion would be forthcoming.

MOTION was made by Kathy Sistare that we authorize the expenditure for land acquisition to accommodate a Coroner's Office in an amount not to exceed \$225,000 and furnishings as needed by the Coroner, and authorize entering into a building lease for an undesignated site to be utilized by the Sheriff's Office for housing special investigations in an amount not to exceed \$7,200. SECONDED by Larry Honeycutt. PASSED UNANIMOUSLY 7-0

ADJOURNMENT

MOTION was made Larry Honeycutt to adjourn. SECONDED by Cotton Cole. PASSED UNANIMOUSLY 7-0. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Irene Plyler
Clerk to Council

Approved by Council 01-25-2009

Kathy Sistare, Secretary