

MINUTES OF THE REGULAR MEETING
OF THE
LANCASTER COUNTY COUNCIL

July 27, 2009

Chairman Rudy Carter called the meeting to order on Monday, July 27, at 6:00 p.m. Larry McCullough 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, Chris Karres, Veronica Thompson, Irene Plyler, Keith Tunnell, Andrew McCoy, 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

Chris Karres requested that a discussion item updating Council on the modifications of cell tower regulations be added to the agenda.

MOTION was made by Cotton Cole to approve an amended agenda to add discussion of economic development strategies and capital improvement list from the Catawba Regional Council of Governments and add one personnel and one legal matter for executive session. SECONDED by Kathy Sistare. PASSED 6-0.

EMPLOYEE OF THE QUARTER

Chairman Rudy Carter recognized and presented a plaque to Jean Miner from the Recreation Department for being chosen by her peers as Lancaster County's Employee of the third quarter.

CITIZENS COMMENTS

Jerry Moses, 5916 Beecher Horton, Heath Springs 273-0040, expressed a complaint against the Sheriff's Office.

The following spoke in opposition to the possible closing of the Pleasant Hill Volunteer Fire Department:

Francis Bell, 3575 Helms Road, Lancaster, 283-2557
Gonzalee L. Twitty, 3787 Horne Twitty Road, Heath Springs
Danny Bennett, 3658 Rocky River Rd, Heath Springs
Mark Truesdale, 128 Flint Ridge Road, Heath Springs
Leland Summers, 1980 Robert Usher Road, 287-7931
Beth Smith, 835 Earl Cauthen Road, Heath Springs, 285-5881

The following spoke in favor of closing the Pleasant Hill Fire Department:
Howard Gainer, 4017 J. B. Denton Road, 283-2424

John P. Baker, 2293 New Hope Road, Heath Springs, 283-8399
Jeff Walden, 1387 Cedar Pines Lake Road, Lancaster
Stephen Gardner, Riverside Fire Department

RIVERCHASE DEVELOPMENT SCHEDULE

Mike Ey reminded Council that during the July 6 meeting, Council denied the request to amend the development schedule contained in the Riverchase Estates Development Agreement because there was some question as to what road standards would apply in that development because the development schedule was modified. He noted that the Development Agreement dated March 31, 2008, is by and between LGI Land SC, LLC, and Lancaster County and terminates in 20 years, and reported that the proposed modification of the development schedule does not change the duration or term of the Development Agreement or the amount of land covered by it. He also reported that the right to develop Riverchase Estates was vested as of March 31, 2008, and changes to the development schedule do not affect the development rules applicable to the development. Therefore, the old road standards apply to Riverchase rather than the new standards. He advised that a new modification schedule was submitted on July 15, and the modifications will come into effect automatically after 60 days if County Council does not take action. Council took no action during this meeting.

REPORT ON CAFR

Steve Willis advised Council that Lancaster County has received the Certificate of Achievement for Excellence in Financial Reporting (CAFR) from the Government Finance Officers Association. This is the 10th year that Lancaster County has been awarded this certificate. He recognized Finance Director Veronica Thompson and her staff for this accomplishment.

COUNCIL COMMITTEE REPORTS

Chairman Rudy Carter appointed Larry Honeycutt to replace Fred Thomas on the Council Finance Committee.

MONTHLY FINANCE REPORT

Veronica Thompson presented the finance report for month ending June 30. She noted that this is not the final report for the year as they are still trying to close out some items from last fiscal year. The final report will be given in the audit report later this year.

She noted that as of this report, the General Fund fund balance is \$15.5 million of which \$12.5 is unreserved. Council accepted the report as information.

COUNTY ATTORNEY REPORT

There was no attorney report.

PRIORITY CAPITAL IMPROVEMENTS LIST

Steve Willis advised that the Catawba Regional Council of Governments has asked that Lancaster County update its Priority Capital Improvement List. The letter from the COG stated that the primary purpose of this update was to keep the region eligible for EDA funding. Steve Willis presented Council with a recommended list for Council to review. He asked them to review the list and to contact him with

their input, as the deadline for submission is August 15 so it will need to be adopted by the August 10 meeting. Chairman Carter asked that this be placed on the next agenda as an action item.

APPROVAL OF MINUTES

MOTION was made by Larry Honeycutt to approve the minutes of the June 22 and July 6, 2009, County Council meetings. SECONDED by Larry McCullough. PASSED 6-0.

PLEASANT HILL FIRE DEPARTMENT CLOSING

MOTION was made by Cotton Cole that Lancaster County Council (1) concurs with the recommendation of Lancaster County Fire Commission concerning the need to disband the Pleasant Hill Volunteer Fire Department; (2) authorizes and directs the County Administrator and the Lancaster County Fire Commission to take any and all actions as necessary to reflect the recommendation of the Lancaster County Fire Commission and that the Pleasant Hill community will be served by surrounding volunteer fire districts; and (3) directs the County Attorney to prepare an ordinance amending the composition of the Lancaster County Fire Commission to reflect the change in status of the Pleasant Hill Volunteer Fire Department. SECONDED by Larry Honeycutt. PASSED 4-2. For: Cotton Cole, Larry Honeycutt, Rudy Carter, Larry McCullough. Opposed: Kathy Sistare, Jack Estridge

HEATH SPRINGS SPEC. BUILDING

Keith Tunnell advised that he received responses from four interested developers to date, and that there was still a few weeks left to receive proposals. All proposals will be brought to Council for final approval after the deadline is reached.

MOTION was made by Cotton Cole to move forward with the development concept for the Heath Springs Spec. Building. SECONDED by Larry Honeycutt. PASSED 6-0.

BRIDGEMILL DEVELOPMENT SCHEDULE

During the last meeting, Steve Willis was asked to contact representatives from John Wieland Homes and ask them to attend the July 27 meeting so questions could be answered before a decision to extend their development schedule was made by Council. Andrew McCoy was present and gave Council an update concerning commercial development at Bridgemill. He explained that when their PDD was approved, a certain percentage of their subdivision was supposed to be commercial, but that could also be town homes. Since it was a residential community, they focused on town homes. He stated that their plans are for 137 town homes at the front which will leave only 9 acres at the front for true commercial. They now have before the Planning Dept. for approval four stand alone office condos which would have roughly 3400 sq. ft. in each one. They would like to move their offices in one of these office condos. There are still some parcels in the front that could be used for commercial and are waiting to see what Lauth Properties is planning to do across the road so that that they would be compatible with one another.

MOTION was made by Larry Honeycutt to approve the modification to the Bridgemill Development Schedule. SECONDED by Jack Estridge. PASSED 6-0.

COURTHOUSE CONSTRUCTION BID PACKAGES

Steve Willis advised Council that as part of the courthouse construction project, a number of bid packages will need to be approved. He felt that, according to the county's procurement policy, some Council involvement is needed in approval of the bids. He suggested that rather than have numerous called Council meetings, Council authorize the Council Finance Committee to approve these packages.

MOTION was made by Larry Honeycutt to authorize the Council Finance committee to approve bid packages related to the construction of the new county courthouse. SECONDED by Jack Estridge. PASSED 6-0.

SOLE SOURCE BRAND PURCHASE

Steve Willis asked council for authorization to procure heavy equipment using a sole source. He noted that several vendors of the Caterpillar brand trackhoe and vibratory steel drum rollers would be contacted for the best price. Both pieces of equipment will be used by the Special Projects crew which handles heavy road restoration and large pipe projects. He explained that the county has been trying to move its fleet towards having single makes of vehicles in order to reduce costs associated with maintenance classes, parts inventories, etc.

MOTION was made by Larry McCullough to authorize the Public Works Director to acquire the following equipment as a sole source brand: Caterpillar trackhoe and Caterpillar vibratory steel drum roller. SECONDED by Cotton Cole. PASSED 6-0.

ORDINANCE READINGS

Ordinance #990 – Moratorium on billboards

MOTION was made by Larry Honeycutt to hold first reading of Ordinance #990 imposing a moratorium on the issuance of permits for billboards in the SC9 corridor and the US521 corridor for one year or, if the Corridor Study is complete in ten months, that we revisit this again. SECONDED by Jack Estridge. PASSED 6-0.

EXECUTIVE SESSION

MOTION was made by Cotton Cole to go into executive session concerning a contractual matter, a personnel issue, and a legal matter. SECONDED by Kathy Sistare. PASSED 6-0.

MOTION was made by Cotton Cole to go out of executive session and back into regular meeting SECONDED by Kathy Sistare. PASSED 6-0.

As Council came out of executive session, Chairman Carter announced that Council discussed 3 issues, a personnel issue, a legal matter, and a contractual matter. No action was taken as a result of executive session.

ADJOURNMENT

MOTION was made Larry McCullough to adjourn. SECONDED by Cotton Cole. PASSED 6-0. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Irene Plyler
Clerk to Council

Approved by Council 08-31-2009

Kathy Sistare, Secretary