

LEE COUNTY COUNCIL
PUBLIC HEARING
JULY 13, 2021
MAIN COURT ROOM – SECOND FLOOR OF THE COURTHOUSE

Members present were Travis Windham, Chairman; Alexander Boyd, member; Charles A. Beasley, member; Jackie Josey, member; Johnette Caughman, member; Ron Fountain, member. Staff present were Alan Watkins, Administrator; Julie Stokes, Assistant Administrator/Clerk to Council; Arlene Samuel and Windi King. Others present were Holly Sellers, Marsha Hewitt, Bed Ludwig, Carrie Gass, Bernard McDaniel, YMCA, Kareem Wilson.

FOIA

Pursuant to the Freedom of Information Act, all individuals requesting notifications were so notified.

**PUBLIC HEARING
JULY 13, 2021
MAIN COURT ROOM – SECOND FLOOR OF THE COURTHOUSE**

A. ZONING TEXT AMENDMENT TO THE LEE COUNTY ZONING ORDINANCE, ARTICLE VI, SECTION 6-06 TABLE OF PERMITTED USES, SECTION 6-16:4 “AGRICULTURAL, FORESTRY & FISHING” AS A NEW USE TO BE PERMITTED IN THE RURAL DISTRICT (RU) AS A REGULATION BY ADDING A NEW SECTION, SECTION 7-37 WILDLIFE REHABILITATION EDUCATION CETNER” WITH ITS GUIDELINES

The public hearing opened at 9:30 a.m. on a motion made by Councilman Beasley, seconded by Councilperson Josey.

Mr. Watkins said that this amendment would be allowed under special exception. He said the person is not applying for a specific request. He said there are eight specific requirements that will be met and they will have to obtain a variance from the Board of Zoning Appeals.

Mr. Watkins said the County had a situation in the county, and as a result, one additional recommendation would be fitting and said the Council would like to propose to amend the Planning Commission’s recommendation to add an additional item that states that Lee County Animal Control and DNR to inspect the property.

Holly Sellers, the original application was present. Chairman Windham said that allowing the Zoning Board to approve allows each applicant to stand on their own merit.

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Councilperson Caughman asked Mr. Watkins if all of the requirements had to be met to deal with the animals.

Ms. Sellers said that they are already inspected by USDA and they are fully licensed and permitted. She said the County needed to add that this type of facility should be USDA certified. Mr. Watkins said the County could amend the proposed recommendation to state USDA certified.

The public hearing was closed at 9:41 a.m. on a motion made by Councilperson Josey, seconded by Councilman Beasley. Chairman Windham called for the vote, and motion carried. All voted in favor.

PUBLIC HEARING
JULY 13, 2021
MAIN COURT ROOM –SECOND FLOOR OF THE COURTHOUSE

- A. ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENTS BY AND BETWEEN THE COUNTY AND CERTAIN COMPANIES, COLLECTIVELY, AS SPONSOR, IDENTIFIED COLLECTIVELY FOR THE TIME BEING AS PROJECT LIME, TO PROVIDE FOR FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVES AND SPECIAL SOURCE REVENUE CREDITS; TO MODIFY A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK OF LEE AND SUMTER COUNTIES AS TO ENLARGE THE PARK; AND OTHER RELATED MATTERS.

The public hearing was opened at 9:42 a.m. on a motion made by Councilman Beasley, seconded by Councilperson Caughman.

Mr. Watkins said the County was approached several months back about these solar farms. He said that actually it would be FILO for three initiatives.

He said the in order for the solar farms to be financially viable you must have a FILO. Ben Ludwig, of Southern Current, was present.

Mr. Ludwig said there were three sites. He said that two sites were on Wisacky Hwy, and the other was on Lynchburg Highway.

Councilperson Josey asked about the maintenance and the grass cutting of the sites. He said that the grass was supposed to be cut on a quarterly basis and they were willing to agree to the terms of the grass cutting.

Mr. Watkins said the maintenance of the sites will be addressed before third reading. He said we will have a point of contact for the grass maintenance.

Chairman Windham asked Mr. Ludwig why some solar sites are well maintained and other are not. Mr. Watkins said that the County can add some specific language that addresses the

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frequency of the grass cutting. Chairman Windham said that if the grass is not maintained, the County could bill them.

Marsha Hewitt asked about the acreage of each solar farm. Mr. Ludwig said they are 109, 114 and 55, respectively.

The public hearing was closed at 9:52 a.m. on a motion made by Councilman Beasley, seconded by Councilperson Josey. Chairman Windham called for the vote, and motion carried. All voted in favor.

LEE COUNTY COUNCIL
REGULAR COUNCIL MEETING
JULY 13, 2021

OPEN MEETING, INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Windham welcomed everyone to the meeting. Councilman Beasley gave the invocation and led the Pledge of Allegiance to the flag.

REQUEST FOR MOTION ON ADOPTION OF RECOMMENDED AGENDA

Chairman Windham said there was an addition to the agenda as 3A for Bernard McDaniel to give the County an update.

Councilperson Josey made the motion to approve the agenda with the revision. Councilman Beasley seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

REQUEST FOR MOTION ON ADOPTION OF MINUTES FROM REGULAR MEETING OF JUNE 8, 2021 AND CALLED MEETING MINUTES OF JUNE 22, 2021

Councilperson Caughman made the motion to approve the minutes from regular meeting of June 8, 2021 and called meeting minutes of June 22, 2021 as mailed. Councilman Beasley seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

BERNARD MCDANIEL GAVE UPDATE TO COUNCIL ON THE LEE COUNTY SCHOOL DISTRICT

Mr. McDaniel thanked the Council for the opportunity to come before them and update on the happenings of the school district. He said that one of his goals was to establish better communication between the County and the school district. He gave a brief overview of the school district's summer activities and said that school planned to open on August 16.

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Chairman Windham asked about the enrollment numbers of students who are planning to return in August of this year. Mr. McDaniel said that around 1500 students plan to return to school this year.

Chairman Windham said he looked forward to working with Mr. McDaniel and the school district.

Councilperson Josey congratulated Mr. McDaniel as the new school superintendent.

INTRODUCTION OF WINDI KING AS A NEW MAGISTRATE JUDGE FOR LEE COUNTY

Chairman Windham recognized Ms. King as the new magistrate judge for Lee County. She thanked the Legislative Delegation for giving her opportunity.

REQUEST FOR MOTION ON FIRST READING APPROVAL OF ORDINANCE

A. CONTRACT FOR DELINQUENT TAX COLLECTION SERVICES

Mr. Watkins said the reason we are entering into this contract is that Wayne Capell announced his retirement as Treasurer on June 30, 2021. Mr. Watkins said that Lisa Baker has assumed the role of Treasurer.

Mr. Watkins said that Lisa is going to be short staffed and Wayne will be doing delinquent tax collection under contract.

Chairman Windham referred this matter to Planning, Taxes & Personnel Committee to review and make a recommendation of a contract back to Council.

Councilman Beasley made the motion to approve for first reading. Councilperson Josey seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

B. MEMORANDUM OF AGREEMENT WITH DJJ FOR HOUSING LEE COUNTY YOUTH

Mr. Watkins said the County does this agreement with DJJ ever year. He said the contract states that DJJ has a facility in Columbia that house youthful offenders under 18 and the county pays them \$50 a day for housing costs.

Councilman Beasley made the motion to approve for first reading. Councilperson Caughman seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

REQUEST FOR MOTION ON SECOND READING APPROVAL OF ORDINANCE

- A. ZONING TEXT AMENDMENT TO THE LEE COUNTY ZONING ORDINANCE, ARTICLE VI, SECTION 6-16 TABLE OF PERMITTED USES, SECTION 6-16.4 "AGRICULTURAL, FORESTRY & FISHING" AS A NEW USE TO BE PERMITTED IN THE RURAL DISTRICT (RU) AS A SPECIAL EXCEPTION "E" AND AMEND ARTICLE 7 SUPPLEMENTARY DISTRICT REGULATION BY ADDING A NEW SECTION, SECTION 7-37 WILDLIFE REHABILITATION/EDUCATION CENTER" WITH ITS GUIDELINES

Councilperson Caughman made the motion to approve for second reading. Councilman Beasley seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

- B. ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF FEE-IN-LIEU OF AD VALOREM TAXES, AGREEMENTS BY AND BETWEEN THE COUNTY AND CERTAIN COMPANIES, COLLECTIVELY, AS SPONSOR, IDENTIFIED COLLECTIVELY FOR THE TIME BEING AS PROJECT LIME, TO PROVIDE FOR FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVES AND SPECIAL SOURCE REVENUE CREDITS; TO MODIFY A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK OF LEE AND SUMTER COUNTIES AS TO ENLARGE THE PARK; AND OTHER RELATED MATTERS

Councilman Boyd made the motion to approve for second reading. Councilperson Josey seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

- C. ORDINANCE TO MAKE PERMANENT THE PREVIOUSLY ADOPTED EMERGENCY ORDINANCE ALLOWING FOR ELECTRONIC OR HYBRID MEETINGS, AND OTHER MATTERS RELATED THERETO

Mr. Watkins said that during the emergency, our Emergency Ordinance authorized the use of telephone for meetings in which councilmembers could call in. He said this Ordinance would make this available option permanent and councilmembers can vote, be a part of a quorum and participate in discussion.

Councilman Beasley made the motion to approve the Ordinance for second reading. Councilperson Caughman seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

REQUEST FOR MOTION ON THIRD READING APPROVAL OF ORDINANCE

- A. WRECKER ROTATION ORDINANCE

Mr. Watkins said that the Sheriff approached him about updating this ordinance. He said that in the event that someone is in need of a wrecker and are not sure of who to call, they call E-911 Dispatch and they have a list of wrecker companies on a list. There is now going to be a Lee

County Wrecker Rotation List. They will have the same standards as Highway Patrol with the same criteria, but Sheriff Simon will have authority of the list and inspections and checklist. A copy of this list will be at the 911 Dispatch.

Councilman Fountain made the motion to approve for third and final reading. Councilman Beasley seconded the motion. Chairman Windham called for the vote, and motion carried. All voted in favor.

COMMITTEE REPORTS

A. HEALTH, EDUCATION AND WELFARE

Councilperson Josey said that her report was done by Mr. Bernard McDaniel.

B. PLANNING, TAXES & PERSONNEL

No meeting

C. BUILDINGS, LAND & PROPERTY

Vice-Chairman Eckley not present. Mr. Watkins said the County received funds on the spec building and it should be going vertical this month. It will be a 50,000 square foot building. He thanked Jay Schwedler and his team for helping the county with this project.

D. PUBLIC SAFETY

No meeting

E. RECREATION AND PUBLIC RELATIONS

Chairman Windham recognized Councilman Boyd and asked if he had a report. He said that he would be getting an update from Alan. Mr. Watkins said that registration for summer camps is underway and in the process of planning fall sports.

F. WAYS AND MEANS

Councilman Fountain said that his committee met in June to finalize the budget.

G. ADMINISTRATOR'S REPORT

Mr. Watkins said the County has seen a slight uptick in Covid cases in the last few weeks. He said he is encouraging people to take the vaccines.

He said that he attended a memorial service for Janson Cox and it was nice and well attended.

PUBLIC COMMENT

Ms. Bvani Patel, of YWCA, was present to brief Council on the victim's advocate services their agency provides and wanted the Council to know they have a presence in Lee County and wanted to bring domestic violence awareness to the community. Chairman Windham thanked them for coming.

Jasmine Davis, school nutritionist was present and introduced herself to Council.

Chairman Windham thanked her for coming.

Mr. Watkins said that Dawn Ellen has retired as County Librarian, after a long time of service with the County. He said that the Library Board is working with the State Library to advertise for a new librarian and they have been assigned an interim librarian.

He said that you must have a Masters in Library Science and the Library Board is appointed by Council.

EXECUTIVE SESSION

A. COUNCIL WILL ENTER EXECUTIVE SESSION ON A LEGAL MATTER – SUPREME COURT DECISION IMPACTING LOCAL ORDINANCES

Council entered Executive Session at 10:39 a.m. on a motion made by Councilman Beasley, seconded by Councilman Boyd. Chairman Windham called for the vote, and motion carried. All voted in favor.

Council came out of Executive Session at 11:00 a.m. on a motion made by Councilman Fountain, seconded by Councilman Beasley. Chairman Windham called for the vote, and motion carried. All voted in favor. Chairman Windham said that there were no other discussions and no votes were taken.

ADJOURN

The meeting was adjourned at 11:01 a.m. on a motion made by Councilman Fountain, seconded by Councilman Beasley. Chairman Windham called for the vote, and motion carried. All voted in favor.

CHAIRMAN

VICE-CHAIRMAN

CLERK TO COUNCIL

MINUTES APPROVED

