

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Secretary
District 4: Larry Honeycutt
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis Marstall

County Attorney

John K. DuBose III

Clerk to Council

Sherrie Simpson

November 22, 2021

6:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

MINUTES

Council Members present: Allen Blackmon, Brian Carnes, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller.

Council Members absent: Terry Graham.

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; Kim Belk, Budget Director; Clay Catoe, EMS Director; Sheriff Barry Faile, Lancaster County Sheriff's Office; various Department Heads; various staff; the press; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order Regular Meeting - Chairman Steve Harper

Chairman Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the Council meeting.

Pledge of Allegiance and Invocation - Council Member Larry Honeycutt

Larry Honeycutt led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Allen Blackmon.

Brian Carnes moved to reconsider Ordinance 2021-1781. Seconded by Allen Blackmon. A twelve page handout consisting of the proposed 1st Reading of Ordinance 2021-1781, the Agenda Item Summary, the Planning Staff Report, the application and the zoning map, all from the November 8, 2021 Agenda packet, was provided to Council at their seats and that handout is attached as Schedule A to the written minutes in the Clerk to Council's office. Steve Harper explained that the 1st Reading of Ordinance 2021-1781 would be added to the agenda as Item **9d.** for reconsideration at the next meeting. The motion to reconsider Passed 6-0.; Absent: Graham.

The motion to approve the agenda as amended Passed 6-0.; Absent: Graham

Brian Carnes moved to amend the agenda to remove both of the Item **14 Executive Session** items. Seconded by Allen Blackmon. The motion to amend Passed 6-0.; Absent: Graham.

The motion to approve the agenda as amended Passed 6-0.; Absent: Graham

Special Presentations

Clay Catoe, EMS Director, recognized Nutramax for providing the Lancaster County Sheriff's Office K-9 Team K-9 Tourniquet's and IFAK Handler Kits. He noted that they purchased seven tourniquets for the officers and four tourniquets for the K-9 animals themselves.

Executive Session

One Item (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. Receipt of Legal Advice concerning Redistricting. SC Code 30-4-70(a)(2).

Brian Carnes moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Graham. At approximately 6:10 p.m., Council went into Executive Session to discuss the following item: (1) receipt of legal advice concerning Redistricting, pursuant to SC Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 6:33 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Graham.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council received legal advice concerning Redistricting. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Citizens Comments

The following citizens signed up for and spoke during Citizens Comments:

1. Edgar Granados, Indian Land, SC, spoke in regards to rezoning project RZ-2021-2015/Ordinance 2021-1781.
2. Ben Levine, Indian Land, SC, spoke in support of reconsideration of rezoning project RZ-2021-2015/Ordinance 2021-1781.

The following citizens submitted electronic, written comments for Citizens Comments: None.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, **7b.**, **7c.**, **7d.**, **7e.**, **7f.**, **7g.**, **7h.**, **7i.** and **7j.** [as listed in the Agenda package, which are the same as Item **a.**, Item **b.**, Item **c.**, Item **d.**, Item **e.**, Item **f.**, Item **g.**, Item **h.**, Item **i.** and Item **j.** listed below]. Seconded by Larry Honeycutt. John DuBose noted, for the record, that the items on the Consent Agenda were actually listed as **8a.** through **8j.** in the agenda packet. Motion Passed 6-0.; Absent: Graham

a. Approval of Minutes from the November 8, 2021 County Council Regular Meeting

b. Approval of Minutes from the November 10, 2021 County Council Committee Of The Whole Meeting

c. 2nd Reading of Ordinance 2021-1767 regarding Bowers Fibers Special Source Revenue Credit (SSRC) Ordinance

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And Bowers Fibers, Inc., Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

d. 2nd Reading of Ordinance 2021-1778 regarding Amending the Amended and Restated Master Multi-County Park Agreement between Chesterfield County and Lancaster County

Ordinance Title: An Ordinance To Amend The Amended And Restated Master Multi-County Park Agreement Between Chesterfield County, South Carolina And Lancaster County, South Carolina, As Amended And Restated As Of November 9, 2015, Exhibits Updated Through December 14, 2020, So As To Further Update The Exhibits By Adding Property Located In Lancaster County (Accutrex Products, Inc.; Bowers Fibers, Inc.; VI Real Estate, Inc. - VOCO America, Inc.).

e. 2nd Reading of Ordinance 2021-1779 regarding Authorization and Approval of the Termination of the Agreement for the Development of a Joint Industrial and Business Park for Accutrex Products, Inc. Precision Parts Division

Ordinance Title: An Ordinance To Authorize And Approve The Termination Of The Agreement For The Development Of A Joint Industrial And Business Park (Accutrex Products, Inc. Precision Parts Division), By And Between Lancaster County And Chesterfield County.

f. 2nd Reading of Ordinance 2021-1780 regarding Rezoning Property Located at 1535 Jordan Street, Lancaster, SC, From INS to MDR (Applicant Noel Andrade)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone .65 Acres Of Property (TMS# 0082M-0N-003.00), Located At 1535 Jordan Street, Lancaster, South Carolina, From INS, Institutional District, To MDR, Medium Density Residential District. - ***Planning Department Case Number: RZ-2021-1951.***

g. 2nd Reading of Ordinance 2021-1782 regarding Amending the Unified Development Ordinance (UDO) relating to Halfway Homes (Applicant His Perfect Love Ministries)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 5.2.5., Halfway Homes, To Increase The Maximum Number Of Residents. - ***Planning Department Case Number: UDO-TA-2021-2121.***

h. 2nd Reading of Ordinance 2021-1783 regarding Amending the Unified Development Ordinance (UDO) relating to the Highway Corridor Overlay District (Applicant Lancaster County)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 4.3.2., Highway Corridor Overlay District (HCO); To Amend The Building Placement Requirement Relative To Front Setback. - ***Planning Department Case Number: UDO-TA-2021-2251.***

i. **2nd Reading of Ordinance 2021-1785 regarding Project Arrowhead Existing FILOT Assignment Ordinance and Amendment**

Ordinance Title: An Ordinance To Consent To An Assignment Of Interests Under An Existing Fee In Lieu Of Tax And Incentive Agreement To [Project Arrowhead]; And To Authorize The Execution And Delivery Of A First Amendment To Such Existing Fee In Lieu Of Tax And Incentive Agreement, So As To, Among Other Things, Extend Its Term.

j. **2nd Reading of Ordinance 2021-1786 regarding Project Arrowhead FILOT and SSRC for New Investment**

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Lancaster County And [Project Arrowhead] Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Non-Consent Agenda

2nd Reading of Ordinance 2021-1770 regarding the Establishment of the Van Wyck Fire Protection District

Ordinance Title: An Ordinance To Establish The Van Wyck Fire Protection District; To Provide Funding For The District Through The Imposition Of Rates And Charges; To Empower The County Council To Issue General Obligation Bonds Of The County For The District; And To Provide For The Administration Of The District.

Brian Carnes moved to approve. Seconded by Charlene McGriff.

Larry Honeycutt moved to amend Ordinance 2021-1770 in the form of the proposed amended second reading version of the ordinance attached to the agenda package. The amendment sets forth the voting results from the non-binding advisory referendum on the creation of the district. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Graham.

The motion to approve the 2nd Reading of Ordinance 2021-1770 as amended Passed 6-0.; Absent: Graham.

2nd Reading of Ordinance 2021-1787 regarding Approval of an Agreement for Partial Reimbursement of Costs Related to the Construction of a Roundabout at Henry Harris Road and Shelly Mullis Road

Ordinance Title: An Ordinance To Approve An Agreement For Partial Reimbursement Of Costs Related To The Construction Of A Roundabout At Henry Harris Road And Shelly Mullis Road And To Provide For Matters Related Thereto.

Brian Carnes moved to approve. Seconded by Charlene McGriff.

Bily Mosteller moved to amend Ordinance 2021-1787 by substitution of proposed amended Exhibit 1 included in the agenda package. Seconded by Larry Honeycutt. Motion Passed 6-0.; Absent: Graham.

The motion to approve the 2nd Reading of Ordinance 2021-1787 as amended Passed 6-0.; Absent: Graham.

1st Reading of Ordinance 2021-1788 regarding Approval of an Easement Grant to the City of Lancaster for the Lancaster Air Rail Park

Ordinance Title: An Ordinance To Approve Easement Grants To The City Of Lancaster Upon Real Property Owned By Lancaster County Bearing Tax Parcel Number 0066-00-040.00 And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Grant Of The Easements And To Effectuate The

Purposes Of This Ordinance.

Larry Honeycutt moved to approve. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Graham

Reconsideration of 1st Reading of Ordinance 2021-1781 regarding Rezoning Property Located at 9923 Southwinds Drive, Fort Mill, SC, from MDR to MH (Applicant Edgar Granados)

Larry Honeycutt moved to place Ordinance 2021-1781 on the agenda for the next meeting. Seconded by Billy Mosteller.

Council and staff discussed the possible time constraints regarding moving the mobile home and whether there was a need to advertise and hold another Public Hearing. John DuBose explained that the Public Hearing was held at the last meeting and, therefore, another Public Hearing would not be needed or required.

Steve Harper asked if Larry Honeycutt and Charlene McGriff would withdraw their motions and they agreed.

Brian Carnes moved to reconsider the Ordinance and hold the 1st Reading of the Ordinance at tonight's Council meeting. Seconded by Allen Blackmon.

Council and staff discussed whether the entire road or area needed to be rezoned and not just one parcel and what process Council could use to rezone the road. Rox Burhans suggested that Council undertake the rezoning of the Southwinds neighborhood during the Unified Development Ordinance re-write.

Edgar Granados, the applicant, addressed Council and explained that residents in that neighborhood have six months in which to put up another mobile home if one is taken down.

The motion to reconsider and approve the 1st Reading of Ordinance 2021-1781 Passed 5-1.; Ayes: Carnes, Harper, Honeycutt, McGriff, Blackmon; Nays: Mosteller; Absent: Graham

Discussion and Action Items

Discussion of a Community Services Deputy at the Sheriff's Office - Sheriff Barry Faile

Brian Carnes moved to approve. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Graham

Request for Authorization of Professional Services related to Redistricting Efforts - Dennis Marstall/John DuBose

John DuBose explained the need for professional services regarding redistricting.

Charlene McGriff moved to authorize the County Administrator to engage professional services to perform a bivariate regression analysis so that the Redistricting Committee and County Council have detailed data available to guide the redistricting process and assure that the redistricting map that is ultimately adopted is legally compliant. Seconded by Brian Carnes.

Larry Honeycutt stated, for the record, that he lived in the Arrowwood neighborhood and that no one seemed to want that neighborhood and so he looked forward to future discussions.

John DuBose stated, for the record, that racial gerrymandering was prohibited under the law.

The motion to authorize the County Administrator to engage professional services for Redistricting Passed 6-0.; Absent: Graham

Approval of Appointment to the Health and Wellness Commission

- Denise Johnston to the Health and Wellness Commission as the District 4 representative to fill an unexpired

term that would end on 06/30/2023

Larry Honeycutt moved to approve. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Graham

Adoption of the 2022 Calendars - Meeting and Holiday Schedule for Council, Committees, Boards and Commissions and Advisory Boards

Charlene McGriff moved to approve. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Graham

Status of items tabled, recommitted, deferred or held

There were no items tabled, recommitted, deferred or held to discuss during the meeting.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence to discuss during the meeting.

Citizens Comments

All citizens were heard during the Citizens Comments held at the beginning of the Council meeting.

Executive Session

Two Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

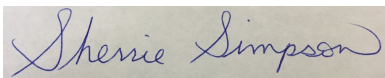
- 1. One Economic Development Discussion: Project Mermaid. SC Code 30-4-70(a)(5).***
- 2. Receipt of Legal Advice and Discussion of a Potential Intergovernmental Agreement. SC Code 30-4-70(a)(2).***

The two Executive Session items listed above were removed from the agenda during the **Approval of the Agenda**. Please see that item for the discussion and vote on their removal.

Adjournment

Larry Honeycutt moved to adjourn the Council meeting. Seconded by Billy Mosteller. The motion to adjourn Passed 6-0.; Absent: Graham. There being no further business, the regular meeting of Council adjourned at approximately 7:21 p.m.

Respectfully Submitted:



Sherrie Simpson
Clerk to Council

Approved by Council on December 13, 2021



Billy Mosteller, Secretary