

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 8, 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, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller.

Council Members absent: None.

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; Veronica Thompson, Chief Financial Officer; Kim Belk, Budget Director; Clay Catoe, EMS Director; Hal Hiott, Parks and Recreation Director; 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 meeting.

Pledge of Allegiance and Invocation - Council Member Brian Carnes

Brian Carnes 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. Motion Passed 7-0.

Special Presentations

There were no Special Presentations held during the meeting.

Citizens Comments

The following citizens signed up for and spoke during Citizens Comments: None.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a**. [as listed in the Agenda package, which is the same as Item **a**. listed below]. Seconded by Charlene McGriff. Motion Passed 7-0.

a. Approval of Minutes from the October 25, 2021 County Council Regular Meeting

Non-Consent Agenda

Resolution 1180-R2021 regarding Authorization of Funding for Recreation Bond Projects

Resolution Title: A Resolution To Direct County Staff To Take Appropriate Action To Move Forward With The Inclusion Of Alternates In The Recreation Bond Projects Pending A Future Budget Amendment, To Execute Such Other Documents As May Be Necessary And Convenient, And To Take Any Other Action As May Be Needed To Carry Into Effect This Resolution.

Terry Graham moved to approve. Seconded by Charlene McGriff. Motion Passed 7-0.

Resolution 1182-R2021 regarding Funding to Assist with Tennis Facilities for the Town of Kershaw

Resolution Title: A Resolution To Express Lancaster County Council's Desire To Provide Funding To Assist The Town Of Kershaw In A Project To Repair And Rebuild Tennis Facilities.

Allen Blackmon moved to approve. Seconded by Charlene McGriff. Motion Passed 7-0.

Resolution 1183-R2021 regarding Authorization of an Intergovernmental Agreement to Provide for Joint Nurse Practitioner Medical Services

Resolution Title: A Resolution Authorizing Lancaster County To Enter An Intergovernmental Agreement With City Of Lancaster For The Purpose Of Providing Joint Nurse Practitioner Medical Services

Larry Honeycutt moved to approve. Seconded by Billy Mosteller. Motion Passed 7-0.

3rd Reading of Ordinance 2021-1774 regarding Rezoning Property Located at 935 Winston Drive, Lancaster, SC, from GB to MDR (Applicant Howard Strickland, Jr)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 0.36 Acres Of Property (TMS# 0062M-0C-004.00), Located At 935 Winston Drive, Lancaster, South Carolina, From GB, General Business District, To MDR, Medium Density Residential District. - ***Planning Department Case Number: RZ-2021-1796.***

Steve Harper recused himself from the discussion and vote on the 3rd Reading of Ordinance 2021-1774. His Statement of Recusal is on file with the written minutes in the Clerk to Council's office and is attached to those

minutes as Schedule A. He left Chambers at approximately 6:17 p.m. and Vice-Chair Brian Carnes took over as Chair of the meeting in Steve Harper's absence.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2021-1774. Seconded by Larry Honeycutt. Motion Passed 6-0.; Abstain: Harper

Steve Harper returned to Chambers at approximately 6:19 p.m. and rejoined the Council meeting and resumed his duties as Chair of the meeting.

1st 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.

Terry Graham moved to approve. Seconded by Allen Blackmon. Motion Passed 7-0.

1st 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.

Terry Graham moved to approve. Seconded by Brian Carnes. Motion Passed 7-0.

1st 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.).

Charlene McGriff moved to approve. Seconded by Billy Mosteller. Motion Passed 7-0.

1st 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.

Larry Honeycutt moved to approve. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 1st 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.*

Allen Blackmon moved to approve the 1st Reading of Ordinance 2021-1780. Seconded by Charlene McGriff.

Steve Harper opened the Public Hearing for the Ordinance at approximately 6:33 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance.

There were approximately 17 citizens in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for the Ordinance: None.
Steve Harper closed the Public Hearing at approximately 6:34 p.m.

The motion to approve the 1st Reading of Ordinance 2021-1780 Passed 7-0.

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

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 1.5 Acres Of Property (TMS# 0006N-0B-035.00), Located At 9923 Southwinds Drive, Fort Mill, South Carolina, From MDR, Medium Density Residential District, To MH, Manufactured Home District. - *Planning Department Case Number: RZ-2021-2015.*

Steve Harper opened the Public Hearing for Ordinance 2021-1781 at approximately 6:43 p.m. He noted that he would allow the applicant to speak even though he had not signed up to speak. There were approximately 14 citizens in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for the Ordinance:

1. Edgar Granados and his spouse spoke in regards to previous rezonings that had been allowed in their same neighborhood previously in 2017.

Steve Harper closed the Public Hearing at approximately 6:45 p.m.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2021-1781. Seconded by Charlene McGriff.

Council and staff discussed the previous rezonings from 2017, the policy decision in 2016 to minimize the expansion of mobile homes in the panhandle area and the definition of spot zoning.

The motion to approve the 1st Reading of Ordinance 2021-1781 Failed 2-5. Ayes: Harper, Honeycutt; Nays: Blackmon, Carnes, Graham, McGriff, Mosteller

Public Hearing and 1st 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.*

Allen Blackmon moved to approve. Seconded by Charlene McGriff.

Steve Harper opened the Public Hearing for Ordinance 2021-1782 at approximately 6:58 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 14 citizens in attendance during the Public Hearing for this Ordinance. The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for the Ordinance: None.
Steve Harper closed the Public Hearing at approximately 6:58 p.m.

Mr. Larry Sheheene, attorney for the applicant, spoke regarding the need for this change to the Unified Development Ordinance (UDO).

The motion to approve the 1st Reading of Ordinance 2021-1782 Passed 7-0.

Public Hearing and 1st 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.*

Steve Harper opened the Public Hearing for Ordinance 2021-1783 at approximately 7:12 p.m.

He noted that no one signed up to speak at the Public Hearing for the Ordinance.

There were approximately 14 citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for the Ordinance: None.

Steve Harper closed the Public Hearing at approximately 7:12 p.m.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1783. Seconded by Brian Carnes.

Allen Blackmon moved to amend and edit the language of the proposed text amendment in Section 4.3.2 F(1)(b) so that the Section will read as follows: notwithstanding any other provisions of the UDO, existing buildings built as of June 9, 2014, and not in conformity with the 50-foot setback shall not be precluded from expanding in size based on the setback nonconformity, provided the expansion does not result in further reduction of the nonconforming setback and provides a minimum 25-foot front setback. Seconded by Charlene McGriff. The motion to amend Passed 7-0.

The motion to approve the 1st Reading of Ordinance 2021-1783 as amended Passed 7-0.

Council took a break in the meeting. The break began at approximately 7:14 p.m. and ended at approximately 7:21 p.m., at which time the Council meeting resumed.

1st Reading of Ordinance 2021-1784 regarding Approval and Adoption of a Redistricting Plan

Ordinance Title: An Ordinance To Approve And Adopt A Redistricting Plan For The Election Districts Used To Elect Members Of County Council; To Authorize The County Administrator And Other County Officials To Take Any Necessary Actions To Effectuate The Purposes Of This Ordinance; And To Adopt Other Matters Related Thereto.

Allen Blackmon moved to approve. Seconded by Terry Graham.

Brian Carnes, the Chair for the Redistricting Study Committee, stated that the Committee held four meetings: one in Buford, one in Kershaw, one in Indian Land and one in Lancaster. He noted that the Committee did not have a recommendation for a map at this time but that they were planning on having another meeting.

The motion to approve the 1st Reading of Ordinance 2021-1784 Passed 7-0.

1st 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. Motion Passed 7-0.

Resolution 1179-R2021 regarding Project Arrowhead Inducement Resolution

Resolution Title: A Resolution To State The Commitment Of Lancaster County To Approve The Assignment To Project Arrowhead Of An Existing Fee In Lieu Of Tax And Incentive Agreement And To Provide For The Extension Of The Term Of The Existing Fee In Lieu Of Tax And Incentive Agreement; To State The Commitment Of Lancaster County To Enter Into A New Fee In Lieu Of Tax And Incentive Agreement Including

The Provision Of New Special Source Revenue Credits; To Provide The General Terms Of The New Fee In Lieu Of Tax And Incentive Agreement And The New Special Source Revenue Credits; To Provide That This Resolution Is An Inducement Resolution For Purposes Of The Fee In Lieu Of Tax Simplification Act; And To State The Commitment Of Lancaster County To Place Project Arrowhead Property In A Multi-County Park.

Brian Carnes moved to approve. Seconded by Billy Mosteller. Motion Passed 7-0.

1st 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.

Larry Honeycutt moved to approve. Seconded by Allen Blackmon. Motion Passed 7-0.

1st 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.

Brian Carnes moved to approve. Seconded by Charlene McGriff. Motion Passed 7-0.

Discussion and Action Items

Approval of Appointments to various Boards or Commissions

- Christopher S. Gardner to the Fire Commission as the Riverside Fire District representative to fill an unexpired term that would end on 06/30/2025
- James M. Timmons to the Library Board as the District 6 representative to fill an unexpired term that would end on 06/30/2023
- Veronica Williams to the Catawba Regional Council of Governments' Workforce Development Board to fill both an unexpired term that would end on 12/30/2021 and to fill her first three year term that would expire on 12/30/2024 (1st Term)

Billy Mosteller moved to approve the appointees. Seconded by Charlene McGriff. Motion Passed 7-0.

Status of items tabled, recommitted, deferred or held

- a. DEFERRED - Public Hearing and 1st Reading of Ordinance 2021-1775 regarding Rezoning Property Located at 9596 & 9495 Yarborough Road, Fort Mill, SC, from LDR to LI (Applicant Steve Ranshaw on behalf of John Matthews, Inc.)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 4.97 Acres Of Property (TMS#s 0007-00-014.00 And 0007-00-014.02), Located At 9596 And 9495 Yarborough Road, Fort Mill, South Carolina, From LDR, Low Density Residential District, To LI, Light Industrial District. - *Planning Department Case Number: RZ-2021-1679. The Planning Commission recommended disapproval by a vote of 1-4; however, staff recommended approval. At the October 11, 2021 County Council Meeting, the Public Hearing and 1st Reading of the Ordinance was deferred until the December 13, 2021 Council Meeting.*

This item was not discussed during the Council meeting and was for information only for Council and citizens.

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 Popcorn. SC Code 30-4-70(a)(5).

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

Charlene McGriff moved to go into Executive Session. Seconded by Brian Carnes. Motion Passed 7-0. At approximately 7:53 p.m., Council went into Executive Session to discuss the following items: (1) discussion of one economic development matter: Project Popcorn, pursuant to SC Code 30-4-70(a)(5); and (2) receipt of legal advice concerning Redistricting, pursuant to SC Code 30-4-70(a)(2).

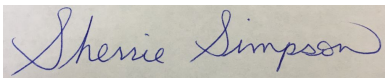
Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:39 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Billy Mosteller. Motion Passed 7-0.

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

Adjournment

Larry Honeycutt moved to adjourn the regular meeting of Council. Seconded by Brian Carnes. The motion to adjourn Passed 7-0 There being no further business, the regular meeting of Council adjourned at approximately 8:40 p.m.

Respectfully Submitted:



Sherrie Simpson
Clerk to Council

Approved by Council on November 22, 2021



Billy Mosteller, Secretary