

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

October 25, 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; Steve Willis, Lancaster County Sheriff's Office Planning and Research Director; Paul Moses, Airport Manager; Ken Holt, Holt Consulting; 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 and, especially, new County Administrator Dennis Marstall.

Pledge of Allegiance and Invocation - Council Member Allen Blackmon

Allen Blackmon 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 Larry Honeycutt. Motion Passed 7-0.

Special Presentations

County Council recognized Steve Willis for his service as the County Administrator from February, 2007 until October, 2021.

Citizens Comments

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

1. Ben Johnson, Rock Hill, SC, spoke regarding the Tillman Steen project and asked for a Motion to Reconsider regarding Ordinances 2021-1776 and 2021-1777;
2. Robby Steen, Fort Mill, SC, spoke regarding the Tillman Steen project or Ordinances 2021-1776 and 2021-1777;
3. David Furr, Fort Mill, SC, spoke regarding the Tillman Steen project or Ordinances 2021-1776 and 2021-1777; and
4. James McCarthy, Fort Mill, SC, spoke regarding the Tillman Steen project and asked for a Motion to Reconsider regarding Ordinances 2021-1776 and 2021-1777.

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

Consent Agenda

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

- a. **Approval of Minutes from the October 11, 2021 County Council Regular Meeting**
- b. **Approval of Minutes from the October 13, 2021 County Council Special Meeting**
- c. **Approval of Minutes from the October 13, 2021 County Council Committee Of The Whole Meeting**

Non-Consent Agenda

3rd Reading of Ordinance 2021-1764 regarding Approving Amendments to the Assessment Roll 2007 Indenture for the Edgewater II Improvement District

Ordinance Title: An Ordinance To Authorize Certain Modifications To The Assessment Roll Relating To The Edgewater II Improvement District And \$9,229,000 Original Principal Amount Edgewater II Improvement District Assessment Revenue Bonds, Series 2007A And \$19,651,000 Original Principal Amount Edgewater II Improvement District Assessment Revenue Bonds, Series 2007B Issued In Connection Therewith; To Provide For The Execution Of A Multi-Party Agreement For Development Of Edgewater II, A Second Supplemental Indenture Thereto And Other Related Documents For The Series 2007A Bonds And The Series 2007B Bonds; And To Provide For Other Matters Relating Thereto

Larry Honeycutt moved to approve. Seconded by Billy Mosteller.

Charlene McGriff moved to amend Ordinance 2021-1764 to substitute the final form of Exhibits A, B and C that are included in the agenda package and which comport with the final multi-party agreement terms and bond restructuring terms. Seconded by Brian Carnes. The motion to amend Passed 7-0.

John DuBose explained that the Compliance Agreement and Corrective Action Plan (CAP) with the Department of Health and Environmental Control (DHEC) had been approved by all bodies; however, he noted that the County had not yet received a signed copy. He also reviewed the current deal structure. Council and staff discussed the multi-party agreement and the DHEC CAP, which Council asked to be sent to them the next day.

After discussion, Council Passed the 3rd Reading of Ordinance 2021-1764 as amended by a vote of 5-2.; Ayes: Carnes, Graham, Honeycutt, McGriff, Mosteller; Nays: Blackmon, Harper

3rd Reading of Ordinance 2021-1771 regarding Rezoning Property Located at 8918 Charlotte Highway, Lancaster, SC, from LI to MX (Applicant Crosland Southeast)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 130 Acres Of Property (TMS# 0010-00-029.00), Located At 8918 Charlotte Highway, Lancaster, South Carolina, From LI, Light Industrial District, To MX, Mixed Use District. - ***Planning Department Case Number: RZ-2021-0664.***

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

3rd Reading of Ordinance 2021-1772 regarding Approval of a Master Development Plan for "The Exchange" (Applicant Crosland Southeast)

Ordinance Title: An Ordinance To Approve The Master Development Plan Submission Of Crosland Southeast For A Proposed 710-Unit (Townhome/Multi-Family Apartment) And 105,000 Square Foot Nonresidential Development Project Known As "The Exchange" Upon 130 Acres, More Or Less, Currently Zoned Light Industrial District (LI) And Located At 8918 Charlotte Highway, Lancaster, South Carolina (TMS# 0010-00-029.00). - ***Planning Department Case Number: MX-2021-0664.***

Larry Honeycutt moved to approve. Seconded by Charlene McGriff.

John DuBose explained that Council had a thirty-four page handout of an updated Master Development Plan and Preliminary Plat at their seats and that handout is attached as Schedule A to the written minutes in the Clerk to Council's office. He explained that the updated Exhibit 1, which was the Master Development Plan and Preliminary Plat attached as Schedule A, removed the hypothetical buildings from the technology park parcel in order to avoid any confusion.

Larry Honeycutt moved to amend Ordinance 2021-1772 by removal and substitution of Exhibit 1 with an amended Master Development Plan and Preliminary Plat that removes the hypothetical building layout from the technology park parcel as that parcel is not governed by the MX plan and the applicant does not want to cause confusion in the public record by showing hypothetical buildings on that site. Seconded by Brian Carnes. The motion to amend Passed 7-0.

The motion to approve the 3rd Reading of Ordinance 2021-1772 as amended Passed 7-0.

3rd Reading of Ordinance 2021-1773 regarding Approval of a Development Agreement for "The Exchange" (Applicant Crosland Southeast)

Ordinance Title: An Ordinance To Approve A Development Agreement With Crosland Southeast, For A Proposed 710-Unit (5.5 Dwelling Units Per Acre) Townhome/Multifamily Apartment And 105,000 Square Foot Nonresidential Development Project Known As "The Exchange" Upon Approximately 130 Acres Of Land, Located At 8918 Charlotte Highway, Lancaster, South Carolina, Establishing The Regulations For The Development Of The Property And Other Matters Related Thereto. - ***Planning Department Case Number: DA-2021-0664.***

Charlene McGriff moved to approve. Seconded by Allen Blackmon.

John DuBose explained that the updated Master Development Plan and Preliminary Plat, which is attached as Schedule A to the written minutes in the Clerk to Council's office, was also being substituted in this Ordinance as Exhibit B to the Development Agreement.

Billy Mosteller moved to amend Ordinance 2021-1773 by removal and substitution of Exhibit B to the Development Agreement with an amended Master Development Plan and Preliminary Plat that removes the hypothetical building layout from the technology park parcel as that parcel is not directly part of the Development Agreement and the applicant does not want to cause confusion in the public record by showing hypothetical buildings on that site. Seconded by Charlene McGriff. The motion to amend Passed 7-0.

The motion to approve the 3rd Reading of Ordinance 2021-1773 as amended Passed 7-0.

2nd 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 2nd Reading of Ordinance 2021-1774. His Statement of Recusal is on file with the minutes in the Clerk to Council's office and is attached to those minutes as Schedule B. He left Chambers at approximately 6:50 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 2nd Reading of Ordinance 2021-1774. Seconded by Billy Mosteller. Motion Passed 6-0.; Abstain: Harper

Steve Harper returned to Chambers at approximately 6:52 p.m. and rejoined the Council meeting and resumed his duties as Chair of the meeting.

Discussion and Action Items

Public Hearing on the Proposed Establishment of the Van Wyck Fire Protection District

Steve Harper opened the Public Hearing for the proposed establishment of the Van Wyck Fire Protection District at approximately 6:52 p.m.

There were approximately 12 citizens in attendance during the Public Hearing.

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

Steve Harper closed the Public Hearing at approximately 6:53 p.m.

Discussion of Partial Funding of Tennis Courts in Kershaw - Councilman Allen Blackmon

Allen Blackmon explained that he was asking Council for thirty thousand dollars to fund construction of tennis courts in Kershaw. He further explained that the citizens had already raised around twenty thousand dollars for engineering work. He also noted that they were trying to get a grant from the United States Tennis Association (USTA) and that the money would help in the pursuit of that grant. Council discussed whether the funds should be accompanied by contingencies, from where the funding would come and whether Council was setting a precedent by moving forward with the funding.

Allen Blackmon moved that Council move forward with giving thirty thousand dollars to the Town of Kershaw for construction of tennis courts and with the idea that staff would bring back a Resolution with a funding source at the next meeting. John DuBose clarified that the motion would be to direct staff and legal counsel to prepare a

Resolution for consideration for a full vote by Council at the next meeting. Seconded by Charlene McGriff. The motion Passed 4-3.; Ayes: Carnes, Harper, McGriff, Blackmon; Nays: Graham, Honeycutt, Mosteller

Approval of the Updated Airport Capital Improvement Plan - Steve Willis/Paul Moses

Ken Holt reviewed the updated Airport Capital Improvement Plan (CIP), which was attached to the agenda package.

Steve Willis explained that a motion was needed to allow the County Administrator, working with the Airport Engineer, to submit the revised CIP to the Federal Aviation Administration (FAA). Terry Graham made that motion. Seconded by Charlene McGriff. Motion Passed 7-0.

Continuation Grant - Violent Crime Multi-Jurisdictional Task Force - Dennis Marstall/Sheriff Barry Faile

Larry Honeycutt moved that the Sheriff and County Administrator be authorized to accept and execute related forms in conjunction with the Violent Crime Task Force Grant #5G000221. Seconded by Billy Mosteller. 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

- a. Coronavirus Emergency Supplemental Funding - Sheriff's Office

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

- b. Commerce Grant for Economic Development - LocateSC

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

- c. Change Order at Department of Social Services (DSS)

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

- d. Annual Department of Health and Environmental Control (DHEC) Solid Waste Grants

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

- e. Annual South Carolina Department of Health and Environmental Control (SCDHEC) Grant for EMS

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

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

2. One Legal Briefing on a Pending or Threatened Litigation Matter. SC Code 30-4-70(a)(2).

Charlene McGriff moved to go into Executive Session. Seconded by Terry Graham. Motion Passed 7-0. At approximately 7:22 p.m., Council went into Executive Session to discuss the following items: (1) discussion of one economic development matter: Project Arrowhead, pursuant to SC Code 30-4-70(a)(5); and (2) one legal briefing on a pending or threatened litigation matter, 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 8:12 p.m. Billy Mosteller moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0.

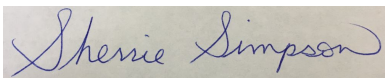
Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council discussed the economic development Project Arrowhead and had one legal briefing on a pending or threatened litigation matter. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Brian Carnes moved that the Economic Development Director be authorized to proceed with negotiations with Project Arrowhead. Seconded by Charlene McGriff. Motion Passed 7-0.

Adjournment

Larry Honeycutt moved to adjourn the regular meeting of Council. Seconded by Charlene McGriff. The motion to adjourn Passed 7-0. There being no further business, the regular meeting of Council adjourned at approximately 8:13 p.m.

Respectfully Submitted:



Sherrie Simpson
Clerk to Council

Approved by Council on November 8, 2021



Billy Mosteller, Secretary