

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 Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

September 27, 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: Steve Willis, County Administrator; Kim Belk Interim Deputy County Administrator/Budget Director; John DuBose, County Attorney; Chelsea Gardner, Deputy Clerk to Council; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development 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.

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

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

Executive Session

Three Items (The agenda was amended to add a third item to Executive Session) (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. Discussion of a Personnel Matter. SC Code 30-4-70(a)(1).

2. Discussion of a Contractual Matter. SC Code 30-4-70(a)(2).

3. Discussion of a Contractual Matter. SC Code 30-4-70(a)(2).

Allen Blackmon moved to go into Executive Session. Seconded by Brian Carnes. Motion Passed 7-0. At approximately 6:02 p.m., Council went into Executive Session to discuss the following items: (1) discussion of one personnel matter, pursuant to SC Code 30-4-70(a)(1); (2) discussion of a contractual matter, pursuant to SC Code 30-4-70(a)(2); and (3) discussion of a contractual 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 6:37 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 a personnel matter and two contractual matters. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Citizens Comments

Steve Harper noted, for the record, that starting at the next meeting, Citizens Comments will be limited to items on the agenda or other County business.

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

1. Rick Crimminger, Lancaster, SC, invited Council members to attend the Dedication Ceremonies at the Edgewater development on September 30, 2021 and he provided a one page handout of the invitation and that handout is attached as Schedule A to the written minutes in the Clerk to Council's office; and
2. Lloyd Trimble, Lancaster, SC, spoke regarding Ordinance 2021-1764. He also submitted an electronic, written comment to Council that was placed at their seats prior to the meeting and that comment is attached as Schedule B to the written minutes in the Clerk to Council's office.

The following citizens submitted electronic, written comments for Citizens Comments, which were acknowledged during the meeting by the County Administrator and for which each Council Member received a written copy of the comment at their seat:

1. Catherine Dooley with North Corner Haven, Lancaster, SC, wrote regarding the noise complaints and Noise Ordinance discussed during the September 15th Council meeting and her written letter is attached as Schedule C to the written minutes in the Clerk to Council's office;
2. Bobby and Brenda Little, no address given, wrote in support of The Exchange project and their email is attached as Schedule D to the written minutes in the Clerk to Council's office;
3. Pastor Ricky D. Cope, D.D., Lead Pastor of Trinity Baptist Church in Indian Land, SC, wrote in support of the The Exchange project and that written letter is attached as Schedule E to the written minutes in the Clerk to Council's office;
4. Vanessa Laney, Indian Land, SC, wrote in support of The Exchange project and her email is attached as Schedule F to the written minutes in the Clerk to Council's office;
5. Hans Lengers wrote in support of The Exchange project and his email is attached as Schedule G to the

written minutes in the Clerk to Council's office;

6. David and Greta Edwards, Indian Land, SC, wrote in favor of The Exchange project and their email is attached as Schedule H to the written minutes in the Clerk to Council's office;
7. Matthew Good, no address given, wrote in support of The Exchange project and his email is attached as Schedule I to the written minutes in the Clerk to Council's office;
8. Tia and Scott Sargent with STS Construction, LLC, wrote in support of The Exchange project and their email is attached as Schedule J to the written minutes in the Clerk to Council's office; and
9. Dennis and Jan Moore, Indian Land, SC, wrote that The Exchange project would not adversely affect their property and their email is attached as Schedule K to the written minutes in the Clerk to Council's office.

Consent Agenda

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

- a. **Approval of Minutes from the August 19, 2021 County Administrator Executive Search Committee Meeting**
- b. **Approval of Minutes from the August 31, 2021 County Council Special Meeting**
- c. **Approval of Minutes from the September 1, 2021 County Council Special Meeting**
- d. **Approval of Minutes from the September 13, 2021 County Council Regular Meeting**
- e. **2nd Reading of Ordinance 2021-1766 regarding Cherry Tree and Basware Special Source Revenue Credit**

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And Cherry Tree LLC (Basware) Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Non-Consent Agenda

Resolution 1174-R2021 regarding the Imposition and Collection of A Per Lot Assessment in the Brookchase Special Tax District

Resolution Title: A Resolution Directing The County Auditor And County Treasurer To Impose And Collect A \$225 Per Lot Assessment In The Brookchase Special Tax District

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

Resolution 1175-R2021 regarding Authorization to Execute a Subrecipient Agreement with the United Way

Resolution Title: A Resolution Authorizing Certain County Staff To Prepare And Execute A Subrecipient Agreement With The United Way Of Lancaster County For Funding To Be Provided From The American Rescue Plan Act.

Charlene McGriff moved to approve. Seconded by Larry Honeycutt. Motion Passed 7-0.

2nd 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 Charlene McGriff.

Council, John DuBose, Steve Matthews, who is the attorney for the Forfeited Land Commission (FLC), and a representative from TrueHomes discussed the newly negotiated proposal providing for payment of back taxes to the County, the accrual of the back taxes, the bonds, the timing of when the back taxes would be paid to the County, the progress of the negotiations being conducted with the Department of Health and Environmental Control (DHEC), the state of the current infrastructure at Edgewater, whether the 2nd Reading should be postponed again and whether there should be a performance bond for the project.

After discussion, Council passed the 2nd Reading of Ordinance 2021-1764 by a vote of 6-1. Ayes: Carnes, Graham, Honeycutt, McGriff, Mosteller and Blackmon; Nays: Harper

2nd Reading of Ordinance 2021-1765 regarding Rezoning Property Located at 2239 McIlwain Road from GB to MDR (Applicant Mark Bridges)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 0.46 Acres Of Property (TMS# 0109-00-086.00), Located At 2239 McIlwain Road, Lancaster, South Carolina, From GB, General Business District, To MDR, Medium Density Residential District. - *Planning Department Case Number: RZ-2021-1666.*

Allen Blackmon recused himself from the discussion and vote on the 2nd Reading of Ordinance 2021-1765. 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 L. He left Chambers at approximately 7:50 p.m.

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

Allen Blackmon returned to Chambers at approximately 7:52 p.m. and rejoined the Council meeting.

Public Hearing and 1st Reading of Ordinance 2021-1771 regarding Rezoning Property Located at 8918 Charlotte Highway 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.*

Rox Burhans provided an overview of the proposed project known as The Exchange, which encompasses Ordinances 2021-1771, 2021-1772 and 2021-1773. He reviewed the project proposal, which was outlined in the County's power point presentation attached to the written minutes in the Clerk to Council's office.

Peter Pappas and Yates Dunaway from Crosland Southeast provided three handouts to Council regarding the proposed project; (1) a letter of support for The Exchange Project from Pastor Ricky D. Cope, D.D., Lead Pastor of Trinity Baptist Church in Indian Land, S.C. and that letter is attached as Schedule M to the written minutes in the Clerk to Council's office; (2) a project proposal entitled, "The Exchange at Indian Land," which is attached as Schedule N to the written minutes in the Clerk to Council's office; and (3) an updated Draft Development Agreement, which is attached as Schedule O to the written minutes in the Clerk to Council's office. Peter Pappas and Yates Dunaway answered questions regarding the project proposal.

Jamie Gilbert, Economic Development Director, provided and reviewed four pages of handouts regarding the

options for conceptual site plans for the project and that four page handout is attached as Schedule P to the written minutes in the Clerk to Council's office.

Yates Dunaway explained that Crosland Southeast had agreed to update the Development Agreement with a traffic payment of \$400,000.00 that the Council could use at its discretion to help with traffic concerns and that they would be willing to establish a fifty foot setback along Highway 521 to help with any future widening projects.

Crosland Southeast's traffic consultant, Randy Goddard, explained that his company, Design Resource Group, completed the traffic study and he provided a review of the study.

Steve Harper opened the Public Hearing for Ordinance 2021-1771 at approximately 8:34 p.m.

Steve Willis noted that no one signed up to speak at the Public Hearing for the 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 8:35 p.m.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1771. Seconded by Allen Blackmon.
Motion Passed 7-0.

Public Hearing and 1st 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.***

Steve Harper opened the Public Hearing for Ordinance 2021-1772 at approximately 8:41 p.m.

Steve Willis noted that no one signed up to speak at the Public Hearing for the 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 8:41 p.m.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2021-1772. Seconded by Billy Mosteller.
Motion Passed 7-0.

Public Hearing and 1st 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.***

Steve Harper opened the Public Hearing for Ordinance 2021-1773 at approximately 8:42 p.m.

He noted that no one signed up to speak at the Public Hearing for the 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 8:42 p.m.

Allen Blackmon moved to approve the 1st Reading of Ordinance 2021-1773. Seconded by Charlene McGriff.
Motion Passed 7-0.

Discussion and Action Items

Approval of Appointment to the Catawba Regional Council of Government's Workforce Development Board

- Jamie Gilbert to the Catawba Regional Council of Government's Workforce Development Board

Larry Honeycutt moved to approve. Seconded by Charlene McGriff. Motion Passed 7-0.

Appointment of Ad Hoc Committee to Finalize the Council District Maps - Steve Harper

Steve Harper appointed Brian Carnes, Allen Blackmon and Charlene McGriff to the Redistricting Committee to finalize the updates to the maps of the Council districts. He asked Brian Carnes to Chair the Committee.

Motion to Sunset the County Administrator Executive Search Committee

Brian Carnes moved to approve the sunset of the County Administrator Executive Search Committee. Seconded by Charlene McGriff. Motion Passed 7-0.

Information on Potential Hospitality Tax Bond for Regional Sports Complex - Kim Belk/Steve Willis

Council, Steve Willis and Kim Belk discussed the amount of money that could be bonded for the proposed Regional Park, that the bonds would be available through an installment purchase agreement and how the Capital Improvement Plan (CIP) would impact the funding of the park.

Change Order at DSS

Larry Honeycutt moved that the funding for Change Order #2 at the DSS building, a Community Development Black Grant project, come from the Grant Match account. Seconded by Charlene McGriff. Motion Passed 7-0.

Discussion of County Facilities - Steve Willis

Steve Willis provided an overview of the County facilities that would have space available soon and provided information on parties that might be interested in leasing the spaces. He explained that, once the spaces became available, a lease would need to be put in place.

Airport Federal Fiscal Year 22 Project - Steve Willis

Steve Willis explained that without objection from Council, he would move forward with a letter to the Federal Aviation Administration (FAA) that Council intends to move forward with the Airport Terminal project.

Council discussed a golf cart purchase for the Airport and Steve Willis indicated that the purchase would need to be part of an amended budget ordinance.

Status of items tabled, recommitted, deferred or held

- a. DEFERRED - 2nd Reading of Ordinance 2021-1728 regarding Amending the Unified Development Ordinance (UDO) for Outdoor Shooting Ranges/Turkey Shoots
Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 2.5.3, Use Table; Section 5.5.12, Shooting Range, Outdoor; Section 5.12.3, Temporary Uses Limited To Specific Districts; And Section 5.12.4, Temporary Uses With Specific Requirements; To Modify Those Zoning Districts In Which An Outdoor Shooting Range Is A Permissible Use And To Modify Those Regulations Concerning How An Outdoor Shooting Range May Be Permitted, As Well As Providing For Turkey Shoots As A Temporary Use In Certain Zoning Districts And The Standards By Which Turkey Shoots May Be Approved. - *Planning Department Case Number: UDO-TA-2020-2957. Planning Commission recommended approval by a vote of 5-2. Passed 6-0 at the April 12, 2021 County Council Meeting (Terry Graham Abstained).*

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

Miscellaneous Reports and Correspondence

a. Government Finance Officers Association Award

Steve Willis explained that this year would be the twenty-third year that the County has been recognized with the Government Finance Officers Association Award and he thanked Chief Financial Officer, Veronica Thompson, and her team for their hard work.

b. Grant for Lancaster County Sheriff's Office

Steve Willis explained that the Sheriff's Office was receiving a one hundred percent grant and so no action was needed from Council at this time.

c. EMS Grant

Steve Willis explained that EMS was receiving a one hundred percent grant and so no action was needed from Council at this time.

Citizens Comments

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

Executive Session

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

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

Brian Carnes moved to go into Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0. At approximately 9:13 p.m., Council went into Executive Session to discuss the following item: (1) one legal briefing on a pending or threatened litigation matter, pursuant to SC Code 30-4-70(a)(2).

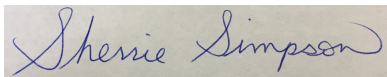
Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:51 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0.

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

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 9:52 p.m.

Respectfully Submitted:

A handwritten signature in blue ink that reads "Sherrie Simpson". The signature is written in a cursive style with a large, looped 'S' at the beginning.

Sherrie Simpson
Clerk to Council

Approved by Council on October 11, 2021

A handwritten signature in black ink that reads "Billy Mosteller". The signature is written in a cursive style with a large, looped 'B' at the beginning. The signature is positioned above a horizontal line.

Billy Mosteller, Secretary