

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

July 18, 2022

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 (*via telephone/conference call*), Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff, and Billy Mosteller (*via telephone/conference call*).

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; John Bodner, Assistant County Administrator; Rox Burhans, Development Services Director; the press; various Department Heads; various employees 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 - Councilmember Terry Graham

Terry Graham led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda as submitted. Seconded by Terry Graham. A roll call vote was taken. Motion Passed 7-0.

Citizens Comments

The following citizens signed up for Citizens Comments:

Ken Obriot, 2020 Main Goose Court, Indian Land, SC and Gina Bobo, 4035 Windy Hills Lane, Indian Land, SC introduced themselves as the Co-Chairs of the Lancaster County 250 Committee.

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

Consent Agenda

Larry Honeycutt moved to approve Consent Agenda Items **6a.** and **6b.** [which are the same as Item **a.** and Item **b.** listed below]. Seconded by Charlene McGriff. A roll call vote was taken. Motion Passed 7-0.

- a. **Approval of Minutes from the June 15, 2022 County Council Committee Of The Whole Meeting**
- b. **Approval of Minutes from the June 27, 2022 County Council Regular Meeting**

Non-Consent Agenda

Resolution 1205-R2022 regarding Support for the South Carolina American Revolution Sestercentennial Commission

Resolution Title: A Resolution To Support The South Carolina American Revolution Sestercentennial Commission And Recognize The Lancaster County 250 Committee.

Allen Blackmon moved to approve. Seconded by Larry Honeycutt.

Dennis Marstall stated that in 2018 the SC General Assembly chartered the 250th Sestercentennial Commission. He stated the Commission's mission is to celebrate and promote South Carolina's role in the American Revolution by educating, engaging, and inspiring South Carolinians and visitors. He continued that the Commission is promoting partnerships with each of the counties and municipalities in South Carolina. He stated in Lancaster, the County Committee may promote visits to local battlefields such as Buford Battleground and Hanging Rock. He also stated the Lancaster County Historical Commission is a sponsoring organization of the Lancaster County 250 Committee.

A roll call vote was taken. Motion to approve Resolution 1205-R2022 Passed 7-0. Ayes; Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Resolution 1206-R2022 regarding the Catawba Regional Council of Government (COG) Governance and Dues Structure Changes

Resolution Title: A Resolution Approving Amendment To Article II And Article IV Of The Catawba Regional Council Of Governments Operating Agreement And To Provide For Other Matters Related Thereto.

Charlene McGriff moved to approve. Seconded by Terry Graham.

Dennis Marstall stated the Catawba Regional Council of Government presented an amendment to their operating agreement among the four-member counties: Chester, Lancaster, Union and York. He stated they would like to adjust the size of the organization by establishing representation based on increased population size and change the membership dues structure to increase the per-capita contribution with increased population thresholds. He stated the Board will reduce in size from 41 to 31 members because 41 members would be unmanageable and in

order to contain board balance across four (4) counties. He stated Lancaster County dues will decrease by \$1,183 at least through 2025. He also stated this proposal would not change the current representation for Lancaster County.

A roll call vote was taken. Motion to approve Resolution 1206-R2022 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Public Hearing and 3rd Reading of Ordinance 2022-1812 regarding Approving Amended and Restated Economic Development Agreement with Don Construction Products

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of An Amended And Restated Fee Agreement By And Among Lancaster County And Don Construction Products, Inc., Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits With Respect To Certain Property In The County.

Dennis Marstall stated in 2017, Council approved a negotiated fee-in-lieu of tax agreement with Don Construction Products and while they have invested in Lancaster County, they are asking for an extension of their investment period for two years.

Steve Harper opened the Public Hearing for Ordinance 2022-1812 at approximately 6:14 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 11 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 Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:15 p.m.

Larry Honeycutt moved to approve. Seconded by Terry Graham.

A roll call vote was taken. The motion to approve 3rd Reading of Ordinance 2022-1812 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Public Hearing and 1st Reading of Ordinance 2022-1815 regarding Rezoning Property for Five Parcels from General Business District (GB) and Light Industrial District (LI) to Institutional District (INS) for the Purpose of Building a new Detention Center

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Five (5) Parcels Totalling Approximately 63.8 Acres Located At 1578, 1586, 1592, 1604 & 1656 Pageland Highway (TM#s 00681-0F-011.00, 00681-0F-013.00, 00681-0F-015.00, 00681-0F-016.00 & A Portion Of 0069-00-045.00) From General Business District (GB) And Light Industrial District (LI) To Institutional District (INS). - **Planning Department Case Number: RZ-2022-0978.**

Rox Burhans stated this application is for property owned by Lancaster County to be used for a new detention center. He reviewed the photos of adjacent properties. He stated a Traffic Impact Study was conducted and no recommendations were made.

Steve Harper opened the Public Hearing for Ordinance 2022-1815 at approximately 6:22 p.m. He noted that no one signed up to speak at the Public Hearing for the Ordinance. There were approximately 11 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 Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:22 p.m.

Charlene McGriff moved to approve. Seconded by Allen Blackmon.

A roll call vote was taken. The motion to approve 1st Reading of Ordinance 2022-1815 Passed 7-0. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: None

Public Hearing and 1st Reading of Ordinance 2022-1816 regarding Rezoning Property Located at 7580 Charlotte Highway from Neighborhood Business District (NB) to General Business District (GB) to Allow Potential Tenants of the Existing Shopping Center Use/Sale of Alcohol, Beer, Craft Beer and Wine (Applicant Michelle Sharp on Behalf of Owner R.B. Grisham/Grisham Family LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 1.863 Acres At 7580 Charlotte Highway (TMS# 0016-00-027.01) From Neighborhood Business (NB) District To General Business (GB) District. - *Planning Department Case Number: RZ-2022-0812.*

Rox Burhans stated the applicant has requested to rezone property to expand the list of permitted uses within the existing shopping center. He stated this rezoning would also bring two existing businesses closer to conformance.

Steve Harper opened the Public Hearing for Ordinance 2022-1816 at approximately 6:30 p.m.

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

There were approximately 11 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 Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:30 p.m.

Larry Honeycutt moved to approve. Seconded by Charlene McGriff.

A roll call vote was taken. The motion to approve 1st Reading of Ordinance 2022-1816 Passed 6-1. Ayes: Graham, Harper, Honeycutt, McGriff, Mosteller, Blackmon; Nays: Carnes

Discussion and Action Items

Allen Blackmon stated he would like to discuss delaying or stopping the construction of the airport terminal since the County did not receive the Federal Aviation Administration grant for 95% of the airport terminal cost. He stated he is not opposed to the terminal as long as the County is awarded the grant. He stated this delay would allow the County time to approve the terminal design and also apply for the grant. He passed out a study from 2016 on the Rock Hill Airport where it shows what a real study for an airport should look like and that study is attached as Schedule A to the written minutes in the Clerk to Council's office. He would like to ask that this item be added to the next agenda. He stated he would also like to see the contract at some point to review if there is a possible conflict of interest.

Dennis Marstall stated due to previous action from Council, he has activated the contract to begin the bid process. There was discussion about what the County has legally committed to the action. John DuBose stated he would need to research this item. Allen Blackmon stated he would like to amend the ordinance dealing with the budget. Larry Honeycutt and Charlene McGriff stated they were not willing to change their vote. Steve Harper asked for a brief update on the contract status of the airport terminal for the Committee of the Whole meeting on Wednesday, July 20. There was discussion on whether a motion to reconsider could be made.

Terry Graham moved to reconsider the motion for airport terminal contingent on the contract having not already been executed, the potential to delay the construction of the terminal project and any kind of award of bid until next year and reconsideration of the design of the terminal in the interim. Seconded by Allen Blackmon.

Allen Blackmon stated he is not opposed to the lighting terminal which is funded by a 90% grant.

After much discussion, Terry Graham withdrew the motion to reconsider.

Status of items tabled, recommitted, deferred or held

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

Miscellaneous Reports and Correspondence

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

Executive Session

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

1. One Legal Briefing regarding a Contractual Matter. SC Code 30-4-70(a)(2).

Larry Honeycutt moved to go into Executive Session. Seconded by Charlene McGriff. Motion Passed 7-0. At approximately 7:10 p.m., Council went into Executive Session to discuss one (1) item: one legal briefing regarding a contractual matter, pursuant to South Carolina Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 7:28 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Charlene McGriff. Motion Passed 5-0.; Absent: Carnes, Mosteller. Brian Carnes and Billy Mosteller left the meeting after Executive Session and did not rejoin the meeting via telephone/conference call.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council received one legal briefing on a contractual matter. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn. Seconded by Charlene McGriff. Motion Passed 5-0.; Absent: Carnes, Mosteller

There being no further business, the regular meeting of Council adjourned at approximately 7:28 p.m.

Respectfully Submitted:

Approved by Council on August 8, 2022

Donna Greene

Donna Greene
Deputy Clerk to Council

A handwritten signature in dark ink, appearing to read "B Mosteller", is written over a horizontal line.

Billy Mosteller, Secretary