

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

March 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, 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; Sherrie Simpson, Clerk to Council; Veronica Thompson, Chief Financial Officer; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; various Elected Officials; 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 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. Seconded by Brian Carnes. Motion Passed 7-0.

Special Presentations

Chairman Steve Harper and Steve Willis recognized the Building Department with a Thumbs Up Award for their hard work and for the excellent rating they received during their evaluation by the Insurance Services Office (ISO).

Chairman Steve Harper recognized April as Fair Housing month in Lancaster County and explained that the Proclamation noting Fair Housing month would be posted in the lobby of the County Administration Building.

Citizens Comments

The following citizens signed up to speak during Citizens Comments: None.

Steve Willis acknowledged the following written comment submitted for Citizens Comments:

1. Dr. Charmaine W. Stradford, Lancaster, SC, wrote requesting additional monies for the Lancaster County Community Center, which is a non-profit organization that received an ATAX grant from the County in 2020. Her written comments are attached as Schedule A to the written minutes in the Clerk to Council's office.

Consent Agenda

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

- a. **Approval of Minutes from the March 8, 2021 County Council Regular Meeting**
- b. **Approval of Minutes from the March 9, 2021 County Council Committee Of The Whole Meeting**

Non-Consent Agenda

Resolution 1144-R2021 regarding Amending the Prioritized Community Needs List

Resolution Title: A Resolution To Amend The Lancaster County Prioritized Community Needs List.

Steve Willis provided Council a three page handout entitled, "Intergovernmental Agreement for Community Development Block Grant Project," and that handout is attached as Schedule B to the written minutes in the Clerk to Council's office. He explained that the Intergovernmental Agreement would be used for Item 1. on the Prioritized Community Needs list, which is the "Upgrade and extension of water and sewer services for low and moderate income areas,... This also includes the replacement of the water meter valve vault for the City of Lancaster's water system."

Charlene McGriff moved to approve Resolution 1144-R2021. Seconded by Allen Blackmon. Motion Passed 7-0.

Resolution 1145-R2021 regarding Approving Additional Funding for the Department of Social Services Building

Resolution Title: A Resolution To Approve Additional Funding For The Community Development Block Grant

Project Related To Renovations At The South Carolina Department Of Social Services Building.

Brian Carnes moved to approve Resolution 1145-R2021. Seconded by Larry Honeycutt. Motion Passed 6-1. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: Blackmon

Resolution 1146-R2021 regarding Providing Premium Pay to Essential Workers in the Form of a One Time Bonus

Resolution Title: A Resolution To Direct The Appropriate County Staff To Prepare The Necessary Budget Amendment To Provide Premium Pay To Essential Workers In The Form Of A One Time Bonus, 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.

Larry Honeycutt moved to approve Resolution 1146-R2021. Seconded by Billy Mosteller.

Council and staff discussed when the County would receive the COVID relief money from the federal government.

Allen Blackmon moved that a clause should be added that specifically says that the money will not be disbursed until the federal funds have been received and deposited. Seconded by Charlene McGriff. The motion to amend Passed 7-0.

The motion to approve Resolution 1146-R2021 as amended Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1713 regarding Authorizing the Execution and Delivery of a Special Source Revenue Credit Agreement with Studio Displays, Inc. (Project Smith)

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

Steve Harper opened the Public Hearing for Ordinance 2021-1713 at approximately 6:27 p.m. There were approximately six (6) 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 this Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:27 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2021-1713. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1716 regarding Authorization for Lancaster County to Quit Claim Title to Real Property within an Unopened Portion of Culp Landsford Road to Adjacent Landowners

Ordinance Title: An Ordinance Authorizing Lancaster County To Quit Claim Title To Real Property Within An Unopened Portion Of Culp Landsford Road To Adjacent Landowners.

Steve Harper opened the Public Hearing for Ordinance 2021-1716 at approximately 6:29 p.m. There were approximately six (6) 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 this Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:29 p.m.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1716. Seconded by Charlene McGriff. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1708 regarding Amending the Unified

Development Ordinance (UDO) to Create and Allow for the Landfill - Class One Composting Facility Use in the Heavy Industrial District As a Special Exception

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 2.5.3, Use Table, Section 5.9, Industry/Wholesale/Storage Uses, And 10.3, Definitions, Use Type, To Create And Allow For The Landfill – Class One Composting Facility Use In The Heavy Industrial (HI) District As A Special Exception And Provide For Use Specific Standards.

Steve Harper opened the Public Hearing for Ordinance 2021-1708 at approximately 6:33 p.m.

There were approximately six (6) 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 this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:34 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1708. Seconded by Allen Blackmon. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1709 regarding Amending the Unified Development Ordinance (UDO) in regards to Three Family and Four Family Dwellings

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 5.2.3., Dwelling – Three Family (Triplex) And Four Family (Quadraplex); Section 7.2.3., Permitted Parking Locations; And Section 7.2.4., Off-Street Parking And Loading Requirements, To Modify How Three Family (Triplex) And Four Family (Quadraplex) Dwellings May Be Developed.

Rox Burhans explained that the applicant had agreed to use the single family attached rate of \$1711.00 per unit roof top fee in the Redwood Development Agreement. He further explained that, because they did not feel like they would have many school age children in the development, they proposed a \$500.00 per unit roof top fee for the school fee.

Council, staff and Bob Dyer, the applicant, discussed the wording in the exhibits regarding the changes to the Unified Development Ordinance and discussed buffering of the project.

Steve Harper opened the Public Hearing for Ordinance 2021-1709 at approximately 6:49 p.m.

There were approximately four (4) 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 this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:49 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1709. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1710 regarding Rezoning Property from LDR to PB (Applicant Redwood USA, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 37.45 Acres Of Property (TMS # 0003-00-040.01, 0003-00-040.07 And 0003-00-040.14), Located On The East Side Of Harrisburg Road, Approximately 500 Feet West Of Barberville Road, Lancaster, South Carolina, From LDR, Low Density Residential District, To PB, Professional Business District.

Steve Harper opened the Public Hearing for Ordinance 2021-1710 at approximately 6:51 p.m.

There were approximately four (4) 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 this Ordinance:

1. Mandy Patterson, Indian Land, South Carolina, spoke regarding the high quality of the Redwood Development.

Steve Harper closed the Public Hearing at approximately 6:52 p.m.

Billy Mosteller moved to approve the 2nd Reading of Ordinance 2021-1710. Seconded by Charlene McGriff. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1711 regarding Approval of a Development Agreement with Redwood USA, LLC

Ordinance Title: An Ordinance To Approve A Development Agreement With Redwood, USA, LLC, For A Development Project Located On Harrisburg Road Near The Intersection Of Barberville Road, Lancaster, South Carolina, Establishing The Regulations For The Development Of The Property And Other Matters Related Thereto.

John DuBose explained that the 2nd Reading of Ordinance 2021-1711 proposed a new Exhibit A or Development Agreement (DA) that incorporated the following: (1) the multi-family roof top fee, which he noted was different than the fee Rox Burhans had given Council earlier in the meeting; (2) a blank for the school fee; and (3) the annual inflationary clause. He explained that if Council approved of the changes, then they would need to make a motion to amend Ordinance 2021-1711 to incorporate the new Development Agreement.

Steve Harper opened the Public Hearing for Ordinance 2021-1711 at approximately 6:54 p.m. There were approximately four (4) 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 this Ordinance: None. Steve Harper closed the Public Hearing at approximately 6:54 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1711. Seconded by Terry Graham.

John DuBose explained that Council needed to make a motion to amend Ordinance 2021-1711 to replace the current DA with the proposed DA contained in the agenda packet. Allen Blackmon stated that he made the motion *[as detailed by John DuBose]*. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Council and staff discussed the proposed school roof top fee.

Terry Graham moved to amend the DA to include a public safety fee of \$1711.00 per unit for the County and a school roof top fee of \$500.00 per unit. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Council and staff discussed the scrivener's errors contained in the DA, including the incorrect name of the Council Secretary, which needs to be corrected. Council and staff also discussed the need for a more concrete development schedule for future Development Agreements.

The motion to approve the 2nd Reading of Ordinance 2021-1711 as amended Passed 7-0.

2nd Reading of Ordinance 2021-1718 regarding Approving a Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Ordinance Title: An Ordinance Approving A Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1718. Seconded by Brian Carnes.

John DuBose explained that the exhibits to the Ordinance were nearing finalization and he provided Council with a four page handout entitled, "Exhibits A, B, C for Ordinance 2021-1718," and that four page handout is attached as Schedule C to the written minutes in the Clerk to Council's office.

John DuBose further explained that clause J of the Reciprocal Easement Agreement (REA), or the Exculpation clause, needed to be removed from the Agreement and he noted that if Council agreed with its removal, then it

would be appropriate to have a motion to amend the REA to remove Clause J. Allen Blackmon stated that he made that motion *[as detailed by John DuBose]*. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Allen Blackmon requested that the plat be included in the next agenda packet.

The motion to approve the 2nd Reading of Ordinance 2021-1718 as amended Passed 7-0.

1st Reading of Ordinance 2021-1726 regarding Adoption of the Capital Improvement Plan

Ordinance Title: An Ordinance To Adopt The Lancaster County Capital Improvements Plan 2021 Through 2031 As Recommended By The Lancaster County Planning Commission.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1726. Seconded by Terry Graham.

Council asked for paper copies of the Capital Improvements Plan (CIP) and the Space Needs Study. Allen Blackmon explained that he would need to review the paper copies before he could make an informed decision on the CIP.

The motion to approve the 1st Reading of Ordinance 2021-1726 Passed 6-1. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: Blackmon

1st Reading of Ordinance 2021-1722 regarding Adopting a Fire Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Fire Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Fire Facilities (Fire Stations And Fire Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Fire Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Fire Facilities On A Proportionate Share Basis To New Development.

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1722. Seconded by Larry Honeycutt. Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1723 regarding Adopting An Emergency Medical Services (EMS) Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting An Emergency Medical Services ("EMS") Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That EMS Facilities (EMS Stations And Emergency Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For EMS Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such EMS Facilities On A Proportionate Share Basis To New Development

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1723. Seconded by Charlene McGriff. Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1724 regarding Adopting a Sheriff Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Sheriff Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Sheriff Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Sheriff Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Sheriff Facilities On A Proportionate Share Basis To New Development

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1724. Seconded by Terry Graham.

Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1725 regarding Adopting a Parks & Recreation Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Parks & Recreation Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Parks & Recreation Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Parks & Recreation Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Parks & Recreation Facilities On A Proportionate Share Basis To New Development.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2021-1725. Seconded by Brian Carnes.

Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1727 regarding Adopting the Pilot Traffic Calming Program Guidebook

Ordinance Title: An Ordinance To Adopt The Lancaster County South Carolina Pilot Traffic Calming Program Guidebook, Dated December 2020.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1727. Seconded by Charlene McGriff.

Motion Passed 7-0.

Discussion and Action Items

Approval of Appointments to various Boards or Commissions

- Carla Hunter to fill an unexpired term as the Lancaster business member on the Catawba Regional Council of Government's Workforce Development Board (the term will expire on 12/31/2021)
- Revery Johnson to fill a 1st, four year term on the Pleasant Valley Fire Fee Board (the term will expire on 06/30/2025)
- Jonathan C. Payne to fill an unexpired term as the Heath Springs Fire District Representative on the Lancaster County Fire Commission (the term will expire on 06/30/2023)
- Steven Fleming to fill a 1st, four year term on the Keep Lancaster County Beautiful Board as one of the District 3 representatives (the term will expire on 06/30/2025)
- Keye Jones to fill the end of an unexpired term until 06/30/2021 and a 1st, four year term that will expire on 06/30/2025 for the Board of Zoning Appeals for District 3

Larry Honeycutt moved to approve all of the appointments to the Boards and Commissions. Seconded by Billy Mosteller.

Council discussed the fact that there was not an application for Carla Hunter, but that there were applications from all other applicants.

Brian Carnes moved to remove Carla Hunter's name from the list of approved appointments to various Boards and Commissions until an application has been submitted. Seconded by Larry Honeycutt. The motion to amend the approval of the appointments Passed 7-0.

The motion to approve the appointments as amended Passed 7-0.

Plan for General Obligation Bond Referendum in November - Steve Willis

Steve Willis explained that he would like to proceed with engaging bond counsel and Fire Rescue staff in preparation of an Ordinance being brought to Council that would call for a General Obligation bond referendum in November 2021 to pay for fire apparatus. He explained that the County routinely asks for a General Obligation bond referendum every seven (7) years to pay for one third of the fleet of pumpers, tankers and rescue trucks. He explained that this item would come back before Council in the form of an Ordinance.

Update to County Organization Chart - Steve Willis

Allen Blackmon moved adopt the updated Organization Chart [dated March 2021]. Seconded by Brian Carnes. Motion Passed 6-1. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff; Nays: Mosteller

Status of items tabled, recommitted, deferred or held

- a. HELD - 2nd Reading of Ordinance 2021-1705 Regarding Adoption of Procedures for the Imposition, Calculation, Collection, Expenditure and Administration of Impact Fees
Ordinance Title: An Ordinance Adopting Procedures For The Imposition, Calculation, Collection, Expenditure And Administration Of Impact Fees To Be Imposed On New Development; Providing A Purpose And Intent; Providing Definitions; Providing General Provisions And Applicability; Providing For The Establishment Of Impact Fee Accounts; Providing For The Appropriation Of Impact Fee Funds; Providing For Refunds; Providing For Appeals; Providing For Conflict; Providing For Severability; And Providing An Effective Date. - ***Passed 7-0 at the February 8, 2021 County Council Meeting. - Steve Willis/John DuBose/Kim Belk***

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

Miscellaneous Reports and Correspondence

- a. Information Only on Parks and Recreation Grant Application

Steve Willis noted that the Parks and Recreation Department received notification that they will receive the \$500.00 grant.

Citizens Comments

All citizens were heard during 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. ***Two Legal Briefings regarding Pending or Threatened Litigation Matters. SC Code 30-4-70(a)(2).***
2. ***One Legal Briefing on a Contractual 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 8:22 p.m., Council went into Executive Session to discuss the following items: (1) two legal briefings regarding pending or threatened litigation matters, pursuant to SC Code 30-4-70(a)(2); and (2) one legal briefing on a contractual matter, pursuant to SC Code 30-4-70(a)(2).

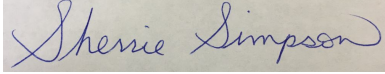
Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:21 p.m. Brian Carnes moved to come out of Executive Session. Seconded by Allen Blackmon. Motion Passed 7-0.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council had two legal briefings regarding pending or threatened litigation matters and had one legal briefing on a contractual matter. He explained 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 Charlene McGriff. Motion to adjourn Passed 7-0. There being no further business, the regular meeting of Council adjourned at approximately 9:21 p.m.

Respectfully Submitted:

A handwritten signature in blue ink that reads "Sherrie Simpson".

Sherrie Simpson
Clerk to Council

Approved by Council on April 12, 2021

A handwritten signature in black ink that reads "Billy Mosteller".

Billy Mosteller, Secretary