

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 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: Steve Willis, County Administrator; Kim Belk, Interim Deputy County Administrator/Budget Director; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; various Elected Officials; various Department Heads; various staff; 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 Council meeting.

Pledge of Allegiance and Invocation - Allen Blackmon

Allen Blackmon led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Terry Graham moved to approve the agenda. Seconded by Allen Blackmon.

Charlene McGriff moved to amend the agenda to place item **7c. (3rd Reading of Ordinance 2021-1715)** on the Non-Consent Agenda so that a scrivener's error may be corrected in the proposed ordinance text. Seconded by Billy Mosteller. The motion to amend the agenda Passed 7-0.

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

Special Presentations

Grazier Rhea from the Catawba Regional Council of Governments reviewed the process for the Needs Assessment Public Hearing and the Citizens Participation Plan. She explained how the County supported Fair Housing and provided an overview of the Community Development Block Grant program. She also discussed and reviewed how the proposed Community Development Block Grant funds for the 2021-2022 program year could be used.

Steve Willis noted, for the record, that no one signed up to speak for the public hearing; however, a sign in sheet of some of the attendees at the hearing was collected.

Steve Willis and Grazier Rhea discussed how last year's list of prioritized needs, which was attached to the agenda packet, needed to be updated for 2021. Council and staff discussed whether the turn lanes at Andrew Jackson High School and Middle School should be left on the prioritized needs list. Steve Willis explained that the agreed upon changes to the Prioritized Community Needs List for 2021 would come back before Council for a vote at the next Council meeting.

Citizens Comments

The following citizens signed up to speak during Citizens Comments:

1. Mike and Ashley Green, Lancaster, SC, spoke regarding an upcoming rezoning project that would be heard at the Planning Commission meeting on March 16, 2021.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Items **7a.**, **7b.** and **7d.** *[as listed in the Agenda packet, which are the same as Item a., Item b. and Item c. listed below]*. Seconded by Charlene McGriff. Steve Harper noted that agenda packet Item 7c. (3rd Reading of Ordinance 2021-1715) was removed to the Non-Consent Agenda during the Approval of the Agenda. Motion Passed 7-0.

- a. Approval of Minutes from the February 22, 2021 County Council Regular Meeting**
- b. 3rd Reading of Ordinance 2021-1714 regarding Rezoning Property Owned by Annie Leak from RN to AR**
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 2.3 Acre Tract Of Property (TMS # 0110-00-073.01), Owned By Annie Leak, And Located At 3887 Old Camden Highway, Lancaster, South Carolina, From RN, Rural Neighborhood District, To AR, Agricultural Residential District.
- c. 2nd 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.

Non-Consent Agenda

Resolution 1143-R2021 regarding the Lancaster County School District Proposed Impact Fee

Resolution Title: A Resolution Authorizing The Lancaster County Planning Commission To Conduct Studies And Recommend A Capital Improvement Plan And Impact Fee

Terry Graham moved to approve Resolution 1143-R2021. Seconded by Charlene McGriff. Motion Passed 7-0.

3rd Reading of Ordinance 2021-1701 regarding Rezoning Property Located at the Southwest Intersection of Henry Harris Road and Shelley Mullis Road from RN and LDR to MDR (Applicant Provident Bayard, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 168.28 Acres Of Property (TMS #s 0013-00-055.06, 0013-00-055.00, 0013-00-055.01, 0013-00-056.01, 0013-00-055.02 And 0013-00-055.05) As Well As An Approximately 36.58 Acre Tract Of Property (A Portion Of TMS # 0013-00-55.06), Located At The Southwest Intersection Of Henry Harris Road And Shelley Mullis Road, Lancaster, South Carolina, From RN, Rural Neighborhood, And LDR, Low Density Residential Districts, To MDR, Medium Density Residential District.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1701. Seconded by Charlene McGriff. Motion Passed 6-1. Ayes: Blackmon, Carnes, Harper, Honeycutt, McGriff, Mosteller; Nays: Graham

3rd Reading of Ordinance 2021-1702 regarding Rezoning Property Owned by Wilson Acres, LLC From LDR to INS (Applicant Provident Bayard, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 2.04 Acre Tract Of Property (A Portion Of TMS # 0013-00-055.06), Owned By Wilson Acres, LLC, And Located At The Southwest Intersection Of Henry Harris Road And Shelley Mullis Road, Lancaster, South Carolina, From LDR, Low Density Residential District, To INS, Institutional District.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1702. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1703 regarding Approval of a Development Agreement for the Wilson Creek Development Project

Ordinance Title: An Ordinance To Approve A Development Agreement For The Wilson Creek Development Project Located At The Southwest Intersection Of Henry Harris Road And Shelley Mullis Road, Lancaster, South Carolina, Establishing The Regulations For The Development Of The Property And Other Matters Related Thereto.

John DuBose noted, for the record, that County Council did commence a public hearing at the 1st Reading of this Ordinance; however, due to a scrivener's error in the original notice of public hearing, a new public hearing was necessary. He explained that, so the record is clear, that is why two public hearings were listed on separate agendas.

Steve Harper opened the Public Hearing for Ordinance 2021-1703 at approximately 6:41 p.m.

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 Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:41 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2021-1703. Seconded by Brian Carnes.

John DuBose provided Council with a handout of Exhibit J to the Development Agreement, which is attached as Schedule A to the written minutes in the Clerk to Council's office.

Brian Carnes moved to amend Ordinance 2021-1703 to substitute the updated version of the Development Agreement contained in the agenda package and labelled "proposed Exhibit A to Ordinance 2021-1703 for adoption on 3rd Reading" as Exhibit A to the Ordinance and to attach and include exhibit A-2, exhibit B-1, and exhibit J to the Development Agreement. Seconded by Allen Blackmon. The motion to amend Passed 7-0.

After discussion, the motion to approve the 3rd Reading of Ordinance 2021-1703 as amended Passed 7-0.

2nd Reading of Ordinance 2021-1717 regarding Amending the Unified Development Ordinance regarding the Minimum Lot Size for the Institutional (INS) District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance To Modify The Minimum Lot Size For The Institutional (INS) District

Allen Blackmon moved to approve the 2nd Reading of Ordinance 2021-1717. Seconded by Charlene McGriff. Motion Passed 7-0.

1st 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.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1708. Seconded by Terry Graham.

Council and staff discussed the process for Special Exceptions, which are heard by the Board of Zoning Appeals, versus the process for Conditional Permits, which are heard by County Council. Council and staff also discussed a possible need for limitations in regards to the decibel level for a composting facility. Rox Burhans explained that staff had added that the businesses had to end grinding operations at 5:00 p.m. in order to have some type of noise control.

The motion to approve the 1st Reading of Ordinance 2021-1708 Passed 7-0.

1st 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.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1709. Seconded by Terry Graham.

Rox Burhans provided an overview of the Redwood Development project, which is made up of an amendment to the Unified Development Ordinance (**Ordinance 2021-1709**), a rezoning (**Ordinance 2021-1710**) and the Redwood USA Development Agreement (**Ordinance 2021-1711**), which are all detailed in the Agenda Item Summaries and attachments found in the agenda packet and in the power point presentation attached to the written minutes in the Clerk to Council's office.

Bob Dyer, with Redwood, reviewed a power point presentation, which is attached as Schedule B to the written minutes in the Clerk to Council's office. He also provided another handout to Council that was a ten page booklet of pictures and that booklet is attached as Schedule C to the written minutes in the Clerk to Council's office.

The motion to approve the 1st Reading of Ordinance 2021-1709 Passed 7-0.

1st 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.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1710. Seconded by Billy Mosteller. Motion Passed 7-0.

1st 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.

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1711. Seconded by Charlene McGriff. Motion Passed 6-1. Ayes: Blackmon, Carnes, Graham, Harper, McGriff, Mosteller; Nays: Honeycutt

1st 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

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1718. Seconded by Larry Honeycutt. Motion Passed 7-0.

Council asked that the 2nd Reading of the Ordinance include all of the exhibits.

Public Hearing and 1st Reading of Ordinance 2021-1721 regarding Amending the Unified Development Ordinance (UDO) to Allow for the Manufactured Housing Use in the RN District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 2.5.3, Use Table, To Allow For The Manufactured Housing Use In The Rural Neighborhood (RN) District.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1721. There was no second to the motion. John DuBose explained that because there was no second to the motion, the Ordinance died on the floor.

3rd Reading of Ordinance 2021-1715 regarding Amending the Unified Development Ordinance (UDO) regarding Home Occupations

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance Chapter Section 5.4.2, Home Occupation, To Modify The Various Standards Applicable To Home Occupations.

Terry Graham moved to approve the 3rd Reading of Ordinance 2021-1715. Seconded by Brian Carnes.

Allen Blackmon moved to amend Exhibit 1 to Ordinance 2021-1715 to delete the reference to Section 5.4.2.A.6.b contained in Section 5.4.2.A.7.c and to insert reference to Section 5.4.2.A.7.b in place of the deletion. Seconded by Brian Carnes. The motion to amend Passed 7-0.

The motion to approve the 3rd Reading of Ordinance 2021-1715 as amended Passed 7-0.

Discussion and Action Items

Approval of Nomination to the County Transportation Committee for District 3

- Stephen Catledge as the District 3 Representative to the County Transportation Committee (CTC). The nomination has to be approved by the Lancaster County Delegation.

Billy Mosteller moved to approve both the nomination of Stephen Catledge to the CTC and Cherie Ellis to the Keep Lancaster County Beautiful Board. Seconded by Larry Honeycutt. Motion Passed 7-0.

Approval of Appointment to the Keep Lancaster County Beautiful Board

- Cherie H. Ellis as one of the District 5 Representatives on the Keep Lancaster County Beautiful Board, where she will be filling a four year term ending on 06/30/2025 (1st Term)

The vote and approval of this appointment was made at the same time as the Approval of Nomination to the County Transportation Committee for District 3. Please see that item above for the vote and approval of this appointment.

Acceptance of Federal Aviation Administration (FAA) Airport Coronavirus Response Grant

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

Allen Blackmon asked that the Council discuss making the County a second amendment sanctuary County at the April Committee of the Whole meeting.

Status of items tabled, recommitted, deferred or held

- a. HELD - 3rd Reading of Ordinance 2021-1707 regarding Rezoning Property Owned by Tracey Griffin From RN to INS

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 0.46 Acre Tract Of Property (TMS # 0026-00-026.00), Owned By Tracey Griffin, And Located At 4889 Charlotte Highway, Lancaster, South Carolina, From RN, Rural Neighborhood District, To INS, Institutional District. - ***Planning Department Case Number: RZ-2020-2745. Planning Commission recommended approval by a vote of 7-0. Passed 7-0 at the February 8, 2021 County Council Meeting. Passed 7-0 at the February 22, 2021 County Council Meeting. - Rox Burhans***

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

- b. HELD - Public Hearing and 3rd Reading of Ordinance 2021-1713 regarding Authorizing the Execution and Delivery of a Special Source Revenue Credit Agreement with Project Smith

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Among Lancaster County, #####, Inc., And @@@@, LLC, (Project Smith) Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Passed 6-0 at the January 11, 2021 County Council Meeting (Larry Honeycutt absent). Passed 7-0 at the January 25, 2021 County Council Meeting. - Jamie Gilbert***

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

- c. 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

There were no Miscellaneous Reports and Correspondence to discuss during the Council 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. ***Economic Development Discussions: Project Blueberry and Project Buckeye. SC Code 30-4-70(a)(5).***
2. ***Discussion of a Personnel Matter. SC Code 30-4-70(a)(1).***

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) two Economic Development matters, Project Blueberry and Project Buckeye, pursuant to SC Code 30-4-70(a)(5); and (2) discussion of a personnel matter, pursuant to SC Code 30-4-70(a)(1).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 8:46 p.m. Brian Carnes 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 two Economic Development matters, Project Blueberry and Project Buckeye and discussed one personnel matter. He explained that, during Executive Session, no decisions were made and no votes were taken.

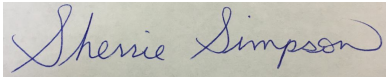
Brian Carnes moved to authorize the Economic Development Director to proceed with the negotiations discussed with Council. Seconded by Allen Blackmon. Motion Passed 7-0.

Adjournment

Larry Honeycutt moved to adjourn the regular meeting of Council. Seconded by Brian Carnes. Motion to adjourn Passed 7-0. There being no further business, the Council meeting adjourned at approximately 8:48 p.m.

<Signatures follow on next page>

Respectfully Submitted:

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

Sherrie Simpson
Clerk to Council

Approved by Council on March 22, 2021

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

Billy Mosteller, Secretary