

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

December 13, 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 (*who left the meeting early at approximately 7:01 p.m.*), 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; Veronica Thompson, Chief Financial Officer; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; Kim Belk, Budget Director; Clay Catoe, EMS Director; Sheriff Barry Faile, Lancaster County Sheriff's Office; 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 Charlene McGriff

Charlene McGriff 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.

Allen Blackmon moved to amend the agenda to remove Item **8n., Public Hearing and 1st Reading of Ordinance 2021-1789**, the rezoning request of Panhandle Partners. He noted that the item was being removed because the applicant had withdrawn its rezoning application. Seconded by Larry Honeycutt. The motion to amend Passed 7-0.

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

Special Presentations

There were no Special Presentations held during the meeting.

Citizens Comments

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

1. Shiree Carter, Lancaster, SC, spoke regarding Ordinance 2021-1769.

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

Consent Agenda

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

a. Approval of Minutes from the November 22, 2021 County Council Regular Meeting

b. 3rd Reading of Ordinance 2021-1780 regarding Rezoning Property Located at 1535 Jordan Street, Lancaster, SC, From INS to MDR (Applicant Noel Andrade)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone .65 Acres Of Property (TMS# 0082M-0N-003.00), Located At 1535 Jordan Street, Lancaster, South Carolina, From INS, Institutional District, To MDR, Medium Density Residential District. - ***Planning Department Case Number: RZ-2021-1951.***

c. 3rd Reading of Ordinance 2021-1782 regarding Amending the Unified Development Ordinance (UDO) relating to Halfway Homes (Applicant His Perfect Love Ministries)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 5.2.5., Halfway Homes, To Increase The Maximum Number Of Residents. - ***Planning Department Case Number: UDO-TA-2021-2121.***

d. 3rd Reading of Ordinance 2021-1783 regarding Amending the Unified Development Ordinance (UDO) relating to the Highway Corridor Overlay District (Applicant Lancaster County)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 4.3.2., Highway Corridor Overlay District (HCO); To Amend The Building Placement Requirement Relative To Front Setback. - ***Planning Department Case Number: UDO-TA-2021-2251.***

Non-Consent Agenda

Resolution 1171-R2021 regarding Approval and Authorization of an Intergovernmental Agreement Between Lancaster County and the Lancaster County School District regarding Impact Fees

Resolution Title: A Resolution Approving And Authorizing An Intergovernmental Agreement Between Lancaster County And The Lancaster County School District For Collection And Administration Of Public Education Facilities Impact Fees Pursuant To Ordinance 2021-1705, The Lancaster County Impact Fee Procedures Ordinance, And Ordinance 2021-1761, The School Development Impact Fee Ordinance

Terry Graham moved to approve Resolution 1171-R2021. Seconded by Charlene McGriff.

John DuBose noted, for the record, that the District had previously reviewed this Agreement earlier in the summer during pendency of their fee enactment process and that it was on their agenda tomorrow evening for their consideration.

The motion to approve Resolution 1171-R2021 Passed 7-0.

1st Reading of Ordinance 2021-1791 regarding Amending Ordinance 2021-1761 by Substituting A Corrective Map for the School Development Impact Fee

Ordinance Title: An Ordinance To Amend Ordinance 2021-1761 By Substitution Of A Corrective Map That Accurately Reflects The School Development Impact Fee Collection Area And By Inclusion Of An Updated And Corrected School Development Impact Fee Study And Capital Improvement Plan.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1791. Seconded by Brian Carnes. Motion Passed 7-0.

Resolution 1172-R2021 regarding Approval of Acceptance of a Donated Parcel of Property from Bailes Investment Associates, LLC

Resolution Title: A Resolution Approving Acceptance Of A Donated 1.15 Acre Parcel Of Property (A Portion Of Tax Map Number 0007-00-025.00) From Bailes Investment Associates, LLC, For Park Use By Lancaster County

Billy Mosteller moved to approve Resolution 1172-R2021. Seconded by Brian Carnes.

John DuBose noted, for the record, that, after consultation with County staff, that there was no immediate use for the parcel but that it, again, was adjacent to sixteen acres that the County currently owns. He explained that the property was being donated, was not subject to any assessments and may have a use at a future date. Council and staff discussed potentially using the property for additional parking in the future.

The motion to approve Resolution 1172-R2021 Passed 7-0.

Resolution 1185-R2021 Regarding Authorization of American Rescue Plan Act (ARPA) Funding for HVAC Replacement and Sheriff's Office Improvements

Resolution Title: A Resolution To Authorize The Use Of ARPA Funding For Specific Improvements To Certain County Owned And Operated Facilities In Accordance With The Interim Final Rule From Treasury For The American Rescue Plan.

Larry Honeycutt moved to approve Resolution 1185-R2021. Seconded by Billy Mosteller. Motion Passed 7-0.

Resolution 1186-R2021 regarding Approval of the Designation by Remac Corporation D/B/A McClancy Seasoning Company to Add McClancy Foods & Flavors LLC and McClancy Holdings LLC as a Sponsor Affiliate Under Their Fee Agreement

Resolution Title: A Resolution To Approve The Designation By Remac Corporation D/B/A McClancy Seasoning Company, NBI Investments II, LLC, And NBI Investments III, LLC, Of McClancy Foods &

Flavors LLC, And McClancy Holdings LLC, Each As A Sponsor Affiliate Under That Certain Fee Agreement By And Among Lancaster County, South Carolina, And Remac Corporation D/B/A McClancy Seasoning Company, NBI Investments II, LLC, And NBI Investments, III, LLC, All As Sponsors, Dated As Of June 8, 2020.

Terry Graham moved to approve Resolution 1186-R2021. Seconded by Allen Blackmon. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1767 regarding Bowers Fibers Special Source Revenue Credit (SSRC) Ordinance

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And Bowers Fibers, Inc., 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 2021-1767 at approximately 6:25 p.m.

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

There were approximately 16 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 6:25 p.m.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1767. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1770 regarding the Establishment of the Van Wyck Fire Protection District

Ordinance Title: An Ordinance To Establish The Van Wyck Fire Protection District; To Provide Funding For The District Through The Imposition Of Rates And Charges; To Empower The County Council To Issue General Obligation Bonds Of The County For The District; And To Provide For The Administration Of The District.

Steve Harper opened the Public Hearing for Ordinance 2021-1770 at approximately 6:27 p.m.

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

There were approximately 16 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 6:27 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2021-1770. Seconded by Terry Graham. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1778 regarding Amending the Amended and Restated Master Multi-County Park Agreement between Chesterfield County and Lancaster County

Ordinance Title: An Ordinance To Amend The Amended And Restated Master Multi-County Park Agreement Between Chesterfield County, South Carolina And Lancaster County, South Carolina, As Amended And Restated As Of November 9, 2015, Exhibits Updated Through December 14, 2020, So As To Further Update The Exhibits By Adding Property Located In Lancaster County (Accutrex Products, Inc.; Bowers Fibers, Inc.; VI Real Estate, Inc. - VOCO America, Inc.).

Steve Harper opened the Public Hearing for Ordinance 2021-1778 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 16 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.

Billy Mosteller moved to approve the 3rd Reading of Ordinance 2021-1778. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1779 regarding Authorization and Approval of the Termination of the Agreement for the Development of a Joint Industrial and Business Park for Accutrex Products, Inc. Precision Parts Division

Ordinance Title: An Ordinance To Authorize And Approve The Termination Of The Agreement For The Development Of A Joint Industrial And Business Park (Accutrex Products, Inc. Precision Parts Division), By And Between Lancaster County And Chesterfield County.

Steve Harper opened the Public Hearing for Ordinance 2021-1779 at approximately 6:32 p.m.

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

There were approximately 16 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 6:32 p.m.

Allen Blackmon moved to approve the 3rd Reading of Ordinance 2021-1779. Seconded by Brian Carnes. Motion Passed 7-0.

3rd Reading of Ordinance 2021-1787 regarding Approval of an Agreement for Partial Reimbursement of Costs Related to the Construction of a Roundabout at Henry Harris Road and Shelly Mullis Road

Ordinance Title: An Ordinance To Approve An Agreement For Partial Reimbursement Of Costs Related To The Construction Of A Roundabout At Henry Harris Road And Shelly Mullis Road And To Provide For Matters Related Thereto.

Brian Carnes moved to approve the 3rd Reading of Ordinance 2021-1787. Seconded by Charlene McGriff.

Terry Graham moved to amend Ordinance 2021-1787 to insert Exhibit B to the Roundabout Agreement in the form attached to the agenda package. Seconded by Billy Mosteller. The motion to amend Passed 7-0.

The motion to approve the 3rd Reading of Ordinance 2021-1787 as amended Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1788 regarding Approval of Easement Grants to the City of Lancaster for the Lancaster Air Rail Park

Ordinance Title: An Ordinance To Approve Easement Grants To The City Of Lancaster Upon Real Property Owned By Lancaster County Bearing Tax Parcel Number 0066-00-040.00 And To Authorize County Officials To Take Such Actions As Are Necessary To Effectuate The Grant Of The Easements And To Effectuate The Purposes Of This Ordinance.

Steve Harper opened the Public Hearing for Ordinance 2021-1788 at approximately 6:36 p.m.

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

There were approximately 16 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 6:36 p.m.

Larry Honeycutt moved to approve the 2nd Reading of Ordinance 2021-1788. Seconded by Charlene McGriff. Motion Passed 7-0.

2nd Reading of Ordinance 2021-1781 regarding Rezoning Property Located at 9923 Southwinds Drive, Fort Mill, SC, from MDR to MH (Applicant Edgar Granados)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 1.5 Acres Of Property (TMS# 0006N-0B-035.00), Located At 9923 Southwinds Drive, Fort Mill, South Carolina, From MDR, Medium Density Residential District, To MH, Manufactured Home District. - *Planning Department Case Number: RZ-2021-2015.*

Brian Carnes moved to approve the 2nd Reading of Ordinance 2021-1781. Seconded by Allen Blackmon.

Council and staff discussed potential new zoning districts, the need for consistency in rezoning properties, the rezoning of this single property and whether the entire neighborhood should be rezoned prior to the rezoning of this one single property.

The motion to approve the 2nd Reading of Ordinance 2021-1781 Passed 5-2. Ayes: Carnes, Harper, Honeycutt, McGriff, Blackmon; Nays: Graham, Mosteller

Public Hearing and 1st Reading of Ordinance 2021-1768 regarding Rezoning Property Located at 327 Monroe Highway from LDR to GB (Applicants William and Blanca Cox)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 2.07 Acre Parcel Of Property (TMS# 0061P-0D-003.00), Located At 327 Monroe Highway, Lancaster, South Carolina, From LDR, Low Density Residential District, To GB, General Business District.- *Planning Department Case Number: RZ-2021-2327.*

Steve Harper opened the Public Hearing for Ordinance 2021-1768 at approximately 6:48 p.m.

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

There were approximately 16 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 6:48 p.m.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1768. Seconded by Larry Honeycutt. Motion Passed 7-0.

Public Hearing and 1st Reading of Ordinance 2021-1789 regarding Rezoning 9.6 Acres of Property Located On Charlotte Highway from LDR and NB to RB (Applicant Panhandle Partners)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 9.6 Acres Of Property (TMS# 0016-00-047.00), Located On Charlotte Highway, Lancaster, South Carolina, From LDR, Low Density Residential, And NB, Neighborhood Business Districts, To RB, Regional Business District. - *Planning Department Case Number: RZ-2021-1921.*

This item was removed from the agenda during the Approval of the Agenda. Please see the Approval of the Agenda for the discussion and vote regarding its removal.

Public Hearing and 1st Reading of Ordinance 2021-1769 regarding Approval of a Development Agreement with Arbor Construction, LLC

Ordinance Title: An Ordinance To Approve A Development Agreement With Arbor Construction, LLC, In Connection With A Major Subdivision Preliminary Plat SD-2021-0528, Which Proposes A 92-Lot Single-Family Cluster Subdivision Overlay District (CSO) Development, Establishing The Regulations For The Development Of The Property, And Other Matters Related Thereto. - *Planning Department Case Number: DA-2021-0528.*

John DuBose reviewed the proposed Development Agreement. He explained that even though the development was not subject to Impact fees, the developer has agreed to pay some fees and has proposed a \$1000.00 per unit Public Safety fee for the County, a \$500.00 per unit school fee and a \$250.00 per unit public works facility fee for the County.

Steve Harper opened the Public Hearing for Ordinance 2021-1769 at approximately 6:56 p.m.

He noted that no one signed up to speak at the Public Hearing for the Ordinance, but that he would allow Shiree Carter to speak if she would like since she had spoken previously regarding the Ordinance at Citizens Comments.

There were approximately 14 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:

1. Shiree Carter, Lancaster, SC, spoke regarding Hilton Way Road and that it was a dead end road where children play and that she had concerns regarding making it a cut through for another neighborhood; and
2. Chaplin Spencer spoke on behalf of the applicant and noted that the County wanted growth in this area, that the development was not as dense as some other developments and that the connectivity of roads was required.

Steve Harper closed the Public Hearing at approximately 7:00 p.m.

Larry Honeycutt left the Council meeting early at approximately 7:01 p.m. and did not return for the remainder of the meeting.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1769. Seconded by Terry Graham.

Council and staff discussed the connectivity of roads for the development.

Jeff Journigan, who worked for Arbor Construction, spoke regarding the potential development. He noted that they have reduced the number of homes in the development in order to have additional park space for the community.

The motion to approve the 1st Reading of Ordinance 2021-1769 Passed 6-0.; Absent: Honeycutt

1st Reading of Ordinance 2021-1790 regarding Termination of a Public Safety or Fire Protection Charge in the Preserve at Tree Tops Effective Upon the Imposition of Charges in the Van Wyck Fire Protection District

Ordinance Title: An Ordinance To Terminate The Imposition And Collection Of A Public Safety Or Fire Protection Rate Or Charge In The Preserve At Tree Top Development Effective Upon The Imposition And Collection Of Rates And Charges In The Van Wyck Fire Protection District.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1790. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Honeycutt

Resolution 1184-R2021 regarding Amending Nutramax Laboratories' 2018 Fee Agreement

Resolution Title: A Resolution To Approve The Designation By Nutramax Manufacturing, Inc., Nutramax Laboratories, Inc., Nutramax Properties, LLC, And Nutramax Land Holdings, Inc., All As Sponsor, Of Airmax, LLC (D/B/A Airmax SC, LLC), As A Sponsor Affiliate Under That Certain Fee Agreement Dated As Of November 26, 2018; To Approve An Extension Of The Investment Period As Set Forth In That Certain Fee Agreement Dated As Of November 26, 2018; And To Consent To The Inclusion Of Aircraft As Part Of The Project Covered By That Certain Fee Agreement Dated As Of November 26, 2018.

Brian Carnes moved to approve Resolution 1184-R2021. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

1st Reading of Ordinance 2021-1792 regarding a First Amendment to Nutramax Laboratories' 2018 Fee Agreement

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A First Amendment To The Fee Agreement By And Among Nutramax Manufacturing, Inc., Nutramax Laboratories, Inc., Nutramax Properties, LLC, And Nutramax Land Holdings, Inc., And Lancaster County, South Carolina, Dated As Of November 26, 2018

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1792. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Honeycutt

Discussion and Action Items

Approval of Appointment to the Fire Commission

- Landon Hood to the Fire Commission as the Van Wyck Fire District representative to fill an unexpired term that would end on 06/30/2023

Terry Graham moved to approve. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Lancaster County EMS GIA Grant - Dennis Marstall/Clay Catoe

Clay Catoe explained that Lancaster County EMS was trying to become pediatric certified and that this equipment would help them with that process. He explained that the equipment was being purchased via a grant. He noted that Council would need to approve the grant match.

Billy Mosteller moved to approve the grant. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Honeycutt

Status of items tabled, recommitted, deferred or held

- a. HELD - Public Hearing and 3rd Reading of Ordinance 2021-1785 regarding Project Arrowhead Existing FILOT Assignment Ordinance and Amendment
Ordinance Title: An Ordinance To Consent To An Assignment Of Interests Under An Existing Fee In Lieu Of Tax And Incentive Agreement To [Project Arrowhead]; And To Authorize The Execution And Delivery Of A First Amendment To Such Existing Fee In Lieu Of Tax And Incentive Agreement, So As To, Among Other Things, Extend Its Term. - ***Passed 7-0 at the November 8, 2021 County Council Meeting. Passed 6-0 at the November 22, 2021 County Council Meeting (Terry Graham Absent). - Jamie Gilbert***

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 2021-1786 regarding Project Arrowhead FILOT and SSRC for New Investment
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Lancaster County And [Project Arrowhead] Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Passed 7-0 at the November 8, 2021 County Council Meeting. Passed 6-0 at the November 22, 2021 County Council Meeting (Terry Graham Absent). - Jamie Gilbert***

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

- c. HELD - Public Hearing and 2nd Reading of Ordinance 2021-1784 regarding Approval and Adoption of a Redistricting Plan
Ordinance Title: An Ordinance To Approve And Adopt A Redistricting Plan For The Election Districts Used To Elect Members Of County Council; To Authorize The County Administrator And Other County Officials To Take Any Necessary Actions To Effectuate The Purposes Of This Ordinance; And To Adopt Other Matters Related Thereto. - ***Passed 7-0 at the November 8, 2021 County Council Meeting. - John DuBose/Redistricting Study Committee Chair Brian Carnes***

This item was not discussed during the Council meeting; however, Dennis Marstall provided Council with updated information regarding the Redistricting process. He explained that the consultant that is conducting the bi-variate study should complete the study within the next two weeks and then provide a report so that Council can determine if the maps need to be adjusted.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence to discuss during the 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. One Economic Development Discussion: Project Alpine 2. SC Code 30-4-70(a)(5).

2. Receipt of Legal Advice concerning Possible Settlement of a Legal Claim. SC Code 30-4-70(a)(2).

Terry Graham moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt. At approximately 7:27 p.m., Council went into Executive Session to discuss the following items: (1) one economic development discussion for Project Alpine 2, pursuant to South Carolina Code 30-4-70(a)(5); and (2) receipt of legal advice concerning a possible settlement of a legal claim, 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 7:53 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council received a briefing on one economic development discussion for Project Alpine 2 and received legal advice concerning a possible settlement of a legal claim. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Brian Carnes moved to authorize the County Administrator to execute settlement documents and take other actions needed for the County's participation in two nationwide opioid settlement agreements, the Distributors Settlement and the Janssen Settlement, and to deliver executed settlement documents to outside counsel to be held in escrow pending outside counsel negotiating with the Attorney General for a more favorable allocation of settlement funds to local subdivisions in excess of the fifteen percent (15%) distribution under the nationwide default provisions. Seconded by Charlene McGriff.

Allen Blackmon recused himself from the vote regarding the potential settlement documents for the nationwide opioid settlement agreements. His Statement of Recusal is attached as Schedule A to the written minutes in the Clerk to Council's office. He left Chambers at approximately 7:54 p.m.

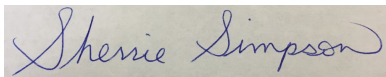
Motion Passed 5-0.; Absent: Honeycutt; Abstain: Blackmon

Allen Blackmon returned to Chambers and rejoined the Council meeting at approximately 7:55 p.m.

Adjournment

Brian Carnes moved to adjourn the Council meeting. Seconded by Charlene McGriff. The motion to adjourn Passed 6-0.; Absent: Honeycutt. There being no further business, the regular meeting of Council adjourned at approximately 7:55 p.m.

Respectfully Submitted:



Sherrie Simpson
Clerk to Council

Approved by Council on January 10, 2022



Billy Mosteller, Secretary