

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 12, 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, Terry Graham, Larry Honeycutt, Charlene McGriff, and Billy Mosteller; Absent: Steve Harper.

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; Veronica Thompson, Finance Director; Kim Belk, Budget Director; Leah Clevenger, IT Project Manager; Kayla Vaughn, Communications & Marketing Assistant; Natalie Bowers, Communications & Marketing Assistant; 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 County 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 - Vice-Chairman Brian Carnes

Vice-Chairman Brian Carnes called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Vice-Chairman Brian Carnes

Vice-Chairman Brian Carnes welcomed everyone to the meeting.

**Pledge of Allegiance led by Sherry Brady, Daughter of Councilmember Larry Honeycutt, and
Invocation led by Councilmember Larry Honeycutt**

Sherry Brady, daughter of Councilmember Larry Honeycutt, led the Pledge of Allegiance to the American Flag and Larry Honeycutt delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Larry Honeycutt. Motion Passed 6-0. Absent: Harper

Special Presentations

Dennis Marstall recognized Councilmember Larry Honeycutt for 16 years of service to the citizens of Lancaster County. Councilmember Honeycutt was presented with a Lancaster County Proclamation, a State of South Carolina House of Representatives Proclamation, as recommended by Representative Brandon Newton, and other gifts from County Council.

Mandy Catoe, Director of Keep Lancaster County Beautiful Committee, introduced members Clare McConaughay and Ann Ferguson to present the individual award from the Keep Lancaster County Beautiful Committee. The individual award, named the Franklin Ferguson Award, was presented to Joan Schuermeyer. Mandy then introduced Greg Gregory to present the group award, named the Larry Honeycutt Award. He presented the group award to Chester-Lancaster Disabilities and Special Needs Board.

Grant Davis, CPA, Director with Mauldin & Jenkins and Subsidiaries, LLC, presented the Audit report for Lancaster County. The presentation is attached to the written minutes as Schedule A in the Clerk to Council's office. Mr. Davis stated there was a clean opinion and an unmodified opinion. Veronica Thompson was commended on the good work done by Finance.

Citizens Comments

The following citizens signed up for Citizens Comments:

1. Steve Willis, Lancaster, SC, thanked Larry Honeycutt for his years of service to Lancaster County;
2. Gordon Johnston, Century Communities, gave an update on Shiloh Woods development on Shiloh Unity Road;
3. Kevin Garan, Indian Land, SC, spoke about smart growth; and
4. Gwendolyn Brown James, Lancaster, SC, spoke regarding the need for an ordinance change on subdividing large pieces of land, currently a 20 lot limit.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.** and **7b.** [which is the same as Item **a.** and **b.** listed below]. Seconded by Charlene McGriff. Motion Passed 6-0; Absent: Harper.

- a. **Approval of Minutes from the November 16, 2022 County Council Committee Of The Whole Meeting**
- b. **Approval of Minutes from the November 28, 2022 County Council Regular Meeting**

Non-Consent Agenda

Resolution 1221-R2022 regarding Assignment of the Fee Agreement And the Special Source Revenue Credit Agreement By And Among Lancaster County, K2 Lancaster LLC and Cooley Incorporated to FIP Master Funding VIII LLC

A Resolution To Consent To, Approve, And Ratify The Assignment Of The Fee Agreement By And Among Lancaster County, South Carolina, K2 Lancaster, LLC And Cooley, Incorporated To FIP Master Funding VIII, LLC And The Assignment Of The Special Source Revenue Credit Agreement By And Among Lancaster County, South Carolina, K2 Lancaster, LLC And Cooley, Incorporated To FIP Master Funding VIII, LLC.

Charlene McGriff moved to approve. Seconded by Terry Graham.

John DuBose explained that Cooley and K2 have an existing Special Source Revenue Credit Agreement. He stated the real property was being conveyed to FIP Master Funding and would be a lease back transaction. He explained the obligations of the fee in lieu would remain the same.

Motion to approve Resolution 1221-R2022 Passed 6-0. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff, Mosteller; Nays: None; Absent: Harper.

3rd Reading of Ordinance 2022-1832 regarding Approval of a Development Agreement for Shiloh Woods (Applicant Century Communities)

Ordinance Title: An Ordinance To Approve A Development Agreement With Century Communities Southeast, LLC, In Accordance With Unified Development Ordinance Section 9.2.18 For A Proposed 398-Unit Single-Family Cluster Subdivision Development Located On Approximately 169.86 Acres Of Land At 500 And 516 W. Shiloh Unity Road (TMS#s 0049-00-004.13, 0049-00-004.16, 0049-00-005.01 And 0049-00-005.02). - **Planning Department Case Number: DA-2022-0733.**

Rox Burhans reviewed the County Power Point presentation which is attached to the written minutes in the Clerk to Council's office. Rox Burhans stated the developer submitted the revised Traffic Impact Analysis (TIA) on November 22. He stated all of the outstanding items have been reconciled. He also informed Council that the developer would partner with another entity and contribute \$65,445 toward the intersection located at University Drive and Highway 521 to help with traffic congestion.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2022-1832. Seconded by Allen Blackmon. Terry Graham stated the fees for fire service and schools were too low.

The motion to approve the 3rd Reading of Ordinance 2022-1832 Passed 5-1. Ayes: Blackmon, Carnes, Honeycutt, McGriff, Mosteller; Nays: Graham; Absent: Harper.

Public Hearing and 3rd Reading of Ordinance 2022-1836 Amending That Certain March 22, 2021 Special Source Revenue Credit Agreement By And Between Lancaster County And Studio Displays, Inc. To Add T&T Capital, LLC As A Party Thereto With Retroactive Effect

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of An Amendment To That Certain March 22, 2021 Special Source Revenue Credit Agreement By And Between Lancaster County, South Carolina And Studio Displays, Inc. (The "SSRC Agreement") To Add T&T Capital, LLC As A Party Thereto With Retroactive Effect; To Extend The Provision Of Special Source Revenue Credits Under The SSRC Agreement To Investment Made By T&T Capital, LLC In Lancaster County; And To Provide For Other Matters Related Thereto.

John DuBose stated there was nothing new to add to this ordinance as presented.

Brian Carnes opened the Public Hearing for Ordinance 2022-1836 at approximately 7:01 p.m.

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

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: None.

Brian Carnes closed the Public Hearing at approximately 7:02 p.m.

Terry Graham moved to approve the 3rd Reading of Ordinance 2022-1836. Seconded by Charlene McGriff.

The motion to approve the 3rd Reading of Ordinance 2022-1836 Passed 6-0. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff, Mosteller; Nays: None; Absent: Harper.

Discussion and Action Items

Approval of Appointment to the Health and Wellness Commission

- Chiquita "Nickie" Evans as an At Large representative to the Health and Wellness Commission to fill an unexpired term that ends on 06/30/2025

Larry Honeycutt moved to approve the appointment of Chiquita "Nickie" Evans to the Health and Wellness Commission. Seconded by Charlene McGriff. The Motion Passed 6-0; Absent: Harper.

Status of items tabled, recommitted, deferred or held

- a. DEFERRED UNTIL 1-9-2023 - 1st Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - ***Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. - Rox Burhans***

There were no discussions regarding the status of items tabled, recommitted, deferred or held.

Miscellaneous Reports and Correspondence

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

Executive Session

Four Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. Three Legal Briefings regarding Contractual Matters. SC Code 30-4-70(a)(2).

2. One Economic Development Discussion: Project Raisin. SC Code 30-4-70(a)(5).

Allen Blackmon moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0; Absent: Harper. At approximately 7:04 p.m., Council went into Executive Session to discuss three (3) legal briefings regarding contractual matters, pursuant to South Carolina Code 30-4-70(a)(2), and one (1) Economic Development discussion: Project Raisin, pursuant to South Carolina Code 30-4-70(a)(5).

Council came out of Executive Session and Brian Carnes called the Council meeting back to order at approximately 8:49 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Larry Honeycutt. Motion Passed 6-0; Absent: Harper.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council discussed three (3) legal briefings regarding contractual matters and one (1) Economic Development discussion: Project Raisin. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Harper

There being no further business, the regular meeting of County Council adjourned at approximately 8:51 p.m.

Respectfully Submitted:

Approved by Council on January 9, 2023

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