

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

November 28, 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, Steve Harper, Larry Honeycutt, Charlene McGriff, and Billy Mosteller.

Staff Members/Others present: Dennis Marstall, County Administrator (*via Conference Call*); John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; John Bodner, Assistant County Administrator; Rox Burhans, Development Services Director; Leah Clevenger, IT Project Manager; 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 - 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 led by Avari McGee, granddaughter of Councilmember Charlene McGriff, and
Invocation led by Councilmember Charlene McGriff**

Avari McGee, granddaughter of Councilmember Charlene McGriff, led the Pledge of Allegiance to the American Flag and Charlene McGriff delivered the Invocation.

Approval of the Agenda

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

Special Presentations

Sean Scoopmire with White and Smith, Planning And Law Group, reviewed the Power Point presentation on the Unified Development Ordinance update of Module 2 which is attached as Schedule A to the written minutes in the Clerk to Council's office.

Citizens Comments

The following citizens signed up for Citizens Comments:

1. Lawrence T. Potts, Indian Land, SC, asked for reconsideration of Ordinance 2022-1833/RZ-2022-1357 and provided and read from the letter which is attached as Schedule B to the written minutes in the Clerk to Council's office;
2. Angie Potts Ennis, Indian Land, SC, asked for reconsideration of Ordinance 2022-1833/RZ-2022-1357 and read from the letter attached as Schedule B to the written minutes in the Clerk to Council's office;
3. Margie Potts Moore, Indian Land, SC, asked for reconsideration of Ordinance 2022-1833/RZ-2022-1357 and read from the letter attached as Schedule B to the written minutes in the Clerk to Council's office;
4. Gerald Haymond, Lancaster, SC, stated that he yielded his time;
5. Gordon Johnston, Century Communities, gave an update on Shiloh Woods community on Shiloh Unity Road; and
6. Wyscle Washington, Lancaster, SC, spoke regarding surveying.

The following citizens submitted electronic, written comments for Citizens Comments:

1. Felisa Dixon, Lancaster, SC, sent a letter regarding the ordinance on the number of deeds allowed on one road, which is attached as Schedule C to the written minutes in the Clerk to Council's office and a summary of that written comment was provided by Sherrie Simpson, Clerk to Council. A copy of the written comment was provided to each Council Member.

Brian Carnes moved to reconsider Ordinance 2022-1833. Seconded by Steve Harper. Motion Failed 2-5; Ayes: Carnes, Harper; Nays: Blackmon, Graham, Honeycutt, McGriff, Mosteller

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item 7a. [which is the same as Item a. listed below]. Seconded by Brian Carnes. Motion Passed 7-0.

a. Approval of Minutes from the November 14, 2022 County Council Regular Meeting

Non-Consent Agenda

Resolution 1224-R2022 regarding Amending the Second Master Multi-County Park Agreement with Chesterfield County to Enlarge the Boundaries of the Park so as to Include Property Owned by Sandhills Solar, LLC

Resolution Title: A Resolution To Amend The Second Master Multi-County Park Agreement Between Chesterfield County And Lancaster County, Dated As Of October 1, 2018, So As To Add To The Agreement Property Located In Chesterfield County Owned And/Or Operated By Sandhills Solar, LLC.

Allen Blackmon moved to approve. Seconded by Charlene McGriff.

John DuBose explained this resolution added property from Chesterfield County to the second master multi-county park agreement.

Motion to approve Resolution 1224-R2022 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None

Public Hearing and 3rd Reading of Ordinance 2022-1830 regarding Amending Chapter 7 of the County Code to Adopt Updated Uniform Building Codes

Ordinance Title: An Ordinance To Amend Chapter 7 Of The Lancaster County Code To Adopt Updated Uniform Codes As Mandated By The South Carolina Building Codes Council, To Adopt Certain Permissive Uniform Codes, And To Provide For Other Matters Related Thereto.

John DuBose stated there was nothing to update on this matter.

Steve Harper opened the Public Hearing for Ordinance 2022-1830 at approximately 7:18 p.m.

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

There were approximately 9 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 7:18 p.m.

Brian Carnes moved to approve. Seconded by Charlene McGriff.

The motion to approve 3rd Reading of Ordinance 2022-1830 Passed 7-0. Ayes: Blackmon, Carnes, Harper, Honeycutt, McGriff, Mosteller; Abstain: Graham; Nays: None

2nd 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.**

Chairman Steve Harper recused himself from the discussion and vote on 2nd reading of Ordinance 2022-1832. Vice Chair Brian Carnes took over the meeting at approximately 7:19 p.m. Steve Harper's Statement of Recusal is attached as Schedule D to the written minutes in the Clerk to Council's office.

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 so Planning has not been able to review the revised TIA due to the holidays.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2022-1832. Seconded by Billy Mosteller.

Terry Graham stated the school fees and the fire fees were not high enough.

The motion to approve the 2nd Reading of Ordinance 2022-1832 Passed 5-1-1. Ayes: Blackmon, Carnes, Honeycutt, McGriff, Mosteller; Nays: Graham; Abstain: Harper.

Steve Harper returned to the meeting at approximately 7:24 p.m. and resumed his duties as Chair of the meeting.

2nd 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.

Brian Carnes moved to approve the 2nd Reading of Ordinance 2022-1836. Seconded by Larry Honeycutt.

John DuBose stated the ordinance would add T&T Capital, LLC to the capital agreement with Studio Displays Incorporated.

The motion to approve the 2nd Reading of Ordinance 2022-1836 by title only Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: None.

Discussion and Action Items

Approval of Re-Appointments to Various Boards or Commissions

- James Barnett to the Planning Commission as the District 5 representative INSTEAD of the District 4 representative due to redistricting. If approved as the District 5 representative, he would fill an unexpired term that would end on 06/30/2025
- Phyllis Jarvis to the Library Board as the District 5 representative INSTEAD of the District 4 representative due to redistricting. If approved as the District 5 representative, she would fill an unexpired term that would end on 06/30/2025

Larry Honeycutt moved to approve the re-appointment of James Barnett to the Planning Commission and Phyllis Jarvis to the Library Board effective January 1, 2023. Seconded by Allen Blackmon. The Motion Passed 7-0.

Approval of Appointment to the Health and Wellness Commission

- Terri Lee as the District 3 representative to the Health and Wellness Commission to fill an unexpired term that ends on 06/30/2023 AND to serve a new four year term that begins on 7/1/2023 and ends on 06/30/2027.

Billy Mosteller moved to approve the appointment of Terri Lee to the Health and Wellness Commission. Seconded by Charlene McGriff. The Motion Passed 7-0.

Adoption of the 2023 Calendar Meeting Schedule for Council, Committees, Boards and Commissions, and Advisory Boards and Adoption of the 2023 Holiday Schedule for the County

Charlene McGriff moved to approve the adoption of the 2023 Calendar Meeting Schedule for Council, Committees, Boards and Commissions, and Advisory Boards and the adoption of the 2023 Holiday Schedule for the County. Seconded by Brian Carnes. The Motion Passed 7-0.

Discussion of Lot Limits on Dead End Roads

Rox Burhans explained that staff was asked to provide an update to Council on the maximum number of lots that would be allowed on closed or dead end roads. He further explained that the current Unified Development Ordinance (UDO) allows a dead end road to be 800 linear feet with no more than 20 lots. He noted that the standard was adopted in 2016. He noted that many older roads were restricted by this regulation, such as Green

Pond Road. He noted that Council may want to consider a text amendment to address this issue. He explained that there were many issues that will be impacted by such a text amendment, such as the 5 lot limit for minor subdivisions, legacy roads, and the private drive 5 lot limit.

Council and staff discussed the history of the 2016 standard, Green Pond Road, or whether the issue needed to be addressed immediately or could wait until the full UDO rewrite. Council requested that staff move forward with a text amendment and send it to the Planning Commission for consideration.

Rock Hill Fort Mill Area Transportation Study (RFATS) Update for Highway 521

Brian Carnes reviewed the County Power Point presentation regarding the Rock Hill Fort Mill Area Transportation Study (RFATS) update for Highway 521. He explained that the presentation would be high level because RFATS staff would be coming before Council at a later date to provide an in-depth presentation.

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.*

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

There was no Executive Session held during the Council meeting.

Adjournment

Steve Harper moved to adjourn. Seconded by Terry Graham. Motion Passed 7-0.

There being no further business, the regular meeting of County Council adjourned at approximately 7:56 p.m.