



CHESTER COUNTY COUNCIL MINUTES

**R. Carlisle Roddey Chester County Government Building
1476 J.A. Cochran Bypass Chester, SC 29706
Monday, October 2nd, 2017 at 6:00 PM**

Present: Chairman Shane Stuart, Vice Chairman Joe Branham, Council Member Archie Lucas, Council Member Brad Jordan, Council Member Pete Wilson, Council Member Alex Oliphant, Council Member Mary Guy, Clerk to Council Karen Lee and County Attorney Joanie Winters.

1. **Call to Order**-Chairman Stuart called the meeting to order at 6:00 pm.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison, invocation was given by Council Member Lucas.
3. **Approval of Minutes-September 18, 2017 County Council Minutes**-Council Member Guy motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.
4. **Citizen Comments**
Raymond Carter of PO Box 585, Chester, SC stated public bodies are to release the salaries of any employee who makes over \$50,000 dollars a year. He stated he would like to know how much money was released to the Sheriff for gangs.
5. **Public Hearing**
 - a. **Third Reading of An Ordinance to Authorize the Negotiation and Purchase of Property Located on Dawson Drive.** No one signed up to speak.
 - b. **Third Reading of An Ordinance to Ratify the Termination of The November 7, 2005 Fee Agreement Between Chester County and ACT (American Carbon Technology) With Respect to The Entire Project Effective August 1, 2017.** This item was dropped from the agenda.
 - c. **Third Reading of An Ordinance to Authorize the County of Chester, By Chester County Council, To Sell the Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein by Reference to Don Wood Upon Such Terms and Conditions as Approved by County Council.** No one signed up to speak.
 - d. **Third Reading of An Ordinance Authorizing the Execution and Delivery Of A Fee In Lieu Of Tax Agreement By And Between Chester County And Next Gen Alloys LLC, A Company Previously Identified As Project 1725; The Inclusion Of Certain Real Property Located In Chester County In A Multi-County Industrial Park; The Provision Of Credits Against Fee In Lieu Of Tax Payments; The Execution And Delivery Of Such Documents As May Be Necessary To Effect The Intent Of This Ordinance; And Other Matters Relating Thereto.** No one signed up to speak.

6. Ordinances/Resolutions/Proclamations

a. Third Reading of An Ordinance to Authorize the Negotiation and Purchase of Property Located on Dawson Drive-Chairman Stuart motioned to approve, seconded by Council Member Oliphant. Vote was 6-0 to approve purchase of property known as Tax Map # 201-01-06-003-000.

b. Third Reading of An Ordinance to Ratify the Termination of The November 7, 2005 Fee Agreement Between Chester County and ACT (American Carbon Technology) With Respect to The Entire Project Effective August 1, 2017- Taken off the agenda.

c. Third Reading of An Ordinance to Authorize the County of Chester, By Chester County Council, To Sell the Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein by Reference to Don Wood Upon Such Terms and Conditions as Approved by County Council. - Vice Chairman Branham motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve to sell Real Estate known as Tax Map # 080-06-02-028-000 to Don Wood.

d. Third Reading of An Ordinance Authorizing the Execution and Delivery Of A Fee In Lieu Of Tax Agreement By And Between Chester County And Next Gen Alloys LLC, A Company Previously Identified As Project 1725; The Inclusion Of Certain Real Property Located In Chester County In A Multi-County Industrial Park; The Provision Of Credits Against Fee In Lieu Of Tax Payments; The Execution And Delivery Of Such Documents As May Be Necessary To Effect The Intent Of This Ordinance; And Other Matters Relating Thereto. Council Member Oliphant motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

e. Second Reading of An Ordinance to Authorize the County of Chester, By Chester County Council, To Accept the Real Estate for The Exclusive Use of The Fort Lawn Fire Protection District and Described on Attached Exhibit "A" Which Is Incorporated Herein by Reference. Council Member Jordan motioned to approve, seconded by Council Member Lucas. Vote 6-0 to approve.

7. Old Business

a. Third Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by adding to Chapter 4 §4-117, GC-General Commercial District Uses; GC Conditional Uses: Item 9. Planning Commission voted 5-0 to approve. Council Member Guy motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

b. Update Concerning Litter Trash Pickup- Shane Stuart

Chairman Stuart stated since September 13th to October 2nd a total of 645 bags of trash has been picked up off the streets and roads in Chester County. He stated if anyone wants to report a road, they can call the Supervisor's Office at 803-385-5133 or Sharon Bickett, Recycling Coordinator at 803-581-4831.

b. Update Concerning Litter Trash Pickup- Shane Stuart (Continued)

Vice Chairman Branham asked what year Council approved the truck to pick trash up. Chairman Stuart stated in 2016, Ellis Faulkner, Public Works director is currently using the vehicle, it's the Recycling Departments. The old one was a maintenance vehicle used by the Sheriff when that department was picking up trash. Council Member Oliphant stated something is wrong with our society in Chester more needs to be done.

8. New Business

a. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Jefferson EB Wilson, agent for Rebecca J. Wilson. Request: A Portion of Tax Map Number 056-00-00-014-000 Consisting of 4.5 Acres Located at 2663 Lowry's Hwy, Chester, SC Be Rezoned from R-2 (Rural Two) to AG (Agriculture). Planning Commission Voted 6-0 to Approve. Vice Chairman Branham motioned to approve, seconded by Council Member Jordan. Council Member Wilson recused. Vote was 5-0 to approve.

b. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by deleting item in Chapter 4-103 Special Exception # 16 and replace with # 16 Solar Farms: See Supplemental Regulations: Chapter 5-701. Planning Commission Voted 5-0 to Approve. Council Member Lucas motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

c. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by deleting item in Chapter 4-121 Conditional Uses # 3 and replace with # 3 Solar Farms: See Supplemental Regulations: Chapter 5-701. Planning Commission Voted 5-0 to Approve. Council Member Lucas motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

d. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by deleting item in Chapter 4-119 Conditional Uses # 4 and replace with # 4 Solar Farms: See Supplemental Regulations: Chapter 5-701. Planning Commission Voted 5-0 to Approve. Council Member Guy motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

e. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by deleting item in Chapter 5-701 as written and Add: Solar Farms: District & Design Standards Required. Planning Commission voted 5-0 to approve. Council Member Wilson motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

f. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by deleting item in Chapter 5-701 as written and Add: # 1. ID1 Restricted Industrial and ID2 Limited Industrial as a Conditional Use under 5-701. Add #2. R2 Rural Two as a Special Exception under 5-701. Planning Commission voted 5-0 to approve. Council Member Guy motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

g. First Reading to Adopt the Planning Commission's Recommendation to Approve a Text Change from the Zoning Administrator by adding to Chapter 5-701; Supplemental Regulations: Solar Farms, Item i. "within twelve months." Planning Commission voted 6-0 to approve. Council Member Wilson motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

h. Consideration to add roads into the County Road System- Vice Chairman Joe Branham
Vice Chairman Branham stated he received a request from Nancy Daves concerning the conditions of roads at Richmond Acres in Catawba. He stated he had requested LB Cannon to look at the roads there. LB Cannon stated Public Works Director Ellis Faulkner and Road Supervisor Steven Porter looked at the four roads which consisted of Preston Brooks, Christine Court, Rhoden St and Sid Cornwell on September the 28th and 29th. The total linear feet were 6500, the roads are paved and are 20 feet in width. At the edge of the pavement to the back of the right of way young pine saplings and 8 to 9-inch pine trees were in the ditch line. They could not see the roadway drainage due to vegetation, and stated most of the roads were in fair shape, some has alligator cracking, the roads would have to be brought up to SCDOT

standards by the owner of the subdivision before they could be accepted into the County road system. He stated only the plat of the property is recorded in the Court House, a lot of work would have to be done to bring this to DOT standards. Mr. Cannon stated he had touched based with Lineberger Construction and was told an estimate cost \$85,000 to \$100,000 just to do one mile. He did not think anything in the right of ways had been cut since the roads were open.

Nancy Daves stated to her understanding the roads were supposed to be taken into the County and was setup by her deceased ex-husband. There are fifty homes there and would like to help the residents with better roads, she can come up with some of the money but not all of it. She would like to humbly ask the County to consider taking the roads into the County road system. Vice Chairman Branham stated he would like to help the residents and hoped with the rest of Council to improve the roads. He stated more research needed to be done and this could be discussed later.

9. **Executive Session**-Council Member Oliphant motioned to go into Executive Session, seconded by Council Member Guy. Vote was 6-0 to approve. Time was 7:07 pm.

a. To receive legal advice on pending litigation cases against Chester County.

10. **Council Actions Following Executive Session**- Council Member Guy motioned to back to Regular Session seconded by Vice Chairman Branham. Vote was 6-0 to approve. Time was 7:30 pm.

a. Action taken concerning legal advice on pending litigation cases against Chester County.
Chairman Stuart stated no action was taken.

11. **Council Comments**

Chairman Stuart stated if Council had any issues from citizens on the September 11th the County building was closed from 8:30 am to 12:00 pm due the power outage from the Hurricane. He stated he was working with Eddie Murphy to obtain a generator for any future outages. Also, on the 24th the Fort Lawn Fire District will hold their groundbreaking at the El Bethel Fire Station on Highway 21.

Vice Chairman Branham and Council Member Oliphant stated it was so sad what happened in Las Vegas last night. The largest mass murder in the United States, there thoughts and prayers go out to the victims and families.

12. **Adjourn**

Council Member Lucas motioned to adjourn, seconded by Council Member Jordan. Vote was 6-0 to adjourn.

Joe Branham, Vice Chairman, Chester County

Karen Lee, Clerk to Council

Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified and a notice was posted on the bulletin board at the Chester County Government Building 24 hours prior to the meeting