



Chester County Council Meeting

R. Carlisle Roddey Government Building
1476 J A Cochran Bypass | Chester, SC 29706
Tuesday, September 2, 2025 | 6:00 PM

MINUTES

Present: Chairman Pete Wilson, Vice Chair Erin Mosley (7:00pm arrival), Councilman Corey Guy, Councilman Bobby Raines, Councilman John Agee, County Administrator Brian Hester, Attorney Michael Kozlarek, Clerk to Council Kristie Donaldson

Absent: Councilman William Killian

1. CALL TO ORDER

Chairman Wilson called the meeting to order at 6:02pm and declared a quorum of council present.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

The allegiance was recited and invocation given by Councilman Guy.

Chairman Wilson stated that item 8b would need to be stricken from the agenda. Councilman Guy motioned to strike item 8b-3rd reading of Ordinance 2025-16, seconded by Councilman Raines. Vote 4-0 to strike item 8b.

3. APPROVAL OF MINUTES

a) August 18, 2025 Council Meeting Minutes

Councilman Guy motioned to approve, seconded by Councilman Raines. Vote 4-0 to approve.

4. CITIZEN'S COMMENTS

None

5. PUBLIC HEARING

Chairman Wilson opened the public hearing and stated no speakers signed in to speak. The public hearing was closed.

- a) Ordinance 2025-14 The addition of definitions to Chapter 22 – Article I- In General, Section 22-1; amending language of Article II- Nuisance Abatement, Section 22-19 to provide for additional conditions that result in a Public Nuisance; and to provide for other related matters.
- b) Ordinance 2025-15 An ordinance approving and ratifying an amended and restated fee in lieu of tax and incentive agreement by and between Chester County, South Carolina, and BR Diversified Industrial Portfolio 6, DST, a Delaware Statutory Trust; and providing for other related matters.
- c) Ordinance 2025-16 Authorizing the execution and delivery of a fee in lieu of tax and special source revenue credit agreement by and between Chester County and Chester Asphalt Terminal LLC; providing for a fee in lieu of ad valorem taxes incentive; providing for a special source revenue credit; creating or modifying a joint county industrial and business park agreement between Chester County and York County so as to establish or enlarge the park; and other related matters.

6. ORDINANCES | RESOLUTIONS | PROCLAMATIONS

a) 1st Reading of Ordinance 2025-20

Authorizing the conveyance of easement rights to Duke Energy Carolinas, LLC, for the purpose of utility infrastructure construction and maintenance at property located at or about the Chester County Courthouse, designated as TMS #201-11-01-007-000; and providing for other related matters.

Planning and Development Director Jeremy Ward explained to council that Duke Energy is pursuing an easement to lay underground power to the courthouse area coming from McAliley Street. He stated they have also secured an easement through SC Department of Transportation for the portion of the project along McAliley Street and that the portion in the courthouse property would include underground power lines, a transformer, and a light pole. Senior Land Representative Felix Lopez with Duke Energy also addressed council stating that the aerial powerlines are close to the courthouse building and their goal is to replace all conductors, transformers, and bury the section of line that is right along the courthouse for aesthetics and safety.

Councilman Guy motioned to approve, seconded by Councilman Raines. Vote 4-0 to approve.

b) 2nd Reading of Ordinance 2025-19

Amending Ordinance No. 2018-11, as amended and clarified by Ordinance No. 2022-13, as further amended by Ordinance No. 2023-15, to provide for the allocation of fee in lieu of tax revenues for some property located in the county; and providing for other related matters.

Councilman John Agee expressed concerns about the fee in lieu of taxes (FILOT) agreements, particularly their impact on fire departments and school districts. He noted that the language in the agreements is ambiguous ("may give you money" rather than "will give you money") and raised concerns about the rush to approve the ordinance. He cited a report indicating that South Carolina has lost significant revenue for schools due to FILOT agreements and mentioned that Chester County is among the top in the state for such losses. He has retained legal counsel to further review the matter and intends to share findings with the public.

Administrator Hester responded by explaining the rationale for FILOT agreements, emphasizing that such incentives are necessary to attract industry to the county. He stated that without these incentives, industries would not come, and the county, schools, and fire departments would receive no additional revenue. He clarified that the schools continue to receive 15% of the operating fund from these agreements, and that the county relies on these industries to keep property tax rates stable.

Councilman Guy and others sought clarification on whether FILOT agreements actually take money away from the school district. Administrator Hester reiterated that the 15% allocation to schools has not changed and that the only adjustment was to fund full-time firefighters, which came from the school district's debt millage due to unused capacity. Councilman Raines clarified that the ordinance is about how the county allocates FILOT revenues, not about the structure of FILOT itself, and that the process is already in place. There was also discussion about the source of a report cited by Councilman Agee, with Chairman Wilson questioning its credibility but encouraging others to read it for themselves.

Councilman Raines motioned to approve, seconded by Councilman Guy. Vote 3-1 to approve. Councilman Agee opposed.

c) Resolution 2025-20

Providing approval for a \$100,300 local match for a \$750,000 Community Development Block Grant for firefighting equipment to be used as part of the Great Falls Fire Department; and providing for other related matters.

Emergency Services Director Kell Benson explained that the CDBG (Community Development Block Grant) for the Great Falls Fire Department is specifically for purchasing a fire truck. The grant requires that the area served must be low to moderate income (LMI), with at least 51% of residents qualifying. To meet this requirement, the county had to survey a large number of addresses—116 in total, though only 66 were initially provided—to gather the necessary information. The grant provides two years to spend

the funds, and the county is requesting a 10% local match, which amounts to \$100,300. This includes \$25,000 for the COG (Council of Governments) and a \$300 environmental fee. Director Benson emphasized that Great Falls was chosen for the fire truck because it met the LMI requirements and, importantly, because acquiring the new service truck would help improve the area's ISO (Insurance Services Office) score. He stated that the last ISO inspection for Great Falls was 67.86, and reaching 70 points would move them to an ISO 3 rating and that the new truck is worth four points, making it a key factor in achieving this goal.

Councilman Raines motioned to approve, seconded by Councilman Guy. Vote 4-0 to approve.

d) Resolution 2025-21

Providing approval for a \$208,786 local match for a \$300,000 Community Development Block Grant for an ambulance and related equipment to be used as part of the West Chester EMS service area; and providing for other related matters.

Director Benson explained that the CDBG (Community Development Block Grant) for the West Chester ambulance is part of a program called the "locals priority program," which is designed to support new and expanded public services that address health and safety needs. The grant is for \$300,000, with a required local match of \$208,786. The county has two years to spend the funds. He stated that this grant will help fund a new ambulance and related equipment for the West Chester EMS service area, specifically supporting the addition of EMS 5 to West Chester, which is a new service. Director Benson noted that while the grant covers a significant portion of the costs, the county will still be \$78,000 short for the ambulance, and additional funds will be needed for equipment such as the Stryker system. However, providing this local match and additional capital will strengthen the county's application and chances of receiving the grant. Director Benson also mentioned that the county worked closely with the public works director, the COG, and a representative from the Department of Commerce to review all available grants, and these were the only two (the fire truck and the ambulance) that Chester County qualified for.

Councilman Guy motioned to approve, seconded by Councilman Raines. Vote 4-0 to approve.

e) Resolution 2025-22

Authorizing the transfer of a service weapon to Deputy Al Crawford upon retirement in recognition of distinguished service.

Councilman Guy motioned to approve, seconded by Councilman Raines. Vote 4-0 to approve.

f) Resolution 2025-23

Providing preliminary approval for certain incentives to induce investors identified for the time being as Project Blank Page, acting for itself, one or more current or future affiliates, and other project sponsors (collectively, "company") to establish or expand certain facilities in Chester County, South Carolina ("county"), including (1) a negotiated fee in lieu of ad valorem tax arrangement; (2) inclusion of the project site in a multi-county industrial or business park; (3) special source credits to be applied against fees in lieu of ad valorem taxes; and (4) other related matters.

Councilman Raines motioned to approve, seconded by Councilman Guy. Vote 3-1 to approve. Councilman Agee opposed.

g) Resolution 2025-24

Adopting the Self-Evaluation Plan, the Transition Plan, and other related policies and procedures, all according to the Americans with Disabilities Act of 1990; and providing for other related matters.

Public Works Director Devon Bagley addressed the council regarding the Americans with Disabilities Act (ADA) compliance. She explained that the ADA was passed in 1973, and as part of compliance, local

governments are required to complete a self-evaluation and transition plan. The last time Chester County completed this process was in 2009, so an update was necessary. Director Bagley reported that the county had met with a committee on July 22 to update the plan, and the next step was to bring it to the council for approval. She emphasized that having an updated plan is required for eligibility for CDBG grants and funding, which is particularly important for projects like the recently discussed ambulance and fire truck grants.

Councilman Raines motioned to approve, seconded by Councilman Guy. Vote 4-0 to approve.

7. ADMINISTRATOR'S REPORT

Administrator Hester began with the introduction of several new and returning staff members, including Erin Reavis as the new Recycling Coordinator, Jamie Deason as the new EMS Training Officer, and Martin Lane as the new Parks and Recreation Supervisor. He also welcomed Adelma Gregory, a participant in the Citizens Academy, as the new Public Works administrative assistant. Administrator Hester acknowledged the presence of the Citizens Academy class at the meeting, explaining that attending a council meeting is part of their curriculum and expressing appreciation for their engagement in learning about county government. He reported on a successful town hall meeting held the previous week, which addressed topics such as ISO ratings, fire services, ongoing projects, and property reassessment, noting that the meeting was well-attended and received positive feedback from the community. Administrator Hester provided updates on several projects, including the groundbreaking of Winchester Phase One, with construction expected to go vertical before the end of the year, and the beginning of plat and bond submittal for Woodhaven Phase Three, which will be the last residential phase of that development. He also announced that the county had received a TAP grant for sidewalks to connect the Woodhaven subdivision to the school and other areas. Additionally, Administrator Hester mentioned that the roads package had been sent out and reminded the council of an upcoming CTC meeting. He clarified that the new hires were filling existing positions due to attrition or retirement, not newly created roles. Finally, Hester shared that the county would soon begin a project to remove invasive Bradford Pear trees around the Roddey Building and replace them with oak trees, as previously discussed, emphasizing that these efforts reflect ongoing improvements in county operations.

8. CONSENT AGENDA

Councilman Raines motioned to approve items in the consent agenda with the removal of items B (Ordinance 2025-16), C (Ordinance 2025-18, and D (Ordinance 2025-17). Seconded by Councilman Guy. Vote 4-0 to approve.

a) 3rd Reading of Ordinance 2025-14

The addition of definitions to Chapter 22 – Article I- In General, Section 22-1; amending language of Article II- Nuisance Abatement, Section 22-19 to provide for additional conditions that result in a Public Nuisance; and to provide for other related matters.

b) ~~3rd Reading of Ordinance 2025-16~~

~~Authorizing the execution and delivery of a fee in lieu of tax and special source revenue credit agreement by and between Chester County and Chester Asphalt Terminal LLC; providing for a fee in lieu of ad valorem taxes incentive; providing for a special source revenue credit; creating or modifying a joint county industrial and business park agreement between Chester County and York County so as to establish or enlarge the park; and other related matters.~~

c) 2nd Reading of Ordinance 2025-18

To repeal the county's land development regulations, enacted December 11, 2002, as subsequently amended, and replace the same by enacting Chapter 2: Subdivision and Land Development Regulations, of the County's Unified Development Ordinance; and to provide for other related matters.

Chairman Wilson motioned to approve Ordinance 2025-18 with the amendment to include crawl spaces with either stucco or brick veneer as an additional option as discussed. Seconded by Councilman Guy. Vote 4-0 to approve.

d) 2nd Reading of Ordinance 2025-17

Authorizing the execution and delivery of a first amendment to fee-in-lieu of tax and incentive agreement, by and among Chester County, South Carolina (“county”), IKO Glass Fiber Inc. (“IKO Glass”), and IKO Mat Tech Inc. (“IKO Tech”), previously identified as Project Phoenix22, acting for themselves, one or more affiliates and/or other project sponsors (collectively, “company”), pursuant to which the company and the county agree to certain amended incentives and amended performance measures; and providing for other related matters. Councilman Raines motioned to approve, seconded by Councilman Guy. Vote 3-1 to approve. Councilman Agee opposed.

e) 2nd Reading of CCTA25-07 – Chester County Zoning Ordinance – Text Amendments

Chapter 4 § 4-111 RG-1 – Multi-Family Residential Uses

Add Text:

RG-1 <u>PERMITTED USES</u>	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
1. Urban Conservation Subdivision	814 111 112	Private households (except mobile or manufactured homes) in the setting of an urban conservation subdivision, along with associated permitted uses	As required in subdivision code

f) 2nd Reading of CCTA25-08 – Chester County Zoning Ordinance – Text Amendments

Chapter 4 § 4-112 RG-1 – Multi-Family Residential District Regulations

Add Text:

The following regulations apply to all uses in RG-1 districts:

Minimum residential lot area:	<u>Single family</u> : With public water and sewer: 10,000 square feet. With public water; individual sewer: ½ acre as directed by DHEC. With individual water and sewer: 1 acre as directed by DHEC. <u>With public water and sewer in an Urban Conservation Subdivision: 6,500 square feet.</u> <u>Multi-family</u> : 12,000 square feet for first dwelling unit; 3,000 square feet for second dwelling unit; thereafter 2,500 square feet for each additional dwelling unit.
Minimum lot width at building line:	<u>With public water and sewer</u> : 70 feet. <u>With public water and sewer in an Urban Conservation Subdivision: 60 feet.</u> <u>Other</u> : 130 feet.
Minimum side yard:	<u>Principal structure</u> - 15 feet from interior side lot line 10 feet from interior side lot line in an Urban Conservation Subdivision. <u>Accessory structure</u> - 6 feet from interior side lot line.

- g) 2nd Reading of CCTA25-09 – Chester County Zoning Ordinance – Text Amendment
Chapter 4 § 4-113 RG-2 - General Residential District Uses.

Add Text:

RG-2 <u>PERMITTED USES</u>	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
1. Urban Conservation Subdivision	814 111 112	Private households (except mobile or manufactured homes) in the setting of an urban conservation subdivision, along with associated permitted uses	As required in subdivision code

- h) 2nd Reading of CCTA25-10 – Chester County Zoning Ordinance – Text Amendments
Chapter 4 § 4-114 RG-2 - General Residential District Uses.

Add Text:

Minimum residential lot area:	<u>Single family</u> : With public water and sewer: 10,000 square feet. With public water; individual sewer: ½ acre as directed by DHEC. With individual water and sewer: 1 acre as directed by DHEC. <u>With public water and sewer in an Urban Conservation Subdivision:</u> 6,500 square feet. <u>Multi-family</u> : 12,000 square feet for first dwelling unit; 3,000 square feet for second dwelling unit; thereafter 2,500 square feet for each additional dwelling unit. <u>Manufactured home parks</u> : eight (8) acres.
Minimum lot width at building line:	<u>With public water and sewer</u> : 70 feet. <u>With public water and sewer in an Urban Conservation Subdivision:</u> 60 feet. <u>Other</u> : 130 feet.
Minimum side yard:	<u>Principal structure</u> - 15 feet from interior side lot line 10 feet from interior side lot line in an Urban Conservation Subdivision. <u>Accessory structure</u> - 6 feet from interior side lot line.

- a) 2nd Reading of CCTA25-11 – Chester County Zoning Ordinance – Text Amendments
Chapter 4 § 4-115 LC – Limited Commercial District Uses.

Add Text:

LC - <u>PERMITTED USES</u>	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES
-----------------------------------	-----------------------	------------------------------	---------------------------

			REQUIRED
2. Urban Conservation Subdivision	814 111 112	Private households (except mobile or manufactured homes) in the setting of an urban conservation subdivision, along with associated permitted uses	As required in subdivision code

b) 2nd Reading of CCTA25-12 – Chester County Zoning Ordinance – Text Amendments

Chapter 4 § 4-116 LC – Limited Commercial District Uses.

Add Text:

The following regulations apply to all uses in LC districts:

Minimum residential lot area:	<u>Single family:</u> With public water and sewer: 10,000 square feet. With public water; individual sewer: ½ acre or as directed by DHEC. With individual water and sewer: 1 acre or as directed by DHEC. With public water and sewer in an Urban Conservation Subdivision: 6,500 square feet. <u>Multi-family:</u> 1 acre.
Minimum lot width at building line:	<u>With public water and sewer:</u> 70 feet. <u>With public water and sewer in an Urban Conservation Subdivision: 60 feet.</u> <u>Other:</u> 130 feet.

c) 2nd Reading of CCTA25-13 – Chester County Zoning Ordinance – Text Amendments

Chapter 4 § 4-103 R-2 – Rural Two District Uses.

Add Text:

R-2 CONDITIONAL USES [approved by Zoning Administrator if all conditions are met]	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
1. Rural Conservation Subdivision, provided all following conditions are met: a. The total site plan has at least twenty (20) gross acres and classifies as a medium, major, or mega subdivision. b. The site plan is less than one hundred (100) homes. c. The entrance to the subdivision is half (0.5) a mile or less, in a direct line, from a state or federal highway.	814 111 112 113	Private households in the setting of a rural conservation subdivision, along with associated permitted uses	As required in subdivision code

d) 2nd Reading of CCTA25-14 – Chester County Zoning Ordinance – Text Amendments

Chapter 4 § 4-103 R-2 – Rural Two District Uses.

Add Text:

R-2 SPECIAL EXCEPTIONS [approved by Board of Zoning Appeals after hearing]	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
1. Rural Conservation Subdivision, provided all following conditions are met: - The total site plan has at least twenty (20) gross acres and classifies as a medium, major, or mega subdivision. - The site plan consists of less than one hundred (100) homes or is within one (1) mile of a state or federal highway, unless an exceptional plan is presented for agricultural or environmental conservation. - Any necessary conditions are imposed for safety, traffic, and impact on the district. - The use is compatible with the district.	814 111 112 113	Private households in the setting of a rural conservation subdivision, along with associated permitted uses	As required in subdivision code

- e) 2nd Reading of CCTA25-15 – Chester County Zoning Ordinance – Text Amendments
Chapter 4 § 4-104 R-2 – Rural Two District Regulations.

Add Text:

The following regulations apply to all uses in R-2 districts.

Minimum lot area:	Residential: 2 acres Rural Conservation Subdivision: 1 acre. Other uses: None, or as specified in conditions
--------------------------	---

9. OLD BUSINESS

10. NEW BUSINESS

- a) Setting of the 2025 Millage Rates

Donnie Wade, Auditor

Donnie Wade, Chester County Auditor, presented the annual report on millage rates and property tax assessments to the council. He explained that 2025 is a reassessment year, which means property values have increased and, as a result, the millage rates are proposed to decrease across various categories, including county operations, county debt, library, York Tech, and several fire districts. Auditor Wade emphasized that the proposed rollback in millage rates is a positive development for taxpayers, as it helps offset the increase in property values and ensures the county remains in compliance with state law. He noted that this is the first time in his 19 years as auditor that he has been able to recommend such a significant rollback. Auditor Wade also clarified that fee in lieu of taxes (FILOT) revenues are considered a separate revenue source and are not included in the total assessed value for ad valorem taxes or the calculation of the 1% fireman's money, which is distributed to volunteer fire fighters based on assessed property values. He assured the council that Chester County calculates this correctly to maximize the benefit for local fire departments. Auditor Wade concluded by expressing appreciation for the collaborative efforts of the council, administration, and assessor's office, and highlighted that the rollback in millage rates would benefit all taxpayers in the county.

Councilman Guy motioned to approve the 2025 millage rates, seconded by Vice Chair Mosley. Vote 5-0 to approve.

b) **Republic Services Landfill Presentation**

Shane Walker, Charlotte Area President

Shane Walker, President of Republic Services for the Charlotte area, addressed the council to discuss the current state and future strategy of Chester County's solid waste operations. He explained that Republic Services currently partners with the county for waste transfer and disposal, with local waste being transported to a landfill in Union County. Mr. Walker highlighted a growing concern about diminishing landfill capacity in the region, noting that no new landfills have been permitted in South Carolina since the late 1990s and that the Piedmont area, including Chester County, faces a potential future shortage. To address this, he proposed that the county consider closing its transfer station and, in partnership with Republic, convert the existing construction and demolition landfill into a modern, lined municipal solid waste landfill on county-owned property, supplemented by 800 acres owned by Republic. This project would eliminate transfer and disposal costs, provide free or reduced disposal for residents, mitigate environmental risks, and serve as an economic development tool. Mr. Walker emphasized that this was an initial discussion and that any project would require a lengthy permitting process, public input, and careful planning, with the potential landfill footprint being about 175–200 acres and a projected lifespan of around 40 years. He assured the council that the intent was not to create a massive landfill covering all 800 acres and that the project would be designed with significant buffers and environmental safeguards.

c) **1st Reading of CCMA25-18** CDP Great Falls LLC requests a portion of Tax Map # 161-01-00-059-000 (1.3 acres) located off Ridgeway Road, Great Falls, SC 29055 from Multi-family Residential District (RG-1) to General Commercial District (GC). The Planning Commission voted 6-0 to approve.

Councilman Agee motioned to approve, seconded by Councilman Raines. Vote 5-0 to approve.

d) **1st Reading of CCMA25-19** ICB America, LP, a Georgia Limited Partnership requests Tax Map # 080-04-05-026-000 (1.4 acres) located at 527 Great Falls Highway, Chester, SC 29706 from General Commercial District (GC) to Restricted Industrial District (ID-1). The Planning Commission voted 6-0 to approve.

Councilman Raines motioned to approve, seconded by Vice Chair Mosley. Vote 5-0 to approve.

e) **1st Reading of CCMA25-20** ICB America, LP, a Georgia Limited Partnership requests Tax Map # 080-04-05-027-000 (0.102 +/- acres) located next to 527 Great Falls Highway, Chester, SC 29706 from General Commercial District (GC) to Restricted Industrial District (ID-1). The Planning Commission voted 6-0 to approve.

Vice Chair Mosley motioned to approve, seconded by Councilman Raines. Vote 5-0 to approve.

11. BOARDS AND COMMISSIONS

12. EXECUTIVE SESSION

Councilman Raines motioned to enter into executive session, seconded by Vice Chair Mosley. Vote 5-0 to enter into executive session.

- a) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body – Chester R+D Park

- b) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body – Project P2038
- c) Discussion of personnel matter regarding Clerk to Council

13. ACTIONS FOLLOWING EXECUTIVE SESSION

Councilman Guy motioned to return to regular session, seconded by Vice Chair Mosley. Vote 5-0 to return to regular session.

Chairman Wilson stated that all items were taken as information only.

- a) Action taken regarding Chester R+D Park
- b) Action taken regarding Project P2038
- c) Action taken regarding Clerk to Council personnel matter

14. COUNCIL COMMENTS

15. ADJOURN

Councilman Raines motioned to adjourn, seconded by Councilman Guy. Vote 5-0 to adjourn.

Time of adjournment: 8:19pm

Kristie Donaldson
Clerk to Council