

CHESTER COUNTY COUNCIL MEETING MINUTES

Lowrys Community Center
2266 Old York Road, Chester, South Carolina

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

1. **Call to Order**-Chairman Stuart called the meeting to order.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison, Council Member Lucas led the invocation.
3. **Approval of Minutes- October 1st, 2018**-Council Member Guy motioned to approve, second by Council Member Lucas. Vote was 5-0 to approve. Vice Chairman Branham was absent from the prior meeting and did not vote.
4. **Citizens Comments**
Raymond Carter of 881 Yarbrough Road, Chester, South Carolina stated students and Chester school systems are not appropriate. Make sure your children are safe.
5. **Old Business**
 - a. **2nd Reading CCMA18-20: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 135- 00-00-019-000, located North of Highway #9, be rezoned from ID-1 (Restricted Industrial) to Limited Industrial (ID-2) Planning Commission voted 7-0 to approve. Council Member Guy motioned to approve, second by Council Member Lucas. Vote 6-0 to approve.**
 - b. **2nd Reading CCMA18-21: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 135-00-00-012-000, located North of Highway #9, be rezoned from ID-1 (Restricted Industrial) to Limited Industrial (ID-2) Planning Commission voted 7-0 to approve. Council Member Jordan motioned to approve, second by Council Member Wilson. Vote 6-0 to approve.**
 - c. **2nd Reading CCMA18-22: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 135-00-00-032-000, located North of Highway #9, be rezoned from R2 (Rural Two) to Limited Industrial (ID-2) Planning Commission voted 7-0 to approve. Council Member Guy motioned to approve, second by Council Member Lucas. Vote 6-0 to approve**
 - d. **2nd Reading CCMA18-23: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 135-00-00-020-000, located North of Highway #9, be rezoned from R2 (Rural Two) to Limited Industrial (ID-2) Planning Commission voted 7-0 to approve. Council Member Guy motioned to approve, second by Council Member Lucas. Vote was 6-0 to approve.**
 - e. **2nd Reading CCMA18-24: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 145-00-00-007-000, located North of Highway #9, be rezoned from R2 (Rural Two) to Limited Industrial (ID-2) Planning Commission voted 6-1 to approve. Council Member Lucas motioned to approve, second by Council Member Guy. Vote 6-0 to approve.**

- f. **2nd Reading CCMA18-25: Richburg Magnolias LLC, owned by Odell Steele, request Tax Map # 135-00-00-011-000, located North of Highway #9, be rezoned from AG (Agricultural) to Limited Industrial (ID-2) Planning Commission voted 6-1 to approve.** Vice Chairman Branham asked if any discussion had occurred at the last council meeting concerning these properties. Chairman Stuart stated no. Council Member Lucas motioned to approve, second by Vice Chairman Branham. Vote was 6-0 to approve.
- g. **2nd Reading CCMA18-26: Derick Close, represented by Darrell Walters, request Tax Map # 165- 00-00-079-000, located at 2404 Catawba River Rd, Ft Lawn, be rezoned from Limited Industrial (ID-2) to Rural Residential (R-2) Planning Commission voted 7-0 to approve.** Council Member Oliphant motioned to approve, second by Council Member Wilson. Vote 6-0 to approve.

6. New Business

a. Update on Recycling Centers-Sharon Bickett

Sharon Bickett, Recycling Coordinator stated recycling had changed from the old way it was done. Items accepted at Convenience sites are aluminum cans, batteries, cardboard, used clothes, cooking oil, (farmers oil at Lando #3 convenience site), used oil at all sites, oil/gas mixtures at #9 W. Chester and #10 Blackstock convenience sites plastics and steel metal cans and oil cans. (plastics must be bottle form only and a #1-7)

Items not accepted are glass, newspaper, office paper, magazines, telephone books and shredded paper. She stated items accepted at the landfill were appliances, electronic-anything with a cord (called E-Waste), tires, scrap metal, used clothes and used oil. The rates are \$48.00 per ton for household waste, \$48.00 a ton for construction debris, also tires are \$1.00 per tire or \$100.00 per ton. There is no charge for appliances, scrap metal is accepted, Beltline Road, Dawson Drive, Lando and Fort Lawn Convenience sites, trying to add more sites as boxes become available Mrs. Bickett stated the Household Hazard Waste Collection held October 13 had a total of 129 cars to come through. The project manager on site stated a lot of old paint, dangerous chemicals and mercury were disposed of. Council Member Oliphant stated for clarification the items not accepted such as the glass, newspaper, office paper etc., can be thrown in as regular garbage. Mrs. Bickett stated that was correct. Council Member Guy asked what was done with the used clothes.

Mrs. Bickett stated they partnered with the Sheriff's department, the clothes are sent to a third world country. Any money the Sheriff department receives back goes to the DARE program which they use to distribute school supplies to the lower grades in schools. Council Member Wilson asked if anything with the glass would be changed. Mrs. Bickett stated no time soon. She stated it was expensive to haul to Columbia, but are working with York County to partner with them to send the glass there instead of Columbia since it would maybe be cheaper. Council Member Oliphant suggested the flyer would be more effective if items accepted would be in the green section only. Chairman Stuart stated he would like to let Council know he is working with the Dennis Corporation for cost estimates to upgrade the convenience sites, they are working on a preliminary plan and will bring it back to Council at a later date.

b. From CCTC

1. Approval of Bid to Hang Signs on The Bypass

Council Member Oliphant motioned to approve, second by Council Member Guy. Vote 6-0 to approve.

c. Discuss Land Development Regulations regarding the number of houses allowed with single access. –Council Member Wilson

Council Member Wilson stated the County's Land Development Regulation was out of date and needs to be revamped because of the issues that have come up. A text change to the land development regulation that would limit the number of dwellings with a single ingress and egress needs be implemented. York County already has this in place in their regulations. Currently York has a limit of 150 single family residence for one egress/ingress. He stated the reason for this is for safety so emergency equipment can get in and out. Council Member Oliphant stated he thought this had been discussed before concerning updating the zoning ordinance and the land development regulations. He stated he would be in favor of the text amendment, doesn't want to be bog down but be flexible when the developer looks at Chester County rules and knows what they can and cannot do and stated this needs to be fixed now. Chairman Stuart stated it was a slow process, basically the Planning Department has three books they have to go through and asked Planning Director Mike Levister to come up and explain.

Mr. Levister stated he was told when he took this position in December of last year Catawba Regional Council of Governments was working on this. The Dennis Corporation has already started the study, some surrounding counties does it by the number of houses some do it by the impact of the traffic. The Council needs to decide how many houses you want on the text amendment. He stated in the York County regulations it is 150 houses, but the transportation engineer can make an exception of how many houses it can be whether it can be less or the maximum of 150. Council Member Jordan stated he looked at Greenville County's regulation and there's starts at 60 with future access and stated that should also be looked at in increments. Mr. Levister stated Kershaw County relies on the traffic study, at least two access points of traffic indicates 2000 average daily trips generated.

Chairman Stuart stated something to look at would be for Council to adopt a developer agreement ordinance since we don't have impact fees in place now. County Attorney Winters stated there was a performance guarantee in the regulations but having the development agreement along with it the developer couldn't walk away. This would protect the County until the impact fees are established. Mr. Levister stated Council needs to figure out how they want to word this in a text amendment. Council Member Oliphant asked Mr. Levister if he could get examples from other Counties to present to them. Council decided for Mr. Levister to bring examples back to the next meeting for a text amendment to approve to present to the Planning Commission.

d. Discuss Chester County Zoning Ordinance RS-1 Single Family Residential District Special Exception # 2 -Council Member Jordan.

Council Member Jordan stated when you look at the RS1 special exception #2 he would like more clarity on two of them. Under b., its states "maximum density of three (3) dwellings per acre" it does not clarify how the maximum density is calculated. The way its calculated now, you take the total number of homes and divide by the total acreage, which includes buffers and common open space and roadways. He stated this allows the developer to put a greater number of houses per acre than three dwellings per acre. He would like the Planning Commission to look at this. Under f., its states "adequate provisions for access and traffic safety" this goes along with what Council Wilson had stated concerning ingress/egress. Councilman Jordan stated he thought there should be more of an objective standard of what is adequate access. He would like the Planning Commission to look at this as well. The books are out dated, future development is here so action needs to be done now. When developers come they will know what is expected.

7. Boards and Commissions

a. Resignation of Chris Winters from the Library Board- Council Member Oliphant

Council Member Oliphant stated Mr. Winters was on the board for a long time and was very effective. He motioned to accept his resignation, second by Council Member Lucas. Vote 6-0 to approve.

b. Appoint Rose Douglas to the Hazel Pittman Board-Vice Chairman Branham.

Vice Chairman Branham stated this was a hard board to fill, he stated Mrs. Douglas was highly recommended and she also use to work for the County and motioned to appoint Rose Douglas to the Hazel Pittman Board second by Council Member Oliphant. Vote 6-0 to approve.

c. Resignation of Jerry Mozingo from the Zoning Board of Appeals- Council Member

Jordan. Council Member Jordan stated Mr. Mozingo has had health issues and could not continue to be on the board. He motioned to accept Mr. Mozingo's resignation, second by Council Member Guy. Vote was 6-0 to approve.

d. Appoint Erin Mosely to the Zoning Board of Appeals-Chairman Stuart.

Chairman Stuart motioned to appoint Erin Mosely to the Zoning Board of Appeals, second by Council Member Oliphant. Vote 6-0 to approve.

8. Executive Session- Council Member Jordan motioned to go to executive session second by Council Member Guy. Vote 6-0 to approve.

- a. Discuss Economic Development Matter - Project 1850.
- b. Discuss a Contractual Matter Regarding Gateway Expansion.
- c. Receive Legal Advice Regarding Southeastern Petroleum

9. Councils Action Following Executive Session-Council Member Wilson motioned to go back to regular session, second by Council Member Guy. Vote 6-0 to approve.

- a. **Action Taken Concerning Economic Development Project 1850.** Taken as information only.
- b. **Action Taken Regarding Gateway Expansion Contractual Matter.** Taken as information only.
- c. **Action Taken Regarding Legal Advice on Southeastern Petroleum**
Chairman Stuart motioned to adopt a resolution to ratify the termination of the November 5, 2005 fee agreement between Southeastern Petroleum LLC and Chester County, second by Council Member Jordan. Chairman Stuart stated Southeastern Petroleum went out of business and did not hold up to there end of their bargain pursuant to South Carolina Code of Law 12-44-140 subsection b. therefore gives the County the right to terminate the fee in lieu agreement. Vote was 7-0 to approve.

10. Council Comments

Chairman Stuart stated there will be two ribbon cutting ceremonies held, on October 19th, the State Park will have a kayak launch at 11:00 am. On October 24th, Chester Agribusiness will hold their ribbon cutting at 111 Columbia Street.

Council Member Guy stated she was glad to have Vice Chairman Branham back and glad he had a

speedy recovery from his operation. Vice Chairman Branham thanked everyone for the cards and phone calls and flowers he received. He stated he felt all the prayers being lifted up on his behalf. Council Member Oliphant stated he was glad Mr. Branham was back. All Council members agreed.

Council Member Wilson stated he appreciated everyone coming out to Lowrys for this meeting, and thanked Ellis Faulkner and Karen Lee for setting everything up. The town of Lowrys is currently renovating the old doctor's office and use it as the town hall. Also, the Christmas parade will be coming up in Lowrys.

- 11. Adjourn-** Council Member Guy motioned to adjourn, second by Council Member Jordan
Vote 6-0 to adjourn.

K. Shane Stuart, Chairman & County Supervisor

Karen Lee, Clerk to County 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