

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, October 4th, 2021 at 6:00 PM

Present: Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman William Killian, Councilman Pete Wilson, County Attorney Joanie Winters and Clerk to Council Karen Lee.

1. **Call to Order**-Interim Chairman Dr. Frederick called the meeting to order.
2. **Pledge of Allegiance and Invocation**- Pledge was recited in unison; Vice Chairman Branham gave the invocation.
3. **Approval of Minutes – September 20th, 2021 Council Minutes.**
Councilman Wilson motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
4. **Citizen Comments**-No one signed up to speak.
5. **Public Hearing**-Interim Chairman Dr. Frederick opened the public hearing. No one signed up to speak
 - a. **3rd Reading of 2021-11 An Ordinance To Amend The Master Agreement Governing The York-Chester Industrial Park Between Chester County, South Carolina And York County, South Carolina So As To Enlarge The Park. Public hearing was closed.**
6. **Ordinances/Resolutions/Proclamations**
 - a. **3rd Reading of 2021-11 An Ordinance To Amend The Master Agreement Governing The York-Chester Industrial Park Between Chester County, South Carolina And York County, South Carolina So As To Enlarge The Park.** Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.
 - b. **1st Reading of 2021-6 An Ordinance Authorizing (1) The Execution And Delivery Of A Second Amendment To That Certain Special Source Credit Agreement Previously Entered Into By And Between Chester County, South Carolina And Insurance Institute For Business And Home Safety; And (2) Other Matters Related Thereto.** Bond Attorney Michael Kozlerek stated the agreement amendment would be for a twenty-year period with an eighty percent credit, the current credit was ninety-five percent and had come down. This is an increase of revenue expected for the county and slightly reduced credit for the company. This simply provides an amendment to the existing amendment to adjust the credit percentage and the length of time remaining in the agreement. Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.
7. **Old Business**
 - a. **3rd Reading of CCMA21-27** Chris and Alma Hoskins request Tax Map # 122-01-03-010-000 located at 4431 Edgeland Road, Edgemoor SC be rezoned from R2 (Rural Two) to GC (General Commercial). Planning Commission voted 4-0 to approve. Councilman Jordan motioned to approve with a reverter clause if the business ceases it would revert back to R2 zoning, second by Councilman Vaughn. Vote 6-0 to approve.

8. **New Business**

- a. **1st Reading of CCMA21-28: Mattie Howze request Tax Map # 160-00-00-025-000 located at Georgetown Rd, Great Falls SC to be rezoned from R1 (Rural 1) to RG-2 (General Residential).** *Planning Commission voted 6-0 to approve.* Councilman Vaughn stated he had concerns about the previous actions taken on the road and if her and the other neighbors would have any problems with the setbacks. Attorney Winters stated Ms. Howze was having a survey done for the property and that would determine the standard setbacks along with the prescriptive easement that was talked about. It would also show where the property lines would be and where the easement would go through. Councilman Vaughn motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
- b. **1st Reading of CCMA21-29: Leonard Stevens Bishop request Tax Map # 079-00-00-032-000 located on Village Dr, Chester SC to be rezoned from RG-1 (Multi-family Residential) to LC (Limited Commercial).** *Planning Commission voted 6-0 to approve.* Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
- c. **1st Reading of CCMA21-30: Nate McDaniel request Tax Map # 060-00-02-010-000 located at 1047 Pinckney Rd, Chester SC to be rezoned from R2 (Rural 2) to ID-3 (General Industrial).** *Planning Commission voted 5-1 to approve with a reverter clause once the business is no longer in existence (leveling the lot and removing gravel), it will revert back to R2.* Planning Director Mike Levister stated Mr. McDaniel planned to reclaim the dirt on the property, under the zoning regulations it is considered as mining but it actually isn't mining. The property has 1.5 million square yards of good dirt.

Councilman Wilson stated he must cover seed and plant as he removes the dirt, so it's not left with erosion and sediment. It has gone through the DHEC process.

Attorney Winters stated it was important to note he's regulated by DHEC and MSHA (Mine Safety and Health Administration) which is the mining arm of OSHA.

Councilman Wilson suggested if Attorney Winters could see if the County could legally limit his digging to 15 acres instead of 25-acre limit which he has now. The applicant was totally on board with the 15-acre limit.

Vice Chairman Branham asked what the plans were for the property after all the dirt was gone.

Mr. Levister stated Mr. McDaniel had stated he may sell the property or put cattle on it. Councilman Wilson motioned to approve with a reverter clause, second by Councilman Killian. Vote 6-0 to approve.

9. **Boards and Commissions**

- a. **Appointment to the Catawba Mental Health Board-County Council.** Councilman Jordan motioned to appoint Sam Stone, second by Councilman Killian. Vote 6-0 to approve.

10. **Executive Session**

Councilman Jordan motioned to go to executive session, second by Councilman Killian. Vote 6-0 to approve.

- a. Receive legal advice regarding the APRA. Attorney Winters.
- b. Receive legal advice regarding the CFC. Attorney Winters.
- c. Receive legal advice regarding Capital Projects. Attorney Winters.
- d. Receive legal advice regarding Project Magma. Attorney Winters.
- e. Receive legal advice on a contractual matter regarding the Sheriff's Office. Attorney Winters.
- f. Receive legal advice on a contractual matter regarding the Sheriff's Office. Attorney Winters.
- g. Receive legal advice regarding the Detention Center. Attorney Winters.

11. Council Actions Following Executive Session

Vice Chairman Branham motioned to go to come back to regular session, second by Councilman Jordan. Vote 6-0 to approve.

a. Action taken regarding legal advice on APRA.

Councilman Wilson motioned to approve an ordinance authorizing funding for one or more projects according to the American Recovery Plan Act of 2021, second by Vice Chairman Branham. Vote 6-0 to approve.

b. Action taken regarding legal advice on CFC.

Councilman Vaughn motioned to approve amending ordinance numbers 2018-5 and 3-19-12A to update the definition of projects under an installment purchase plan of finance and other related matters, second by Vice Chairman Branham. Vote 6-0 to approve.

c. Action taken regarding legal advice on Capital Projects.

Councilman Jordan motioned to approve the first reading of an ordinance providing for excess funding to be used for projects and other capital projects as provided under ordinance number 2019-5 and other related matters, second by Vice Chairman Branham. Vote 6-0 to approve.

d. Action taken regarding legal advice on Project Magma.

Councilman Killian motioned to approve the memorandum of understanding with Project Magma regarding sewage improvements and other related matters second by Vice Chairman Branham. Vote 6-0 to approve.

e. Action taken regarding legal advice on a contractual matter for the Sheriff's Office.

Taken as information.

f. Action taken regarding legal advice for a contractual matter for the Sheriff's Office.

Taken as information.

g. Action taken regarding legal advice for the Detention Center.

Councilman Jordan motioned to authorize the Sheriff's department to proceed with an engineering assessment at the Detention Center, second by Vice Chairman Branham. Vote 6-0 to approve.

12. Council Comments

Interim Chairman Frederick asked Council to send him their feedback on the comprehensive plan by October 12th. He also reminded everyone about the workshop with Charlie Compton regarding the zoning ordinance tomorrow at 5 pm.

13. Adjourn

Councilwoman Guy motioned to adjourn, second by Councilman Jordan. Vote 6-0 to adjourn.

Time: 8:30 PM.

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.