



# **CHESTER COUNTY COUNCIL MINUTES**

## **R. Carlisle Roddey Chester County Government Building**

**1476 J.A. Cochran Bypass Chester, SC 29706**

**Monday, November 6<sup>th</sup>, 2017 at 6:00 PM**

### **Minutes**

**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** by Chairman Shane Stuart

**2. Pledge of Allegiance and Invocation** was recited in unison.

**3. Approval of Minutes-** October 16<sup>th</sup>, 2017 County Council Minutes  
Council Member Lucas motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

**4. Citizen Comments**

Raymond Carter PO Box 585 (no physical address was listed on the sign in sheet) stated according to the South Carolina Enforcement Law Academy you must complete and have a SC enforcement law certificate to become a police officer. He stated this is what got City Council in trouble when they had Terry Foster impersonating an officer. Mr. Carter went on to say he is in this for the long run.

Jennifer Adkins and Diane Holcombe (no physical address was listed on the sign in sheet) stated a new animal shelter needs to be built. They have been asked to go through the chain of commands by talking to the Sheriff, the County Supervisor and down the chain, but everything is falling on deaf ears. The prisoners get a cell they can move in, but the animals don't. They both asked Council to take time to visit the shelter to see the conditions the animals are living in.

**5. Public Hearing**

**a. Second Reading of An Ordinance Authorizing (1) The Execution And Delivery Of A Fee-In-Lieu Of Tax And Incentive Agreement By And Between Chester County And TDY Industries, LLC, A Company Previously Identified As Project Magic Bus, Which Shall Provide For (A) Payment By The Company Of Certain Fees-In-Lieu Of Ad Valorem Taxes; (B) A Multicounty Industrial Or Business Park ("Park") Arrangement; And (2) And Other Matters Relating Thereto".** No one signed up to speak.

**6. Ordinances/Resolutions/Proclamations**

**a. Second Reading of An Ordinance Authorizing (1) The Execution And Delivery Of A Fee-In-Lieu Of Tax And Incentive Agreement By And Between Chester County And TDY Industries, LLC, A Company Previously Identified As Project Magic Bus, Which Shall Provide For (A) Payment By The Company Of Certain Fees-In-Lieu Of Ad Valorem Taxes; (B) A Multicounty Industrial Or Business Park (“Park”) Arrangement; And (2) And Other Matters Relating Thereto.** Council Member Lucas motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

**b. First Reading of an Ordinance to Approve a Fifth Amendment to The Agreement for The Development Of A Joint Industrial And Business Park Dated As Of December 1, 2008, Between Chester County And Lancaster County So As To Remove Certain Property Previously Added To The Park Agreement; And To Provide For Other Related Matters. (By Title Only)** Council Member Lucas motioned to approve by title only, seconded by Council Member Oliphant. Vote was 6-0 to approve.

## 7. Old Business

**a. Third 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.** Council Member Guy motioned to approve, seconded by Council Member Oliphant. Council Member Wilson recused. Vote was 5-0 to approve.

**b. Third 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.** Vice Chairman Branham motioned to approve, Council Member Guy. Vote was 6-0 to approve.

**c. Third 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 Guy motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

**d. Third 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 Oliphant motioned to approve, seconded by Council Member Branham. Vote was 6-0 to approve.

**e. Third 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 Guy motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

**f. Third 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 Wilson motioned to approve, seconded by Council Member Oliphant. Vote was 6-0 to approve.

**g. Third 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 Lucas motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

**h. Update Concerning Inmate Trash Collection Pickup**

Chairman Stuart stated the list provided for trash pickup was broke down by district with how many bags were picked up on the roads listed. Council Member Jordan asked who determines which roads the trash would be picked up. Chairman Stuart stated mainly by complaints. Vice Chairman Branham stated he would like to publicly thank the adopt a highway program for their part in keeping roads clean in Chester County.

**i. Update on Consideration for a Grant Match for Repair of Drainage at The Airport.**

Keith Roach stated they were requesting the grant match program under the Statewide Airport vegetation management program through the State Aeronautics. Council Member Lucas inquired if this is approved tonight when will the work start. Mr. Roach stated when it gets approval he will let the State Aeronautics know so they can start. Chairman Stuart motioned to approve using the grant match of \$11,000 dollars and \$5700 dollars out of contingency to repair the drainage at the airport, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

**8. New Business**

**a. Approval of 2018 County Council Meeting Dates and Agenda Outline**

Council Member Guy motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

**b. First Reading to Adopt the Planning Commission’s Recommendation to Approve Will Jordan, representing Natubhai G. Patel, Et al, requests a 2.79-acre parcel, Tax Map # 124-00-00-065-000, located on Lancaster Hwy., Chester, SC; be rezoned from R-2 (Rural Two) to GC (General Commercial). Planning Commission voted 6-0 to approve.** Council Member Oliphant motioned to approve, seconded by Council Member Jordan. Council Member Wilson recused stating he had rented property from the owner in the summer. Vote was 5-0 to approve.

**c. First Reading to Adopt the Planning Commission’s Recommendation to Approve Will Jordan, representing Shahibaba Family Limited Partnership, requests, a 105-acre parcel, Tax Map # 124-00-00-012-000, located on Lancaster Hwy., Chester, SC; be rezoned from R-2 (Rural Two) to GC (General Commercial).** Council Member Jordan motioned to approve, seconded by Council Member Oliphant. Council Member Wilson recused stating he had rented property from the owner in the summer. Vote was 5-0 to approve.

**d. Consideration lease agreement for office space at 109 Ella Street with Lancaster Fatherhood Project.** After much discussion, the item was tabled to the November 20<sup>th</sup>, 2017 Council meeting to receive more information concerning the utilities and how many meters are attached to the building.

**e. Consideration to change the Animal Control Ordinance by not allowing tethering- Alicia Schwartz.** Alicia Schwartz and Karen Brown (Representative of York County Humane Society) stated they had received complaints from citizens from Chester County concerning residents here keeping dogs on chains. They would like to help Chester County rewrite the Animal Control ordinance to prohibit this. Council Member Oliphant asked them to email him with more information.

**9. Executive Session-Council Member Lucas motioned to go into Executive Session, seconded by Council Member Jordan. Vote was 6-0 to approve.**

**a.** To receive legal advice on Southeastern Petroleum

**10. Council Actions Following Executive Session-Council Member Guy motioned to go back to regular session, seconded by Council Member Oliphant. Vote was 6-0 to approve.**

**a.** Action taken concerning legal action on Southeastern Petroleum  
There was no action taken.

**11. Council Comments**

Chairman Stuart reminded everyone of the Veteran's Day Parade Saturday, November 11<sup>th</sup>, at 11:00 am also on November 10<sup>th</sup> at 11:00 am the Veteran's Day Program and at 6:00 pm dinner with the Veterans.

**12. Adjourn**

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

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K. Shane Stuart, County Chairman & Supervisor

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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**