



# CHESTER COUNTY COUNCIL MEETING

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

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

**Monday, November 6th, 2023 at 6:00 PM**

**Present:** Chairman Joe Branham, Vice Chairman Pete Wilson, Councilman Mike Vaughn, Councilman Corey Guy Councilwoman Erin Mosley, Councilman John Agee, Councilman William Killian, County Administrator Brian Hester, County Attorney Joanie Winters and Clerk to Council Karen Lee.

1. **Call to Order-** Chairman Branham called the meeting to order.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilman Guy gave the invocation.
3. **Approval of Minutes**
  - a. **October 16, 2023 Council minutes.**  
Councilman Guy motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve. Councilman Killian was not present for the 10-16-2023 meeting.
4. **Citizen Comments**

Michael McClinton, 620 Pine Ridge Road, Chester addressed Council regarding being opposed to the Rezoning of CCMA23-15.

Bridget Grant, 100 North Tryon St, Charlotte, NC addressed Council regarding being in favor of rezoning CCMA23-12.

John Massey, East Lacy St, Chester addressed Council regarding recognizing Veterans Day 2023 by adding their names to the Operation Remember Kiosk.

Edna McClurkin, 620 Pine Ridge Road, Chester addressed Council regarding being opposed to the rezoning of CCMA23-15.

Cheri Kiley, 2532 Rodman Road, Chester addressed Council regarding being opposed to the rezoning of CCMA23-12.

Vernon Hughes, 535 Poplar St, Chester signed up but chose not to speak.  
Debra Hughes, 609 Ebony Grove Lane, Chester signed up but chose not to speak.
5. **Ordinances/Resolutions/Proclamations**
  - a. **A Proclamation Recognizing Family Court Awareness Month.**  
Chairman Branham read the proclamation aloud and stated this was a worthy cause.
  - b. **2023-25 A Resolution to Amend the Assessor's Organization Chart to add the Position Deputy Assessor Director.** Councilman Agee stated the Horry County Assessor came up and evaluated the assessor's office and asked County Administrator if this was part of his recommendation.  
  
Administrator Hester stated it was not part of the Horry County Assessor recommendation, but this was being done as part of his succession planning. Assessor Rick Anderson had this in the works prior to the audit. Administrator Hester said he had asked all department directors to name someone to mentor in case of their absence. Someone

could fill that position while they were out. Councilman Agee motioned to approve, second by Councilwoman Mosley. Vote 6-1 to approve. Councilman Agee opposed.

c. **2023-26 A Resolution to Amend the Magistrate's Organization Chart for Magistrates Court.** Administrator Hester stated Senator Fanning and Chief Magistrate Olivia Williford had met with him to discuss changing the organization chart to have one full time and four-part time magistrates. It was easier to hire part-time magistrates since they could hold other jobs where a full-time magistrate couldn't. He stated Senator Fanning had approved but would also need approval in January when they go back in session. Councilman Agee motioned to approve, second by Councilwoman Mosley. Vote 6-1 to approve. Councilman Killian opposed.

d. **2023-27 A Resolution to Amend the Public Work's Organization Chart to Amend the Title of The Position Currently Known as Nuisance Abatement Officer.** Administrator Hester stated this position reports directly to the Recycling Coordinator, the charts that were approved in June were incorrect and had this position reporting to the director. At the same time, the job title was incorrect, which had the title of Nuisance & Abatement and should be Litter Enforcement & Nuisance Abatement Officer. Councilman Agee motioned to approve, second by Vice Chairman Wilson. Motion carried.

e. **2023-28 A Resolution to Establish the Capital Reserve Fund and To Approve Certain Expenditures as Available.** Administrator Hester stated the list Council had he would explain the money and where it came from and how it is and how much the County has. This is the first year in quite a while that we've been above that number. We're \$3.9 million above where we need to be. We projected it to be 2.1 million, and we stated these are capital items that we will come back and revisit to approve once we close out the books and we know precisely what that dollar amount is and that dollar amount turned into even more. Again, we went from thinking we were going to have about 2.1 million to 3.9 million a lot of that has to do with interest and some other things some really good job by our directors and our sheriff and our other county officials on savings at the end of last year. And so that plus we purchased some of the items that were on that list with end of the year money from departments that had saved so we purchased that capital with their capital what we've considered their capital reserve. Instead of telling you we need 2.1 million in capital, I'm telling you that it's 1.2 million and we have 3.9 in excess of our fund balance. Mr. Darby and myself are meeting with Mr. Kozlarek later this week. And what we're going to do in that meeting is basically review our fund balance policy and determine the best course of action to place those funds and we'll call it a reserve account that will allow us as a county to be able to use that for special needs and projects and when I say allow us with Council's approval, but if we needed a fire truck, we wouldn't have to go borrow money for it. Or if we needed an overage you know, contingency on a project that we need to get finished. For some of these items. We will come to council. And basically, what I'm telling you is we're going to end up with about 2.7 million this year and what we'll call a capital reserve fund, because of this, we will be able to roll that money every year and anything in excess of fund balance. We can put it to it and that way we don't have to allocate it to capital and spend it in that year. Councilman Guy motioned to approve, second by Councilman Killian. Motion carried.

f. **1<sup>st</sup> Reading in Title Only of 2023-20 Authorizing An Amendment To The Infrastructure Credit Agreement, By And Between Chester County, South Carolina, And Morcon, Inc., Dated September 6, 2022, To Provide For Additional Infrastructure Credits; And Addressing Other Related Matters.** Bond Attorney Michael Kozlarek stated there is a special source revenue credit agreement in place that was approved last year by county council that was covering a \$4,480,000 expansion of the existing facility. That credit is a 39% credit for a five-year period that begins with the fee payment that was paid this year. Morcon is making an additional expansion. He used the exact number that they gave of \$10,009,422 dollars. This credit would be only on that new investment, not the total investment. It would be for a five-year period, and it would be a 30% credit and that would begin with a fee payment that is due in January of 2024. There, in addition to the current credit on the original investment, what would be the new credit on the new investment, he used the exact number they gave of approximately \$10 million. The addition in the agreement would be a floor so that by including both credits on their tax bill, the current amount that is being paid for 2023 would be the base amount that would be paid going forward. So that in no way could the math ever work out so that applying for both of those credits, their bill would be lower than what they're currently paying now. So, there is a base or a floor to what is currently being

paid as of this year as fee payment. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Motion carried.

## 6. Administrator's Report

Administrator Hester provided the following report:

Harold Hayes was hired as the Project Manager.

Adam Bedard was hired as the Parks/Recreation Supervisor.

Two Animal Control officers were hired.

Administrator Hester thanked County Attorney Joanie Winters and Bond Attorney Michael Kozlarek for all the great work they do behind the scenes and they're very passionate about Chester County.

## 7. Old Business

a. 2<sup>nd</sup> Reading of CCMA23-11 Tatyana Latil Kelly request Tax Map #069-04-02-051-000 located at 522 Gloria Drive, off Pinckney Road to be rezoned from Multi-Family Residential District (RG-1) to General Residential District (RG-2). The Planning Commission voted 6-0 to approve. Councilman Killian motioned to approve, second by Councilwoman Mosley. Motion carried.

b. 2<sup>nd</sup> Reading of CCMA23-12 Griffin Land Holdings, LLC C/O John H. Ross request Tax Map #106-00-00-121-000 located at Highway 9 and Highway 909 to be rezoned from Rural Two District (R-2) to Limited Industrial District (ID-2). The Planning Commission voted 6-0 to approve with a five-year reverter clause and no entry off Rodman Road. Councilwoman Mosley motioned to approve with the conditions provided in the email from Ms. Grant stated along with a 100-foot buffers with the five-year reverter clause and no access to Rodman Road, second by Councilman Killian. Vote 4-2 to approve. Councilman Guy and Agee opposed. See attached email.

c. 2<sup>nd</sup> Reading of CCMA23-13 Jeff Sanders request Tax Map #115-00-00-102-000 located at 2707 Lancaster Hwy., Chester, SC 29706 to be rezoned from Restricted Industrial District (ID-1) to Limited Industrial District (ID-2). The Planning Commission voted 6-0 to approve. Councilman Agee motioned to approve, second by Councilman Killian. Motion carried.

d. Request to add a streetlight on the corner of Meadowbrook Road and Nelson Road. Councilman Killian. Councilman Killian motioned to approve, second by Councilman Guy. Motion carried.

## 8. New Business

a. 1<sup>st</sup> Reading of CCMA23-14 Robert Reid and Craig Shaftner request Tax Map #124-00-00-008-000 located at 3353 Edgeland Road, Richburg, SC 29729 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Planning Commission voted 6-0 to deny. Councilwoman Mosley motioned to approve with a reverter clause if the property is sold it would revert back to R2, second by Councilman Killian. Vote 6-0 to approve. Councilman Agee recused.

b. 1<sup>st</sup> Reading of CCMA23-15 Rodney L. Coldwell request Tax Map #069-01-00-035-000 located at 619 Pine Ridge Road, Chester, SC 29706 to be rezoned from Multi-Family Residential District (RG-1) to Limited Commercial District (LC). Planning Commission voted 4-2 to approve. Councilman Agee motioned to deny, second by Councilman Guy. Vote 6-1 to deny. Vice Chairman Wilson opposed.

c. 1<sup>st</sup> Reading of CCTA23-02 RS-1 – Chester County Zoning Ordinance – Text Amendment Single Family Residential District Uses Chapter 4 § 4-109 RS-1 Special Exception Recommendation to Remove Text: RS-1 SPECIAL EXCEPTION Item #2. Planning Commission voted 6-0 to approve.

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| <p><b>2. Clustered single-family development</b>, provided the Board of Zoning Appeals determines:</p> <ul style="list-style-type: none"> <li>a. detached single-family units on minimum of 2 acre development parcel;</li> <li>b. Minimum individual lot size of 14,520 square feet;</li> <li>c. lot requirements per house may be waived;</li> <li>d. zero interior lot line setback may be allowed;</li> <li>e. Subdivision Regulations are met;</li> <li>f. adequate provisions for access and traffic safety providing for safe and efficient access into, within, and out of the development for the vehicles, pedestrians and emergency vehicles;</li> <li>g. public water and sewer are available for the property;</li> <li>h. the use is compatible with the district.</li> </ul> | <p><b>NAICS CODE</b><br/>N/A</p> | <p><b>NAICS DESCRIPTION</b><br/>Private households</p> | <p><b>PARKING</b><br/>2 for each dwelling unit</p> |
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Councilman Agee motioned to approve, second by Councilwoman Mosley. Motion carried.

**d. 1<sup>st</sup> Reading of CCTA23-03 PD – Chester County Zoning Ordinance – Text Amendment Planned Development District Regulations Chapter 4 § 4-130 Recommendation to add New Text: PD Planned Development District Regulations. Planning Commission voted 6-0 to approve.**

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| <p>Maximum number of units</p> | <p>The number of units shall not exceed the guaranteed allotment for service of water and wastewater. Should the water and wastewater guarantee expire before the development construction begins, the zoning shall revert to the previous zoning.</p> |
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Vice Chairman Wilson motioned to approve, second by Councilman Vaughn. Motion carried.

**e. Request to accept Grants awarded to the Sheriff Department-Sheriff Dorsey**

**1. Justice Assistance Grant # 5G004520 Spectrometer for Narcotics Division \$27,000-10% match.**

Vice Chairman Wilson motioned to approve, second by Councilwoman Mosley. Motion carried.

**2. Justice Assistance Grant # 5G001023 Court Security Radios \$19,440-10% match.**

Councilman Vaughn motioned to approve, second by Councilman Guy. Motion carried.

**3. Federal Fiscal Year 2024 Highway Safety Grant (Overtime for Checkpoints for DUI \$23,000- 0% match. Councilwoman Mosley motioned to approve, second by Councilman Killian. Motion carried.**

**4. Highway Safety Grant- In car camera maintenance and storage \$10,000 – 0% match.**

Councilwoman Mosley motioned to approve, second by Councilman Vaughn. Motion carried.

**5. Hwy Safety Grant-Body Worn Camera maintenance and storage \$67067.49 -0% match.**

Councilwoman Mosley motioned to approve, second by Councilman Guy. Motion carried.

**9. Executive Session**

Councilwoman Mosley motioned to go to Executive Session, second by Councilman Guy. Motion carried.

**a. Receive legal advice regarding Economic Development.**

**b. Economic Development Matter-Project 2106.**

**c. Receive legal advice regarding real estate matters.**

**d. Personnel matter regarding the Administrator’s Office.**

**e. Receive legal advice regarding Economic Development Matters.**

**10. Council Actions Following Executive Session**

Vice Chairman Wilson motioned to go back to Regular session, second by Councilwoman Mosley. Motion carried.

**a. Action taken regarding Economic Development. Information only.**

**b. Action taken regarding Project 2106. Information only.**

**c. Action taken regarding real estate matters. Information only.**

**d. Action taken regarding the Administrator's Office. Information only.**

**e. Action taken regarding Economic Development matters. Information only.**

**11. Council Comments**

Councilwoman Mosley announced event dates for Canned for a Cause on November 7<sup>th</sup>, vendors participating were The Cake Lady Café on the 7<sup>th</sup>, Pot Belly BBQ and Palmetto Snow on the 8<sup>th</sup>, Decarne Soms Grill and Kona Ice on the 9<sup>th</sup>. The collected items would benefit Fort Lawn Community Center, Turning Point of Chester, Grasp Ministerial Association and Food pantry. On Friday, November 10<sup>th</sup> the Veterans Day Ceremony will be held at 11am at the War Memorial Building to honor fourteen veterans with quilts of valor including a Chester County employee Charlton Blanchett.

**12. Adjourn**

Councilman Guy motioned to adjourn, second by Councilman Killian. Motion carried.

Time: 9:30 PM

Karen Lee, Clerk to Council