

# CHESTER COUNTY COUNCIL MEETING MINUTES

**R. Carlisle Roddey Government Complex**  
**1476 J A Cochran Bypass, Chester, SC**  
**Tuesday, February 18<sup>th</sup>, 2020**

## MINUTES

**Present:** Chairman Shane Stuart, Vice Chairman Joe Branham, Councilman Pete Wilson, Councilman Alex Oliphant, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, 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; Councilwoman Guy gave the invocation.
3. **Approval of Minutes -Approval of February 3<sup>rd</sup>, 2020 Minutes**  
Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve. Councilwoman Guy was absent from the Feb. 3<sup>rd</sup> meeting and did not vote.

#### 4. **Citizen Comments**

Doug McMurray, 911 Director for Chester County, Mr. McMurray asked Council for a workshop to discuss new information received from the State concerning the radio study he had spoke about a few months back.

Betsy Steele, PO Box 339, Richburg, SC stated she was opposed to the rezoning request under the old business on the agenda going in a rural residential area. She lives beside the property and did not think it would be great fit for the community.

Sherry Ammons, 1195 Stringfellow Rd, Chester stated Animal Control took seven of her horses in September of last year, they got four of them back but still has not received the other three. She stated she and her family just wants the horses back.

Donovan Steltzner, 454 S. Anderson Road, Rock Hill, SC stated he was there on behalf of the owners rezoning request on the agenda. Mr. Steltzner stated the owner has received the permits to run the winery, they would be selling the wine out of the house and doing wine tasting as well.

#### 5. **Public Hearing-Chairman Stuart opened the public hearing.**

- a. **3<sup>rd</sup> Reading of Ordinance 2020-3-** An Ordinance to Amend Chester County Land Development Regulations, Article 5 Minimum Design Standards. No one signed up to speak.
- b. **3<sup>rd</sup> Reading of Ordinance 2020-5-** An Ordinance To Authorize The County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Spratt Savings Bank Upon Such Terms And Conditions As Described In The Agreement Of Sale That Is Exhibit B. No one signed up to speak.

Chairman Stuart closed the public hearing

## 6. Ordinances/Resolutions/Proclamations

- a. **3<sup>rd</sup> Reading of Ordinance 2020-3-** An Ordinance to Amend Chester County Land Development Regulations, Article 5 Minimum Design Standards. Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.
- b. **3<sup>rd</sup> Reading of Ordinance 2020-5-** An Ordinance To Authorize The County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Spratt Savings Bank Upon Such Terms And Conditions As Described In The Agreement Of Sale That Is Exhibit B. Councilwoman Guy motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve. Councilman Wilson recused himself, his brother serves on Spratt's Savings & Loan Board.
- c. **Proclamation Honoring Burley McDaniel.**  
Sheriff Max Dorsey recognized Captain Burley McDaniel for 25 years of service with the Chester County Sheriff's office. He asked permission to give Captain McDaniel's his service weapon with all the requirements followed. Chairman Stuart motioned to honor retired Sheriff Deputy Burley McDaniel and as requested by Sheriff Max Dorsey to give him Captain McDaniel's his service weapon, second by Councilwoman Guy. Vote 6-0 to approve.
- d. **Resolution 2020-5 - A Resolution Calling for A Public Hearing on The Question Of Whether To Dissolve the Lando Rural Fire District and Establish The Lando Fire Protection District; And Other Related Matters.** Councilman Jordan motioned to approve, second by Councilman Oliphant. Vote 6-0 to approve.
- e. **2<sup>nd</sup> Reading of Ordinance 2020-6- To Dissolve The LRFD; To Create The LFPD; To Provide For The Governance; To Create the Boundaries; To Provide for The Levy Of Ad Valorem Taxes; To Provide for The Imposition Of Fees; To Provide For The Issuance Of Bonds; And Other Related Matters.** Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.
- f. **2<sup>nd</sup> Reading of Ordinance 2020-4- An Ordinance to Prohibit Truck Traffic on Village Drive.** Councilman Oliphant motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.
- g. **2<sup>nd</sup> Reading of Ordinance 2020-7** An Ordinance To Amend Chester County Ordinance No: 2019-6 The 2019-2020 Chester County Budget Ordinance, In Certain Limited Particulars Only. *Purchase 10 New Police Vehicles.* Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

County Attorney Winters requested 6.h and 6.i. to move to Councils actions following executive session to number 10.e. and 10.f. Chairman Stuart motioned to move 6.h and 6.i to 10.e. and 10f. second by Councilman Wilson. Vote 6-0 to approve.

- h. **Resolution 2020-6-** A Resolution Providing Preliminary Approval For Certain Incentives To Induce One Or More Investors Identified For The Time Being As Project Sparrow To Invest In Facilities In Chester County, South Carolina, Possibly To Include (1) A Negotiated Fee In Lieu Of *Ad Valorem* Taxes Arrangement; (2) A Special Source Revenue Or Infrastructure Credit; (3) A Multi-County Industrial Or Business Park Arrangement; And Other Related Matters.

- i. **1<sup>st</sup> Reading in Title Only**-Authorizing The Execution And Delivery Of A Fee In-Lieu Of Ad Valorem Tax Agreement By And Between Chester County, South Carolina, And A Company, As Sponsor, Identified For The Time Being As Project Sparrow, To Provide For Fee-In-Lieu Of Ad Valorem Tax Incentives And Special Source Revenue Credits; Providing For The Inclusion Of The Company's Property In A Multi-County Business Or Industrial Park; And Other Related Matters.

## 7. Old Business

- a. **2<sup>nd</sup> Reading of CCMA20-01:** Donovan M. Steltzner, ESQ request Tax Map # 107-00-00-001-000 located at 1704 Old Richburg Rd be rezoned from R2 (Rural Two) to LC (Limited Commercial). Planning Commission voted 4-2 to approve with a reverter clause. Chairman Stuart motioned to approve, second by Councilwoman Guy. Vote was 6-0 to deny.
- b. **January Litter and Litter Enforcement Report -Chairman Stuart.**  
Chairman Stuart stated 729 bags of trash was picked up in January, along with \$775.00 collected in fines from Litter Enforcement.
- c. **Discuss the Rodman Ballpark Complex-Councilman Jordan.**  
Councilman Jordan motioned to reallocate \$150,000 from the Chester track tax fund to the Rodman Concession Stand second by Councilwoman Guy. Vote 6-0 to approve.
- d. **Follow-up Concerning Fireworks-Vice Chairman Branham.**  
Vice Chairman Branham asked County Attorney Winters what information she had gathered concerning fireworks shot onto someone's property. Attorney Winters stated the state law would allow us to create a firework free zone in which they can be prohibited, there is also a County noise ordinance. The problem is where would the zone be created within the county, if someone outside of that zone decides to shoot fireworks you can't tell an incendiary device where to land. The only thing that could be done is to make a 911 report.

## 8. New Business

- a. **Award of bid for DSS Renovations to RNF Construction in the amount of \$336,540.26. – Susan Cok**  
Councilman Oliphant motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.
- b. **Discuss Nuisance & Abatement Regarding Derelict Automobiles and House Demolition.**  
**-Councilman Oliphant**  
Councilman Oliphant stated he wanted to do a test run by renting a track hoe to tear down houses that have went through all the legalities to be demolished. By renting the track hoe for forty hours a week at \$3000 dollars that would save the County money. He stated the derelict cars also needed to be moved if they don't have tags.
- c. **Discuss Parking in the Right of Way-Vice Chairman Branham**  
Vice Chairman Branham stated Mr. Terry Morris spoke at the last meeting regarding people parking in the right of way and asked what information County Attorney Winters had gathered concerning this. Attorney Winters stated if the vehicles were on private property the highway patrol and the Sheriff's office could not have it removed. It would be up to the state highway patrol to have vehicles removed if they were in the right of way and was being blocked. In section 46-97 Code of Ordinance, removal of obstructions may be removed ten days after written notice from the County Supervisor. Vice Chairman Branham asked Chairman Stuart if he would find out who the vehicles belong too.
- d. **Update on the One Cents Sales Tax-County Attorney Winters.**  
Attorney Winters stated the one cents sales tax commission had created meeting dates for approved applications and would be held on March 10, 12, 19, April 14, 16, 21, 23 at 6:00 pm. in the Conference Room here in the Government Complex. She encouraged people to go online to the County website and fill out the application and turn it into the Treasurer's office by March 9<sup>th</sup>, 2020 at noon.

**9. Executive Session**

Councilwoman Guy motioned to into Executive Session, second by Councilman Jordan. Vote 6-0 to approve.

- a. Discuss Economic Development Project 1964.
- b. Legal Advice Regarding Animal Shelter Policy.
- c. Legal Advice Regarding Southeastern Petroleum.
- d. Legal Advice Regarding One Cents Sale Tax.

**10. Council Actions Following Executive Session**

Councilman Jordan motioned to go back to Regular Session, second by Vice Chairman Branham. Vote 6-0 to approve.

- a. Action Taken Regarding Economic Development Project 1964.  
This was addressed under 10. e and 10. f.
- b. Action Taken Regarding Legal Advice of the Animal Shelter Policy. Taken as information only.
- c. Action Taken Regarding Legal Advice on Southeastern Petroleum. Taken as information only.
- d. Action Taken Regarding Legal Advice of the One Cents Sales Tax. Taken as information only.
- e. **Resolution 2020-6-** A Resolution Providing Preliminary Approval For Certain Incentives To Induce One Or More Investors Identified For The Time Being As Project Sparrow To Invest In Facilities In Chester County, South Carolina, Possibly To Include (1) A Negotiated Fee In Lieu Of *Ad Valorem* Taxes Arrangement; (2) A Special Source Revenue Or Infrastructure Credit; (3) A Multi-County Industrial Or Business Park Arrangement; And Other Related Matters.  
Councilman Wilson motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.
- f. **1<sup>st</sup> Reading in Title Only-** Authorizing The Execution And Delivery Of A Fee In-Lieu Of Ad Valorem Tax Agreement By And Between Chester County, South Carolina, And A Company, As Sponsor, Identified For The Time Being As Project Sparrow, To Provide For Fee-In-Lieu Of Ad Valorem Tax Incentives And Special Source Revenue Credits; Providing For The Inclusion Of The Company's Property In A Multi-County Business Or Industrial Park; And Other Related Matters.  
Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.

**11. Council Comments**

Chairman Stuart thanked everyone who came to the African American Cultural Breakfast. He also stated if you have a nuisance and abatement complaint to go to the County's app, Chester County, South Carolina.

**12. Adjourn**

Councilwoman Guy motioned to adjourn, second by Councilman Jordan. Vote 6-0 to adjourn. Time: 9:10 pm.

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K. Shane Stuart, County Supervisor & Chairman

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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