



CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Tuesday, February 21st, 2023 at 6:00 PM

Present: Chairman Branham, Vice Chairman Wilson, Councilman Vaughn, Councilman Guy, Councilwoman Mosley, Councilman Agee, Councilman Killian County Attorney Winters and Clerk to Council Lee.

- 1. Call to Order-** Chairman Branham called the meeting to order.
- 2. Pledge of Allegiance and Invocation --** Pledge was recited in unison; invocation was given by Councilman Guy.

Chairman Branham called for a motion to remove agenda item 6.e from the agenda due to the director being out of town. Councilman Vaughn motioned to remove, second by Councilwoman Mosley. Vote 7-0 to approve.

- 3. Approval of Minutes**
 - a. February 6th, 2023 Council minutes.**
Vice Chairman Wilson motioned to approve, second by Councilwoman Mosley. Vote 7-0 to approve.
 - b. February 15th, 2023 Special Called minutes.**
Councilwoman Mosley motioned to approve, second by Vice Chairman Wilson. Vote 7-0 to approve.

- 4. Citizen's Comments**

Jay Williams, 1652 Woods Rd, Chester addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

Ken Myren, 1163 Cedarhurst Rd, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Darien Archie, 1297 Lancaster Hwy, Chester addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

Joanna Angle, 2762 Blaney Rd, Chester Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

John Pullen, Chester addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

Joyce Aragon, 1579 Peden Bridge Rd, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Dave Paylor, 1297 Lancaster Hwy, Chester addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

Larry Willard, 938 Mallard Creek Rd, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Katie Kosloski, 1297 Lancaster Hwy, Chester addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

Joan Hyde, 2440 Gill Jordan Road, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Kathy Huntsinger 918 Craigbrow Circle, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Nettie Archie, 557 Sunrise Blvd, Chester addressed Council regarding being opposed to ordinance 2023-7 Appearances by citizens.

5. Public Hearing

a. 3rd Reading Of 2023-1 An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County, South Carolina (The “County”) And [Project Phoenix22], Acting For Itself, One Or More Affiliates Or Other Project Sponsors (Collectively, The “Company”), Whereby The County Shall Covenant To Accept Negotiated Fees In Lieu Of *Ad Valorem* Taxes In Connection With The Acquisition, Improvement And Equipping Of Certain Facilities In The County (Collectively, The “Project”); (2) Special Source Revenue Credits In Connection With The Project; (3) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Project; (4) The Allocation Of Fees In Lieu Of *Ad Valorem* Taxes Received From The Project; And (5) Other Matters Relating Thereto. No one signed up to speak.

b. 3rd Reading of 2023-4 An Ordinance To Repeal Chester County Code, Chapter 46, Streets, Sidewalks, and other Public Property, Article VII, Acceptance of Streets, Section 46-202 Street Lighting. No one signed up to speak.

6. Ordinances/Resolutions/Proclamations

a. 3rd Reading Of 2023-1 An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County, South Carolina (The “County”) And [Project Phoenix22], Acting For Itself, One Or More Affiliates Or Other Project Sponsors (Collectively, The “Company”), Whereby The County Shall Covenant To Accept Negotiated Fees In Lieu Of *Ad Valorem* Taxes In Connection With The Acquisition, Improvement And Equipping Of Certain Facilities In The County (Collectively, The “Project”); (2) Special Source Revenue Credits In Connection With The Project; (3) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Project; (4) The Allocation Of Fees In Lieu Of *Ad Valorem* Taxes Received From The Project; And (5) Other Matters Relating Thereto. Councilman Vaughn motioned to approve, second by Councilman Guy. Vote unanimous.

b. 3rd Reading of 2023-4 An Ordinance to Repeal Chester County Code, Chapter 46, Streets, Sidewalks, and other Public Property, Article VII, Acceptance of Streets, Section 46-202 Street Lighting. Councilman Guy motioned to approve, second by Councilman Killian. Vote unanimous.

c. 2nd Reading of 2023-5 An Ordinance to Amend Chester County Code, Chapter 46, Streets, Sidewalks, and other Public Property, Article VII, Acceptance of Streets, Section 46-202 Street Lighting. Councilman Agee motioned to approve, second by Councilman Vaughn. Vote unanimous.

d. 2nd Reading 2023-7 An Ordinance to amend County Council Rules of Procedure Section 2-59 Appearances by Citizens. Vice Chairman Wilson motioned to approve, second by Councilman Vaughn. Councilman Guy asked if new language could be added if on controversy issues if the same people spoke at citizens comments at the last meeting, they would be bumped so someone else would have the opportunity to speak. Councilman Vaughn withdrew his second, Vice Chairman Wilson withdrew his motion. Vice Chairman Wilson motioned to have this back at the next meeting for the second reading with new language, second by Councilman Vaughn. Vote unanimous.

e. (Removed) 2nd Reading 2023-8 An Ordinance to Amend Chester County Code, Chapter 6, Animals.

f. 1st Reading of 2023-9 An Ordinance for Social Media Policy.

Attorney Winters stated the policy allows for Facebook posting of meetings. The social media policy is for information sharing only, meaning that at the beginning of meetings the comment section would be turned off. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Vote unanimous.

7. Old Business

a. Update regarding the Burnt House Cemetery Advisory Committee- Neely Gaston.

Mr. Gaston requested the County have the fence repaired along with removing small shrubs, small trees and cleaning up the cemetery. He asked to renew the request to have Dr. Jonathan Leader, SC State Archaeologist to map out the property using ground penetrating radar to show where unmarked graves were. He asked to meet with Gauden Monuments to seek an estimate to repair and level gravestones. He wanted permission to receive and transfer funds for approved expenses, he had talked to Treasurer Darby and he suggested to move forward he would need Council's approval. He also asked if he could link the work of the Burnt Meeting House Advisory Committee with Chester County SC 250 committee in order to share information and work together on projects. Vice Chairman Wilson asked to have this back to the March 6 meeting to do a follow up on the requests.

b. 3rd Reading of CCMA22-24 Jeremiah Kibbey request Tax Map #101-00-00-099-000 at 2115 Great Falls Hwy, Blackstock, SC 29014 to be rezoned Rural 2 (R2) to General Residential District (RG-2). Planning Commission voted 5-0 to approve. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Vote unanimous.

c. 3rd Reading of CCMA22-25 Luck Companies request a portion (7.8 acres) of Tax Map #089-00-00-005-000 at 1207 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Planning Commission voted 5-0 to approve. Vice Chairman Wilson motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

d. 3rd Reading of CCMA22-26 Luck Companies request a portion (1.82 acres) of Tax Map #089-00-00-005-000 at 1207 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve. Councilman Vaughn motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

e. 3rd Reading of CCMA22-27 Luck Companies request a portion (48.89 acres) of Tax Map #089-00-00-008-000 at 1113 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve. Vice Chairman Wilson motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

f. 3rd Reading of CCMA22-28 Luck Companies request a portion (17.92 acres) of Tax Map #089-00-00-008-000 at 1113 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Planning Commission voted 5-0 to approve.

Vice Chairman Wilson motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

g. 3rd Reading of CCMA22-29 Luck Companies request Tax Map #088-00-00-054-000 off Mallard Creek Dr., Chester, SC 29706 to be rezoned from Restricted Industrial District (ID-1) to Agricultural District (AG). Planning Commission voted 5-0 to approve.

Councilman Vaughn motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

h. 3rd Reading of CCMA22-30 Luck Companies request a portion (174.46 acres) of Tax Map #089-00-00-002-000 at 1421 Collie Lane, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

Vice Chairman Wilson motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

i. 3rd Reading of CCMA22-31 Luck Companies request a portion (19.35 acres) of Tax Map #089-00-00-002-000 at 1421 Collie Lane, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

Councilman Guy motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

j. 3rd Reading of CCMA22-32 Luck Companies request Tax Map #089-00-00-025-000 off Lancaster Hwy, Chester, SC to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

Councilman Vaughn motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

k. 3rd Reading of CCMA22-33 Luck Companies request a portion (9.35 acres) of Tax Map #089-00-00-001-000 at 1295 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

Vice Chairman Wilson motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Agee. Vote was unanimous.

l. 3rd Reading of CCMA22-34 Luck Companies request a portion (1.01 acres) of Tax Map #089-00-00-001-000 at 1295 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

Councilman Guy motioned to approve with the conditions listed in the February 17, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Killian. Vote was unanimous.

8. New Business

a. Council to approve a FEMA Fire Act Grant in the amount of \$200,602.39 dollars with a match of \$10,632.40 dollars to purchase a new 6000 psi air system to assist in incidents.

Chief T. Melton. Chief Melton stated this was to apply for the grant and hopefully be approved by FEMA. Councilman Agee motioned to approve, second by Councilman Vaughn. Vote unanimous.

b. Discussion regarding moving the Probate Office to the Federal Building. Probate Judge Terri Zion. Judge Zion discussed with Council her reasons for why she wanted to move the Probate office to the Federal Building. Presently she holds her hearings in the council chambers, where issues of wills with family members are discussed, along with mental health hearings. These hearings are not always private since anyone in the hall can hear what is being said. By state law each hearing must be scheduled for 10, 20 or 30 days noticed and there have been times when Council has had a special called meeting on the same day. Then we have to try and find a space to hold the hearing. Another concern she has was security, we do have a police officer with us when we have a hearing during the hearing you've got two sides, one side is not going to be happy after a decision is made. And I just felt like that kind of puts the officers in here while we have the hearing but after the hearing the 'officers are gone, we've had angry people come back to the office. Vice Chairman Wilson motioned to have Public Works Director Robert Hall prepare a report an estimated cost of work needed to get the building ready by the March 6 Council meeting.

9. Boards and Commissions

a. County Council Appointments and Reappointments.

1. Reappointment to the Lewis Fire Protection District.

Councilwoman Mosley motioned to reappoint William Dowd, second by Councilman Vaughn. Vote unanimous.

2. Appointment to the Lando Fire Protection District.

Councilman Agee motioned to appoint Whit Gullede, second by Councilwoman Mosley. Vote unanimous.

3. Reappointments to the Richburg Fire Protection District.

Councilman Vaughn motioned to reappoint Jeff Coleman, second by Councilman Agee. Vote unanimous.

Councilman Agee motioned to reappoint William C. Gladden, second by Councilwoman Mosley. Vote unanimous.

Councilwoman Mosley motioned to reappoint Jerry Williams, second by Councilman Agee. Vote unanimous.

b. Councilman Guy appointment.

1. Appointment to the Hazel Pittman Board.

Councilman Guy motioned to appoint Georgette Boulware, second by Councilman Killian. Vote unanimous.

c. Councilman Vaughn appointment.

1. Appointment to the Construction Board of Appeals.

Councilman Vaughn motioned to appoint Steven Rice, second by Councilman Agee. Vote unanimous.

10. Executive Session

Councilwoman Mosley motioned to go to executive session, second by Vice Chairman Wilson. Vote unanimous.

- a. To receive legal advice regarding Bailey Bill. Attorney Winters.
- b. To receive legal advice regarding Project 2187. Bond Attorney Kozlarek.
- c. To receive legal advice regarding Project 2271. Bond Attorney Kozlarek.
- d. To receive legal advice regarding a contractual matter. Attorney Winters.
- e. To receive legal advice regarding a contractual matter. Attorney Winters.

11. Council Actions Following Executive Session

Vice Chairman Wilson motioned to go back to regular session, second by Councilman Killian. Vote unanimous.

- a. Action taken regarding Bailey Bill. Taken as information only.
- b. Action taken regarding Project 2187. Taken as information only.
- c. Action taken regarding Project 2271. Taken as information only.
- d. Action taken regarding a contractual matter. Taken as information only.
- e. Action taken regarding a contractual matter. Taken as information only.

12. Council Comments-None.

13. Adjourn

Councilman Guy motioned to adjourn, second by Councilwoman Mosley. Vote unanimous.

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.

Time: 10:00PM

Klee