



# CHESTER COUNTY COUNCIL MEETING MINUTES

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

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

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

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

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.

3. **Approval of Minutes**

- a. **January 30<sup>th</sup>, 2023 Special Called Council Minutes.**

Vice Chairman Wilson motioned to approve, second by Councilwoman Mosely. Vote was unanimous.

- b. **January 26<sup>th</sup>, 2023 Special Called Council minutes.**

Councilman Vaughn motioned to approves, second by Councilman Guy. Vote was unanimous.

- c. **January 17<sup>th</sup>, 2023 Council minutes.**

Councilman Agee motioned to approve, second by Councilwoman Mosley. Vote was unanimous.

4. **Citizen's Comments**

Trent Bagley, 1076 Craigbrow Circle, 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.

Ben Thompson, 1297 Lancaster Hwy addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

JoAnna Timms, 1110 Dogwood Lane, Chester addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Joe Carnahan, 1297 Lancaster Hwy addressed Council regarding being in favor of the rezoning of CCMA22-25 thru CCMA22-34.

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

George Sweatt, 2528 Rodman Rd, Chester, addressed Council regarding being opposed to rezoning CCMA22-25 thru CCMA22-34.

Dorothy Willard, 938 Mallard Creek Rd, 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.

Roxann James, 3007 Steele Village Rd, Rock Hill addressed Council stating she wanted to invite them and veterans to an important meeting February 13<sup>th</sup>, at 5PM located at 623 Baseball Alley to discuss changes to laws regarding veterans.

## 5. Ordinances/Resolutions/Proclamations

a. **2<sup>nd</sup> Reading of 2022-18 in Title Only An Ordinance Authorizing An Amendment to the Master Agreement Governing The York-Chester Industrial Park By And Between Chester County, South Carolina (The “County”) And York County, South Carolina (“York County”) To Enlarge The Boundaries Of The Joint County Industrial Park To Include Certain Real Property Located In Chester County; And Other Matters Related Thereto.** Project Power Councilman Vaughn motioned to approve by title only, second by Councilman Agee. Vote was unanimous.

b. **2<sup>nd</sup> 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 Guy motioned to approve, second by Councilwoman Mosley. Vote was unanimous.

c. **2<sup>nd</sup> Reading of 2023-2 An Ordinance Authorizing An Amendment To The Agreement For Development Of Joint County Industrial And Business Park (York And Chester Counties) To Enlarge The Boundaries Of The Joint County Industrial Park To Include Certain Real Property Located In Chester County; And Other Matters Related Thereto.** Vice Chairman Wilson motioned to approve, second by Councilman Guy. Vote was unanimous.

d. **2<sup>nd</sup> Reading of 2023-3 An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Chester County And [Project Power]; The Inclusion Of Certain Real Property Located In Chester County In A Multi-County Industrial Park; The Provision Of Credits Against Fee In Lieu Of Tax Payments; The Execution And Delivery Of Such Documents As May Be Necessary To Effect The Intent Of This Ordinance; And Other Matters Related Thereto.** Councilman Vaughn motioned to approve, second by Councilman Guy. Vote was unanimous.

e. **2<sup>nd</sup> 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 Agee motioned to approve, second by Councilwoman Mosley. Attorney Winters stated the ordinance currently prohibits the County from appropriating any money for street lighting anywhere in the County. The next ordinance on the agenda will be to amend the ordinance to provide under certain circumstances the ability to provide street lighting on highways, streets or roads. Vote unanimous.

**f. 1<sup>st</sup> 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 Guy motioned to approve, second by Councilman Wilson. Attorney Winters stated the language for the new ordinance would be “The county shall provide street lighting on highway streets or roads as determined appropriate by Chester County Council. During a duly called meeting and with a unanimous vote for such provision. The county shall ensure adequate funds are appropriated at that time and for future funding.” This would allow Council to determine where lighting is appropriate or necessary and to appropriate the money for the lighting. Vice Chairman Wilson asked to remove “unanimous vote” and include “majority vote”. Vice Chairman Wilson withdrew his second, Councilman Guy withdrew his motion. Councilman Guy amended his motion to the vote does not have to be unanimous but a majority, second by Vice Chairman Wilson. Vote was unanimous.

**g. 1<sup>st</sup> Reading of 2023-6 in Title Only An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County, South Carolina And A Company Or Companies Known To The County At This Time As “Project Raven” With Respect To Certain Economic Development Property In The County, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes, Including The Provision Of Payments For Certain Investments In Infrastructure And Providing For The Inclusion Of The Company Or Companies Property In A Multi-County Industrial And Business Park; And Other Matters Related Thereto.** Councilman Agee motioned to approve, second by Councilwoman Mosley. Vote was unanimous.

**h. 1<sup>st</sup> Reading of 2023-7 in Title Only An Ordinance to Amend Chester County Code, Chapter 2, Administration, Article III, Section 2-59 Appearances by Citizens.** Attorney Winters stated the rules of procedure were different from parliamentary procedures. Currently there was one comment sheet to sign up for to speak. That was changed after the last meeting to three sign up sheets which consist of the regular sign up sheet along with speaking in favor or speaking to oppose. Councilwoman Mosley motioned to approve, second by Vice Chairman Wilson. Vote was unanimous.

**i. 1<sup>st</sup> Reading 2023-8 in Title Only An Ordinance to Amend Chester County Code, Chapter 6, Animals.** Councilman Vaughn motioned to approve, second by Councilman Guy. Vote was unanimous.

## 6. Old Business

**a. 2<sup>nd</sup> 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.** Councilwoman Mosley motioned to approve, second by Councilman Vaughn. Vote was unanimous.

**b. 2<sup>nd</sup> 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 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Guy. Vote was unanimous.

**c. 2<sup>nd</sup> 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 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Vice Chairman Wilson. Vote was unanimous.

**d. 2<sup>nd</sup> 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 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Guy. Vote was unanimous

**e. 2<sup>nd</sup> 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.**  
Councilman Agee motioned to approve with the conditions listed in the February 3, 2023 version of the plan titled proposed zoning and special exception plan in addition to a reverter clause should a change in ownership of the property occur as well as phasing changes contingent on DHEC approval of those changes, second by Councilmen Guy. Vote was unanimous.

**f. 2<sup>nd</sup> 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.**  
Vice Chairman Wilson motioned to approve with the conditions listed in the February 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Vaughn. Vote was unanimous

**g. 2<sup>nd</sup> 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.**  
Councilman Vaughn motioned to approve with the conditions listed in the February 3, 2023 version of the plan titled proposed zoning and special exception plan in addition to a reverter clause should a change in ownership of the property occur as well as phasing changes contingent on DHEC approval of those changes, second by Vice Chairman Wilson. Vote was unanimous.

**h. 2<sup>nd</sup> 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 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilwoman Mosley. Vote was unanimous.

**i. 2<sup>nd</sup> Reading of CCMA22-32 Luck Companies request Tax Map #089-00-00-025-000 off 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 Vaughn motioned to approve with the conditions listed in the February 3, 2023 version of the plan titled proposed zoning and special exception plan in addition to a reverter clause should a change in ownership of the property occur as well as phasing changes contingent on DHEC approval of those changes, second by Vice Chairman Wilson. Vote was unanimous.

**j. 2<sup>nd</sup> 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 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilwoman Mosley. Vote was unanimous.

**k. 2<sup>nd</sup> 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. Vice Chairman Wilson motioned to approve with the conditions listed in the February 3, 2023 version of the plan and titled proposed zoning and special exception plan, second by Councilman Agee. Vote was unanimous.

**7. New Business**

**a. Council to consider approval of \$ 61,645 dollars to purchase appraisal computer software for the Assessor's Office approved in the current capital budget. Rick Anderson.**

Vice Chairman Wilson motioned to approve contingent on the contract being approved by the County Attorney, second by Councilman Vaughn. Vote was unanimous.

**b. Council to approve Chester County Animal Control to accept a \$22,000 dollar matching grant from the Lutz Foundation for the Spay and Neuter/ Lab program. Kellie Simoneau.**

Councilman Agee motioned to approve, second by Councilwoman Mosley. Vote was unanimous.

**c. Council to authorize Chester County 250 Committee to apply for a \$3000 grant with no match to promote, engage and enhance tourism through places in Chester County during the American Revolutionary War. Councilman Guy motioned to approve, second by Councilwoman Mosley. Vote was 5-0 to approve. Councilman Vaughn recused.**

**8. Boards and Commissions**

**a. County Council Appointments and Reappointments**

**1. Reappointment to the Airport Commission.**

Councilman Vaughn motioned to reappoint Dale Hinson, second by Councilwoman Mosley. Vote was unanimous.

**2. Reappointments to the Burnt House Meeting Cemetery.**

Councilman Vaughn motioned to reappoint Scott Coleman, second by Councilwoman Mosley. Vote was unanimous.

Councilman Guy motioned to reappoint Tally Johnson second by Councilwoman Mosley. Vote was unanimous.

**3. Resignation from the Catawba Regional Workforce Board.**

Councilman Guy motioned to accept Alexander Rankin resignation, second by Councilwoman Mosley. Vote was unanimous.

**4. Reappointments to Catawba Regional Workforce Board.**

Councilman Vaughn motioned to reappoint Joanie Winters, second by Councilwoman Mosley. Vote was unanimous.

Councilwoman Mosley motioned to reappoint Angie Bagley, second by Vice Chairman Wilson. Vote was unanimous.

**5. Reappointment to Fort Lawn Fire Protection District.**

Councilman Agee motioned to reappoint Steve Nunn, second by Councilman Guy. Vote was unanimous.

Councilwoman Mosley motioned to reappoint Linda Gandy, second by Councilman Vaughn. Vote was unanimous.

Councilwoman Mosley motioned to reappoint Richard Hulse second by Councilman Agee. Vote was unanimous.

**6. Reappointments to the Lando Fire Protection District.**

Councilwoman Mosley motioned to reappoint Jamie Bowman, second by Councilman Guy.

Vote was unanimous.

Councilman Agee motioned to reappoint Shirley Brice, second by Councilman Guy.

Vote was unanimous.

**7. Appointments to the Lando Fire Protection District.**

Councilman Agee motioned to appoint Brad Jordan, second by Councilman Vaughn. Vote was unanimous.

Councilman Agee motioned to appoint Shawn Meredith , second by Vice Chairman Wilson.

Vote was unanimous.

Discussion was had regarding appointing the last board member. Councilwoman Mosley motioned to table to the next meeting, second by Councilman Guy. Vote was unanimous.

**8. Reappointment to the Lewis Fire District.**

Councilman Guy motioned to reappoint Walt Whitman, second by Councilman Agee. Vote was unanimous.

Councilman Guy motioned to reappoint Vic Hayes, second by Councilwoman Mosley. Vote was unanimous.

Councilman Guy motioned to reappoint Eumon Chisholm, second by Councilman Agee. Vote was unanimous.

Councilwoman Mosley motioned to reappoint Anthony Williams, second by Councilman Guy. Vote was unanimous.

**9. Appointment to the Richburg Fire Protection District.**

Councilman Agee appointed Charlie O. Barber, second by Councilwoman Mosley. Vote was unanimous.

**b. Councilmember Mosley Appointments and Reappointments.**

**1. Reappointment to the Parks and Recreation Advisory.**

Councilwoman Mosley motioned to reappoint Forest Baker, second by Councilman Guy. Vote was unanimous.

**2. Appointment to Zoning Board of Appeals Board.**

Councilwoman Mosley motioned to appoint Katherine Fischer, second by Councilman Guy. Vote was unanimous.

**3. Appointment to Chester County Library.**

Councilwoman Mosley motioned to appoint Elisa Hare Hedgpath, second by Councilman Guy. Vote was unanimous.

**c. Councilmember Guy Appointments and Reappointments.**

**1. Reappointment to the Planning Commission.**

Councilman Guy motioned to reappoint Carolyn Williams, second by Councilwoman Mosley. Vote was unanimous.

**2. Reappointment to the Parks and Recreation Board.**

Councilman Guy motioned to reappoint Jermaine Mapp, second by Councilwoman Mosley. Vote was unanimous.

**3. Appointment to the Rural Fire Commission.**

Councilman Guy motioned to appoint James McNeil, second by Councilman Agee. Vote was unanimous.

**d. Councilmember Agee Appointments and Reappointments.**

**1. Appointment to Tax Assessment Board of Appeals.**

Councilman Agee motioned to appoint Pete Burton, second by Councilman Guy.

Vote was unanimous.

**9. Executive Session**

Councilwoman Mosley motioned to go to executive session, second by Councilman Guy.

Vote was unanimous.

**a. To receive legal advice regarding Project 2242. Attorney Winters.**

**b. To receive legal advice regarding Project 2302. Attorney Winters.**

**c. To receive legal advice regarding a contractual matter. Attorney Winters.**

**d. To receive legal advice regarding the hiring of the County Administrator. Attorney Winters.**

**10. Council Actions Following Executive Session**

Councilman Vaughn motioned to go back to regular session, second by Councilman Guy.

Vote was unanimous.

**a. Action taken regarding Project 2242. Taken as information only.**

**b. Action taken regarding Project 2302. Vice Chairman Wilson motioned to give permission to proceed, second by Councilman Vaughn. Vote was unanimous.**

**c. Action taken regarding a contractual matter. Taken as information only.**

**d. Action taken regarding the hiring of the County Administrator.**

Councilwoman Mosley motioned to offer the county administrator position to Mr. Brian Hester and to approve his employment contract, second by Councilman Agee. Vote was unanimous.

**11. Council Comments-None**

**12. Adjourn-Councilwoman Mosley motioned to adjourn, second by Councilman Vaughn.**

Vote 6-0 to adjourn.

**Time: 10:30 PM.**

**K1**

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.