

CHESTER COUNTY COUNCIL MINUTES
R. Carlisle Roddey Chester County Government Building
1476 J.A. Cochran Bypass Chester, SC 29706

Monday, March 5th, 2018 at 6:00 PM

MINUTES

- 1. Call to Order-**by Chairman Stuart at 6:00 pm.
- 2. Pledge of Allegiance and Invocation-**Pledge was recited in unison, Council Member Lucas opened with the invocation.

Chairman Stuart motioned to move Executive Session item 8. a, **To Receive Legal Advice on Opioid Litigation** after citizens comments, second by Council Member Jordan. Vote was 4-2 to approve. Council Members Oliphant and Wilson opposed.

Council Member Jordan motioned to table item 7. C. **3rd Reading of CCMA18-03: Bobby MacNaughton (LGI Homes, Inc.) representing St Katherine Properties, LLC request Tax Map # 124-00-00-048-000 and Tax Map # 124-00-00-080-000, located on Edgeland Rd in Richburg, SC be rezoned from RS-1 (Single Family Residential) to PD (Planned Development District) Planning Commission voted 5-1 to approve, under Old Business to the March 19th Council Meeting to give Council an opportunity to have questions and answer session in Executive Session with the developers, second by Vice Chairman Branham. Vote was 6-0 to approve.**

- 3. Approval of Minutes- February 5th, 2018.** Council Member Guy motioned to approve, second by Council Member Wilson. Vote was 6-0 to approve.

February 20th, 2018- Council Member Wilson motioned to approve, second by Council Member Guy. Vote was 5-0 to approve. Vice Chairman Branham was out of town for this meeting and did not vote.

- 4. Citizen Comments**

George Thompson of 3454 Victorian Hills Drive, Richburg, SC stated he bought the first house in the subdivision twenty-two years ago all for growth for Chester County but, infrastructure needs to be in place first before 840 houses are built. Mr. Thompson stated in a community meeting held at the Gateway last year they were told there would be a 100-foot buffer but has been cut down to a 20 feet buffer and does not think this company can be trusted.

Susan Helms of 2779 Gaston Farm Rd, Chester, SC stated what will the County do with all of this, nothing is in place for it. She investigated LGI homes and found this is a nationally owned company that has problems. The houses are cheaply built and no down payment is required. Ms. Helms asked Council to please vote no for this request.

Woody Collinge, 529 Pall Mall Rd, stated the animals here are not taken care of, mainly bred, not fed and dumped off. He stated it needs to be a separate entity over the Animal Shelter and not under the Sheriff's authority.

Machelle Barber of 137 Frances Ave, Great Falls stated the Great Falls War Memorial building cost too much money to rent for small children's birthday parties. She stated Fairfield charges \$100.00 deposit and \$25.00 an hour. Ms. Barber said citizens in Great Falls should not have to go to other counties to have parties.

Lyle Dickerson, 3564 Victorian Hills, Richburg stated taxes will go up if 840 homes are allowed to build beside his neighborhood. Not enough exits and no impact fees for a subdivision as large as this. He stated this is a rural community not Rock Hill or Charlotte.

Chairman Stuart asked for a motion to go into Executive Session to discuss item 8. a, Receive Legal Advice on Opioid Litigation, Council Member Lucas motioned to go into Executive Session second by Council Member Jordan. Vote was 6-0 to approve.

Council Member Guy motioned to go back to Regular Session, second by Council Member Jordan. Vote was 6-0 to approve.

Chairman Stuart stated item 8.a. Receive Legal Advice on Opioid Litigation was taken as information only.

5. Public Hearing

- a. Needs and Assessment Hearing- Grazier Rhea, Catawba Regional Council of Government-**Susan Helms of 2779 Gaston Farm Road signed up but did not speak.

6. Ordinances/Resolutions/Proclamations

- a. Needs and Assessment Hearing- Grazier Rhea, Catawba Regional Council of Government** – Grazier Rhea /Catawba Regional asked Council to prioritize the Needs Assessment List for Chester County to see if the County would want to apply for grants. Mrs. Rhea stated the primary purpose for the grants were to serve low or moderate-income families. After much discussion the following needs was rearranged to most important to the Chester County 2017 Needs Assessment List:

- 1. Upgrade of water, sanitary sewer and storm sewer services in low and moderate-income areas, including the East Chester, Lancaster Street, Saluda Street and McClure Street, Cedar Grove Community and areas in the City of Chester. Mrs. Rhea stated to her understanding there has been an interest in installing a pump station in the Roundtree Circle area, this would be a good time to apply for a grant to cover this.*

2. Addressing slums and blighted areas. This included the clearance of Brownfield areas, as well as the following abandoned mills: Great Falls Mill Number 1 Number 2 and Number 3, Eureka Mill and the Gayle Mill. This also included the demolition of dilapidated buildings and residences. *Mrs. Rhea stated the properties must be owned by the local government.*
3. Add DSS, DHEC, SCWORKS And Disability to be in one building.
4. Construction and upgrade of infrastructure to promote economic development through the expansion of existing industries and location of new industries.
5. Construction of a fire substation in the West Chester Township and North Chester Township in order to provide expanded fire protection services.
6. Expansion of water sanitary sewer and storm sewer services to low and moderate-income areas currently not being served. *Areas that does not have water and sewer.*
7. Support of Chester County Library facilities to provide education and training for low and moderate-income citizens in order to enhance employment opportunities.
8. Extension of water, sewer and other infrastructure services to affordable housing sites in order to promote housing opportunities for low and moderate-income persons.
9. Extension of water and sewer along the I-77 corridor, including the SC Highway 97 interchange from Richburg.
10. Improvements to make the I-77 and SC Highway 9 interchange less dangerous, including the addition of turning lanes. This is not eligible for the grant money.
11. Upgrade of sidewalks, to include Ashford Street from Ella to the J.A. Cochran Bypass, the area from Parkway Avenue to the J.A. Cochran Bypass, York Street, the Gayle Mill neighborhood, Brendale Street and areas along J.A. Cochran Bypass. This is also not eligible for grant money.
12. Continue to further fair housing in Chester County.

Mrs. Rhea stated the County can apply for the grants one at a time, but can have three going at one time also.

Council Member Oliphant motioned to approve the needs assessment priority list to include the Roundtree pump station, along with DSS, DHEC, SC Works and Disability to be under one roof second by Vice Chairman Branham. Vote was unanimous.

b. Resolution Declaring the County's Intent to Reimburse Itself for Certain Expenditures Made Prior To The County's Consummation Of A Federally Tax-Exempt Financing. Attorney Michael Kozlerek stated he would address b. and c. Item c relates to the borrowing of Richburg Fire District which would refinance or permanently finance the existing \$400,000-dollar USDA loan they are currently pursuing. The resolution permits the County to reimburse itself if the USDA loan does not go through. Council Member Oliphant motioned to approve, second by Council Member Wilson. Vote was 6-0 to approve.

c. 2nd Reading of An Ordinance Authorizing The Issuance And Sale Of Not Exceeding \$1,200,000 Fire Protection District Improvement Revenue Bonds Of Chester County, South Carolina, For The Purpose Of Defraying The Cost Of Improvements To The Richburg Fire Protection District And Refunding One Or More Existing Series Of Bonds Or Bans; Prescribing The Form And Details Of The Bond; Providing For The Payment Of The Principal Of And Interest On The Bond From The Revenues Derived From The Operation Of The System; Providing For The Acceptance And Administration Of Grants And Donations; Creating And Establishing Certain Funds And Accounts; And Making Other Covenants And Agreements In Connection With The Foregoing; And Other Related Matters.
Council Member Wilson motioned to approve, second by Council Member Guy. Vote was 6-0 to approve.

d. 1st Reading of An Ordinance to Amend the Gateway District Master Plan Steering Committee Enabling Act. Council Member Guy motioned to approve, second by Vice Chairman Branham. County Attorney Winters stated the documents in your packets lay out the changes made to the enabling act. The original members are still eligible to serve since they were not under the enabling act. Council had asked to add removal of members at the recommendation of the County Supervisor with approval from County Council for certain conduct as disrupted, unethical etc. Also added, members can be removed if they become aware of any conflict of interest and doesn't disclose it. After much discussion concerning the number of members, Council Member Wilson stated much more thought needs to go into to this to make sure we have covered all areas affected by the master plan. Council Member Guy withdrew her motion and Vice Chairman Branham withdrew his second. Vice Chairman Branham motioned to approve no less than seven members and no more than thirteen members along with the changes outlined, second by Council Member Oliphant. Vote was 5-1 to approve, Council Member Guy opposed.

e. 1st Reading Of An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County And Project 1753; The Inclusion Of Certain Real Property Located In Chester County In A Multi-County Industrial Park; The Provision Of Special Source 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 Related Matters. (By Title Only) Council Member Lucas motioned to approve, second by Council Member Jordan. Vote was 5-0 to approve. Council Member Oliphant recused.

f. Resolution Providing Preliminary Approval For Certain Incentives To Induce One Or More Investors Identified For The Time Being As Project 1753, Each Acting For Itself, One Or More Current Or Future Affiliates, And Other Project Sponsors (Collectively, The “Company”) To Establish Facilities In Chester County, South Carolina (“County”), Including (1) Negotiated Fee In Lieu Of Ad Valorem Tax Arrangements; (2) Special Source Revenue Credits; (3) Multi-County Industrial Or Business Park Arrangements; And (4) Other Related Matters. Vice Chairman Branham motioned to approve, second Council Member Wilson. Vote was 5-0 to approve. Council Member Oliphant recused.

7. Old Business

a. 3rd Reading of CCMA18-01: Malinda Washington (J.F. Construction), representing Marwan R Elnatshe requests Tax Map # 079-01-10-005-000, located at 636 Saluda Rd, Chester, SC; be rezoned from RS-1 (Single Family Residential) to GC (General Commercial). Planning Commission voted 6-0 approve. Council Member Guy motioned to approve, second by Council Member Jordan. Vote was 6-0 to approve.

b.3rd Reading of CCMA18-02: Tonya T Vinson, representing Norman and Linda Trent, request Tax Map # 161-04-02-008-000, located at 5435 Old Winnsboro Road, Great Falls SC 29055, be rezoned from RG-1 (Multifamily Residential) to RG-2 (General Residential). Planning Commission voted 6-0 approve. Council Member Lucas motioned to approve, second by Council Member Guy. Vote was 6-0 to approve.

c. 3rd Reading of CCMA18-03: Bobby MacNaughton (LGI Homes, Inc.) representing St Katherine Properties, LLC request Tax Map # 124-00-00-048-000 and Tax Map # 124-00-00-080-000, located on Edgeland Rd in Richburg, SC be rezoned from RS-1 (Single Family Residential) to PD (Planned Development District) Planning Commission voted 5-1 to approve. This item was tabled to the March 19th, 2018 Council Meeting.

Items d. through j. Consent Agenda

d. 3rd Reading of CCLDTA18-01: Article 5 § 5-2.3: Cul-de-sacs
Add: unless approved by County Council. Planning Commission voted 6-0 approve.

e. 3rd Reading of CCLDTA18-02: Article 5 § 5-2.6: Intersections
Delete: sixty (60) Replace with: seventy (70)
Delete: Curved s- Replace with: S
Delete: tangent Replace with: throat length
Planning Commission voted 6-0 approve

- f. **3rd Reading of CCLDTA18-03: Article 5 § 5-2.9: Reverse Curves**
Delete: the State Highway Department Replace with: *SCDOT*
Planning Commission voted 6-0 approve.

- g. **3rd Reading of CCLDTA18-04: Article 5 § 5-5.17: Vertical Curves**
Add: *and SCDOT* Planning Commission voted 6-0 approve

- h. **3rd Reading of CCLDTA18-05: Article 5 § 5-9: Cemeteries**
Delete: *yard* (three deletions – each immediately after “buffer”)
Planning Commission voted 6-0 approve

- i. **3rd Reading of CCLDTA18-06: Article 6 § 6-6: Curbs and Gutters**
Add: *Item 3: Curbs and gutters may be installed and may be roll-type or standard 90-degree curb.* Planning Commission voted 6-0 approve

- j. **3rd Reading of CCLDTA18-07: Add: *Article 14: Exhibits***
Existing Text: None
New text will read: *Article 14: Exhibits*
 - Exhibit A Cul-de-sacs: Designs and Uses*
 - Exhibit B Curves*
 - Exhibit C Grades*
 - Exhibit D Intersections*
 - Exhibit E Lot Design*
 - Exhibit F Lot Layout Related to Stream Beds and Drainage Way*
 - Exhibit G Methods of Subdividing Along Major Thoroughfares*
 - Exhibit H Setback***Planning Commission voted 6-0 approve**

Chairman Stuart motioned to approve 7. d. through 7. j., second by Council Member Guy. Vote was 6-0 to approve.

8. Executive Session-Council Member Lucas motioned to go to Executive Session, second by Council Member Jordan. Vote was 6-0 to approve.

- a. To Receive Legal Advice on Opioid Litigation
- b. Economic Development Project 1508
- c. Legal Advice for A Procurement Matter
- d. Receive Legal Advice on Gateway Refunding

9. Council Actions Following Executive Session-Council Member Wilson motioned to go back to Regular Session, second by Council Member Lucas. Vote was 6-0 to approve.

a. Action Taken on Legal Advice of Opioid Litigation-This item discussed in executive session after Citizen's Comments.

b. Action Taken on Economic Development Project 1508- Chairman Stuart motioned to give Karlisa Dean authorization to negotiate project 1508, second by Vice Chairman Branham. Vote was 6-0 to approve.

c. Action Taken on Legal Advice on a Procurement Matter-No action was taken, information only.

d. Action Taken on Legal Advice on Gateway Refunding- No action taken, information only.

10. Council Comments-No comments.

11. Adjourn- Council Member Guy motioned to adjourn, second by Council Member Jordan. Vote was 6-0 to adjourn

K. Shane Stuart, County Supervisor & Chairman

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