



CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, March 6, 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.
- 3. Approval of Minutes**
 - a.** February 21st, 2023 minutes.
Councilman Vaughn motioned to approve, second by Councilman Killian. Unanimous Vote.
 - b.** March 1st, 2023 minutes.
Councilman Agee motioned to approve, second by Councilman Killian. Vote 6-0 to approve. Vice Chairman Wilson was not present at the 3-1-2023 meeting and did not vote.
- 4. Citizen's Comments**

Kris Phillips, 6921 Wannamaker Lane, Charlotte, NC addressed Council regarding being in favor of the rezonings of CCMA23-01 thru CCMA22-03.

Scott Rice, 4627 Betty Dixon Road, Richburg addressed Council regarding being opposed to rezoning CCMA23-01 thru CCMA22-03.

Julie Moore, 642 Chips Meadow Loop, Richburg addressed Council regarding being opposed to rezoning CCMA23-01 thru CCMA23-03.

John Massey, 171 East Lacy St, Chester addressed Council regarding the bad shape Burnt Meeting House Cemetery was in.

Caitlyn Burch, 2800 Dawson Drive, Chester addressed Council to invite them to the Chester Dixie Youth Baseball and Softball League Opening Day March 25th.

Nettie Archie, 557 Sunrise Blvd, Chester addressed Council regarding the rules of procedure.
- 5. Public Hearing**
 - a.** Needs and Assessment Hearing. No one signed up to speak.
 - b.** **3rd 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. No one signed up to speak.

c. **2nd Reading 2023-7** An Ordinance to amend County Council Rules of Procedure Section 2-59 Appearances by Citizens. No one signed up to speak.

d. **2nd Reading 2023-8** An Ordinance to Amend Chester County Code, Chapter 6, Animals. Chris Gionakis, 815 Christine Court, Chester addressed Council regarding the shape the current Animal Shelter was in.

6. Ordinances/Resolutions/Proclamations

a. Needs and Assessment Hearing.

Grazier Rhea stated to apply for the Community Development Block grant a needs assessment must be completed by Chester County. All applications for the Community Development Block grant must be requested by March 17, 2023 and returned by April 17, 2023. The Community Enrichment and Neighborhood Revitalization applications must be submitted by April 15th, 2023 and returned by September 15, 2023. Council asked if the Federal Building downtown could be considered as a need, the Probate Office would like to move their office over to that building to be more effective with customers and to have probate hearings. Mrs. Rhea stated she didn't think so but it could still be added she would check. Council decided to look over the list to see if they had any changes or additions this would be brought back to the March 20th agenda.

b. **3rd 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 Killian. Unanimous Vote.

c. **2nd Reading 2023-7** An Ordinance to amend County Council Rules of Procedure Section 2-59

Appearances by Citizens. Attorney Winters stated there was concerns limiting speakers to the first five that potentially the same folks could speak at every meeting, really diminishing the ability for others to speak and so we put some additional language. This is the addition. *"The chair in the absence of the chair the Vice Chair may have their discretion asked if there was anyone else who was signed up. And would like to speak on the same subject but has another comment not already vocalized. Individuals who have spoken at a current meeting will not be able to speak a second time. And then we've inserted a new letter "d", individual who have spoken at a previous meeting on the same subject shall not be selected to speak unless there are less than five speakers already signed up to speak"*. The previous policy did ask for individuals to select a speaker that takes that off the table and says that the first five folks who have signed up will be able to speak you won't have to select a spokesperson unless you're a group. So for those of you who were here for the Luckstone discussion, those folks were asked to select speakers. But individuals were able to sign up and speak so we'll have at least five for and then five against and the Chairman at the last meeting did ask for someone in favor and then someone against and he alternated between those two categories in controversy. So if there are less than five speakers signed up, then the chairman may ask if there's anyone else, just as you did tonight, if there's anyone else who would like to speak, and even if you have spoken at a previous meeting, if there are less than five folks signed up you'll still have the ability to do that.

Vice Chairman Branham stated so we were in order the way it was handled before.

Attorney Winters stated yes. At the last meeting I explained that the rules of procedure are adopted willfully by council, it's not parliamentary procedure. Vice Chairman Wilson motioned to approve with the revised changes, second by Councilman Guy. Unanimous Vote.

d. **2nd Reading 2023-8** An Ordinance to Amend Chester County Code, Chapter 6, Animals.

2nd reading was postponed to the April 3rd meeting.

e. **2nd Reading of 2023-9** An Ordinance for Social Media Policy.

Vice Chairman Wilson stated he would like to see if the meetings could also be streamed on You Tube. He asked for language to include adding You Tube to the ordinance for the 3rd reading. Vice Chairman Wilson

motioned to approve with the new language added to the 3rd reading, second by Councilman Guy. Unanimous Vote.

f. 1st Reading of 2023-10 An Ordinance Authorizing (1) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Chester County, South Carolina, And A Company Identified For The Time Being As Project 2187, Acting On Behalf Of Itself And/Or Any Affiliates Or Other Project Investors, To Provide For Certain Special Source Revenue Credits In Connection With The Establishment Of Certain Facilities Located In Chester County; (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Property; And (3) Other Related Matters. Councilman Guy motioned to approve, second by Councilman Killian. Unanimous Vote.

g. Resolution 2023-7 A Resolution To Authorize The County Of Chester, By Chester County Council, To Sell Certain Equipment And Vehicles Of The County Identified Herein Upon Such Terms And Conditions As Described. Councilman Vaughn motioned to approve, second by Vice Chairman Wilson.

h. Resolution 2023-9 A Resolution Authorizing An Amendment To The Master Agreement Governing The York-Chester Industrial Park (“Park”) To Increase The Park’s Boundaries To Include Certain Real Property Located In Chester County; And Other Related Matters (Project Phoenix22). Vice Chairman Wilson motioned to approve, second by Councilwoman Mosley. Unanimous Vote.

7. Old Business

a. Update regarding the cost to move the Probate Office to the Federal Building. Robert Hall and Bob Anderson.

Mr. Hall stated Mr. Anderson could not make the meeting, he proceeded to state an ADA ramp would have to be installed in the back of the building and may have to provide two of them based on the codes in the City.

The construction on the inside with the amount provided in your packet should take care of inside work to accommodate the probate office.

Attorney Winters stated the ramp would have to go before HPC (Historical Preservation Commission) in the City.

Mr. Hall stated the building is also on the National Register of Historic Places, they would also have to go before them as well.

Vice Chairman Wilson asked Treasurer Darby if there were funds available to help with the cost.

Mr. Darby stated the budget process will start soon; they will be looking at all capital requests to determine how projects could be funded. The County has a fund balance that could be used to renovate this project. Depending on the timeframe obviously you have a few years out before you institute another capital project sales tax program. But those are kind of a few options through the budget process. You can appropriate fund balance. We do have a capital project bond that we usually implement through our budget process and that's usually about a million and a half dollars a year. So it could be considered in that process as well. Our fund balance stands at about 14 and a half million so it could take a project like this, I think it would be appropriate if it wouldn't dive too far into our fund balance. So that's a consideration as well. Taken as information.

b. Update regarding request for the Burnt Meeting House Cemetery. Neely Gaston

Mr. Gaston stated he had contacted Treasurer Darby to disperse donation funds for the cemetery for maintenance improvements and signage.

Mr. Darby stated he would need a motion by council to authorize the receipt of donations for the cemetery that would authorize us to record those as revenue within that special revenue fund. And then, those who can spend the money, I guess, through public works, would have those monies to spend.

Chairman Branham stated there are six requests on the list.

Attorney Winters stated number three and five would have to go through the procurement process.

Councilman Guy motioned to allow approve Chester County Treasurer Tommy Darby to receive and disperse funds collected for the Burnt Meeting House Cemetery for cemetery maintenance, improvements, and signage, approve coordination of a yearly cleanup of the Burnt Meeting House Cemetery between Public Works Director Robert Hall, Sheriff Max Dorsey, and the Burnt Meeting House Cemetery Committee, approve coordination of a yearly cleanup of the Burnt Meeting House Cemetery between Public Works Director Robert Hall, Sheriff Max Dorsey, and the Burnt Meeting House Cemetery Committee, approval to investigate the use of GPR – Ground Penetrating Radar – to identify unmarked graves at the Burnt Meeting House Cemetery site and for your approval to coordinate our work with the Chester County SC250 Committee in recognition of the historical significance of the 250th anniversary of the American Revolution and the patriots buried at the Burnt Meeting House Cemetery and other Chester County owned burial sites, second by Councilwoman Mosley. Unanimous Vote.

8. New Business

a. Approval of Bid RFP 2223-07 Flooring Replacement - Lando Fire Department to Trinity Interiors, LLC in the amount of \$12,533.00. Susan Cok & Richard Miller. Vice Chairman Wilson motioned to approve, second by Councilman Agee. Unanimous Vote.

b. Council to approve a multi-year contract with ESRI for GIS software to be used in parcel data, 911 addressing and applications. David Schuelke. It was decided to postpone to the March 13th meeting so IT Director could show Council how the software works.

c. 2nd Reading CCMA23-01 Advanced Chester, LLC request Tax Map #145-00-00-090-000 at 510 Junior's Place, Richburg, SC 29729 to be rezoned from Limited Industrial District (ID-2) to General Industrial District (ID-3). Planning Commission vote 3-2 to approve. Councilman Vaughn motioned to approve with a reverter clause and a 40' high x 20' wide berm, second by Councilman Killian. Unanimous Vote.

d. 2nd Reading CCMA23-02 Richburg Magnolias, LLC request Tax Map # 145-00-00-007-000 off Bryant Corner Rd and Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to General Industrial District (ID-3). Planning Commission voted 3-2 to approve. Councilman Guy motioned to approve with a reverter clause and a 40' high x 20' wide berm, second by Councilman Killian. Unanimous Vote.

e. 2nd Reading CCMA23-03 Richburg Magnolias, LLC request Map #135-00-00-012-000 at 4375 Lancaster Hwy, Richburg, SC 29729 to be rezoned from Limited Industrial District (ID-2) to General Industrial District (ID-3). Planning Commission voted 4-1 to approve. Councilman Guy motioned to approve with a reverter clause and a 40' high x 20' wide berm, second by Councilman Killian. Unanimous Vote.

f. 2nd Reading of CCTA23-01 ID-3 – Chester County Zoning Ordinance – Text Amendments General Industrial District Chapter 4 § 4-121 ID-3 Permitted Uses
New Text: All uses permitted in ID-1 and ID-2, NAICS DESCRIPTION SEE ID-1 and ID-2 PARKING SPACES REQUIRED SEE ID-1 and ID-2. Planning Commission voted 5-0 to approve. Councilman Vaughn motioned to approve, second by Vice Chairman Wilson. Unanimous Vote.

9. Executive Session

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

- a. To receive legal advice regarding Project 2271. Bond Attorney Kozlarek.
- b. To receive legal advice regarding Project 2184. Bond Attorney Kozlarek.
- c. To receive legal advice regarding Project 2242. Bond Attorney Kozlarek.

- d. To receive legal advice regarding a contractual matter. Attorney Winters.
- e. To receive legal advice regarding employment matters in HR Department. Attorney Winters.
- f. To receive legal advice regarding Project 2247. Attorney Winters.
- g. To receive legal advice regarding Project 2273. Attorney Winters.
- h. To receive legal advice regarding the Gateway Steering Committee. Attorney Winters.
- i. To receive legal advice regarding the County Administrator. Attorney Winters.

10. Council Actions Following Executive Session

Vice Chairman Wilson motioned to go back to regular session, second by Councilman Vaughn. Unanimous Vote.

- a. Action taken regarding Project 2271. Taken as information.
- b. Action taken regarding Project 2184. Taken as information.
- c. Action taken regarding Project 2242. Taken as information.
- d. Action taken regarding a contractual matter. Taken as information.
- e. Action taken regarding employment matters in HR Department. Taken as information.
- f. Action taken regarding Project 2247. Taken as information.
- g. Action taken regarding Project 2273. Taken as information.
- h. Action taken regarding the Gateway Steering Committee. Taken as information.
- i. Action taken regarding the County Administrator. Taken as information.

11. Council Comments

Councilman Vaughn stated he went out with the whitewater emergency rescue response team in Great Falls, he commended the hard work and training they do to save peoples lives.

Councilman Killian thanked Council for making great decisions and doing the homework for the citizens of Chester County.

12. Adjourn

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

KI

Time: 11:00PM

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.