

# **CHESTER COUNTY COUNCIL MEETING MINUTES**

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

1476 J.A. Cochran Bypass Chester, SC 29706

**Monday, March 7<sup>th</sup>, 2022 at 6:00 PM**

**Present:** Interim Chairman Dr. Frederick, Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Killian, Councilman Vaughn, Councilman Wilson, County Attorney Winters, and Clerk to Council Lee.

1. **Call to Order**-Interim Chairman Dr. Frederick 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**
  - a. **2-17-2022 Special Called Council Minutes.**

Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 4-0 to approve. Vice Chairman Branham and Councilman Killian was not present for the 2-17-2022 meeting and didn't vote.
  - b. **2-22-2022 Council Minutes.**

Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve. Councilman Wilson was not present for the 2-22-2022 meeting and didn't vote.
  - c. **2-24-2022 Special Called Council Minutes.**

Councilwoman Guy motioned to approve, second by Councilman Wilson. Vote was 5-0 to approve. Councilman Killian was not present for the 2-24-2022 meeting and didn't vote.

Interim Chairman Dr. Frederick called for a motion to amend 6.d. on the agenda to correct the title to read: *An ordinance to increase adoption fees for animal control.* Vice Chairman Branham motioned to approve the title change, second by Councilman Jordan. Vote 6-0 to approve.

4. **Citizen Comments**- No one signed up to speak.

5. **Public Hearing**

a. **2<sup>nd</sup> Reading of 2021-15 An Ordinance To Approve The Execution And Delivery Of A Development Agreement Between The County And Project Cheswick/Stanton And Other Related Matters.**

Judson Stringfellow, 3515 Dovewood Drive, Charlotte, NC stated there were a few updates, after consulting with L & C Land Holdings they shifted the proposed entrance road down a few feet which would possibly allow them to align with a future entrance to their industrial zoned properties. Also, they already have interest for commercial property along the road. He stated they had increased the size of the land donation they were giving to the County on Wylie's Mill Road for future public service and increased the amount of open space area in the single-family section.

Dan Ballou, 417 Windsor Terrace, Rock Hill stated he was the attorney for the landowner, the development agreement was a product of the work with the attorneys for the county. They tried to keep it as simple and straightforward as possible, and the agreement was modeled after the development agreement approved by council.

**6. Ordinances/Resolutions/Proclamations**

- a. **2<sup>nd</sup> Reading of 2021-15 An Ordinance to Approve the Execution And Delivery Of A Development Agreement Between The County And Project Cheswick/Stanton And Related Matters.** Councilman Vaughn motioned to approve, second by Councilman Killian. Councilman Jordan asked if designated future commercial development property was included. Attorney Ballou stated it was adjacent property that was not included in the rezoning process but would be an adjunct to the development. Vote 6-0 to approve.
- b. **2022-4 Resolution Providing Preliminary Approval For Certain Incentives To Induce Last Step Recycling, LLC, Acting For Itself, One Or More Current Or Future Affiliates And Other project Sponsors (Collectively, "Company"), To Establish Or Expand Certain Facilities In Chester County, South Carolina ("County"), Including (1) A Negotiated Fee In Lieu Of Ad Valorem Tax Arrangement; (2) Certain Special Source Credits To Be Applied Against Fees In Lieu Of Ad Valorem Taxes; (3) Inclusion Of The Project Site In A Multi-County Industrial Or Business Park; And (4) Other Related Matters.** Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Bond Attorney Michael Kozlarek stated there was a typo in the millage rate it should be .4884 instead of 0.4893. The inducement resolution induces a project to locate in the county which is part of economic development process. Last Step Recycling was a forty-two million taxable investment, there company is an automotive shredder recycling facility.

Councilman Wilson asked if the incentive agreement was in the same terms.

Attorney Kozlarek stated to his understanding it was.

Councilman Vaughn asked about the split fee.

Attorney Kozlarek stated there was nothing in the resolution or ordinance that would change whatever the general split was for the county. Councilwoman Guy withdrew her second, Vice Chairman Branham withdrew his motion. Vice Chairman Branham motioned to approve with the change in the millage rate to .4884, second by Councilwoman Guy. Vote 6-0 to approve.

- c. **1<sup>st</sup> Reading of 2022-3 Ordinance Authorizing, Pursuant To Title 12, Chapter 44, And Title 4, Chapter 1 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes And Special Source Credit Agreement By And Between Chester County, South Carolina, And Last Step Recycling, LLC, Acting For Itself, One Or More Current Or Future Affiliates And Other Project Companies (Collectively, "Company"); Providing For A Fee-In-Lieu Of Ad Valorem Taxes Incentives; Modifying A Joint County Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park; The Provision Of Special Source**

**Revenue Credits; And Other Related Matters.**

Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

- d. **Ordinance title changed from 1<sup>st</sup> Reading of 2022-4 An Ordinance To Amend the Chester County Ordinance No. 2021-4 The 2021-2022 Chester County Budget Ordinance, In Certain Limited Particulars Only. (Animal Control) to 1<sup>st</sup> Reading of 2022-4 An Ordinance to Increase Adoption Fees for Animal Control.** Vice Chairman Branham motioned to approve, second by Councilman Jordan. Councilman Wilson asked how this would affect the adoption process, could it negatively impact it or had that been considered. Interim Dr. Frederick stated he would check and let Council know. Vote 6-0 to approve.
- e. **2022-3 A Resolution to Authorize The County Of Chester, By Chester County Council, To Sell Certain Vehicles Of The Sheriff's Office & Public Works Identified Herein Upon Such Terms And Conditions As Described.** Councilman Jordan motioned to approve with the caveat the funds go into a special account for new vehicles, second by Councilman Vaughn. Vote 6-0 to approve.

**7. Old Business-None**

**8. New Business**

- a. **Council to authorize the approval of \$2500 grant from Project Safe Pet Matching for spay & neuter with a 50% match. -Animal Control Director Kelli Simoneau.** Councilman Wilson motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
- b. **Approval of bond for Knightsbridge development. Attorney Winters.** Attorney Winters stated the bond was for LGI homes, our ordinance requires a performance bond for developments. These bonds protect the County should the developer decide midstream to abandon the project. Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

**9. Boards and Commissions- None**

**10. Executive Session**

Councilwoman Guy motioned to go into executive session, second by Vice Chairman Branham. Vote 6-0 to approve.

- a. Receive legal advice regarding project 2220. – Attorney Winters.
- b. Receive legal advice regarding rebranding marketing. Attorney Winters.
- c. Receive legal advice regarding the Landfill. -Attorney Winters.
- d. Receive legal advice regarding changing County Government. – Attorney Winters.
- e. Receive legal advice on a personnel matter regarding Administrative. – Attorney Winters.
- f. Receive legal update on existing County litigation. Councilman Wilson.
- g. Receive legal update on hiring for County positions. Councilman Wilson.

**11. Council Actions Following Executive Session**

Vice Chairman Branham motioned to go back to regular session, second by Councilman Killian. Vote 6-0 to approve.

- a. **Action taken regarding legal advice for project 2220.** Taken as Information only.
- b. **Action taken regarding legal advice for rebranding marketing.**  
Councilman Vaughn motioned to authorize Economic Development to use up to \$35,000 dollars in funds and to enter into a match agreement with CDA for an additional \$35,000 for the purchase of rebranding the County, second by Councilman Killian. Vote 6-0 to approve.
- c. **Action taken regarding legal advice on the Landfill.** Taken as Information only.
- d. **Action taken regarding legal advice on changing County Government.**  
Taken as Information only.
- e. **Action taken regarding legal advice on a personnel matter on Administrative.**  
Taken as Information only.
- f. **Action taken regarding a legal update on existing County litigation.**  
Taken as Information only.
- g. **Action taken regarding a legal update of the hiring of County positions.**  
Taken as Information only.

**12. Council Comments**

Vice Chairman Branham recognized John Robert Taylor for his service to the community and a lifelong firefighter that passed.

Councilman Vaughn recognized Abby Brunson who was a tireless volunteer for Chester County that passed also.

**13. Adjourn**

Councilwoman Guy motioned to adjourn, second by Councilman Killian. Vote 6-0 to adjourn.

**Time: 8:15 PM**

*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.