



CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, May 1, 2023 at 6:00 PM

MINUTES

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

- 1. Call to Order-** Chairman Branham called the meeting to order at 6:10pm. CTC meeting ran over.
- 2. Pledge of Allegiance and Invocation-**pledge was recited in unison: Councilman Guy gave the invocation.
- 3. Approval of Minutes**
 - a. April 17th, 2023 minutes.** Councilman Killian motioned to approve, second by Councilwoman Mosley. Unanimous vote.
- 4. Citizen's Comments**

Troy Karski, 8025 Arrowbridge Blvd, Charlotte addressed Council regarding being in favor of all DR Horton rezoning requests.

Benji Layman, 8720 Red Oak Blvd, Charlotte NC addressed Council regarding being in favor of Fielding rezoning requests.

Doug Elles, 12957 Blakemore Dr, Huntersville, NC addressed Council regarding being in favor of Fielding rezoning requests.

Joe Ligon 2655 Knox Station Rd, addressed Council regarding being opposed to both Fielding and DR Horton's rezoning requests.

Roxanne James, 3007 Steele Village Rd, Rock Hill addressed Council regarding being opposed to Fielding rezoning request.

Lauri Fowler, 2094 Millen Rd, Chester addressed Council regarding being opposed to both Fielding and DR Horton's rezoning requests.

Tom Miller, 1682 Pleasant Grove Rd, Chester addressed Council regarding being in favor of Fielding rezoning requests.

5. Ordinances/Resolutions/Proclamations

a. 1st Reading Of 2023-11 An Ordinance To Amend Chester County Council Rules Of Procedures Article III, Section 2-21 Thru 2-27.

Councilman Guy motioned to approve, second by Councilman Killian. Attorney Winters stated since the County is now under the Council administrator form of government the rules must be changed to reflect the changes. The word “supervisor” must be removed to add “administrator” along with other changes. The rules were different under this form of government and asked Council to look over what had been presented. If they had any questions to reach out to her before the third reading. Unanimous vote.

b. 1st Reading of 2023-12 An Ordinance to Amend Ordinance 2021-12.

Vice Chairman Wilson motioned to approve, second by Councilman Vaugh. Attorney Winters stated in December of 2021, Council approved an ordinance that included the requirements and execution of any type of development agreement. There were certain caveats in that ordinance you wanted in development agreements but no dollar figures. During the workshop last week Council discussed having a limit not to exceed \$5000 for single family homes and not to exceed \$3000 for the development of townhomes. This ordinance amends ordinance 2021-12. Unanimous vote.

6. Administrator’s Report

Administrator Hester stated there had been a lot of questions regarding a stage that was purchased through the one cents sales tax monies. The stage would be used by other government entities and be free of charge. That was the condition that was set forth. For council information it is being researched through original documentation about who actually owns the stage, Great Falls or Flopeye Fish Festival. He and Attorney Winters plan to meet this week to determine who owns it. 2- He gave an update on t on Rambo Road being closed by SCDOT where they will be replacing a bridge starting May 10, 2023. The duration time to complete was around five months. 3- There will be a Teacher’s Appreciation day at the Gateway tomorrow at three o’clock and invited everyone out.

7. Old Business

a. 1st Reading of CCMA22-17 Fielding Homes LLC C/O Isaacs Group request 160.33 acres of Tax Map # 114-00-00-015-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 5-1 to approve.

Councilman Killian motioned to approve, second by Vice Chairman Wilson. Councilman Guy asked if this was the property behind Pleasant Grove cemetery. He stated the members have concerns about the water runoff during the construction phase.

Benji Layman with Fielding Homes stated they planned to meet with the church next week to go over their concerns. They haven’t done a full-blown grading study as of yet, but they’re 300 feet from the church cemeteries property line. They plan to have four- to six-foot-high berms planted to screen from the road. He said as far as the drainage during construction they are required by the state to provide aeration control and would divert any runoff.

Councilman Agee asked if he had sewer for this development.

Mr. Layman stated they have purchased and has approval from the sewer district to build 400 houses. The build out was 2030. The houses will be on 60-foot lots or 70-foot lots and 40 feet wide. There will be 20 to 30 feet between houses. They were proposing to build with hardiplank siding, various elevations of stone and brick accents with no vinyl siding.

Councilman Guy asked how wide the roads would be.

Mr. Layman stated 24 to 26 feet wide, they plan to have multiple car parking between the garage and the driveway. They plan to have visitors parking as well.

Councilman Vaughn stated he liked the fact the HOA would take responsibility for the upkeep of the roads.

Planning Director Mike Levister stated in 2022 the County Council adopted a moratorium that only allows residential homes could be no less than 10 feet from the sideline and must be 50 feet from any adjacent property that's not part of the subdivision and is required to have parking spaces for three cars and the garage only counts as one. The outside area had to require to the first 30 feet from the existing roadway must be an open space natural buffer with 50% vegetation.

Councilwoman Mosley stated her concern was the extra traffic on the roads.

Planning Director Mike Levister stated contact from SCDOT the roads had been reconstructed in 2015 to handle heavy traffic.

Attorney Winters stated before Council goes to vote you typically have made these motions to approve contingent on a development agreement being completed and a certain sunset period otherwise there's a reverter and so I'm not sure I heard that in motion.

Vice Chairman Wilson withdrew his second, Councilman Killian withdrew his motion. Vice Chairman Wilson motioned to approve with a reverter clause if the two-year timeline was not met it would revert back and with an acceptable development agreement, second by Councilman Killian. Vote 5-2 to approve. Agee and Mosley opposed.

b. 1st Reading of CCMA22-18 Fielding Homes LLC C/O Isaacs Group request 19.27 acres of Tax Map # 114-00-00-059-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 5-1 to approve.

Vice Chairman Wilson motioned to approve with a reverter clause, must take place as our ordinance describes within two years with meaningful progress and the development agreement be in place, second by Councilman Vaughn. Vote 5-2 to approve. Agee and Mosley opposed.

c. 1st Reading of CCMA22-19 D.R. Horton Inc request Tax Map # 135-00-00-019-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Councilman Vaughn motioned to approve to add to the requirements of the reverter clause and the condition that there must be a negotiated developer's agreement that's acceptable to council, second by Councilman Killian.

Councilman Agee asked Administrator Hester if he had received any numbers from D.R. Horton. Administrator Hester stated not from D.R. Horton but Fielding Homes had reached out to him.

Councilman Guy asked what type of materials they would use on the homes.

Troy Karski, DR Horton Homes stated they planned to use a little mix of veneer, some vinyl with brick, some would have vinyl and stone, some with hardiboard and some all hardiboard. He stated it depended on what the buyer wanted.

Vice Chairman Wilson stated the previous development, council just voted on the lot size was a minimum of 7000 square feet and 60 feet in width. He asked what their minimum lot sizes were.

Mr. Karski stated they had 50 foot wide and 60-foot-wide lots, the minimum square footage lot size is 6000.

Vice Chairman Wilson stated these lots are smaller and closer together than the previous ones they had just voted on. As Mr. Hester works through the development agreement, Council needs to make sure roads are adequate for ingress and egress for emergency equipment.

Councilman Guy asked about the specs for the roads.

Mr. Karski stated they would use the specs provided to them by county staff. He stated wider roads was a larger maintenance cost to HOA and to the property owners. Wider roads promotes speeding, empirical data had proven that. One of the things other cities were doing was narrowing the roads and restricting parking on the road. Also, when you widen the roads speed bumps are put in that end up slowing emergency vehicles down. They will have the required spaces three spaces, one in the garage and two on the driveway.

Vice Chairman Wilson asked what their plan for middle school was as far as walking to school.

Mr. Karski said it would probably be bused, they were still in the process with the school system if the bus would take them to the middle school or high school that would be his proposal. They have it on their TIA to do a traffic light study at the intersection of the middle school.

Unanimous vote.

d. 1st Reading of CCMA22-20 D.R. Horton Inc request Tax Map # 135-00-00-020-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Councilman Vaughn motioned to approve to add to the requirements of the reverter clause and the condition that there has to be a negotiated developer's agreement that's acceptable to council, second by Councilwoman Mosley. Unanimous vote.

e. 1st Reading of CCMA22-21 D.R. Horton Inc request Tax Map # 135-00-00-032-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Councilman Guy motioned to approve to add to the requirements of the reverter clause and the condition that there has to be a negotiated developer's agreement that's acceptable to council, second by Councilwoman Mosley. Unanimous vote.

f. 1st Reading of CCMA22-22 D.R. Horton Inc request 9.45 acres of Tax Map # 136-00-00- 042-000 on Lancaster Hwy to be rezoned from Restricted Industrial District (ID-1) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Vice Chairman Wilson motioned to approve with a reverter clause, must take place as our ordinance describes within two years with meaningful progress and the development agreement be in place, second by Councilman Vaughn. Unanimous vote.

8. New Business

a. Rural Fire is requesting to transfer remaining grant match funds in the amount of \$42,824.12 dollars to purchase rechargeable batteries for Self-Contained Breathing Airpack's within the county. - Meghan Brewer. Vice Chairman Wilson motioned to approve, second by Councilwoman Mosley. Unanimous vote.

b. Approval of Bid RFP 2223-09 Generator & Installation- Richburg Fire Substation to K&K Electrical Services out of Chester, SC in the amount of \$26,750.00 using one cent sales tax monies. -Susan Cok. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Unanimous vote.

c. 1st Reading of CCMA23-04 Robert L. Reid III request Tax Map #123-00-00-088-000 at 3458 Ernandez Rd, Richburg, SC 29729 to be rezoned from Limited Commercial District (LC) to General Commercial District (GC). *Planning Commission voted 7-0 to approve.* Vice Chairman Wilson motioned to approve, second by Councilman Vaughn. Unanimous vote.

d. 1st Reading of CCMA23-05 Allison and Gerald Timmons request Tax Map #166-01-04-016-000 at 975 Jackson Rd, Fort Lawn, SC 29714 to be rezoned from Rural One District (R1) to Rural Two District (R2). *Planning Commission voted 7-0 to approve.* Councilman Agee motioned to approve, second by Councilman Killian. Unanimous vote.

e. Discussion regarding installing streetlights on Meadowbrook Road. Councilman Killian. Councilman Killian stated he wanted a streetlight installed on an existing pole; people have been gunned down on that road. He asked Administrator Hester if he would go out and get a cost.

Administrator Hester said he would and asked Sheriff Dorsey to ride along to see the specific spot in question. He will have his report back at the next council meeting.

f. From CCTC:

1. Action taken regarding Road and Sign Reimbursement of \$23,235.01 for road materials to the Road department. Councilman Vaughn motioned to approve, second by Councilman Guy. Unanimous vote.

2. Action taken regarding Bid RFB 22-54 Chester County On-Call Maintenance Projects Faulkner Development and Engineering, LLC in the amount of \$ 129,900 dollars. Councilman Vaughn motioned to approve, second by Councilman Killian. Unanimous vote.

3. Action taken regarding the recommendation to change the CTC accounting process. Councilman Agee motioned to approve, second by Councilman Vaughn. Unanimous vote.

9. Boards and Commissions

a. Appointment to Catawba Mental Health Board- County Council Councilman Vaughn motioned to appoint Virginia Bowman, second by Councilman Killian. Unanimous vote.

10. Executive Session

Councilwoman Mosley motioned to go to executive session, second by Councilman Killian. Unanimous vote.

- a. To receive legal advice regarding Project 2280. -Attorney Winters.
- b. To receive legal advice regarding Footprint & Electric Glass - Attorney Winters.
- c. To receive legal advice regarding a contractual matter in the HR department. -Attorney Winters.
- d. To receive legal advice regarding a contractual matter in the Assessor’s department. -Attorney Winters.

11. Council Actions Following Executive Session

Councilman Guy motioned to go back to regular session, second by Councilwoman Mosley. Unanimous vote.

- a. **Action taken regarding Project 2280.**
Councilman Vaughn motioned to allow Economic Development to negotiate, second by Councilman Guy. Unanimous vote.
- b. **Action taken regarding Footprint & Electric Glass.** Taken as information.
- c. **Action taken regarding the contractual matter in the HR department.**
Taken as information.
- d. **Action taken regarding the contractual matter in the Assessor’s department.**
Taken as information.

12. Council Comments

Vice Chairman Wilson wished his son Isaac a happy birthday.

Councilman Agee stated he went to USC in Lancaster’s graduation and watched 21 students graduate with an associate degree, a significant number of them were from Chester County.

13. Adjourn

Councilwoman Mosley motioned to adjourn, second by Councilman Killian. Unanimous vote to adjourn.

Time 9:15 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.