



CHESTER COUNTY COUNCIL MINUTES

R. Carlisle Roddey Chester County Government Building

1476 J.A. Cochran Bypass Chester, SC 29706

Monday June, 19, 2017 at 6:00 PM

MINUTES

Present: Chairman Shane Stuart, Vice Chairman Joe Branham, Council Member Archie Lucas, Council Member Brad Jordan, Council Member Alex Oliphant, Council Member Pete Wilson, Clerk to Council Karen Lee and County Attorney Joanie Winters. Council Member Guy came into the meeting at 6:02 pm.

1. **Call to Order**-Meeting called to order by Chairman Stuart at 6:00 pm.
2. **Pledge of Allegiance and Invocation**- Pledge was recited in unison, Council Member Lucas led the invocation.
3. **Approval of Minutes – June 5th, 2017 County Council Minutes**
Council Member Wilson motioned to approve the minutes, seconded by Council Member Lucas. Vote was 6-0 to approve.
4. **Citizen Comments**- No one signed up to speak.
5. **Public Hearing**-None
6. **Ordinances/Resolutions/Proclamations**
 - a. **Second Reading**-An Ordinance to Standardize Charges for Pretrial Inmates
Council Member Jordan motioned to approve, seconded by Council Member Guy. Council Member Oliphant asked if all municipalities were notified of the change. Chairman Stuart stated yes the Sheriff has contacted all of them and currently working with the County Attorney to draft an agreement with each municipality. Vote was 6-0 to approve.
7. **Old Business**
 - a. **Second Reading** to Adopt the Planning Commission's Recommendation to Approve the Rezoning of James H McCormick's, Jr. Request: Tax Map # 069-07-01-002-00: One lot located at 892 J. A. Cochran By-Pass, Chester, SC, Rezone from RG-1 (Multi-Family Residential) to GC (General Commercial) The Planning

Commission voted 5-0 to approve. Council Member Oliphant motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

b. Second Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Claude E. Melton's Request: Tax Map # 077-00-00-082-000: 9.00 acres located at 1430 Aaron Burr Rd, Chester, SC Rezone from RS-1 (Single Family Residential) to R-2 (Rural Two). The Planning Commission voted 5-0 to approve. Council Member Guy motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

c. Second Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Claude E. Melton's Request: Tax Map # 077-00-00-121-000: 9.00 acres located at 1430 Aaron Burr Rd, Chester, SC Rezone from RS-1 (Single Family Residential) to R-2 (Rural Two) The Planning Commission voted 5-0 to approve. Council Member Guy motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

d. Second Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Darrell Walters, representing Springsteen-Frances LLC Request: Tax Map # 165-00-00-066-000: 31.00 acres located at 5840 Lancaster Hwy., Fort Lawn, SC Rezone from GC (General Commercial) to ID-2 (Limited Industrial) The Planning Commission voted 5-0 to approve. Council Member Oliphant motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

e. Second Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Darrell Walters, representing Springsteen-Elliott LLC Request: Tax Map # 165-00-00-065-000: 26.284 acres located at 5780 Lancaster Hwy., Fort Lawn, SC Rezone from GC (General Commercial) to ID-2 (Limited Industrial) The Planning Commission voted 5-0 to approve. Council Member Lucas motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

8. New Business

a. Approve bid for remaining 8 months of the Lawn Maintenance contract to Jay's Lawn Maintenance in the amount of \$3,960.00 per month. Council Member Oliphant motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

b. Approve bid for Janitorial Services 2-year contract to Office Pride in the amount of \$5,899.87 per month. Vice Chairman Branham motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

c. Fort Lawn Fire Protection- El Bethel Substation

Gwen Lazenby stated they were the Fort Lawn Fire Protection Tax District that County Council help form. Currently they are in there third year and has established goals to lower the ISO ratings for the fire department in order to provide lower insurance cost to the community and hired daytime firefighters. Mrs. Lazenby stated they purchased

property for a substation over fifteen years ago and would like to build the El Bethel Substation. They contracted Hall Architects from Charlotte, NC through the recommendation of Susan Cok, Mrs. Lazenby explained the financial situation of their tax district with limited funds based on the 1% sales tax option in 2014 which would provide \$125,000 for a new building. At the time and with the specifications for the building they thought they could keep the cost under \$200,000, this building would not have any frills. After meeting with Mr. Stuart and Michael Kozlarek, the County bonding attorney, the district would like to ask Council to approve to move forward with a Revenue Bonding Process. County Council Member Oliphant motioned to give permission to proceed with the revenue bonding process, seconded by Council Member Lucas. Vote was 6-0 to approve.

d. Code Enforcement Update and Progress

TJ Martin, County Code Enforcement Officer stated he has written twenty-six tickets this year. He stated he predominately handles nuisance and abatement properties, litter enforcement, pretty much everything else in the code enforcement book. He stated he does not handle buildings or structures; the Building Department takes care of that. Mr. Martin stated this time of the year nuisance and abatement is busy, in the past month he has received thirty-one complaints. Litter enforcement has picked up and he has obtained three grants from Palmetto Pride through the South Carolina Litter Control Association totaling \$4700 each. Two cameras have been purchased with the money and he places them in areas where dumping is occurring. Since placing the cameras he has written tickets to two people for illegal dumping.

The nuisance and abatement process is long, once he gets a complaint for a property the majority of the property owners are deceased. If they have family members who live in the area, they don't want the responsibility or the don't live in the area. The properties grass is cut and a lien placed on the property, if the property is sold the County would get the money back from the cost of cutting the grass. Mr. Martin stated he has written over one hundred tickets since July of 2015. He stated he does not have jurisdiction in any incorporated municipalities in the County, he is a sworn Chester County Officer and can only enforce the Chester County Code. To make complaints, citizens can come to his office, or go to the County website or app. Council Member Oliphant commended and thanked him for a great job he was doing.

e. Update on Rural Fire Stipends Paperwork

Chairman Stuart stated they met with the HR Director Hyatt Kelsey and County Treasurer Tommy Darby concerning this. The reason the stipends are an issue the IRS made the County pay back \$20, 000 for stipends to fire fighters. The money was coming out for retirement, the paperwork also had to be corrected to show the firefighters did not work for the County but for the Chief of the fire department.

f. Update on Litter Crew Leader

Chairman Stuart stated he was waiting on SCDOT to verify how many inmates a Litter Crew Leader can supervise. County Attorney Winters has also updated the job description for Litter Crew Leader. This person will take inmates out to pick up garbage,

this will help supplement the State's issue, we do not plan to take this over. Vice Chairman Branham asked if the two positions will be open in July, and has had positive feedback in the County creating these positions to help keep Chester clean. Chairman Stuart stated the positions will be open and in force.

g. First Reading to Adopt the Planning Commission's Recommendation to Approve the Text Amendment by Amending Chapter 4: Permitted Uses. Add: "Corporate, Subsidiary & Regional Managing Offices (except government establishment)" in the Chester County Zoning Ordinance. The Planning Commission voted 5-0 to approve. Council Member Oliphant motioned to approve, seconded by Vice Chairman Branham. Planning Director Justin Ford stated Economic Development had some interest for a corporate development, currently this is not allowed in our zoning ordinance. Mr. Ford stated everything needs to be found in the books, in the past there was an oral agreement with the Administrator and Planning Commission on what could be done, he wants the books to match what they do. He also stated to Council in the Planning Department they have the Chester County Zoning Ordinance, the Fort Lawn Zoning Ordinance and the Great Falls Zoning Ordinance along with the Land Development Regulations for each one that are totally different from each other.

Mr. Ford stated he wants everything being done in his office to be in black and white, that is the type of guy he is. In the past plats were being approved without going to the planning commission and he would like to have it in the books that give him the permission to do this. He would like to simplify the process by putting everything into one book per jurisdiction. Mr. Ford used the example of a new general commercial lot, the land development says all new lot requires a minimum twenty-five feet of street frontage, when you go to the zoning ordinance it requires a minimum of seventy -five-foot street frontage. That can easily be messed up if you do not know where to look. Vote was 6-0 to approve.

h. First Reading to Adopt the Planning Commission's Recommendation to Approve the Text Amendment by Amending Chapter 1: Definitions- Add: "Easement" in the Chester County Zoning Ordinance. The Planning Commission voted 5-0 to approve. Council Member Oliphant motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

i. First Reading to Adopt the Planning Commission's Recommendation to Approve the Text Amendment by Amending Chapter 1: Definitions- Add: "Right-of-Way" in the Chester County Zoning Ordinance. The Planning Commission voted 5-0 to approve. Council Member Guy motioned to approve seconded by Council Member Jordan. Vote was 6-0 to approve.

j. First Reading to Adopt the Planning Commission's Recommendation to Approve the Text Amendment by Amending Article 2: Definitions Amend: "Subdivision" in the Chester County Land Development Regulations. The Planning Commission voted 5-0 to

approve. Council Member Lucas motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

k. First Reading to Adopt the Planning Commission’s Recommendation to Approve the Text Amendment by Amending Article 3: Procedure for Plat Approval Amend: “General Procedure”. The Planning Commission voted 5-0 to approve. Council Member Jordan motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

l. First Reading to Adopt the Planning Commission’s Recommendation to Approve the Text Amendment by Amending Article 5: Minimum Design Standards Amend: “Flag Lots”. The Planning Commission voted 5-0 to approve. Council Member Wilson motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

9. Boards and Commissions-None

10. Executive Session-Council Member Guy motioned to go into Executive Session, seconded by Council Member Lucas. Vote was 6-0 to approve. Time was 7:15 pm.

a. Discuss Economic Development Project 1641

b. Discuss Economic Development Project 1725

c. Discuss Economic Development Project 1702

d. To Receive Legal Advice Concerning an Administrative Assistant for Delegates

e. To Receive Legal Advice in Reference to Purchase Property

11. Council Actions Following Executive Session

a. Action Taken Following Discussion on Project 1641

Council Member Oliphant recused, this was taken as information only.

b. Action Taken Following Discussion on Project 1725

Vice Chairman Branham motioned to give Economic Developer Karlisa Dean permission to negotiate on project 1725, seconded by Council Member Guy. Vote was 6-0 to approve.

c. Action Taken Following Discussion on Project 1702

Council Member Oliphant recused, Vice Chairman Branham motioned to give Economic Developer Karlisa Dean permission to negotiate on project 1702, seconded by Council Member Jordan. Vote was 5-0 to approve.

d. Action Taken Following Legal Advice for an Administrative Assistant for

Delegates. Council Member Oliphant stated delegates for the County was requesting Council to provide funding for a part time employee. This was taken as information only.

e. Action Taken Following Legal Advice in Reference to Purchase Property

This was taken as information only.

12. Council Comments-None

13. Adjourn-Council Member Lucas motioned to adjourn, seconded by Vice Chairman Branham. 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