

# CHESTER COUNTY COUNCIL MINUTES

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

1476 J.A. Cochran Bypass Chester, SC 29706

**Monday, June 7<sup>th</sup>, 2021 at 6:00 PM**

**Present:** Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman Pete Wilson, Clerk to Council Karen Lee and County Attorney Joanie Winters. Councilwoman Guy was absent with prior notification. Rules of Procedure Section 2-59 and 60 were suspended.

1. **Call to Order-** Interim Chairman Dr. Frederick called the meeting to order.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison, Interim Chairman Dr. Frederick gave the invocation.
3. **Approval of Minutes**
  - a. May 17<sup>th</sup>, 2021 Minutes. Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

#### 4. **Citizen Comments**

Judson Stringfellow, 3515 Dogwood Drive, Charlotte stated the site plans for the rezoning request on the agenda tonight were modified to meet the Planning Commission's recommendations. The plans fit within the county's comprehensive plan and in line with the Gateway District Master Plan.

David Hensley, 1971 S. Anderson Road, Rock Hill, SC stated if approved he estimated ten years for a full build of the project and with his discussions with Chester Wastewater Recovery, they had indicated there would be sufficient sewer capacity to service the development.

Judy Funderburk, 5899 Cindy Lane, Fort Lawn stated she has the opportunity to buy a piece of land to put here manufactured home there. She asked Council to approve her request to rezone the property to RG-2 zoning.

John Agee, 3302 Lancaster Hwy, Richburg stated he was a member of the Gateway Steering Committee and wanted Council to know the rezoning request for CCMA21-15 and 16 were the closest plans to the Gateway Master plan and they were in favor of their request.

5. **Public Hearing-** Interim Chairman Dr. Frederick opened the public hearing, no one signed up to speak.

**a. 3rd Reading of 2021-3 An Ordinance Authorizing, Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement By And Between Chester County, South Carolina, And E. & J. Gallo Winery, Formerly Identified As Project Magma, Acting For Itself, One Or More Current Or Future Affiliates And Other Project Companies (Collectively, "Company"); and an Incentive Agreement Between the County and the Company; Providing For A Special Source Revenue Credit; Modifying A Joint County Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park; Authorizing The Execution And Delivery Of One Or More Grant Agreements; And Other Related Matters. Interim Chairman Dr. Frederick closed the public hearing,**

## 6. Ordinances/Resolutions/Proclamations

a. **3<sup>rd</sup> Reading of 2021-3 An Ordinance Authorizing, Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement By And Between Chester County, South Carolina, And E. & J. Gallo Winery, Formerly Identified As Project Magma, Acting For Itself, One Or More Current Or Future Affiliates And Other Project Companies (Collectively, "Company"); and an Incentive Agreement Between the County and the Company; Providing For A Special Source Revenue Credit; Modifying A Joint County Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park; Authorizing The Execution And Delivery Of One Or More Grant Agreements; And Other Related Matters.** Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

b. **2<sup>nd</sup> Reading of 2021-4 Chester County Fiscal Year 2021/2022 Budget to Establish Operating And Capital Budgets For The Operation Of The County Government Of Chester County, South Carolina For The Fiscal Year Commencing July 1, 2021; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2021; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Authorize The County To Borrow Money In Anticipation Of Taxes And To Provide For The Repayment Of Sums Borrowed By The County Governing Body; To Provide For The Payment Of Tort Claims And Worker's Compensation Claims Against Chester County; To Provide For Certain Fiscal And Other Matters Relating To County Government.** Councilman Wilson motioned to approve, second by Councilman Killian. Vote 5-0 to approve.

c. **1<sup>st</sup> Reading of 2021-8 in title only -Fund Balance Ordinance.** Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

d. **Resolution 2021-11 Identifying the Capital Projects as Part of a Program of General Obligation Borrowing; And Other Related Matters.** Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

## 7. Old Business

a. **3<sup>rd</sup> Reading of CCMA21-12: Michael D. Cannon of MC Real Estate, LLC request Tax Map # 125-00-00-010-000 located on Colonels Point Parkway be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial). Planning Commission vote 6-0 to approve with a reverter clause if the business closes.**

Mr. Cannon stated he would not build a spec building but would build a 10,000 sq. ft. footprint under one roof, when he retires and sells his business, he would revert the property back to the ID2 zoning. He would build out the other 5000 square feet so he would have two buildings to rent in his retirement. Councilman Wilson motioned to approve with a reverter clause that if the businesses close or stops operating as described in the entire building it will revert back to the ID2 zoning, second by Councilman Killian. Vote 5-0 to approve.

b. **3<sup>rd</sup> Reading of CCMA21-13: Michael R. Mills, agent for JAH Properties LLC request Tax Map # 087-00-00-001- 000 (portion of) located along Darby Road Chester SC be rezoned from R2 (Rural Two) to RS-1 (Single Family) Planning Commission voted 6-0 to approve.** Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

c. **Update regarding the recreation agreement between Chester County and Great Falls. Councilman Vaughn.** Attorney Winters suggested an interim lease for the next twelve months for Council to sort everything out. Councilman Vaughn motioned the County to continue providing services and insurance for one year, second by Vice Chairman Branham. Vote 5-0 to approve. Attorney Winters asked if she could recommend to Council to determine who is responsible for renting the fields, who collects the money, who should not collect the money where the money goes. She stated some type of procedures should be put into place whether it is the County or the

Town of Great Falls so there is no confusion.

## 8. New Business

**a. Council to authorize the Sheriff's Department to apply for (COSSAP) Comprehensive Opioid, Stimulant and Substance Abuse Site Based Program grant for \$600,000 dollars with no match. -Sheriff Dorsey.** Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

**b. Council to authorize the Sheriff's Department to apply for COPS Office Hiring program grant for \$480,000 dollars with a 25% match. Sheriff Dorsey.** Chief Deputy Joe Tate stated the \$480,000 should have been multiplied by three which added up to \$1,440,000 dollars with a 25% match from the County. Councilman Vaughn motioned to approve \$1,440,000 with a 25% match, second by Councilman Wilson. Vote 5-0 to approve.

**c. Council to authorize the Sheriff's Department to apply for Smart Policing Initiative grant for \$500,000 with no match. Sheriff Dorsey.** Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

**d. 1<sup>st</sup> Reading of CCMA21-14: Judy Funderburk request Tax Map # 158-01-08-007-000 located at 1474 Catawba River Road, Fort Lawn, SC be rezoned from R1 (Rural One) to RG-2 (General Residential). Planning Commission voted 6-0 to Deny.** Councilman Vaughn motioned to decline the recommendation of the Planning Commission, second by Councilman Wilson. Councilman Vaughn stated the change would not be detrimental to the community since other manufactured homes already existed in the area. The property meets the RG2 requirements. Councilman Wilson suggested for the third reading to add a reverter clause so if she is not able to own and move the manufactured home to the property the zoning would revert back to R1 zoning. Councilman Wilson withdrew his second, Councilman Vaughn withdrew his motion. Councilman Vaughn motioned to decline the recommendation of the Planning Commission and add a reverter clause should the property change hands, second by Councilman Wilson. Vote 5-0 to approve.

**e. 1<sup>st</sup> Reading of CCMA21-15: JDSI, LLC by Judson Stringfellow request Tax Map # 124-00-00-024-000 located off Hwy 9, Richburg, SC be rezoned from RS-1 (Single Family) to PD (Planned Development) Planning Commission voted 4-2 to approve.** Councilman Wilson motioned to approve, second by Vice Chairman Branham. Councilman Jordan stated he was concerned not only with the sewer issue but water issues as well not meeting capacity. He had read concerns from a citizen stating that a Richburg public authority told them at the Planning Commission meeting this was a done deal before it was presented to the Commission. He did not remember the Gateway Steering Committee proposing or backing a development. His concern for this development was the same he has had for the others. Councilman Killian stated the County needs houses for all the growth that is coming, if Council keeps turning them down, they will stop coming. Vote 4-1 to approve.

**f. 1<sup>st</sup> Reading of CCMA21-16: JDSI, LLC by Judson Stringfellow request Tax Map # 124-00-00-027-000 located off Hwy 9, Richburg, SC be rezoned from R2 (Rural Two) to PD (Planned Development) Planning Commission voted 4-2 to approve.** Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 4-1 to approve. Councilman Jordan opposed.

**g. Discuss the naming of an entrance at Chester Technology Park. -County Council.** Councilman Killian motioned to name the entrance Technology Drive, second by Councilman Wilson. Vote 5-0 to approve.

## 9. Boards and Commissions-None

**10. Executive Session-Councilman Vaughn motioned to go to executive session, second by Councilman Killian.** Vote 5-0 to approve.

- a. Receive legal advice regarding IBHS. Attorney Winters.
- b. Receive legal advice regarding update on Project Magma. Attorney Winters.
- c. Receive legal advice on Economic Development Grant. Attorney Winters.

**11. Council Actions Following Executive Session-Councilman Vaughn motioned to go back to regular session, second by Vice Chairman Branham. Vote 5-0 to approve.**

- a. **Action taken on legal advice regarding IBHS. Information only.**
- b. **Action taken on legal advice regarding update on Project Magma. Information only.**
- c. **Action taken on legal advice regarding Economic Development Grant.**

Councilman Wilson motioned to authorize Economic Developer Long to apply for a grant for road and water improvements at the Chester Research and Development Park, second by Councilman Killian. Vote 5-0 to approve.

**12. Council Comments**

Councilman Wilson stated the annual I to I yard sale would be starting Friday June 11<sup>th</sup> and Saturday June 12<sup>th</sup>.

**13. Adjourn**

Councilman Jordan motioned to adjourn, second by Vice Chairman Branham. Vote 5-0 to adjourn.

Time: 8:20 PM

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.

