

# CHESTER COUNTY COUNCIL MEETING MINUTES

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

1476 J.A. Cochran Bypass Chester, SC 29706

**Monday, July 19<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. Councilman Killian came in at 6:03PM.

1. **Call to Order** – Interim Chairman Dr. Frederick called the meeting to order at 6:00 PM.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes -July 6<sup>th</sup>, 2021 Council minutes.**  
Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.
4. **Citizen Comments**  
John Massey spoke about adding local fallen hero's photographs in the County Government building.  
  
The following people were opposed to the Winchester request to be rezoned to PUD.  
Ellen Reid 3549 Edgeland Road, Richburg, Robert Dodson 220 Coneflower Place, Fort Mill.  
  
Al Philips of PO Box 30008, Charleston was in favor to the rezoning request for Carolina Gypsum to Limited Industrial.  
  
The following people were in favor to rezoning request for Winchester.  
Ingram Walters PO Box 1561, Monroe, NC, Sara Shirley, 8000 South Anderson Road, Charlotte, John Ross 2627 Brekonridge Centre, Monroe, Joyce Crimminger, 5301 Admirals Landing, Lancaster and Rep. John King, PO Box 11555, Rock Hill.  
  
Doris Macomson, 718 Will Jones Circle, Catwaba spoke about the new animal shelter.  
  
The following people were in favor for rezoning request for Cheswick.  
Judson Stringfellow 3515 Dovewood Dr, Charlotte and David Hensley 1971 South Anderson Road, Rock Hill.
5. **Public Hearing**
  - a. **3<sup>rd</sup> Reading of 2021-7** Ordinance to Repeal section 46-94 of the Chester County Code-transporting loose material. No one signed up to speak.
6. **Ordinances/Resolutions/Proclamations**
  - a. **3<sup>rd</sup> Reading of 2021-7** Ordinance to Repeal section 46-94 of the Chester County Code-transporting loose material. Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

**b. Resolution 2021-14 To Provide A Certification Pursuant To The South Carolina Textile Communities Revitalization Act (S.C. Code Section 12-65-10 Et Seq.) For The Property Formerly Known As The Manetta Mill On Edgeland Road In Chester County, South Carolina.** Councilman Jordan motioned to approve, second by Vice Chairman Branham. Attorney Winters stated the South Carolina textile communities act was passed in 2008 and encourages the revitalization of abandoned mills. Before any credits are given, the owner or entity who owns the mill must apply for a credit for revitalization and must be certified by Council along with ordinances and public hearings. Vote 6-0 to approve.

**7. Old Business**

**a. Update regarding white water construction in Great Falls- Councilman Vaughn-Christy Churchill** (Duke Energy). Mrs. Churchill gave an update on the work being done to establish a state park and provide whitewater recreation. A long bypass on the Catawba would be constructed and run two Saturdays a month and four Sundays. The access to Nitrolee is under construction and would include an interpretive center along with parking, bathrooms and other amenities and would be the primary entry point for kayakers. Access trails along with bypasses were expected to be finished in 2022.

**b. 3<sup>rd</sup> Reading of CCMA21-02: Chester Land Holdings, LLC. Request Tax Map # 123-00-00-032-000 located along Edgeland Road, Edgemoor SC, be rezoned from R2 (Rural Two) to PD (Planned Development) Planning Commission voted 3-4 to deny.** Councilman Jordan motioned to uphold the Planning Commission's recommendation to deny. After much discussion, Councilman Vaughn withdrew his second and Councilman Jordan withdrew his motion. Councilwoman Guy motioned to postpone the third reading to September 20<sup>th</sup> so Council could do further study regarding discussion of a reverter clause or a development agreement, second by Councilman Killian. Vote 6-0 to approve.

**c. 3<sup>rd</sup> Reading of CCMA21-04: Chester Land Holdings, LLC. Request Tax Map # 123-00-00-078-000 located along Edgeland Road, Edgemoor SC, be rezoned from R2 (Rural Two) to PD (Planned Development) Planning Commission voted 7-0 to deny.** Councilman Jordan motioned to uphold the Planning Commission's recommendation to deny. After much discussion, Councilman Vaughn withdrew his second and Councilman Jordan withdrew his motion. Councilwoman Guy motioned to postpone the third reading to September 20<sup>th</sup> so Council could do further study regarding discussion of a reverter clause or a development agreement, second by Councilman Killian. Vote 6-0 to approve.

**d. 3<sup>rd</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 uphold the Planning Commission's recommendation with a reverter clause that a developer's agreement be approved by this Council first, along with a clause that states if no work is done within three years it would revert back to the original zoning, second by Vice Chairman Branham. Vote 5-1 to approve. Councilman Jordan opposed.

**e. 3<sup>rd</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 uphold the Planning Commission's recommendation with a reverter clause that a developer's agreement be approved by Council first, and it would revert back to the original zoning if three years passes from the time the developer's agreement is approved to the time without no building permits, second by Vice Chairman Branham. Vote 5-1 to approve. Councilman Jordan opposed.

**f. 3<sup>rd</sup> Reading of CCMA21-17: - David Woods request Tax Map # 079-01-14-017-000 located at 730 Sugarplum Road, Chester be rezoned from RG-1 (Multi Family) to RG-2 (General Residential). Planning Commission voted 7-0 to approve.** Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

**g. 3<sup>rd</sup> Reading of CCMA21-18:** - Eugene Raffaldt request Tax Map # 161-01-00-011-000 located at 5584 Brooklyn Road, Great Falls be rezoned from RG-1 (Multi Family) to RG-2 (General Residential). Planning Commission voted 7-0 to approve. Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

**h. 3<sup>rd</sup> Reading of CCMA21-19:** - Carolina Gypsum, LLC request Tax Map # 080-02-02-006-000 located at 531 Wilson Street, Chester be rezoned from GC (General Commercial) to ID-2 (Limited Industrial). Planning Commission vote 7-0 to approve. Vice Chairman Branham motioned to approve with a reverter clause if the business closed it would revert back to GC, second by Councilman Killian. Vote 6-0 to approve.

## 8. New Business

**a. Award of Bid for the Hazmat building in the amount of \$1,173,000.00 to JM Cope. – Jarrett Davis.** Vice Chairman Branham motioned to award the bid to JM Cope in the amount of \$1,173,000 dollars, second by Councilman Wilson. Vote 6-0 to approve.

**b. Discuss adding a 90-day moratorium on new planned development applications. County Council.**

Councilman Jordan stated through all the discussions that had taken place tonight regarding planned development he proposed adding a 90-day moratorium on new planned development applications. There is still a lot of work to be done and it needs to be done right. He stated this would give Council time to hold a few workshops to work on our ordinances perhaps draft a developer's agreement that is in place while we are still trying to move forward toward impact fees. Councilman Jordan motioned to add a 90-day moratorium on new planned development applications, second by Vice Chairman Branham. Vote 6-0 to approve.

**c. Discuss a workshop with municipalities, Planning Commission and County Council for possible text changes, new zoning categories required for planned development applications. County Council.** Councilman Jordan proposed holding workshops and inviting the Planning Commission and all the municipalities. The purpose would be for revision of our ordinances, it was stated by Mr. Stringfellow the planned development district was the only category of what he wanted to do came close too. Councilman Jordan suggested maybe adopting another category for development that is not a PD. He would like to hear the input of the Planning Commission and municipalities. Attorney Winters suggested in the next twelve months Council hold workshops periodically to review certain ordinances that needs revising. Councilman Jordan stated it would probably take a couple of workshops to get this done and asked Interim Chairman Frederick to make the determination when they would be held.

**d. Discussion by County Council whether to revisit the revised Comprehensive and Gateway Plan also propose a Hwy Nine Corridor Plan. County Council.** Councilman Jordan stated through all the discussions it was clear that his interpretation of the gateway and comprehensive plan was not the same interpretation that someone else has. As the County had grown in the last five years the ordinances need to be revisited and new plans adopted along with input from the community members.

## 9. Boards and Commissions

**a. Resignation from the Rural Fire Commission-Interim Dr. Frederick.**

Vice Chairman Branham motioned to accept Betty Nichols resignation, second by Councilwoman Guy. Vote 6-0 to approve.

**b. Appointment to the Fort Lawn Fire Protection Board- Councilman Jordan.**

Councilman Jordan motioned to appoint Steve Nunn, second by Councilman Vaughn. Vote 6-0 to approve.

- 10. Executive Session-Councilwoman Guy motioned to go to executive session, second by Vice Chairman Branham. Vote 6-0 to approve.**
- a. To receive legal advice regarding Gallo. Attorney Winters.
  - b. To receive legal advice regarding Project 2043. Attorney Winters.
  - c. To receive legal advice regarding Project 2106. Attorney Winters.
  - d. To receive legal advice regarding Project 2164. Attorney Winters.
  - e. To discuss a contractual matter regarding infrastructure. Attorney Winters.
- 11. Council Actions Following Executive Session-Councilman Jordan motioned to go back to regular session, second by Vice Chairman Branham. Vote 6-0 to approve.**
- a. **Action taken regarding legal advice of Gallo. Taken as information only.**
  - b. **Action taken regarding legal advice for Project P2043. Taken as information only.**
  - c. **Action taken regarding legal advice for Project P2106. Taken as information only.**
  - d. **Action taken regarding legal advice for Project P2164.**  
Councilman Jordan motioned to give the County Attorney authorization to negotiate a lease for the area that was occupied by the Olde English district under option number two, second by Vice Chairman Branham. Vote 5-1 to approve. Councilwoman Guy opposed.
  - e. **Action taken regarding legal advice for infrastructure.**  
Vice Chairman Branham motioned to allow the County Attorney to get a MOU with Truvista for the application of a grant to supply broad band to at least 1200 homes in Chester County, second by Councilman Killian. Vote 6-0 to approve.
- 12. Council Comments- None.**
- 13. Adjourn-Councilwoman Guy motioned to adjourn, second by Councilman Jordan. Vote 6-0 to adjourn.**

Time: 10:05 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.