

CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

Monday, July 6th, 2020 at 6:00 PM

Chairman Shane Stuart Presiding

AGENDA

- 1. Call to Order**
- 2. Pledge of Allegiance and Invocation**
- 3. Approval of Minutes**
 - a. June 11th, 2020 Special Called & Budget Workshop Council Minutes **Pg. 4**
 - b. June 15th, 2020 Council Minutes **Pg. 7**
 - c. June 25th, 2020 Special Called Council Minutes **Pg. 12**
- 4. Citizen Comments**
- 5. Public Hearing**
 - a. **3rd Reading 2020-17** An Ordinance To Amend An Agreement For The Development Of A Joint Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park To Include A Portion Of Those Certain Pieces, Parcels, Or Tracts Of Land, With All Improvements Thereon, Situate Lying Or Being In The County Of Chester, State Of South Carolina, Bearing Tax Map Number: 165-00-00-002 And Other Real Property.
- 6. Ordinances/Resolutions/Proclamations**
 - a. **3rd Reading 2020-17** An Ordinance To Amend An Agreement For The Development Of A Joint Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park To Include A Portion Of Those Certain Pieces, Parcels, Or Tracts Of Land, With All Improvements Thereon, Situate Lying Or Being In The County Of Chester, State Of South Carolina, Bearing Tax Map Number: 165-00-00-002 And Other Real Property. **Pg. 13**
 - b. **2nd Reading of 2020-19** An Ordinance to Amend Chester County Code Chapter 2, Administration, Section 761st seq., Fort Lawn Fire Protection District and Lewis Fire Protection District. **Pg. 15**
 - c. **Resolution 2020-15** Inducement Resolution for Project 2026 **Pg. 17**
 - d. **2nd Reading 2020-20 An Ordinance** Authorizing the Execution And Delivery Of A Fee In Lieu Of Ad Valorem Taxes Agreement By And Between Chester County And Project 2026; The Inclusion Of The Project Site (Located In Chester County) In A Multi-County Industrial Park; The Execution And Delivery Of Other Documents As May Be Necessary To Effect This Ordinance's Intent; And Other Related Matters. **Pg. 21**
 - e. **2nd Reading 2020-21** An Ordinance to Create the Chester County Radio Users Advisory Committee And Adopt Its Enabling Act. **Pg. 47**

f. 1st Reading 2020-22 An Ordinance to Authorize the County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Mr. F.G. Delleney, Jr. Upon Such Terms and Conditions as Described In The Request For Bid. **Pg. 52**

7. Old Business

- a. To Receive a Status Update Regarding the 90-Day EMS Plus-Up. -John Faulkner
- b. Update on the Rolling Stock Bond- Bond Attorney Michael Kozlarek
- c. Update on Fort Lawn Heart and Soul- Robin Currence **Pg. 54**
- d. Update on Great Falls Projects- Councilman Mike Vaughn
- e. Budget Request for Small Business Development Retention and Expansion Program. Chairman Stuart **Pg. 55**
- f. To Review and Consider A Proposal for the Gateway IPRB. - Interim Economic Developer Jeff Burgess **Pg. 56**
- g. Discussion Regarding Boards & Commission Appointment Procedures - Chairman Stuart **Pg. 57**

8. New Business

- a. Discussion Regarding County Bonding for New Animal Shelter- Councilman Oliphant
- b. **1st Reading of CCMA20-02:** Patton Development SC, LLC Request 2.95 acres of Tax Map # 079-01-17-013-000 (survey provided) located on JA Cochran By-Pass be rezoned from R2 (Rural Two) to GC (General Commercial) *Planning Commission Voted 6 - 0 to Approve.* **Pg. 60**
- c. **1st Reading of CCMA20-06:** Gary Howell, with Howell Homes of the Carolinas, Request Tax Map # 123-00-00-090- 000 located on Hamilton Rd, Chester, SC be rezoned from R2 (Rural Two) to R1 (Rural One) *Planning Commission Voted 4-1 to Deny.* **Pg. 64**
- d. **1st Reading CCMA20-03:** Luck Stone Corporation Request Tax Map # 089-00-00-001-000 located at 1421 Collie Lane, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) *Planning Commission Voted 2-4 to Deny.* **Pg. 70**
- e. **1st Reading CCMA20-05:** Luck Stone Corporation Request Tax Map # 089-00-00-002-000 located at 1295 Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) *Planning Commission Voted 2-4 to Deny.* **Pg. 90**
- f. **1st Reading CCMA20-04:** Luck Stone Corporation Request Tax Map # 089-00-00-025-000 located on Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) *Planning Commission Voted 4-2 to Deny.* **Pg. 110**
- g. Request to Apply for a Regional Catastrophic Preparedness Grant for Region 4 DHS/FEMA- Sheriff Dorsey
- h. Richburg Fire EMS Update- T. Melton **Pg. 114**
- i. Approval of Rodman Master Plan- Councilman Jordan **Pg. 115**
- j. Discuss Planning & Zoning Media Packets to County Website- Councilman Oliphant
- k. Social Media County Employees and County Appointee's- Councilman Oliphant

9. Boards and Commissions

- a. Appointment to Parks and Recreation Commission-Councilman Wilson **Pg. 118**
- b. Appointments to Fort Lawn Fire Protection Commission. County Council **Pg. 119**

10. Executive Session

- a. Personnel Issue Regarding the Fort Lawn Fire Protection District-Councilman Oliphant
- b. Personnel Issue Regarding the Rural Fire Board Commission-Councilman Oliphant

11. Council Actions Following Executive Session

- a. Action Taken Regarding Personnel Issue with the Fort Lawn Fire Protection District.
- b. Action Taken Regarding Personnel Issue with the Rural Fire Board Commission.

12. Council Comments

13. Adjourn

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

Guidelines for Addressing Council

Citizens Comments:

- Please sign the sign-in sheet upon arrival, name, address and telephone number
- Each citizen will be limited to three minutes
- Large groups (more than 5) speaking on the same position on an issue must appoint one representative to speak on behalf of the group

Public Hearings:

- Please sign the sign-in sheet upon arrival, name, address and telephone number
- Each speaker will be limited to a three-minute presentation
- Large groups (more than 5) speaking on the same position on an issue must appoint one representative to speak on behalf of the group

When introduced:

- Approach the podium, state your name and address
- Speak loudly and clearly making sure that the microphone is not obstructed
- Do not address the audience – direct all comments to Council
- Do not approach the Council table unless directed

Anyone addressing Council will be called out of order if you:

- Use profanity
- Stray from the subject
- Make comments personally attacking an individual member of Council

CHESTER COUNTY COUNCIL SPECIAL CALLED MEETING MINUTES

**R. Carlisle Roddey Chester County Government Building
1476 J A Cochran Bypass- Council Chambers
June 11th, 2020 at 4:00 PM**

Special Called Meeting and Budget Workshop

MINUTES

Present: Chairman Shane Stuart, Vice Chairman Joe Branham, Council Member Brad Jordan, Council Member Alex Oliphant, Council Member Pete Wilson, Councilman Vaughn, Clerk to Council Karen Lee, Treasurer Tommy Darby and Finance Director Wes Carter. Council Member Mary Guy came in after the vote to go to executive session.

- 1. Call to Order**-Chairman Stuart called the meeting order.
- 2. Executive Session**-Councilman Jordan motioned to go to Executive Session, second by Vice Chairman Branham. Vote 5-0 to approve.
 - a. Discuss Economic Development Project 2024.
 - b. Discuss Economic Development Project 2026.
- 3. Action Taken after Executive Session**-Councilwoman Guy motioned to go back to Regular Session, second by Councilman Wilson. Vote 6-0 to approve.
 - a. **Action Taken Regarding Economic Development Project 2024.** Taken as information only.
 - b. **Action Taken Regarding Economic Development Project 2026.** Taken as information only.
- 4. New Business**
 - a. **Discuss Refrigeration Problems in the Detention Center.**

Sheriff Dorsey stated the compressor in the freezer at the detention center was old and has been worked on a lot. The HVAC technician had told them it stop was a matter of time when they would completely stop working. They had two quotes to purchase a new one, first quote was \$ 9400 and the second \$9700 dollars to change over with new compressor lines inside and out, evaporators on top of the units. Treasurer Darby stated a salary line item to equipment line item in the Sheriff's budget could be used to purchase through a vacancy where they had a budget transfer and no council action would be required.
- 5. Budget Discussion-Chairman Stuart**
 - a. **Budget Ordinance Items**
 - 1. Workers Comp and Property Liability**

Treasurer Darby stated the annual contribution for the periods of July 1, 2020 through July 1, 2021 was \$629,529 dollars for property and liability insurance renewal, workers compensation renewal was \$430,215 dollars for the same period. Together they have increased by \$230,000 dollars from the prior year and the county is ranked twenty-four out of forty-six counties. The increase was due to excess property insurers having significant losses the past year and increases in their property premiums along with COVID-19 crisis impacting insurance and financial markets.

2. General Fund Revenue

Treasurer Darby gave a brief history of past revenues and what it looks like now for the next budget cycle. Fiscal year 2020 anticipated revenue at \$ 22,520,882 and does anticipate the sale of Southeastern Petroleum if the \$600,000 is taking out the budget would be short by that amount. Next fiscal year anticipating \$22,333,214 dollars and does have an appropriation of fund balance around \$579,000 dollars.

3. Online Convenience Fees

Treasurer Darby stated the fee for online payments had been waived, the current total cost from March to June was \$22,857 dollars. The actual online payments were up 244 percent from the prior year, people staying at home paying their taxes and not coming out during the coronavirus. The state of emergency for this will run out the middle of July, typically, the taxpayers pay around \$28,000 dollars in fees from using the online service. He stated he needed to add \$4000 dollars to add back to his budget

4. Litter Enforcement/Nuisance & Abatement Request.

Treasurer Darby stated TJ Martin had requested \$720 added to his professional service account to order to obtain the Sheriff's office to for civil process services to deliver certified letters to owners who do not pick them up.

5. List of Services the County provides to other Municipalities.

Council discussed the lease agreement with Great Falls which included lawncare and utilities services that came to the amount of \$28,548. 41 dollars. It was asked what other municipalities were provided services. The County collects city taxes for Great Falls, Fort Lawn and the City of Chester, along with building permits for Great Falls, Fort Lawn.

6. Other Carry Over Items

Chairman Stuart stated \$ 4051.42 was left over from a vehicle accident, the vehicle was replaced, he asked Council if the left-over funds could be reallocated for Census to be finished off for the rest of the month of July. Councilwoman Guy motioned to reallocate \$4051.42 funds to Census to the end of July, second by Vice Chairman Branham. Vote 6-0 to approve.

EMS Director Britt Lineberger stated call volumes were slightly down from last year but within the past few weeks the call volumes have went up due to the coronavirus.

An EMS 6 truck was placed in West Chester Fire Department a few months ago but since it the weather has changed and its hotter they can no longer use it as sleeping arrangements since was basically a garage. Councilman Wilson asked if the building at Baton Rouge Park could be used by EMS, Operation Manager Tyanne Perry stated the building was not an option and was in bad shape. Councilman Wilson asked if the concession stand could be used, Public Works Director Robert Hall stated he could add an air conditioner window unit at the cost of around \$1500 dollars that would include hooking it up. Councilman Wilson motioned to fund the addition of cool space at the concession stand at Baton Rouge Park for the use of EMS using the funds of \$10,000 set aside for supplies to be reallocated for this use up to \$2000, second by Councilman Oliphant. Vote 6-0 to approve. Councilman Jordan stated the shoreline that is currently at West Chester would be moved across the street to the concession stand, Mr. Lineberger stated that was correct.

b. Capital

1. Rolling Stock

Chairman Stuart went over items on the list departments had requested which came to around twelve million dollars. Treasurer Darby stated there was little over a 1.5 million in rolling stock. Council asked Chairman Stuart to send them the list he was using when this would be on the agenda. Treasurer Darby stated he thought the deadline was July 15th to have back to the bond attorney Michael Kozlarek.

2. Grant related to the Sheriff's Office

Sheriff Max Dorsey stated he was proud to receive the COPS grant of one million dollars with no match from the County that saved the \$250,000; this will enable him to hire six deputies. Currently there are four frozen slots on his org chart but with the grant he can fill them for the next three years. The other two positions he hoped Council would fund them as well. He stated this was for the salaries only and not cars, radios, etc., he recognized it would be Council's decision to make to equip the cars. Vehicles needed to be self-sustainable to print out reports in the car, he needs money to purchase seven new vehicles. Councilman Oliphant motioned to accept the grant, second by Councilwoman Guy. Vote was 6-0 to approve. Vice Chairman Branham motioned to take \$490,000 from the general fund to purchase vehicles for the sheriff's office, second by Councilman Vaughn.

Councilman Oliphant stated the \$490,000 was to pay back the rolling stock, Joe's motion was not to pay the rolling stock back but to use the money for what it was originally spent on new cars. Treasurer Darby stated there was a resolution in place where the County would pay itself back the \$490,000 dollars for the purchase of ten vehicles purchased in March of this year. He stated the resolution could be strike since the cars have already been purchased from the fund balance this would free up \$490,000 from the rolling stock fund.

Councilman Vaughn withdrew his second, Vice Chairman Branham withdrew his motion. Vice Chairman Branham motioned to repeal the resolution to repay the County and take \$490,000 from the rolling stock fund, second by Councilman Vaughn. Vote 6-0 to approve.

c. Landfill

1. Tonnage Cost for Debris

Treasurer Darby stated the information provide to him by Sharon Bickett, Recycling Coordinator the cost for the cleanup in Great Falls from the tornado damage put in the landfill came to \$2689. 92. Councilman Oliphant motioned to waive the fee, second by Councilman Vaughn. Vote 6-0 to approve.

- 6. Adjourn-**Councilman Jordan motioned to adjourn, second by Councilwoman Guy. Vote 6-0 to adjourn.

Time: 7:10 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

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

Monday, June 15th, 2020 at 6:00 PM

Present: Chairman Shane Stuart, Vice Chairman Joe Branham, Councilman Pete Wilson, Councilman Alex Oliphant, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, County Attorney Joanie Winters and Clerk to Council Karen Lee.

- 1. Call to Order-**Chairman Stuart called the meeting to order, on the agenda he removed items 7.a., 8.a. and 7b. to the July 6th meeting.
- 2. Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilwoman Guy gave the invocation.
- 3. Approval of June 1st, 2020 Minutes.** Councilman Vaughn motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.
- 4. Citizen Comments**

Diane Holcombe, 1687 Orrs Station Road, Chester stated she felt like everything was taking precedents over having a new animal shelter built. She knew it was taken off of the capital project sales tax because they did not have enough information, but she was willing to help with anything they needed to get the shelter built.

Paula Love, 1681 Pinckney Road, Chester stated she use to be volunteer at the animal shelter but now works there, they have been promised for years a new shelter would be built and stated animals deserve better.

Pete Stone, 761 Lancaster Hwy, Chester thanked Council for what they do, and enjoyed the community gathering Sheriff Dorsey and Mayor Stringfellow (City of Chester) put together. He recognized Ariane McCree's family. Mr. Stone stated he believed we can have a better world by working together to revise the system.

Christina King, 853 Old Mill Road, Richburg stated she coaches both soccer and softball at Rodman, it breaks her heart that Rodman and Great Falls parks are not treated in comparison to Chester. The priority should be the children of Chester County and not the location of the fields.

Melba Carter, 872 Yarborough Road, Chester stated veterans are being told by the driver who takes them to appointments they could not take them. She stated they are failing to do their job and taxpayers are paying this person for not doing the job. Chester County needs to put together a citizen's review board for everyone to work together.

Tabatha Strothers, 2449 N. Dawson Drive, Chester stated she was angry because she did not see anything on the agenda about Ariane McCree and asked what Councils plans were to bring justice. She also agreed the County needs a citizen review board.

Doris Macomson, 718 Jones Circle, Catawba stated she felt like everything was going backwards with the animal shelter and wondered why the shelter never receives anything. They have been promised a new one but has disappeared again.

Alan Clack, 1671 Great Falls Hwy, Blackstock asked Council if they would re-open the parks and fields, Governor McMaster's in May stated youth sports could return.

5. Public Hearing- Chairman Stuart opened the Public Hearing.

a. 3rd Reading of Ordinance 2019-5 To Levy And Impose A One Percent Sales And Use Tax, Subject To A Referendum In Chester County Pursuant To The CPST Act, South Carolina Code Annotated Section 4-10-300, Et Seq.; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For The Imposition And Collection Of The Tax; To Provide For A County-Wide Referendum And To Prescribe The Contents Of The Ballot Question In The Referendum; To Provide Conditions Precedent To The Imposition Of The Tax And Conditions Or Restrictions On The Use Of The Tax Revenue; To Establish The Priority In Which The Net Proceeds Of The Tax Are To Be Expended For The Purposes And Projects Stated; To Provide For The Conduct Of The Referendum By The Chester County Board Of Voter Registration And Elections; To Provide For The Payment Of The Tax; To Provide For The Issuance Of Bonds, In One Or More Series, Tax-Exempt Or Taxable, In An Amount Not To Exceed The Aggregate Of \$17,250,000; Authorizing The County Supervisor To Prescribe The Form And Details Of The Bonds; Providing For The Payment Of The Bonds And Pledge Of Revenues Related To The Bonds; Providing Otherwise For The Disposition Of The Proceeds Of The Bonds; Providing For Borrowing In Anticipation Of The Issuance Of The Bonds; Providing For The Disposition Of Property Related To The Bonds; And Other Related Matters. No one signed up to speak.

b. 3rd Reading of Ordinance 2020-16 Chester County Fiscal Year 2020/2021 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, 2020; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2020; 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. No one signed up to speak. Chairman Stuart closed the Public Hearing.

6. Ordinances/Resolutions/Proclamations

a. 3rd Reading of Ordinance 2019-5 To Levy And Impose A One Percent Sales And Use Tax, Subject To A Referendum In Chester County Pursuant To The CPST Act, South Carolina Code Annotated Section 4-10-300, Et Seq.; To Define The Specific Purposes And Designate The Projects For Which The Proceeds Of The Tax May Be Used; To Provide The Maximum Time For The Imposition And Collection Of The Tax; To Provide For A County-Wide Referendum And To Prescribe The Contents Of The Ballot Question In The Referendum; To Provide Conditions Precedent To The Imposition Of The Tax And Conditions Or Restrictions On The Use Of The Tax Revenue; To Establish The Priority In Which The Net Proceeds Of The Tax Are To Be Expended For The Purposes And Projects Stated; To Provide For The Conduct Of The Referendum By The Chester County Board Of Voter Registration And Elections; To Provide For The Payment Of The Tax; To Provide For The Issuance Of Bonds, In One Or More Series, Tax-Exempt Or Taxable, In An Amount Not To Exceed The Aggregate Of \$17,250,000; Authorizing The County Supervisor To Prescribe The Form And Details Of The Bonds; Providing For The Payment Of The Bonds And Pledge Of Revenues Related To The Bonds; Providing

Otherwise For The Disposition Of The Proceeds Of The Bonds; Providing For Borrowing In Anticipation Of The Issuance Of The Bonds; Providing For The Disposition Of Property Related To The Bonds; And Other Related Matters. Councilman Vaughn motioned to approve, second by Councilman Oliphant. Vote 6-0 to approve.

b. 3rd Reading of Ordinance 2020-16 Chester County Fiscal Year 2020/2021 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, 2020; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2020; 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 Jordan motioned to postpone 3rd reading to June 18th, 2020 in order to have another budget workshop meeting, second by Councilwoman Guy. Vote 6-0 to approve.

c. Resolution 2020-12 To Approve Chester County 2020-2021 Departmental Organizational Charts. Chairman Stuart motioned to postpone to June 18th, 2020, second by Councilman Oliphant. Vote 6-0 to approve.

d. 2nd Reading 2020-17 An Ordinance To Amend An Agreement For The Development Of A Joint Industrial And Business Park Of Chester And York Counties So As To Enlarge The Park To Include A Portion Of Those Certain Pieces, Parcels, Or Tracts Of Land, With All Improvements Thereon, Situate Lying Or Being In The County Of Chester, State Of South Carolina, Bearing Tax Map Number: 165-00-00-002 And Other Real Property. Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.

f. 1st Reading of 2020-19 An Ordinance to Amend the Fort Lawn Fire Protection District Section 5 Administration of the Districts. Attorney Winters stated the ordinance reads Council appoints all the members, where the rules of procedure read Council appoints three and Fort Lawn appoints two. It was decided to leave the total of members at five, three appointed by County Council at four-year terms and two appointed by the Town of Fort Lawn at two-year terms. Attorney Winters stated she would present a revised ordinance at the next regular called meeting. Councilman Oliphant motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

g. Proclamation for Juneteenth Day.

Councilman Oliphant motioned to accept the proclamation for Juneteenth Day, second by Councilwoman Guy. Vote 6-0 to approve.

7. Old Business

a. To Review and Consider A Proposal for the Gateway IPRB. - Interim Economic Developer Jeff Burgess moved to the July 6th, 2020 agenda.

b. Memorandum of Understanding Chester Fire District- Attorney Winters moved to the July 6th, 2020 agenda

c. Update on Amending the Enabling Act for First Responders Using Radio Systems. Attorney Winters and E911 Director Doug McMurray.

911 Director McMurray stated this would be an advisory committee to Council, any recommendations would be presented to Council. Councilman Wilson motioned to approve by title only, second by

Councilman Jordan. Vote 6-0 to approve. Attorney Winters stated she would have an ordinance ready for the next meeting.

d. Update Pertaining to Opioid Litigation-Attorney Winters

Council asked Attorney Winters to provide what counties in South Carolina was not on the list and what the liability. Attorney Winters stated she would get the information requested.

e. Discuss Policy Instructions of how 911 dispatches out call's to Animal Care & Enforcement. -Councilman Wilson.

Jenna Laws, Supervisor of Animal Care and Enforcement stated she was made aware it was the Highway Patrol's responsibility to handle calls regarding livestock being out, which would help with less overtime for the department.

8. New Business

a. Budget Request for Small Business Development Retention and Expansion Program. Chairman Stuart moved to the July 6th, 2020 agenda

b. Special Request from the City of Chester regarding July 4th. Chairman Stuart Councilwoman Guy motioned to approve partially funding \$3400 dollars for the fireworks and to contact other municipalities and townships and to also ensure proper protocol is followed, second by Councilman Oliphant. Vote 6-0 to approve.

9. Boards and Commissions

a. Resignations of Fort Lawn Fire Protection District Commission. Chairman Stuart Councilman Jordan stated for the record he had recused himself regarding legal issues involving the fire department and the board at previous meetings, he wanted to be sure he did not have to recuse himself regard of accepting the resignations. Attorney Winters stated no he would not, Chairman Stuart motioned to accept the resignations by consent agenda of Gwen Lazenby, Ellen McFadden and James Lipscomb, Tracey Roddey and Rick Brown second by Councilman Oliphant. Vote 6-0 to accept the resignations.

b. Appointments to the Fort Lawn Fire Protection District Commission.

After much discussion it was decided to put this on the next agenda so Council could sort out issues before appointing new members. Councilman Oliphant stated now there is no board and the fire chief has no one to answer to until appointments are completed someone needs to be in charge and suggested the fire chief answer to the fire coordinator. Chairman Stuart agreed stating the fire coordinator Barkley Ramsey would be the point of contact to oversee the fire chief and other employees at that point of time.

10. Executive Session

Councilman Jordan motioned to go to Executive Session, second by Councilwoman Guy. Vote 6-0 to approve.

a. Receive Legal Advice Regarding Former County Magistrate Judge. -Attorney Winters

11. Council Actions Following Executive Session

Councilman Wilson motioned to go back to Regular Session, second by Councilwoman Guy. Vote 6-0 to approve.

a. Action Taken on Legal Advice Concerning Former County Magistrate Judge.

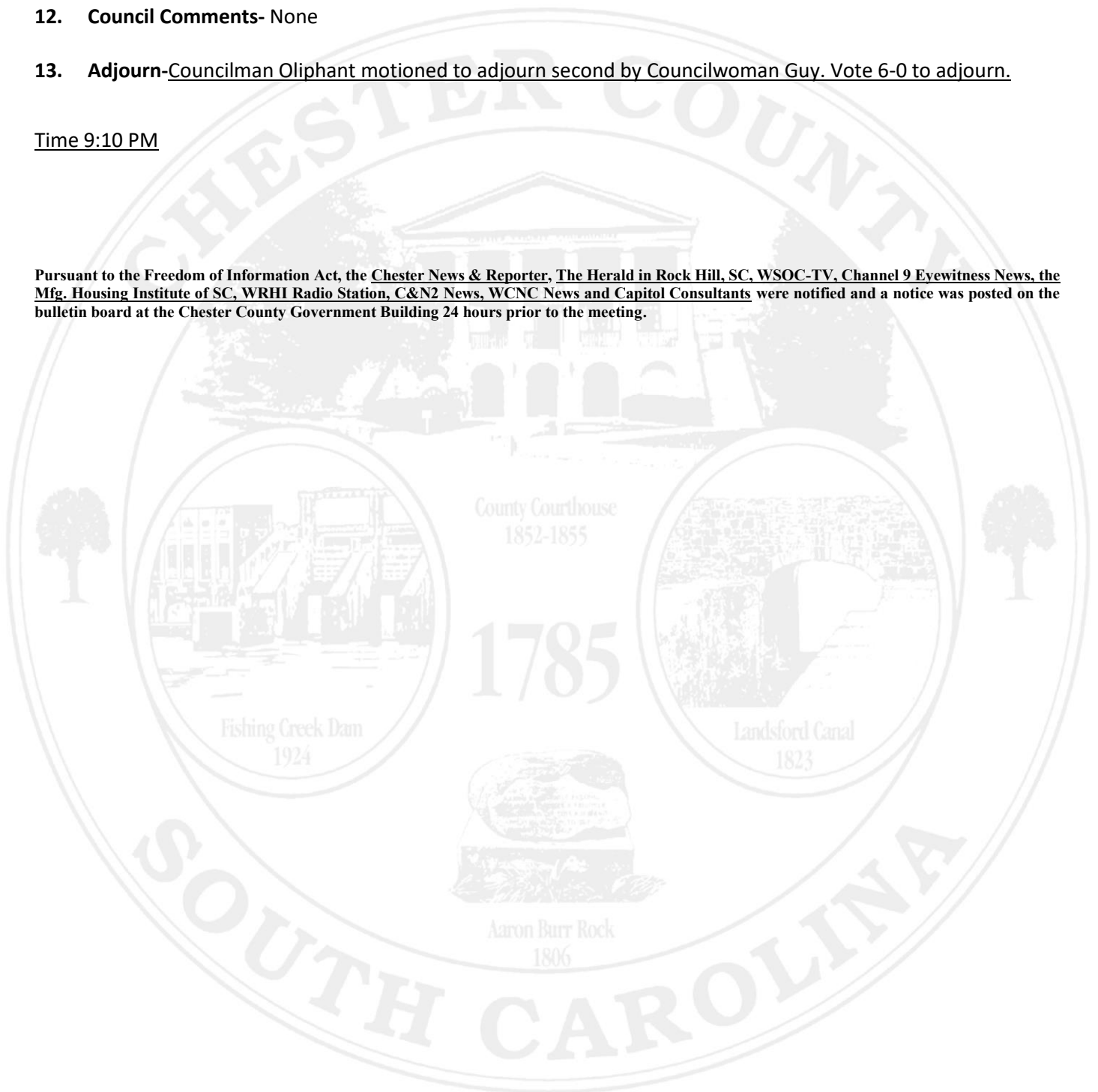
Vice Chairman Branham motioned due to the missteps done in the appointments with some of the magistrates there, Mrs. Barbara Cameron was looking for Cobra pay, two weeks in back pay and to reinstate the lapse in her time to make it continual to her original employment date, the money value was \$ 4874.17, second by Councilman Vaughn. Vote 6-0 to approve.

12. **Council Comments-** None

13. **Adjourn-**Councilman Oliphant motioned to adjourn second by Councilwoman Guy. Vote 6-0 to adjourn.

Time 9:10 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.





CHESTER COUNTY COUNCIL SPECIAL CALLED MEETING MINUTES

R. Carlisle Roddey Chester County Government Building

1476 J A Cochran Bypass- Council Chambers

Thursday, June 25th, 2020 at 3:00 PM

Special Called Meeting

Minutes

Present: Chairman Shane Stuart, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilwoman Mary Guy, Council Clerk to Council Karen Lee and County Attorney Joanie Winters. Councilman Alex Oliphant entered at 3:05 pm.

Absent: Councilman Mike Vaughn and Councilman Pete Wilson were absent with prior notification.

1. Call to Order-Chairman Stuart called the meeting to order

2. Ordinance

a. 1st Reading by Title Only Authorizing The Execution And Delivery Of A Fee In Lieu Of Ad Valorem Taxes Agreement By And Between Chester County And Project 2026; The Inclusion Of The Project Site (Located In Chester County) In A Multi-County Industrial Park; The Execution And Delivery Of Other Documents As May Be Necessary To Effect This Ordinance's Intent; And Other Related Matters. Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Vote 4-0 to approve.

3. Old Business

a. Update Pertaining to Opioid Litigation-Attorney Winters
Councilwoman Guy motioned to participate in the opioid litigation, second by Councilman Oliphant. Vote 4-0 to approve.

4. Adjourn

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

ORDINANCE NO. 2020-17

AN ORDINANCE TO AMEND AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT INDUSTRIAL AND BUSINESS PARK OF CHESTER AND YORK COUNTIES SO AS TO ENLARGE THE PARK TO INCLUDE A PORTION OF THOSE CERTAIN PIECES, PARCELS, OR TRACTS OF LAND, WITH ALL IMPROVEMENTS THEREON, SITUATE LYING OR BEING IN THE COUNTY OF CHESTER, STATE OF SOUTH CAROLINA, BEARING TAX MAP NUMBER: 165-00-00-002 AND OTHER REAL PROPERTY.

WHEREAS, Chester County (“County”) entered into an Agreement for the Development of a Joint Industrial and Business Park (Chester and York Counties) dated as of December 31, 2012, as amended, with York County (“Agreement”);

WHEREAS, pursuant to the Agreement, the boundaries of the park created therein (“Park”) may be enlarged pursuant to an ordinance of the County Council with notice of the same to York County; and

WHEREAS, in connection with certain incentives being offered by the County to Project Sparrow (1864), the County desires to enlarge the boundaries of the Park to include certain parcel(s) in the County.

NOW, THEREFORE, be it ordained by County Council that Exhibit A to the Agreement is hereby and shall be amended and revised to include the property located in the County described in Exhibit A attached to this Ordinance, and, at notice of the enlargement to York County, the Agreement is amended to so include the property on Exhibit A, without further action.

CHESTER COUNTY, SOUTH CAROLINA

Chairman, County Council/County Supervisor
Chester County, South Carolina

(SEAL)
ATTEST:

Clerk to County Council
Chester County, South Carolina

First Reading: June 1, 2020
Second Reading: June 15, 2020
Public Hearing: July 6, 2020
Third Reading: July 6, 2020

Exhibit A

ADDITION TO EXHIBIT A TO
AGREEMENT FOR THE DEVELOPMENT OF A JOINT INDUSTRIAL AND
BUSINESS PARK DATED AS OF DECEMBER 31, 2012, AS AMENDED,
BETWEEN CHESTER COUNTY AND YORK COUNTY

ALL that parcel or tract of land, with all improvements thereon, lying and being situate in Chester County, SC, fronting on US Highway 21, about 0.8 miles north of the Town of Fort Lawn, containing 37.31 acres, more or less being shown as Tracts 1-A and 1-B on plat by Fred J. Hager dated October 7, 1974, recorded in Book 474, Page 152-153. Also see deed recorded in Book 474, Page 154. Map# 165-00-00-002. Being part of the property conveyed to Aileen C. Shepherd by deed of distribution recorded in Book 807, Page 216.



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTER)

Ordinance No. 2020-19

**AN ORDINANCE TO AMEND CHESTER COUNTY CODE CHAPTER 2, ADMINISTRATION,
SECTION 761et seq., FORT LAWN FIRE PROTECTION DISTRICT AND LEWIS FIRE
PROTECTION DISTRICT**

WHEREAS, following a review of Chapter 2, Section 761 et seq., it is found that the precepts of the Ordinance are not in concert with the practice of appointment to the Fire Protection District Board; and

WHEREAS, the Ordinance currently reads under Section 2-765(a):

Each District shall be administered by a board of commissioners (“board”) consisting of no fewer than three commissions (sic) and no more than seven commissioners. County council shall appoint the board for each district and establish the term for the commissioners of each board in accordance with the policies, procedures and standard practices of county council relating to commission and board appointments.

and

WHEREAS, in practice, the County has delegated two (2) of its appointments to the Town of Fort Lawn, retaining the remaining five (5) appointments; and

WHEREAS, the desire of the County is to set the terms for the appointments by the Town of Fort Lawn to two (2) years and to set the terms for the appointments by Chester County to four (4) years, instead of in accordance with the policies, procedures and standard practices of county council relating to commission and board appointments; and

WHEREAS, the Chester County Code must be amended to both mirror practice and the desire of the Chester County Council.

Ordinance No. 2020-19

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE AMENDMENTS ARE HEREBY ADOPTED:

Chester County Code Section 2-765 will be amended to read:

Each district shall be administered by a board of commissioners ("board") consisting of no fewer than three commissioners and no more than seven commissioners. County council shall appoint five of the commissioners for each district for a term of four (4) years, in accordance with the policies, procedures and standard practices of county council relating to commission and board appointments. The Town of Fort Lawn shall appoint two of the commissioners for each district for a term of two (2) years, in accordance with the policies, procedures and standard practices of county council relating to commission and board appointments.

These Ordinance amendments shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this ____ day of _____, 2020.

CHESTER COUNTY, SOUTH CAROLINA

By: _____
K. Shane Stuart, Chester County Supervisor

Attest:

By: _____
Karen Lee
Clerk to County Council
Chester County, South Carolina

First Reading: June 15th, 2020
Second Reading: July 6th, 2020
Public Hearing: July 20th, 2020
Third Reading: July 20th, 2020
Chester County, South Carolina

STATE OF SOUTH CAROLINA)
)
CHESTER COUNTY) A RESOLUTION OF
CHESTER COUNTY, SOUTH CAROLINA

PROVIDING PRELIMINARY APPROVAL FOR CERTAIN INCENTIVES TO INDUCE A COMPANY IDENTIFIED AS PROJECT 2026, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT SPONSORS (COLLECTIVELY, "COMPANY") TO ESTABLISH CERTAIN FACILITIES IN CHESTER COUNTY, SOUTH CAROLINA ("COUNTY"), INCLUDING (1) NEGOTIATED FEE IN LIEU OF *AD VALOREM* TAX ARRANGEMENTS; (2) MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK ARRANGEMENTS; AND (3) OTHER RELATED MATTERS.

WHEREAS, Chester County, South Carolina ("County"), acting by and through its County Council ("County Council"), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof ("Code"), particularly Title 12, Chapter 44 thereof ("Negotiated FILOT Act") and Title 4, Chapter 1 of the Code ("Multi-County Park Act" or, as to Section 4-1-175 thereof, and, by incorporation, Section 4-29-68 of the Code, "Special Source Act," collectively with Negotiated FILOT Act, "Act"), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to establish projects through which the economic development of the State of South Carolina ("State") will be promoted and trade developed, thus utilizing and employing the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments including, but not limited to, negotiated FILOT ("Negotiated FILOT") payments, with respect to a project; and (iii) to create, in conjunction with one or more other counties, a multi-county industrial or business park to allow certain enhanced income tax credits to such investors;

WHEREAS, a company identified for the time being as Project 2026, acting for itself, one or more current or future affiliates and other project sponsors (collectively, "Company") proposes to invest in, or cause others to invest in, the establishment of a cryogenic tank manufacturing and refurbishing operation in the County ("Project"), which the Company expects will result in the creation of approximately 30 new, full-time equivalent jobs and investment of approximately \$9,500,000 in taxable property; and

WHEREAS, on the basis of the information supplied to it by the Company, the County has determined the Project would subserve the purposes of the Act and would be directly and substantially beneficial to the County, the taxing entities of the County and the citizens and residents of the County due to the employment and investment associated therewith, which contribute to the tax base and the economic welfare of the County, and, accordingly, the County wishes to induce the Company to undertake the Project by offering the FILOT and other incentives hereinafter described, subject, however, to final approval by ordinance of the County Council.

NOW, THEREFORE, BE IT RESOLVED by the Council, as follows:

Section 1. As contemplated by Section 12-44-40(I) of the Code, based solely on information provided to the County by the Company, the County makes the following findings and determinations: (a) the Project will constitute a "project" within the meaning of the Negotiated FILOT Act; (b) the Project, and the County's actions herein, will subserve the purposes of the Negotiated FILOT Act; (c) the Project is

anticipated to benefit the general public welfare of the State and the County by providing services, employment, recreation, or other public benefits not otherwise provided locally; (d) the Project gives

rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power; (e) the purposes to be accomplished by the Project are proper governmental and public purposes; (f) the benefits of the Project are greater than the costs; and (g) the Project will have a substantial public benefit.

Section 2. Subject to the provisions of the Act and to final approval by the Council through adoption of an ordinance (“Approving Ordinance”), the County Council Chair/County Supervisor and other officials of the County as may be designated by the Approving Ordinance are authorized, by and on behalf of the County, to enter into a fee in lieu of tax agreement with the Company containing the terms and conditions summarized in the proposed term sheet appended hereto as Attachment A, which is incorporated in this Resolution by reference as if fully set forth in this Resolution, and other terms and conditions as may be authorized by the Approving Ordinance. Capitalized terms utilized in Attachment A and not otherwise defined in therein shall have the meanings ascribed to them in this Resolution.

Section 3. All orders, resolutions, and parts thereof in conflict herewith are to the extent of that conflict hereby repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

[SIGNATURE PAGE FOLLOWS]
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Adopted: July 6, 2020

CHESTER COUNTY, SOUTH CAROLINA

Chairman/Supervisor
Chester County Council

(SEAL)
ATTEST:

Clerk to Council

ATTACHMENT A
PRELIMINARY TERM SHEET*
FEE IN LIEU OF TAX AGREEMENT
BY AND BETWEEN

CHESTER COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME
BEING AS PROJECT 2026 AND ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS

Company Commitments: \$9,500,000 aggregate, taxable investment; 30 aggregate, new, full-time equivalent jobs

Basic FILOT Terms: 6% assessment ratio; fixed millage rate of 489.3; 5-year investment period; 20-year payment period for each annual increment of investment during investment period; real property not subject to reassessment

Multi-County Park: In the County's discretion, all property of Company in County to be designated as part of a multi-county industrial or business park

*Terms set forth in this Attachment are summary in nature and shall be set forth in greater detail, including any clawbacks, in the final fee in lieu of tax agreement.

**CHESTER COUNTY
ORDINANCE NO. 2020-20**

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 A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT 2026, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANYS (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; AND OTHER MATTERS.

WHEREAS, Chester County, South Carolina ("County") acting by and through County Council is authorized and empowered pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended ("Act"), to enter into fee agreements with any industry, with said agreements identifying certain properties of such industries as economic development property, through which powers the industrial development of the State of South Carolina ("State") and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate, remain, and expand in the State and the County and thus utilize and employ the manpower, products, and natural resources and benefit the general public welfare of the State and County by providing services, employment, or other public benefits not otherwise adequately provided locally;

WHEREAS, pursuant to the Title 4, Section 1 of the Code of Laws of South Carolina, 1976, as amended ("Park Act"), the County and York County entered into that certain Master Agreement Governing the York-Chester Industrial Park between Chester County, South Carolina, and York County, South Carolina, effective December 31, 2012, (as amended, modified, and supplemented, collectively, "Park Agreement") whereby the County and York County agreed to develop a joint county industrial or business park eligible to include property located in either the County or York County ("Park");

WHEREAS, Section 1.01 of the Park Agreement establishes the procedure for enlargement of the boundaries of the Park to include additional property;

WHEREAS, a company identified for the time being as Project 2026, acting for itself, one or more current or future affiliates and other project sponsors (collectively, "Company") proposes to invest in, or cause others to invest in, the establishment of a cryogenic tank manufacturing and refurbishing operation in the County ("Project"), which the Company expects will result in the creation of approximately 30 new, full-time equivalent jobs and investment of approximately \$9,500,000 in taxable property;

WHEREAS, the County, having determined that an enlargement of the boundaries of the Park would promote economic development and thus provide additional employment and investment opportunities within said the County and York County, desires to enlarge the boundaries of the Park to include therein certain property, as described in greater detail on the attached Exhibit A and located in Chester County ("Project 2026 Property");

WHEREAS, pursuant to an Inducement Resolution dated as of July 6, 2020, the County identified the Project as a "project" as provided in the Act;

WHEREAS, the Company has caused to be prepared and presented to this meeting the form of the Fee in Lieu of *Ad Valorem* Taxes Agreement, attached as Exhibit B, by and between the County and the Company ("Fee Agreement"), which provides for fee in lieu of tax payments utilizing a 6% assessment ratio for a period of 20 years for the Project or each component thereof placed in service during the investment period; and

ORDINANCE NO. 2020-20

WHEREAS, it appears that the Fee Agreement, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the Council, as follows:

Section 1. *Statutory Findings.* Based solely on information provided to the County by the Company, it is hereby found, determined, and declared by the County Council, as follows:

(a) The Project will constitute a “project” as that term is referred to and defined in the Act, and the County’s actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act;

(b) The Project and the payments in lieu of taxes set forth herein are beneficial to the County, and the County has evaluated the Project based on all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made and the anticipated costs and benefits to the County;

(c) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;

(d) The Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either;

(e) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes;

(f) The inducement of the location or expansion of the Project within the County and State is of paramount importance; and

(g) The anticipated benefits of the Project to the public will be greater than the costs.

Section 2. *Authorization of Fee Agreement.* To promote industry, develop trade, and utilize and employ the manpower, products, and natural resources of the State by assisting the Company to expand or locate a commercial facility in the State, the Fee Agreement is authorized, ratified, and approved.

Section 3. *Approval of Form of Fee Agreement.* The form of the Fee Agreement presented at this meeting, as attached as Exhibit B, is approved, and all of the terms are incorporated in this Ordinance by reference as if the Fee Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council/County Supervisor, and the Clerk to County Council are each authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name of and on behalf of the County, and to cause the executed Fee Agreement to be delivered to the Company. The Fee Agreement is to be in substantially the form now before this meeting, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, on the advice of Counsel to the County, such official’s execution thereof to constitute conclusive evidence of such official’s approval of any and all changes or revisions therein from the form of the Fee Agreement now before this meeting.

Section 4. *Enlargement of the Park.* The enlargement of the boundaries of the Park, and the granting of an extended period of time for inclusion of the Project 2026 Property in the Park, is authorized and approved.

ORDINANCE NO. 2020-20

Section 5. *Authorization for County Officials to Execute Documents.* The Chairman of the County Council/County Supervisor, and the Clerk to County Council, for and on behalf of the County, are each authorized and directed to do any and all things reasonably necessary and prudent to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 6. *General Repealer.* All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, repealed, and this Ordinance shall take effect and be in full force from and after its passage and approval.

[SIGNATURE PAGE AND TWO EXHIBITS FOLLOW]
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ORDINANCE NO. 2020-20

CHESTER COUNTY, SOUTH CAROLINA

Chairman/Supervisor
Chester County Council

(SEAL)
ATTEST:

Clerk to Council

| | |
|-----------------|---------------|
| First Reading: | June 25, 2020 |
| Second Reading: | July 6, 2020 |
| Public Hearing: | July 20, 2020 |
| Third Reading: | July 20, 2020 |

ORDINANCE NO. 2020-20

EXHIBIT A

DESCRIPTION OF PROJECT 2026 PROPERTY

Tax Map No. []

Also known as: [physical address]

ORDINANCE NO. 2020-20

EXHIBIT B

FORM OF FEE IN-LIEU OF *AD VALOREM* TAXES AGREEMENT

FEE AGREEMENT

Between

CHESTER COUNTY, SOUTH CAROLINA

and

[Project 2026]

Effective: July 20th, 2020

RECAPITULATION OF CONTENTS OF
FEE AGREEMENT PURSUANT TO S.C. CODE ANN. §12-44-55(A)

The parties have agreed to waive this requirement pursuant to S.C. Code Ann. § 12-44-55(B)

FEE AGREEMENT

THIS FEE AGREEMENT (“Fee Agreement”) is made and entered into effective July 20, 2020, by and between CHESTER COUNTY, SOUTH CAROLINA (“County”), a body politic and corporate and a political subdivision of the State of South Carolina (“State”), acting by and through the Chester County Council (“County Council”) as the governing body of the County, and [Project 2026], a [] [limited liability company], together with along with one or more recently formed or to-be-created, affiliated entities (“Company”).

RECITALS

1. Title 12, Chapter 44, Code of Laws of South Carolina, 2976 (“Code”), as amended (“Act”) authorizes the County (i) to induce industries to locate in the State; (ii) to encourage industries now located in the State to expand their investments and thus make use of and employ manpower, products, and other resources of the State; and (iii) to enter into a fee agreement with entities meeting the requirements of such Act, which identifies certain property of such entities as economic development property.

2. Pursuant to Section 12-44-40(I)(1) of the Act, based on the representations of the Company, the County finds that: (a) the Project (as defined herein) is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally; (b) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against the general credit or taxing power of either the County or any incorporated municipality; (c) the purposes to be accomplished by the Project are proper governmental and public purposes; and (d) the benefits of the Project are greater than the costs.

3. Based on the representations of the Company, the County Council has evaluated the Project based on all relevant criteria that include, but are not limited to, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment, the number of jobs created, and the anticipated costs and benefits to the County.

4. The County identified the Project as a “project” for purposes of the Act by resolution, adopted July 6, 2020.

5. An Ordinance that the County Council adopted contemporaneously with the effective date of this Fee Agreement (“Fee Ordinance”) authorizes the County and the Company to enter into a fee agreement that classifies the Project as Economic Development Property under the Act and provides for the payment of fees in lieu of taxes, all as further described herein.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the respective representations and agreements hereinafter contained, the parties hereto agree as follows:

ARTICLE I DEFINITIONS

Section 1.1 The terms that this section defines shall for all purposes of this Fee Agreement have the meanings herein specified, unless the context clearly requires otherwise:

“Act” shall mean Title 12, Chapter 44 of the Code, and all future acts successor or supplemental thereto or amendatory of this Fee Agreement.

“Act Minimum Investment Requirement” shall mean an investment of at least \$2,500,000 by the Company and any Sponsors and Sponsor Affiliates of property eligible as economic development property under the Act.

“Commencement Date” shall mean the last day of the property tax year during which the Project

or the first Phase of this Fee Agreement is placed in service, which date must not be later than the last day of the property tax year which is 3 years from the year in which the County and the Company enter into this Fee Agreement.

“Company” shall mean [Project 2026], a [] [limited liability company], together with one or more recently formed or to-be-created, affiliated entities, and any surviving, resulting, or transferee entity in any merger, consolidation, or transfer of assets; or any other person or entity which may succeed to the rights and duties of the Company.

“County” shall mean Chester County, South Carolina, a body politic and corporate and a political subdivision of the State, its successors and assigns, acting by and through the County Council as the governing body of the County.

“County Council” shall mean the Chester County Council, the governing body of the County.

“Department” or “SCDOR” shall mean the South Carolina Department of Revenue.

“Diminution in Value” in respect of the Project or any Phase of the Project shall mean any reduction in the value using the original fair market value (without regard to depreciation) as determined in Step 1 of Section 4.1(b) of this Fee Agreement, of the items which constitute a part of the Project or such Phase and which are subject to FILOT Payments which may be caused by (i) the Company’s removal and/or disposal of equipment pursuant to Section 4.6 of this Fee Agreement; (ii) a casualty to the Project, such Phase of the Project, or any part of this Fee Agreement, described in Section 4.7 of this Fee Agreement; or (iii) a condemnation of the Project, such Phase of the Project, or any part of this Fee Agreement, described in Section 4.8 of this Fee Agreement.

“Economic Development Property” shall mean those items of real and tangible personal property of the Project which are eligible for inclusion as economic development property under the Act, selected and identified by the Company in its annual filing of a SCDOR PT-300S or comparable form with the Department (as such filing may be amended from time to time) for each year within the Investment Period.

“Equipment” shall mean all of the machinery, equipment, furniture, office equipment, and fixtures, together with any and all additions, accessions, replacements, and substitutions thereto or therefor used or to be used in the County by the Company for the purposes described in Section 2.2(b) of this Fee Agreement.

“Event of Default” shall mean any event of default specified in Section 5.1 of this Fee Agreement.

“Exemption Period” shall mean the period beginning on the first day of the property tax year after the property tax year in which an applicable piece of Economic Development Property is placed in service and ending on the Termination Date. In case there are Phases of the Project, the Exemption Period applies to each year’s investment made during the Investment Period.

“Fee,” “Fee in Lieu of Taxes,” “FILOT,” “FILOT Payments,” or “Payments in Lieu of Taxes” shall mean the amount paid or to be paid in lieu of ad valorem property taxes as provided herein under Section 4.1.

“Fee Agreement” shall mean this Fee Agreement.

“Fee Term” shall mean the period from the date of this Fee Agreement until the Termination Date.

“Improvements” shall mean all improvements to the Real Property, including buildings, building additions, roads, sewer lines, and infrastructure, together with any and all additions, fixtures, accessions, replacements, and substitutions thereto or therefor used or to be used in the County for the purposes described in Section 2.2(b) of this Fee Agreement.

“Industrial Development Park” shall mean the joint county industrial / business park governed by the Master Agreement Governing the York-Chester Industrial Park between Chester County, South Carolina, and York County, South Carolina, effective December 31, 2012, (as amended, modified, and supplemented).

“Investment Period” shall mean the period beginning with the first day of any purchase or acquisition of Economic Development Property and ending 5 years after the Commencement Date.

“Non-Qualifying Property” shall mean property that is not Economic Development Property.

“Phase” or “Phases” in respect of the Project shall mean that the Equipment, Improvements, and/or Real Property of the Project are placed in service during more than one year in the Investment Period, and the word “Phase” shall therefore refer to the applicable portion of the Project placed in service in a given year in the Investment Period.

“Project” shall mean all the Equipment, Improvements, and/or Real Property in the County that the Company determines to be necessary, suitable, or useful for the purposes that Section 2.2(b) describes, and first placed in service in calendar year 2019 or thereafter. The Project shall not include, as Economic Development Property, existing buildings and improvements on the Real Property, as of the date of the commencement of the Project by the Company, if any, and any machinery and equipment which have previously been subject to South Carolina ad valorem taxation, except as expressly permitted by Section 12-44-110 of the Act, provided, however, these items are considered Non-Qualifying Property.

“Real Property” shall mean real property that the Company uses or will use in the County for the purposes that Section 2.2(b) describes, and initially consisting of the land identified on Exhibit A, together with all and singular the rights, members, hereditaments, and appurtenances belonging or in any way incident or appertaining thereto, and any improvements located thereon.

“Removed Components” shall mean the following types of components or Phases of the Project or portions of this Fee Agreement which are subject to FILOT Payments, all of which the Company shall be entitled to remove from the Project with the result that the same shall thereafter constitute Non-Qualifying Property and will be subject to FILOT Payments as set forth in Section 4.1(a)(2) of this Fee Agreement, but otherwise no longer be subject to the terms of this Fee Agreement: (a) components or Phases of the Project or portions of this Fee Agreement which the Company, in its sole discretion, determines to be inadequate, obsolete, worn-out, uneconomic, damaged, unsuitable, undesirable, or unnecessary pursuant to Section 4.6 of this Fee Agreement or otherwise; or (b) components or Phases of the Project or portions of this Fee Agreement which the Company in its sole discretion, elects to be treated as removed pursuant to Section 4.7(c) or Section 4.8(b)(iii) of this Fee Agreement.

“Replacement Property” shall mean any property which is placed in service as a replacement for any item of Equipment, any Improvement, or any Real Property previously subject to this Fee Agreement regardless of whether such property serves the same functions as the property it is replacing and regardless of whether more than one piece of property replaces any item of Equipment, any Improvement, or any Real Property, to the fullest extent that the Act permits.

“Sponsor Affiliate” shall mean an entity that joins with or is an affiliate of, the Company and that participates in the investment in, or financing of, the Project and which meets the requirements under the Act to be entitled to the benefits of this Fee Agreement with respect to its participation in the Project.

“Termination Date” shall mean in case the entire Project is placed in service in one year, the end of the last day of the property tax year which is the 19th year following the first property tax year in which the entire Project is placed in service, or in case there are Phases of the Project, the Termination Date shall mean with respect to each Phase of the Project the end of the last day of the property tax year which is the 19th year following the first property tax year in which such Phase of the Project is placed in service, provided, that the intention of the parties is that the Company will make 20 annual FILOT Payments under

Article IV of this Fee Agreement with respect to each Phase of the Project and provided further, that if this Fee Agreement is terminated earlier in accordance with the terms of this Fee Agreement, the Termination Date is the date of such termination.

Section 1.2 Any reference to any agreement or document in this Article I or otherwise in this Fee Agreement shall include any and all amendments, supplements, addenda, and modifications to such agreement or document.

Section 1.3 The term “investment” or “invest” as used herein shall include not only investments made by the Company, but also to the fullest extent permitted by law, those investments made by or for the benefit of the Company in connection with the Project through federal, state, or local grants, to the extent such investments are subject to ad valorem taxes or FILOT Payments by the Company.

ARTICLE II **REPRESENTATIONS, WARRANTIES, AND AGREEMENTS**

Section 2.1 Representations, Warranties, and Agreements of the County. The County hereby represents, warrants, and agrees as follows:

(a) The County is a body politic and corporate and a political subdivision of the State and acts through the County Council as its governing body. The Act authorizes and empowers the County to enter into the transactions that this Fee Agreement contemplates and to carry out its obligations hereunder. The County has duly authorized the execution and delivery of this Fee Agreement and any and all other agreements described herein or therein and has obtained all consents from third parties and taken all actions necessary or that the law requires to fulfill its obligations hereunder.

(b) Based on the representations of the Company, the Project constitutes a “project” within the meaning of the Act, and the County is a County that the Act authorizes to enter into fee in lieu of tax agreements with companies that satisfy the Act Minimum Investment Requirement within the County.

(c) The County has agreed that each item of real and tangible personal property comprising the Project which is eligible to be economic development property under the Act and that the Company selects shall be considered Economic Development Property and is thereby exempt from ad valorem taxation in South Carolina.

(d) The County will not be in default in any of its obligations (contractual or otherwise), including any violation of its statutory debt limit, as a result of entering into and performing under this Fee Agreement and/or as a result of including the Project in an Industrial Development Park.

(e) The County will take all reasonable action to include the Project in the Industrial Development Park and ensure the Project remains in the Park until the Termination Date.

Section 2.2 Representations, Warranties, and Agreements of the Company. The Company hereby represents, warrants, and agrees as follows:

(a) The Company is in good standing under the laws of the state in which it is incorporated or organized, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Fee Agreement, and has duly authorized the execution and delivery of this Fee Agreement.

(b) The Company intends to operate the Project as a “project” within the meaning of the Act as in effect on the date of this Fee Agreement. The Company intends to operate the Project as a commercial facility (travel plaza), and for such other purposes that the Act permits as the Company may deem appropriate.

(c) The Company will use commercially reasonable efforts to ensure that its investment in Economic Development Property of the Project will exceed the Act Minimum Investment Requirement.

(d) The Company shall use commercially reasonable efforts to (a) invest at least \$9,500,000 in taxable property the Project (“Investment Commitment”) and (b) create at least 30 new, full-time equivalent jobs related to the Project (“Jobs Commitment”).

ARTICLE III
COMMENCEMENT AND COMPLETION OF THE PROJECT

Section 3.1 The Project. The Company shall invest in Equipment, Improvements, and/or Real Property, which together comprise the Project and which investment equals at least the Act Minimum Investment Requirement in eligible Economic Development Property investment subject to FILOT Payments in the County.

The parties hereto agree that, to the extent that applicable law allows or is revised or construed to allow the benefits of the Act, in the form of FILOT Payments to be made under Article IV of this Fee Agreement, to be applicable to leased assets including, but not limited to a building and/or personal property to be installed in the buildings and leased to but not purchased by the Company from one or more Sponsor Affiliates under any form of lease, then such property shall, at the election of the Company, be subject to FILOT Payments to the same extent as the Company’s assets covered by this Fee Agreement, subject, at all times, to the requirement of such applicable law. The parties hereto further agree that this Fee Agreement may be interpreted or modified as may be necessary or appropriate to give proper application of this Fee Agreement to such tangible property without such construction or modification constituting an amendment to this Fee Agreement, and thus not requiring any additional action by the County Council. The County Council Chair/County Supervisor, after consulting with legal counsel to the County, shall be and hereby is authorized to make such modifications, if any, as may be necessary or appropriate in connection therewith. Such leased property shall constitute a part of the Project for all purposes of this Fee Agreement, removal, replacement, and termination, and such Sponsor Affiliate shall be deemed to be a party to this Fee Agreement provided, however, that no Sponsor Affiliate shall be liable for any payments pursuant to Section 4.1 of this Fee Agreement, which shall remain the Company’s liability.

Pursuant to the Act, the Company and the County hereby agree that the Company shall identify annually those assets which are eligible for FILOT Payments and which the Company selects for such treatment by listing such assets in its annual PT-300S form (or comparable form for Economic Development Property) to be filed with the Department (as each may be amended from time to time) and that by listing such assets, such assets shall automatically become either Economic Development Property, as applicable, and therefore be exempt from all ad valorem taxation during the Exemption Period. Anything contained in this Fee Agreement to the contrary notwithstanding, the Company shall not be obligated to complete the acquisition of the Project. However, if the Company does not meet the Act Minimum Investment Requirement, this Fee Agreement shall be terminated as provided in the Act.

Section 3.2 Diligent Completion. The Company agrees to use reasonable efforts to cause the completion of the Project as soon as practicable, but in any event on or prior to the end of the Investment Period.

Section 3.3 Filings and Reports.

(a) Each year during the term of the Fee Agreement, the Company shall deliver to the County Council Chair/County Supervisor, the County Auditor, the County Assessor, and the County Treasurer, a copy of its most recent annual filings with the Department with respect to the Project, not later than 30 days following delivery of this Fee Agreement to the Department.

(b) The Company shall cause a copy of this Fee Agreement, as well as a copy of the

completed Form PT-443 of the Department, to be filed with the County Auditor and the County Assessor of the County and any partner county, when the Project is placed in an Industrial Development Park, and the Department within 30 days after the date of execution and delivery of this Fee Agreement by all parties hereto.

ARTICLE IV
PAYMENTS IN LIEU OF TAXES

Section 4.1 FILOT Payments.

(a) the Company and, as applicable, any Sponsor Affiliate, are required to make FILOT Payments on all Economic Development Property comprising the Project and placed in service, with respect to each Phase of the Project, within the Investment Period.

(b) Payments in lieu of ad valorem taxes are to be calculated as follows:

Step 1: Determine the fair market value of the Economic Development Property (or Phase of the Economic Development Property) placed in service during the Exemption Period using original income tax basis for State income tax purposes for any Real Property and Improvements without regard to depreciation (provided, the fair market value of real property, as the Act defines such term, that the Company obtains by construction or purchase in an arms-length transaction is equal to the original income tax basis, and otherwise, the determination of the fair market value is by appraisal) and original income tax basis for State income tax purposes for any personal property less depreciation for each year allowable for property tax purposes, except that no extraordinary obsolescence shall be allowable. The fair market value of the Real Property for the first year of the Fee Term remains the fair market value of the Real Property for the life of the Fee Term. The determination of these values shall take into account all applicable property tax exemptions that State law would allow to the Company if the property were taxable, except those exemptions that Section 12-44-50(A)(2) of the Act specifically disallows.

Step 2: Apply an assessment ratio of 6% to the fair market value in Step 1 to establish the taxable value of the Economic Development Property (or each Phase of the Economic Development Property) in the year it is placed in service and in each of the 19 years thereafter or such longer period of years in which the Act permits the Company to make annual fee payments.

Step 3: Multiply the taxable value determined in the preceding step by the millage rate of 489.3, which shall be fixed for the length of this Fee Agreement.

(c) The FILOT Payments shall be in lieu of all ad valorem tax payments and any other charges that would have appeared on the property tax bills otherwise generated by the County in the absence of this Fee Agreement.

In the event that a final order of a court of competent jurisdiction or an agreement of the parties determines that the calculation of the minimum FILOT Payment applicable to this transaction is to be other than by the procedure herein, the payment shall be reset at the minimum permitted level so determined.

Subject to Section 6.8 of this Fee Agreement, in the event that a final order of a court of competent jurisdiction from which no further appeal is allowable declares the Act and/or the herein-described Payments in Lieu of Taxes invalid or unenforceable, in whole or in part, for any reason, the parties express their intentions to reform such payments so as to effectuate most closely the intent of this Fee Agreement

and so as to afford the Company with the benefits to be derived herefrom, the intention of the County being to offer the Company a strong inducement to locate the Project in the County. If the any portion of the Project is deemed to be subject to ad valorem taxation, this Fee Agreement shall terminate, and the Company shall pay the County regular ad valorem taxes from the date of termination, but with appropriate reductions equivalent to all tax exemptions which are afforded to the Company. Any amount determined to be due and owing to the County from the Company, with respect to a year or years for which the Company previously remitted FILOT Payments to the County hereunder, shall (i) take into account all applicable tax exemptions to which the Company would be entitled if the Economic Development Property was not and had not been Economic Development Property under the Act; and (ii) be reduced by the total amount of FILOT Payments the Company had made with respect to the Project pursuant to the terms of this Fee Agreement. Notwithstanding anything contained herein to the contrary, neither the Company nor any successor in title or interest shall be required to pay FILOT Payments and ad valorem taxes for the same property over the same period in question.

Section 4.2 Reserved.

Section 4.3 Payments in Lieu of Taxes on Replacement Property. If the Company elects to replace any Removed Components and to substitute such Removed Components with Replacement Property, as a part of the Economic Development Property, or the Company otherwise utilizes Replacement Property, then, pursuant and subject to Section 12-44-60 of the Act, the Company shall make statutory payments in lieu of ad valorem taxes with regard to such Replacement Property in accordance with the following:

(a) Replacement Property does not have to serve the same function as the Economic Development Property it is replacing. Replacement Property is deemed to replace the oldest Economic Development Property subject to the Fee, whether real or personal, which is disposed of in the same property tax year in which the Replacement Property is placed in service. Replacement Property qualifies as Economic Development Property only to the extent of the original income tax basis of Economic Development Property which is being disposed of in the same property tax year. More than one piece of property can replace a single piece of Economic Development Property. To the extent that the income tax basis of the Replacement Property exceeds the original income tax basis of the Economic Development Property which it is replacing, the excess amount is subject to annual payments calculated as if the exemption for Economic Development Property were not allowable. Replacement Property is entitled to treatment under the Fee Agreement for the period of time remaining during the Exemption Period for the Economic Development Property which it is replacing; and

(b) The new Replacement Property which qualifies for the Fee shall be recorded using its income tax basis, and the calculation of the Fee shall utilize the millage rate and assessment ratio in effect with regard to the original property subject to the Fee.

Section 4.4 Reductions in Payments of Taxes Upon Removal, Condemnation, or Casualty. In the event of a Diminution in Value of the Economic Development Property or any Phase of the Economic Development Property, the Payment in Lieu of Taxes with regard to the Economic Development Property or that Phase of the Economic Development Property shall be reduced in the same proportion as the amount of such Diminution in Value bears to the original fair market value of the Economic Development Property or that Phase of the Economic Development Property as determined pursuant to Step 1 of Section 4.1(b) of this Fee Agreement; provided, however, that if at any time subsequent to the end of the Investment Period, the total value of the Project based on the original income tax basis of the Equipment, Real Property, and Improvements contained therein, without deduction for depreciation, is less than the Act Minimum Investment Requirement, beginning with the first payment thereafter due hereunder and continuing until the end of the Fee Term, the Company shall no longer be entitled to the incentive provided in Section 4.1, and the Company shall therefore commence to pay regular ad valorem taxes on the Economic Development Property part of the Project.

Section 4.5 Place of Payments in Lieu of Taxes. The Company shall make the Payments in

Lieu of Taxes directly to the County in accordance with applicable law.

Section 4.6 Removal of Economic Development Property. Subject, always, to the other terms and provisions of this Fee Agreement, the Company, in its sole discretion, shall be entitled to remove and dispose of components or Phases of the Project from the Project with the result that said components or Phases shall no longer constitute Economic Development Property, and will no longer be subject to the terms of this Fee Agreement to the fullest extent allowed by the Act. Economic Development Property is disposed of only when it is scrapped or sold or it is removed from the Project.

Section 4.7 Damage or Destruction of Economic Development Property.

(a) Election to Terminate. In the event the Economic Development Property is damaged by fire, explosion, or any other casualty, the Company shall be entitled to terminate this Fee Agreement. The Company shall only be required to make FILOT Payments as to all or any part of the tax year in which the damage or casualty occurs to the extent property subject to ad valorem taxes would otherwise have been subject to such taxes under the same circumstances for the period in question.

(b) Election to Rebuild. In the event the Economic Development Property is damaged by fire, explosion, or any other casualty, and if the Company does not elect to terminate this Fee Agreement, the Company may commence to restore the Economic Development Property with such reductions or enlargements in the scope of the Economic Development Property, changes, alterations, and modifications (including the substitution and addition of other property) as may be desired by the Company. All such restorations and replacements shall be considered, to the fullest extent permitted by law and this Fee Agreement, substitutions of the destroyed portions of the Economic Development Property and shall be considered part of the Economic Development Property for all purposes of this Fee Agreement, including, but not limited to, any amounts due by the Company to the County under Section 4.1 of this Fee Agreement.

(c) Election to Remove. In the event the Company elects not to terminate this Fee Agreement pursuant to subsection (a) and elects not to rebuild pursuant to subsection (b), the damaged portions of the Economic Development Property shall be treated as Removed Components.

Section 4.8 Condemnation.

(a) Complete Taking. If at any time during the Fee Term title to or temporary use of the Economic Development Property should become vested in a public or quasi-public authority by virtue of the exercise of a taking by condemnation, inverse condemnation, or the right of eminent domain; by voluntary transfer under threat of such taking; or by a taking of title to a portion of the Economic Development Property which renders continued use or occupancy of the Economic Development Property commercially unfeasible in the judgment of the Company, the Company shall have the option to terminate this Fee Agreement by sending written notice to the County within a reasonable period of time following such vesting.

(b) Partial Taking. In the event of a partial taking of the Economic Development Property or a transfer in lieu of this Fee Agreement, the Company may elect: (i) to terminate this Fee Agreement; (ii) subject to the Act and the terms and provisions of this Fee Agreement, to repair and restore the Economic Development Property, with such reductions or enlargements in the scope of the Economic Development Property, changes, alterations, and modifications (including the substitution and addition of other property) as the Company may desire, and all such changes, alterations, and modifications shall be considered as substitutions of the taken parts of the Economic Development Property; or (iii) to treat the portions of the Economic Development Property so taken as Removed Components.

(c) The Company shall only be required to make FILOT Payments as to all or any part of the tax year in which the taking occurs to the extent property subject to ad valorem taxes would otherwise have been subject to such taxes under the same circumstances for the period in question.

Section 4.9 Confidentiality/Limitation on Access to Project. The County acknowledges and understands that the Company utilizes confidential and proprietary processes and materials, services, equipment, trade secrets, and techniques (herein “Confidential Information”) and that any disclosure of Confidential Information concerning the Company’s operations may result in substantial harm to the Company and could thereby have a significant detrimental impact on the Company’s employees and also upon the County. The Company acknowledges that the County is subject to the Freedom of Information Act, and, as a result, must disclose certain documents and information on request absent an exemption. Therefore, the County agrees that, except as required by law, neither the County nor any employee, agent, or contractor of the County shall (i) request or be entitled to receive any such Confidential Information, or (ii) disclose or otherwise divulge any such Confidential Information to any other person, firm, governmental body or agency, or any other entity unless specifically required to do so by law; provided, however, that the County shall have no less rights concerning information relating to the Project and the Company than concerning any other property or property taxpayer in the County, and, provided further, that the confidentiality of such confidential or proprietary information is clearly disclosed to the County in writing as previously described. Prior to disclosing any Confidential Information, subject to the requirements of law, the Company may require the execution of reasonable, individual, confidentiality and non-disclosure agreements by any officers, employees, or agents of the County or any supporting or cooperating governmental agencies who would gather, receive, or review such information. In the event that the County is required to disclose any Confidential Information obtained from the Company to any third party, the County agrees to provide the Company with as much advance notice as possible of such requirement before making such disclosure, and to cooperate reasonably with any attempts by the Company to obtain judicial or other relief from such disclosure requirement.

Section 4.10 Assignment. If Section 12-44-120 of the Act or any successor provision requires consent to an assignment, the Company may assign this Fee Agreement in whole or in part with the prior written consent of the County or a subsequent written ratification by the County, which consent or ratification the County will not unreasonably withhold. The Company agrees to notify the County and the Department of the identity of such transferee within 30 days of the transfer. In case of a transfer, the transferee assumes the transferor’s basis in the Project for purposes of calculating the Fee. No approval is required for transfers to a Sponsor Affiliate or other financing related transfers, as described in the Act.

Section 4.11 No Double Payment; Future Changes in Legislation.

(a) Notwithstanding anything contained herein to the contrary, and except as expressly required by law, neither the Company nor any Sponsor Affiliate shall ever be required to make a Payment in Lieu of Taxes in addition to a regular property tax payment in the same year over the same piece of property, nor shall the Company or any Sponsor Affiliate be required to make a Payment in Lieu of Taxes on property in cases where, absent this Fee Agreement, property taxes would otherwise not be due on such property.

In case there is any legislation enacted which provides for more favorable treatment for property to qualify as, or for the calculation of the fee related to, Economic Development Property under Sections 4.4, 4.6, 4.7, 4.8, or the calculation of the Investment Period, the County agrees to give consideration to such legislation.

Section 4.12 Administration Expenses. The Company shall pay the County’s legal fees incurred with the preparation of this Agreement, various conferences with County staff, and attendance at County meetings, and other related matters, in an amount not to exceed \$7,500. Such amount shall be paid within 30 days of the Company’s receipt of an invoice for legal fees, which shall contain a general (non-privileged) description of the services performed but need not include individual time entries and descriptions.

Section 4.13 Addition of Sponsor Affiliates. Upon request of and at the expense of the Company, the County may approve any future Sponsor Affiliate that qualifies under the Act for the benefits offered under this Fee Agreement and which agrees to be bound by the provisions hereof to be further evidenced by such future Sponsor Affiliate entering into a Joinder Agreement in a form substantially similar to that attached to

this Fee Agreement, as Exhibit B, subject to any reasonable changes not materially adverse to the County.

ARTICLE V
DEFAULT

Section 5.1 Events of Default. The following shall be “Events of Default” under this Fee Agreement, and the term “Events of Default” shall mean, whenever used with reference to this Fee Agreement, any one or more of the following occurrences:

(a) Failure by the Company to make the Payments in Lieu of Taxes described in Section 4.1 of this Fee Agreement, which failure shall not have been cured within 30 days following receipt of written notice of this Fee Agreement from the County; provided, however, that the Company shall be entitled to all redemption rights granted by applicable statutes;

(b) Failure by the Company to maintain the Act Minimum Investment at the Project;

(c) A representation or warranty made by the Company which is deemed materially incorrect when deemed made;

(d) Failure by the Company to perform any of the terms, conditions, obligations, or covenants hereunder (other than those under (a) above), which failure shall continue for a period of 30 days after written notice from the County to the Company specifying such failure and requesting that it be remedied, unless the Company shall have instituted corrective action within such time period and is diligently pursuing such action until the default is corrected, in which case the 30-day period shall be extended to cover such additional period during which the Company is diligently pursuing corrective action;

(e) A cessation of operations at the Project;

(f) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(g) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure shall continue for a period of 30 days after written notice from the Company to the County specifying such failure and requesting that it be remedied, unless the County shall have instituted corrective action within such time period and is diligently pursuing such action until the default is corrected, in which case the 30-day period shall be extended to cover such additional period during which the County is diligently pursuing corrective action.

Section 5.2 Remedies on Default.

(a) Whenever any Event of Default by the Company shall have occurred and shall be continuing, the County may take any one or more of the following remedial actions:

(i) terminate the Fee Agreement; or

(ii) take whatever action at law or in equity may appear necessary or desirable to collect the amounts due hereunder. In no event shall the Company be liable to the County or otherwise for monetary damages resulting from the Company’s failure to meet the Act Minimum Investment Requirement, other than as expressly set forth herein.

(b) Whenever any Event of Default by the County shall have occurred or shall be continuing, the Company may take one or more of the following actions:

(i) bring an action for specific enforcement;

- (ii) terminate the Fee Agreement;
- (iii) withhold so much of the payment as is in dispute with the County until such dispute is fully and finally resolved; or
- (iv) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

Section 5.3 Reimbursement of Legal Fees and Expenses and Other Expenses. Upon the occurrence of an Event of Default hereunder, should a party be required to employ attorneys or incur other reasonable expenses for the collection of payments due hereunder or for the enforcement of performance or observance of any obligation or agreement, the successful party shall be entitled, within 30 days of demand therefor, to reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

ARTICLE VI
MISCELLANEOUS

Section 6.1 Notices. Any notice, election, demand, request, or other communication to be provided under this Fee Agreement shall be effective when delivered to the party named below or when deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, addressed as follows (or addressed to such other address as any party shall have previously furnished in writing to the other party), except where the terms of this Fee Agreement require receipt rather than sending of any notice, in which case such provision shall control:

AS TO THE SPONSOR: Project 2026

WITH COPIES TO:

AS TO THE COUNTY: Chester County, South Carolina
 Attn: Chester County Supervisor
 Post Office Box 580
 Chester, South Carolina 29706

WITH COPIES TO: Joan E. Winters
 The Winters Law Firm
 105 Main Street
 Chester, South Carolina

 Michael E. Kozlarek
 Kozlarek Law LLC
 Post Office Box 565
 Greenville, South Carolina 29602

Section 6.2 Binding Effect. This Fee Agreement and each document contemplated hereby or related hereto shall be binding upon and inure to the benefit of the Company, the County, and their respective successors and assigns. In the event of the dissolution of the County or the consolidation of any part of the County with any other political subdivision or the transfer of any rights of the County to any

other such political subdivision, all of the covenants, stipulations, promises, and agreements of this Fee Agreement shall bind and inure to the benefit of the successors of the County from time to time and any entity, officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County has been transferred.

Section 6.3 Counterparts. This Fee Agreement may be executed in any number of counterparts, and all of the counterparts taken together shall be deemed to constitute one and the same instrument.

Section 6.4 Governing Law. This Fee Agreement and all documents executed in connection herewith shall be construed in accordance with and governed by the laws of the State, without regarding to any conflicts of law provisions that would necessitate the application of another jurisdiction's laws.

Section 6.5 Headings. The headings of the articles and sections of this Fee Agreement are inserted for convenience only and shall not be deemed to constitute a part of this Fee Agreement.

Section 6.6 Amendments. The provisions of this Fee Agreement may only be modified or amended in writing by any agreement or agreements entered into between the parties.

Section 6.7 Further Assurance. From time to time, and at the expense of the Company, to the extent any expense is incurred, the County agrees to execute and deliver to the Company such additional instruments as the Company may reasonably request and as are authorized by law and reasonably within the purposes and scope of the Act and Fee Agreement to effectuate the purposes of this Fee Agreement.

Section 6.8 Invalidity; Change in Laws. In the event that the inclusion of property as Economic Development Property or any other issue is unclear under this Fee Agreement, the County hereby expresses its intention that the interpretation of this Fee Agreement shall be in a manner that provides for the broadest inclusion of property under the terms of this Fee Agreement and the maximum incentive permissible under the Act, to the extent not inconsistent with any of the explicit terms of this Fee Agreement. If any provision of this Fee Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions of this Fee Agreement shall be unimpaired, and such illegal, invalid, or unenforceable provision shall be reformed to effectuate most closely the legal, valid, and enforceable intent of this Fee Agreement and so as to afford the Company with the maximum benefits to be derived herefrom, it being the intention of the County to offer the Company the strongest inducement possible, within the provisions of the Act, to locate the Project in the County. In case a change in the Act or South Carolina laws eliminates or reduces any of the restrictions or limitations applicable to the Company and the Fee incentive, the parties agree that the County will give expedient and full consideration to reformation of this Fee Agreement, with a view toward providing the Company with the benefits of such change in the Act or South Carolina laws.

The County agrees that in case the FILOT incentive described herein is found to be invalid or otherwise does not provide the Company with the economic benefit it is intended to receive from the County as an inducement to locate in the County, the savings lost as a result of such invalidity will be considered a special source credit or infrastructure improvement credit to the Company to the maximum extent permitted by law, and the County will provide a special source credit or infrastructure improvement credit against all FILOT Payments made or to be made by the Company equal to the amount that the Company would have saved if the FILOT had been valid, to the maximum extent permitted by law.

Section 6.9 Force Majeure. The Company shall not be responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, fires, floods, inability to obtain materials, conditions arising from governmental orders or regulations, war or national emergency, acts of God, and any other cause, similar or dissimilar, beyond the Company's reasonable control.

Section 6.10 Termination by Company. The Company is authorized to terminate this Fee Agreement at any time with respect to all or part of the Project upon providing the County with 30 days' notice; provided, however, that (i) any monetary obligations existing hereunder and due and owing at the

time of termination to a party hereto; and (ii) any provisions which are intended to survive termination, shall survive such termination. In the year following such termination, all property shall be subject to ad valorem taxation or such other taxation or fee in lieu of taxation that would apply absent this Fee Agreement. The Company's obligation to make fee in lieu of tax payments under this Fee Agreement shall terminate in the year following the year of such termination pursuant to this section.

Section 6.11 Entire Understanding. This Fee Agreement expresses the entire understanding and all agreements of the parties hereto with each other, and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in this Fee Agreement or in certificates delivered in connection with the execution and delivery of this Fee Agreement.

Section 6.12 Waiver. Either party may waive compliance by the other party with any term or condition of this Fee Agreement only in a writing signed by the waiving party.

Section 6.13 Business Day. In the event that any action, payment, or notice is, by the terms of this Fee Agreement, required to be taken, made, or given on any day which is a Saturday, Sunday, or legal holiday in the jurisdiction in which the person obligated to act is domiciled, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if given as required hereby, and no interest shall accrue in the interim.

Section 6.14 Limitation of Liability. Anything herein to the contrary notwithstanding, any financial obligation the County may incur hereunder, including for the payment of money, shall not be deemed to constitute a pecuniary liability or a debt or general obligation of the County; provided, however, that nothing herein shall prevent the Company from enforcing its rights hereunder by suit for mandamus or specific performance.

Section 6.15 Indemnification Covenants.

(a) Except as provided in paragraph (d) below, the Company shall indemnify and save the County, its employees, elected officials, officers and agents (each, an "Indemnified Party") harmless against and from all liability or claims arising from the County's execution of this Fee Agreement, performance of the County's obligations under this Fee Agreement or the administration of its duties pursuant to this Fee Agreement, or otherwise by virtue of the County having entered into this Fee Agreement.

(b) The County is entitled to use counsel of its choice and the Company shall reimburse the County for all of its costs, including attorneys' fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (a), above. The County shall provide a statement of the costs incurred in the response or defense, and the Company shall pay the County within 30 days of receipt of the statement. The Company may request reasonable documentation evidencing the costs shown on the statement. However, the County is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(c) The County may request the Company to resist or defend against any claim on behalf of an Indemnified Party. On such request, the Company shall resist or defend against such claim on behalf of the Indemnified Party, at the Company's expense. The Company is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided the Company is not entitled to settle any such claim without the consent of that Indemnified Party.

(d) Notwithstanding anything in this Section or this Fee Agreement to the contrary, the Company is not required to indemnify any Indemnified Party against or reimburse the County for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Fee Agreement, performance of the County's obligations under this Fee Agreement, or the administration of its duties under this Fee Agreement, or otherwise by virtue of the County having entered into this Fee Agreement; or (ii) resulting from that Indemnified Party's own negligence, bad faith, fraud, deceit, or willful misconduct.

(e) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides the Company with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford the Company notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

[ONE SIGNATURE PAGE AND THREE EXHIBITS FOLLOW]
[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS OF THIS FEE AGREEMENT, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and behalf by the County Council Chairman/County Supervisor and to be attested by the Clerk of the County Council; and the Company has caused this Fee Agreement to be executed by its duly authorized officer, all as of the day and year first above written.

CHESTER COUNTY, SOUTH CAROLINA

Chairman/Supervisor
Chester County Council

(SEAL)
ATTEST:

Clerk to Council

[Project 2026]

Signature: _____

Name: _____

Title: _____

EXHIBIT A

PROPERTY DESCRIPTION

Tax Map No. []
also known as

[]
[]

EXHIBIT B
FORM OF JOINDER AGREEMENT
JOINDER AGREEMENT

Reference is hereby made to (i) that certain Fee Agreement effective July 20th, 2020 (“Fee Agreement”), between Chester County, South Carolina (“County”) and [Project 2026] (“Company”).

1. Joinder to Fee Agreement. The undersigned hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Fee Agreement; (b) acknowledges and agrees that (i) in accordance the Fee Agreement, the undersigned has been designated as a Sponsor Affiliate by the Company for purposes of the Project and such designation has been consented to by the County in accordance with the Act (as defined in the Fee Agreement); (ii) the undersigned qualifies or will qualify as a Sponsor Affiliate under the Fee Agreement and Section 12-44-30(20) and Section 12-44-130 of the Act; and (iii) the undersigned shall have all of the rights and obligations of a Sponsor Affiliate as set forth in the Fee Agreement.

2. Capitalized Terms. All capitalized terms used but not defined in this Joinder Agreement shall have the meanings set forth in the Fee Agreement.

3. Governing Law. This Joinder Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina, without regard to principles of choice of law.

4. Notice. Notices under Section 6.1 of the Fee Agreement shall be sent to:

[]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

[JOINING COMPANY]

Signature: _____

Name: _____

Title: _____

IN WITNESS WHEREOF, the Company consents to the addition of the above-named entity becoming a Sponsor Affiliate under the Fee Agreement effective as of the date set forth above.

[Project 2026]

Signature: _____

Name: _____

Title: _____

IN WITNESS WHEREOF, the County consents to the addition of the above-named entity as a Sponsor Affiliate under the Fee Agreement effective as of the date set forth above.

CHESTER COUNTY, SOUTH CAROLINA

Signature: _____

Name: _____

Title: _____



STATE OF SOUTH CAROLINA) Ordinance No.2020-21
)
COUNTY OF CHESTER)

AN ORDINANCE TO CREATE THE CHESTER COUNTY RADIO USERS ADVISORY COMMITTEE AND ADOPT ITS ENABLING ACT

WHEREAS Section 4-9-30-(6) of the Code of Laws of South Carolina empowers the County Council “to establish such agencies, departments, boards, commissions and positions in the County as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge or abolish such agencies, departments, boards, commissions and positions...” and

WHEREAS, the Council is further empowered by the provisions of Chapter 9, Sub-section (6) of Title 4 of the Code of Laws of South Carolina, 1976, as amended, to regulate established boards and commissions; and

WHEREAS the County Council has determined that it is necessary to formally establish the Chester County Radio Users Advisory Committee and the methods by which the Committee will exercise its duties and responsibilities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

Chester County Council does hereby establish the Chester County Radio Users Advisory Committee, and to adopt the enabling act (Exhibit A) for the Chester County Radio Users Advisory Committee which shall be incorporated into this Ordinance by reference.

This ordinance shall take effect upon adoption by the Chester County Council on the date of the final reading approval.

Enacted this _____ day of _____, 2020.

CHESTER COUNTY, SOUTH CAROLINA

By: _____
K. Shane Stuart, Supervisor, Chester County

[SEAL]
Attest:

By: _____
Karen Lee
Clerk to County Council
Chester County, South Carolina

First Reading: June 15th, 2020
Second Reading: July 6th, 2020
Public Hearing: July 20th, 2020
Third Reading: _____, 2020

Radio Users Advisory Committee

Executive Oversight:

The Chester County Council represents the constituency of Chester County and holds the ultimate authority of management of the System. Due to the complex and technical nature of the System, the County Council will appoint a Radio Users Advisory Committee to oversee the day-to-day management and operations of the County Radio System. The primary purpose of the committee will be to protect the County Council's interest, the county investment in the System, the interest of the Chester County Citizen, and the interest of each of the user communities.

Established; Composition; Appointment

There is established a Committee to be called the Radio Users Advisory Committee. The board shall be comprised of seven individuals made up of an individual appointed by each of the following user communities:

- 1) an appointee by the Chester County Sheriff's Office,
- 2) an appointee by the Chester County 911,
- 3) an appointee by the Chester County EMS,
- 4) an appointee by the Fire Chief's Association,
- 5) an appointee by the Rural Fire District,
- 6) an appointee by the Chester County Government, at large (animal control, litter, public works),
- 7) an appointee by the Municipal Police Chiefs.

Membership and Terms

(a) *Membership.* The Radio Users Advisory Committee shall consist of seven (7) members. Such board members should be composed of individual with knowledge and experience of the County Radio System and its use in the field. A board member shall not act in a case in which he has personal or financial interest.

(b) *Terms.* The terms of office for the board members shall be staggered so not more than one-third of the board is appointed or replaced in any 12-month period. The terms of office shall be for four years or until filled by an appointee from the vacant seats user community. Vacancies shall be filled for any unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from required meetings of the board shall, at the discretion of a majority of the board, render any such member subject to immediate removal from office.

(c) *Quorum and voting.* A simple majority of the board shall constitute a quorum. In varying any provision of this Code, the affirmative votes of the majority present shall be required.

(d) Officers and duties. The board at its first meeting in January of each year shall elect a chair and vice-chair. The election, terms and duties of the chair and vice-chair and duties of the secretary shall be as follows:

(1) Chair. A chair shall be elected by the voting members of the board. The term shall be for one year and his succession in office shall be limited to three years after which time the chair cannot be reelected until after a one-year period. The chair shall preside at all meeting of the board and decide all point of order and procedure, subject of this article, unless directed otherwise by a majority of the board in session at the time. The chair shall appoint any committees found necessary to investigate any matter.

(2) Vice-chair. A vice-chair shall be elected by the board among its members in the same manner and for the same term as the chair. The vice-chair shall serve as acting Chairman in the absence of the chair, and at such times he shall have the same power and duties as the Chairman. The vice-chair shall succeed that Chairman if the chair vacates his office before the chair's term is completed, the vice-chairman to serve the unexpired term of the vacated office. A new vice- chair shall be elected at the next regular meeting.

(3) Secretary. A Secretary shall be elected by the board among its members in the same manner and for the same term as the chair. The secretary of the board shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, and the absence of a member and any failure of a member to vote.

Powers

Radio Users Advisory Committee shall be charged with the responsibility of:

- (a) Drafting appropriate policies and procedures for use of the county radio system.
- (b) Proposing ordinances to guide and regulate the use of the Radio System,
- (c) Establish long range plans to ensure the system is kept current with technology and make recommendations for system upgrades.
- (d) Develop, review, and/or administer any policies or procedures directed by Chester County Council.
- (e) Prepare and Review the Radio Systems annual budget request, and make appropriate recommendations to the County Council for the annual budget.
- (f) Ensure all operating procedures are coordinated and within agency dispatch policies.
- (g) Address concerns of any radio user community (discipline).
- (h) Review all requests for new organization access or use of the system. Ensure all use is in compliance with Federal and State Radio Use Regulations.
- (i) Ensure all daily operations of the system are fair and equitable to all system users.
- (j) Develop standardized equipment list and review annually.
- (k) Oversee the technical aspects of the System.
- (l) Receive requests and make approval in accordance with operating procedures for talk group allocation.
- (m) Develop plans for additional new system users and develop appropriate implementation plans.

- (n) Establish procedures for requests to add additional radios to the system by established organizations, ensuring proper system loading.
- (o) Establish governance procedure for the operation of the user groups that provides for equality of representation and leadership of both county and non-county interest.

Procedures

(a) *Rules and regulations.* The Radio Users Advisory Committee shall establish rules and regulations for its own procedure not inconsistent with state and federal laws. The Committee shall meet at the call of the Chairman.

(b) *Decisions.* The Radio Users Advisory Committee shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the Committee shall also include the reasons for the decision. Decisions of the Committee shall be presented to County Council for final adoption.

Ordinance No. 2020-22

This Ordinance shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this ____ day of _____, 2020.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____ 2020.

COUNTY COUNCIL OF CHESTER COUNTY

K. Shane Stuart, Supervisor
Chairman, County Council of Chester County

ATTEST:

Karen Lee
Clerk to County Council of Chester County

First Reading: July 6th, 2020
Second Reading: _____, 2020
Public Hearing: _____, 2020
Third Reading: _____, 2020

Memo

To: County Supervisor Shane Stuart

From: Brooke Clinton

CC: Wesley Carter, Jr.

RE: Budget request for Small Business Development Retention and Expansion Program

The Chester County Chamber of Commerce exists to promote business development in Chester County. Last year, we launched the *Stay Local My Friends* campaign to encourage those who live and work in the county to shop local and use local services. We believe small business development is vital to developing a strong economy and a stable community that keeps residents satisfied and happy living in Chester County. The chamber is funded through membership dues and donations. **A contract service with the county would allow the chamber to expand current small business development programs and create new ones, especially ideas outlined in the 2019 strategic plan:**

- A 20 hour per week part-time staff position for Small Business Retention and Expansion
 - 50 BRE visits yearly
 - Assist new businesses in making connections and directing them to resources (i.e. permits, business licenses, attorneys, loans, SBDC, etc.)
- Target marketing of our county's small business community (increase in social media postings, videos, etc.)
- Website designs for members; templates for non-members
- Resource pages on chamber site (linked to economic development page)
- Chamber office in Great Falls (2 Fridays a month, War Memorial Building)

REQUEST (includes salary, technology, travel, programming, training): \$38,271.00

Proposal for the Gateway IPRB

The Gateway Conference Center Expansion came in under budget \$27,498.97.

Below are items that were not included in the scope of the Gateway Expansion project that we would like to add.

FENCING ALONG NORTHERN PROPERTY BOUNDARY

It was brought to our attention of a need for a fence along the northern portion of the property. At the end of the parking lot there is a steep dropoff leading to a retention pond. The installation of a fence would be mainly as a safety precaution.

We were able to find a contractor that will install a 618-foot commercial black chain fence for **\$9,944.50**.

By way of comparison Southside Constructors quote for installation of the fencing was \$20,439.31

WATER HEATER

Add a 50 Gallon Commercial water heater to the Gateway to supplement the current Gateway Conference commercial water heater. Given the heightened awareness and the need for cleanliness due to the pandemic, the additional water heater will ensure hot water is readily available to all the rest rooms and new kitchen area.

We were able to find a contractor for a standard commercial water heater installation: **\$8,520.00**

By way of comparison Southside Constructors costs to install: \$8,950.19

HVAC

Replace original/existing HVAC unit located in the Gateway Conference center with a new Trane unit. The current unit has been in operation when the facility was Norse AutoMall. The unit is prone to shutting down and at this time is unable to adequately cool or heat and appears to be nearing the end of its service life.

Price for the new unit HVAC **\$8,791.74**

“Add ons” total: **\$27,256.24**

Vetting Process Checklist

Guidelines

- 1 The nominee must complete an application for consideration to be considered for a council appointment.
- 2 The nominee may not serve on two or more boards/commissions or positions of honor.
- 3 A recommendation or nomination by an elected official.
- 4 The nominee must be a Chester County registered voter.
- 5 The nominee is required to consent to a background check.
- 6 If applicable, the nominee should reside in the geographical location.

Action Taken

| |
|--|
| |
| |
| |
| |
| |
| |



Application for Chester County Boards, Commissions and Councils

Chester County Council selects citizens for service on Council Appointed Boards and Commissions from individuals who have either volunteered, been recommended for appointment or shown interest in being appointed. The Clerk to Council uses this form to update the roster of volunteers and give Council basic information about each volunteer.

Date: _____

Name: _____ Occupation: _____

Street Address: _____

Mailing Address: (if different from above) _____

Telephone (Home): _____ Cell: _____

E-Mail: _____

Date of Birth: ___/___/___

Name of Council Member whom nominated: _____

In which Council District do you reside? Please indicate (1-6) _____

Are you presently serving on a County Board or Commission? _____ If "yes" when does your term expire?
___/___/___

CONFLICT OF INTEREST STATEMENT: I, _____, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. *By consenting and signing this form to be nominated you will be subject to a background check.* (Signature) _____.

Board members shall serve at the will of the appointing Council member and terms shall also run concurrent with that of the appointer.

Please check the appropriate box below.

Boards

- Accommodation Tax Board
- Board of Assessment of Appeals
- Catawba Mental Health Board
- Catawba Regional Council Government
- Catawba Regional Workforce Board
- Chester County Library
- Hazel Pittman Center
- Solid Waste Board
- Zoning Board of Appeals

Commissions

- Airport Commission
- Chester County Parks & Recreation
- Chester County Planning Commission
- Chester Rural Fire District Commission
- John Keziah Park Commission
- Lando Rural Fire District Commission
- Fort Lawn Fire Protection Commission
- Olde English District Commission
- Richburg Fire District Commission
- Chester Metropolitan District Commission



**CHESTER COUNTY
CONSENT TO BACKGROUND CHECK**

I, _____ have applied for the position of _____ with Chester County, South Carolina. I understand that the requirements of this position include the handling of money, access to or maintenance of confidential information, or other considerations that are deemed proprietary. I also understand that Chester County has a legitimate interest in hiring an individual for this position who satisfactorily passes a background check. I also understand that Chester County complies with the Fair Credit Reporting Act, which provides consumers with rights regarding consumer reports and which places specific obligations on employers using credit checks. I understand that under the Fair Credit Reporting Act I have the right to make a written request to the County within a reasonable time, for the disclosure of the name and address of the consumer-reporting agency so that I may obtain a written copy of the report. Accordingly, by signing below I hereby consent to Chester County performing a background check that includes, but is not limited to, the areas marked below:

Chester County
Requests the following:

Applicant consents to
the following:
Please initial each mark

- SLED/Criminal History
- Driving Record
- Employment History/References
- Credit History
- Pending or Threatened Litigation
- _____

- _____
- _____
- _____
- _____
- _____
- _____

Applicant's Signature

Date

Driver's License #

Date of Birth

Address

Maiden Name

Social Security No.

ALL EMPLOYEES OF CHESTER COUNTY ARE EMPLOYEES "AT WILL" WHOSE EMPLOYMENT MAY BE TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. ONLY THE COUNTY SUPERVISOR HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT REGARDING LENGTH OF SERVICE OR GROUNDS FOR TERMINATION AND ANY SUCH AGREEMENT MUST BE IN WRITING AND SIGNED BY THE COUNTY SUPERVISOR.

County Council there will not be a presentation by the petitioner, nor will there be a public hearing. As many of you know, if you do go to County Council Meetings, there are citizens comments on the agenda. Everyone is always able to sign up for those three minutes as citizens comments. But understand, its not a public hearing and County Council does not engage. They listen but they do not comment. They engage with the speaker. I just want you all to understand the process so that no one is surprised or disappointed no matter which way this goes this evening it goes to County Council. I don't want anyone thinking there are more public hearings, this is it. Just wanted to make sure everyone has that understanding.

Chairman Raines starts the request for rezoning for the two prior to Luck Stone

New Business:

CCMA20-02: Patton Development SC, LLC request 2.95 acres of Tax Map # 079-01-17-013-000 (survey provided) located on JA Cochran By-Pass be rezoned from R2 (Rural Two) to GC (General Commercial)

Chairman Raines called the applicant to the podium and to state his name and address for the record. He stated his name as Tad Patton of 405 Airport Dr in Greer. We would like to rezone that area in the front for the Dollar General and we're working with a developer for the rear property for residential.

Chairman Raines asked all on the 2.9 acres? Mr. Paton says the Dollar General will be on the 2.9. with the rear residential. Chairman Raines then asked if the rear would come back at a later time for that? Mr. Patton said its already zoned properly for that. Chairman Raines said that's outside the bounds of what were considering tonight.

Chairman Raines asked if the commissioners had any questions for the applicant. Commissioner Hill asked, with the residential part, where would the entrance and exit be? Mr. Patton said the residential would be on Old York Highway.

Chairman Raines asked approximately how much property is behind there that you're talking about developing for residential? Mr. Patton said around forty-seven acres. Chairman Raines asked the entrance and exit for this property will be off J. A. Cochran, correct? Mr. Patton said correct.

Commissioner Hill asked are you part of the Dollar General that is already in Chester? Mr. Patton said we're just the developer. We did build one out on the bypass. Commissioner Hill asked will this be part of a franchise? Mr. Patton said its not a franchise, its orbitly ran. We just develop this building.

Chairman Raines asked you wouldn't be the operator, or owner, just the person performing the structure? Mr. Patton said yes sir.

Chairman Raines asked if any member of the public would like to speak in support or in opposition of this request. There were none.

Commissioner Grant made the motion to approve the rezoning request as presented; seconded by Vice Chairman Smith. Vote was 6-0 to approve.

CCMA20-06: Gary Howell, with Howell Homes of the Carolinas, request Tax Map # 123-00-00-090-000 located on Hamilton Rd, Chester, SC be rezoned from R2 (Rural Two) to R1 (Rural One)

Chairman Raines asked the applicant to step to the podium and state his name and address for the record. He stated his name as Gary Howell of 2740 West Pinewood Rd, Chester. We're requesting to rezone this property to R1 to allow us to build three spec homes. The smallest lot will be 1.2 acres, 1.32 acres and 1.45 acre lots.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: \$150.00

Meeting Date: April 21, 20 Case # CCMA20-08 Invoice # 2450

The applicant hereby requests that the property described to be rezoned from R-2 to GC

Please give your reason for this rezoning request:
 development of a commercial building (dollar general)

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant):

I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request.

NAICS CODE Number: 453220

Property Address Information

Property address: JA Cochran Bypass, Chester, SC
 Tax Map Number: 079-01-17-013-000 Acres: 2.95

Any structures on the property: yes _____ no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant (s): Patton Development SC, LLC
 Address PO Box 100, Woodruff, SC 29388
 Telephone: [REDACTED] cell [REDACTED] work _____

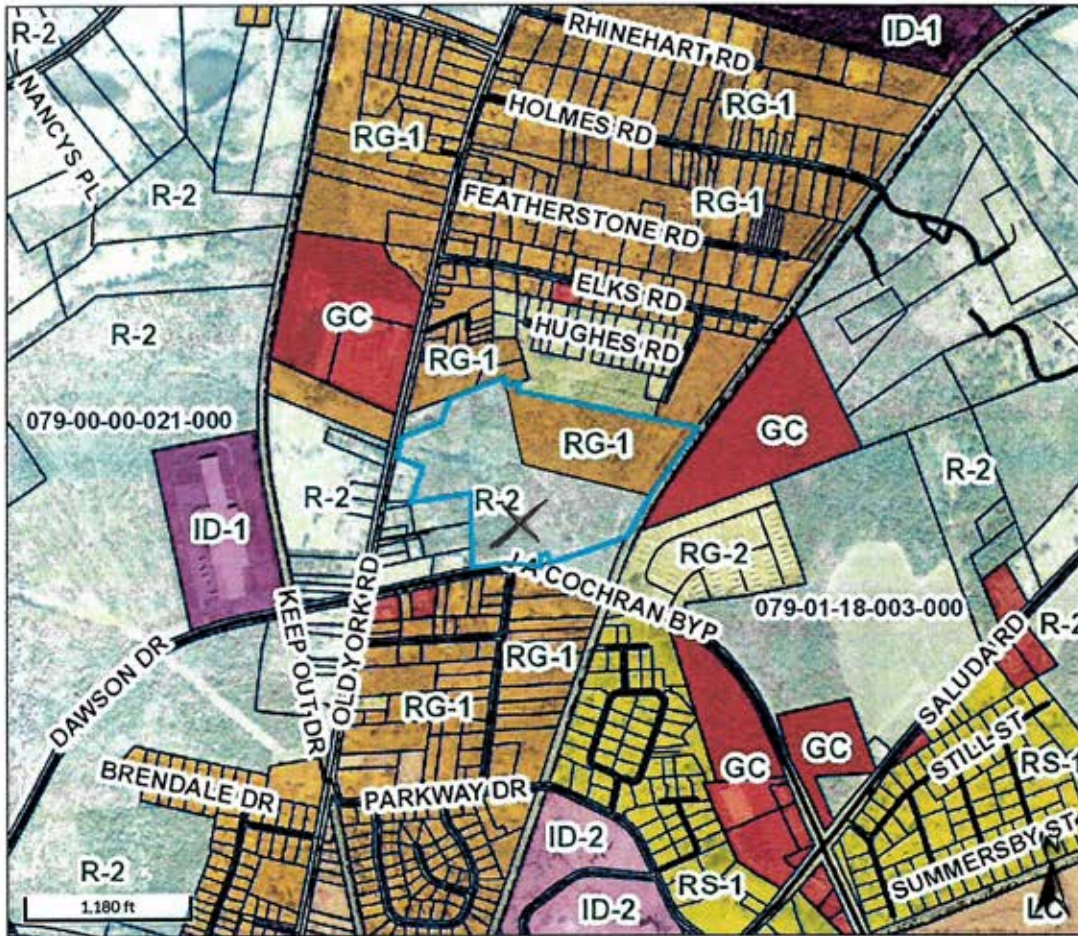
Owner(s) if other than applicant(s): Hinckley Gauvain, LLC
 Address: PO Box 3965, Mooresville, NC 28117
 Telephone: [REDACTED] cell _____ work _____

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: *see attached agent authorization letter Date: _____

Applicant signature: [Signature] Date: 03-04-20

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Legend

- Roads**
- Secondary Road
 - SC Highway
 - Municipals
 - Parcels
- Chester County Zoning**
- AG
 - EDD
 - GC
 - ID-1
 - ID-2
 - ID-3
 - LC
 - R-1
 - R-2
 - R-3
 - R-4
 - RG-1
 - RG-2
 - RIV
 - RS-1
 - County Boundary

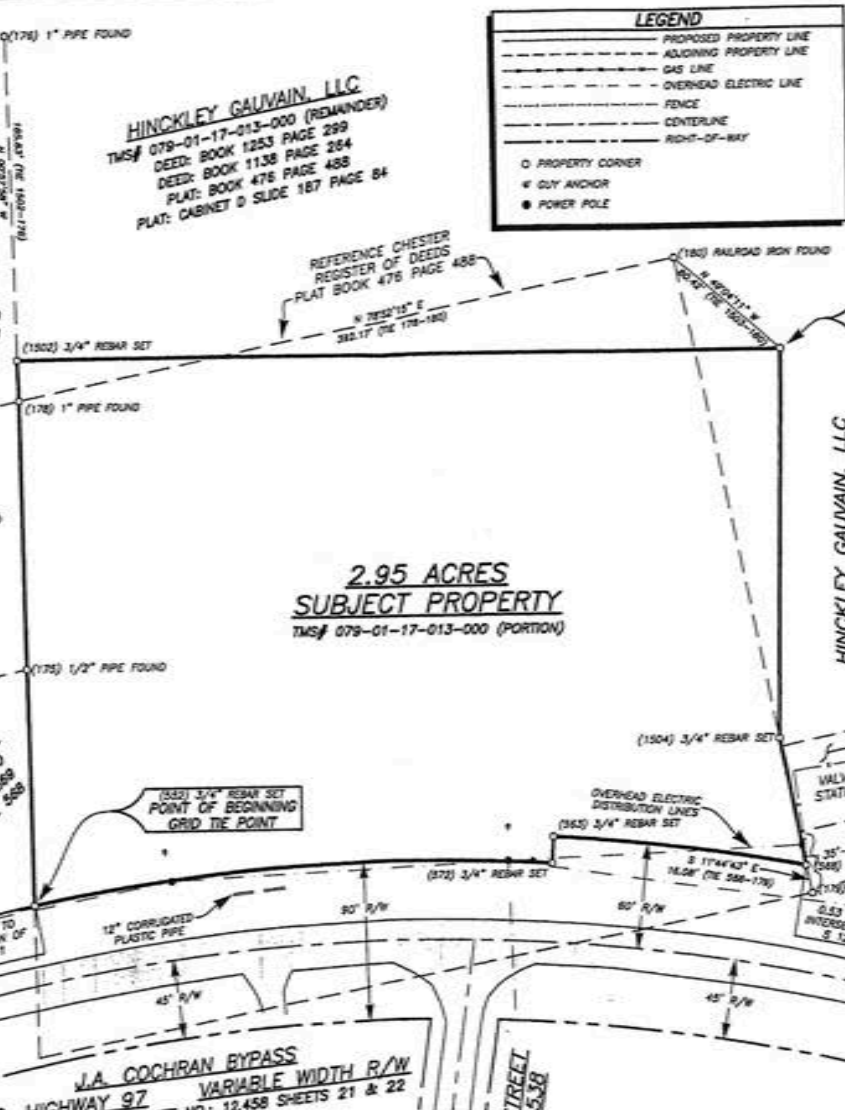
| | | | | | |
|-----------------------|---|--------------|-----|---------------|----------------------|
| Parcel ID | 079-01-17-013-000 | Alternate ID | n/a | Owner Address | HINCKLEY GAUVAIN LLC |
| Sec/Twp/Rng | n/a | Class | LN | | PO BOX 3965 |
| Property Address | | Acreeage | 37 | | MOORESVILLE NC 28117 |
| District | 02 | | | | |
| Brief Tax Description | YORK ROAD | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Date created: 3/12/2020
 Last Data Uploaded: 3/12/2020 3:35:32 AM



STATE GRID NORTH BY GEODESIC FROM NA03 (2011)

CARLOS JERMAINE MCGRAW, SR.
TMS# 079-01-17-007-000
DEED: BOOK 1203 PAGE 48



CURVE TABLE

| PI-PT | CHORD | DELTA | ANGLE | S-ARC |
|---------|--------------|-----------|------------|----------------------|
| 568-563 | N 82°47'42\" | W 147.87' | 07°52'33\" | LT. 1326.58' 148.02' |
| 572-552 | S 88°17'36\" | W 306.23' | 14°48'25\" | LT. 1191.65' 307.11' |

SUBJECT PROPERTY 2.95 ACRES

| PI-PT | BEARING | DISTANCE |
|-----------|-----------------|-----------|
| 552-175 | N 00°46'17\" | W 134.56' |
| 175-178 | N 00°37'03\" | W 152.45' |
| 178-1502 | N 00°37'38\" | W 23.01' |
| 1502-1503 | N 88°58'28\" | E 445.84' |
| 1503-1504 | S 00°36'01\" | W 221.29' |
| 1504-568 | S 11°44'43\" | E 74.11' |
| 568-563 | SEE CURVE TABLE | |
| 563-572 | S 02°41'11\" | W 15.00' |
| 572-552 | SEE CURVE TABLE | |

GEODETIC AND SC STATE GRID POINT DATA

HORIZONTAL DATUM: NA03 (2011)
VERTICAL DATUM: NA03 88

POINT NUMBER: 552
SC GRID COORDINATES
NORTH: 1,052,488.63'
EAST: 1,839,358.10'

GEODETIC COORDINATES:
LATITUDE: N 34°43'32.97151\"
LONGITUDE: W 81°12'06.16567\"

POINT NUMBER: 1503
SC GRID COORDINATES
NORTH: 1,052,795.63'
EAST: 1,839,830.17'

GEODETIC COORDINATES:
LATITUDE: N 34°43'36.04615\"
LONGITUDE: W 81°12'00.87957\"

COORDINATE DERIVATION: GNSS
COMBINED REDUCTION FACTOR: 0.999942241
MEASUREMENTS SHOWN ARE FIELD SURVEY DISTANCES.
NOTE: THIS DATA TO BE USED FOR LOCATION ONLY.

MEL VOYZO & STRANGELOW
TMS# 079-01-17-003-000
DEED: BOOK 476 PAGE 198

TOMMY LEE DAVIS & PATRICIA M. DAVIS
TMS# 079-01-17-015-000
DEED: BOOK 493 PAGE 588
PLAT: BOOK 493 PAGE 588

HINKLEY GAUVAIN, LLC
TMS# 079-01-17-013-000 (REMAINDER)
DEED: BOOK 1253 PAGE 299
DEED: BOOK 1138 PAGE 264
PLAT: BOOK 476 PAGE 488
PLAT: CABINET D SLIDE 187 PAGE 84

DOMINION ENERGY CAROLINA GAS TRANSMISSION (CAROLINA PIPELINE COMPANY, INC)
TMS# 079-01-17-014-000
DEED: BOOK 489 PAGE 225
DEED: BOOK 392 PAGE 520
PLAT: BOOK 392 PAGE 522

TODD M. BERNARD
TMS# 079-01-17-002-000
DEED: BOOK 1222 PAGE 7
DEED: BOOK 1108 PAGE 188
PLAT: BOOK 181 PAGE 332

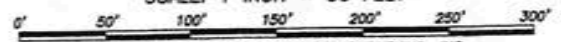
J.A. COCHRAN BYPASS S.C. HIGHWAY 97 VARIABLE WIDTH R/W
SCDOT REFERENCE DOCKET NO.: 12.458 SHEETS 21 & 22

VANCE STREET S. 12-538



- NOTES:
- ACCORDING TO F.U.R.M. COMMUNITY PANEL # 450047 0202 C, AND # 450048 0202 C, BOTH DATED SEPTEMBER 16, 2011 THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", AND IS NOT IN A SPECIAL FLOOD HAZARD ZONE.
 - NO PRINT OR ELECTRONIC COPY OF THIS PLAT IS CERTIFIED BY GLENN ASSOCIATES SURVEYING, INC. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND IMPRESSION SEAL OF THE RESPONSIBLE SURVEYOR SHOWN HEREON.

CLOSING SURVEY FOR
PATTON DEVELOPMENT
LOCATED APPROXIMATELY 1.6 MILES NORTHEAST OF THE CITY OF CHESTER
CHESTER COUNTY, SOUTH CAROLINA
MARCH 2, 2020
SCALE: 1 INCH = 50 FEET



SURVEYED BY GLENN ASSOCIATES SURVEYING, INC.
P.O. BOX 12 JENKINSVILLE, S.C. 29065 telephone (803) 345-5297

Mark E. Mills
MARK E. MILLS, S.C.P.L.S. # 10779

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

SUBJECT PROPERTY REFERENCES

TMS# 079-01-17-013-000
DEED: BOOK 1253 PAGE 299
DEED: BOOK 1138 PAGE 264
PLAT: BOOK 476 PAGE 488
PLAT: CABINET D SLIDE 187 PAGE 84

| SURVEYOR'S SEAL | | REVISION SCHEDULE | |
|-----------------|--|-------------------|---------|
| | | NO. | DATE |
| | | DESCRIPTION | CHECKED |
| | | | |

County Council there will not be a presentation by the petitioner, nor will there be a public hearing. As many of you know, if you do go to County Council Meetings, there are citizens comments on the agenda. Everyone is always able to sign up for those three minutes as citizens comments. But understand, its not a public hearing and County Council does not engage. They listen but they do not comment. They engage with the speaker. I just want you all to understand the process so that no one is surprised or disappointed no matter which way this goes this evening it goes to County Council. I don't want anyone thinking there are more public hearings, this is it. Just wanted to make sure everyone has that understanding.

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Chairman Raines asked if they will be stick built houses? Mr. Howell said yes, they will be stick built homes approximately 1350 to 1500 square feet. Chairman Raines asked just out of curiosity, will they be brick? Mr. Howell said siding with brick foundation.

Chairman Raines asked about the road, are there any plans to improve that road? Mr. Howell said no. It's paved and its narrow. Chairman Raines said yes, its pretty narrow.

Chairman Raines asked the commissioners if they had any questions for the applicant.

Commissioner Grant asked how much square feet did you say again? Mr. Howell said 1350 to 1500 square feet. Commissioner Grant then asked if water was already there to the facility? Mr. Howell said no sir it will be well and septic. Commissioner Grant said the houses he saw there are much bigger than 1300 square feet. Mr. Howell said yes sir some of them are. There is one on the same side of the street we're on that might be 1800 but there are some bigger ones. Commissioner Grant asked do you know what the average property acres is for each house out there. Mr. Howell said no sir I'm not sure. He said its mixed, the property across the street is two acres. Some ten acres.

Chairman Raines asked if there were any other questions. Commissioner Howell asked to abstain from voting due to possible conflict.

Chairman Raines asked if any member of the public wished to speak in favor or in opposition of this request.

Chris Dubose of 3527 Autumn Lake Dr stepped to the podium wished to speak in opposition of the request. He owns the property right beside this, 12 acres. As narrow as that road is, I'm concerned about emergency vehicles if we increase the amount of people on that road. The road would have to be upgraded and that would cost more money. Also, every house on that road only gets about one gallon a minute of well water. So, if we're adding three more houses, that might decrease my supply. I'm concerned about all that.

Michael Polston of 3769 Hamilton Rd then stepped to the podium to speak in opposition of the request. He lives on the other side of the property. He's actually the one that sold the property to Mr. Howell, with R2 zoning which is two houses max. With the narrow road, 14' 3", there is no turn around for a fire truck or EMS or that sort of thing. There are a lot of kids. Chris has three and I've got three. It's a total of fourteen kids out there. To answer your question, my property is twelve acres. The average is eight acres per house. I get a gallon of water per minute as well.

Chairman Raines asked how deep is your well? Mr. Polston said we ended up going seven hundred and something feet.

Commissioner Grant asked who takes care of the road over there? Mr. Polston said that's a question I'm still trying to get answered. Some people say it's the state, some people say it's a private road. I think it's a state road, but I could be wrong.

Chairman Raines asked if anyone else wanted to speak in opposition of this request. There were none.

Commissioner Hill made the motion to deny the request as presented; seconded by Commissioner Grant.

Commissioner Grant said he feels like this particular situation isn't suitable with the acres of the houses that are there, and the land that everybody's got is five to ten acres of land in there. Three houses on four acres doesn't

suit that area. That's my opinion. Plus, the road is very narrow. Commissioner Hill said that's my feeling as well. Homes to be added are not suitable for the acreage.

Chairman Raines asked if there was any other comments or discussion on this motion.

Mr. Howell asked if he could speak again. He stepped to the podium and stated the property now is zoned R2, which allows you to build a house on two acres. We bought the property knowing we could build two houses. We're just asking that we can build three. That's the only difference. We're just asking to build one additional house.

Chairman Raines asked as it stands now you can build two houses, two acres each? Mr. Howell said that's correct.

With the motion that's been presented, (Commissioner Hill made the motion to deny the request as presented; seconded by Commissioner Grant.) Vote was 4-1 to deny the rezoning request, with Chairman Raines approving and Commissioner Howell abstained.

Chairman Raines said with the Commissions approval and no objection, he'd like to combine all three of these requests rather than considering all three individuals for purpose of discussion. Does anyone have any objections? Director Levister pointed out that only two of the three requests were the same. CCMA20-3 and CCMA20-05. Chairman Raines said with that, there will be two discussions, CCMA20-03 and CCMA20-05 as one and CCMA20-04 as the other.

CCMA20-03: Luck Stone Corporation request Tax Map # 089-00-00-001-000 located at 1421 Collie Lane, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) See attached letter on page 19 of packet

CCMA20-05: Luck Stone Corporation request Tax Map # 089-00-00-002-000 located at 1295 Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) See attached letter on page 19 of packet

Chairman Raines said the applicant is Luck Stone, Mr. Thompson. Mr. Thompson stepped to the podium and asked for a moment to set the presentation up. Mr. Thompson said tonight's conversation is a pretty broad conversation. Its going to range from us speaking about what we've heard, what we've felt. About what we've understood from Chester County. I want to share with you some details about our company. Talk about who we are and talk about what it's worth to us. And then we'll get right into the textbook components and the technologies and studies that were employed for us to get a real good understanding of the properties. At the root of everything about this application, we believe it's about growth, and it's about what growth needs. You need the right voices that are diverse and care about the community, have consistent leads on how to support that community. You need companies to support one another. You need those companies to be engaged in the community, to be talking about the right things together. You also need natural resources. So, you need building blocks for the communities so that over all we can share all the same opportunities. What growth provides is opportunities for us to all share in success. We provide good jobs for the youth in Chester, so they don't have to leave Chester and it allows people to be able to have professional development to grow themselves, to be able to support themselves and their family. As we go into this, I want to talk again about who we are as a company.

Our origin story starts in 1923. When you think about that time, it was right at the beginning of the great depression. And we've heard stories from our parents, grandparents, about how that experience influenced their



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: \$150.00

Meeting Date: June Case # CCMA20-6 Invoice # 2594

The applicant hereby requests that the property described to be rezoned from R 2 to R 1

Please give your reason for this rezoning request:
Would like to Build 3 single family Homes on 4 ACRES
DIVID into 3 Lots of more than 1 ACRE each

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant):

I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request.

NAICS CODE Number: B14

Property Address Information

Property address: TRACT "C"
 Tax Map Number: 123-00-00-090 Acres: 4.004 ACRES

Any structures on the property: yes _____ no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

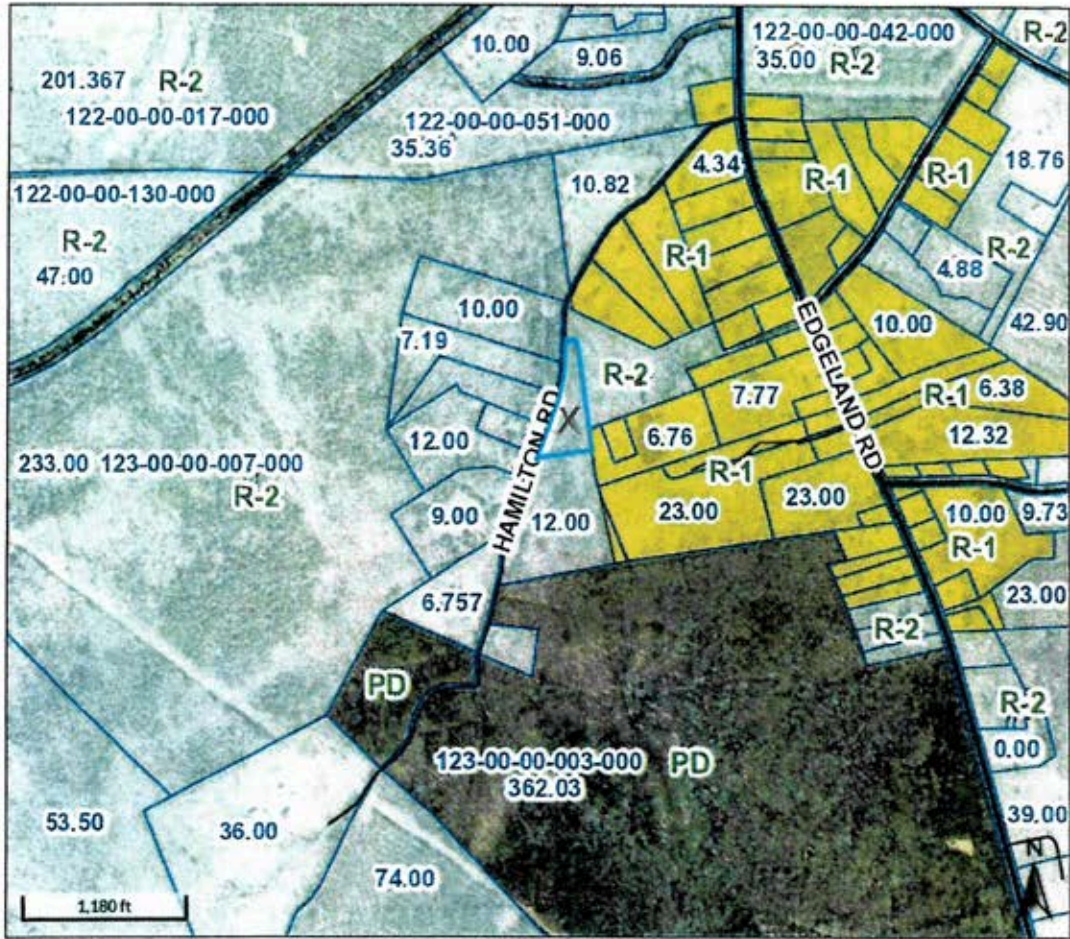
Applicant(s): GARY HOWELL (Howell Homes of the Carolinas)
 Address: 7740 West Pinewood Rd Chester, SC 29706
 Telephone: _____ (cell) _____ work _____

Owner(s) if other than applicant(s): Same
 Address: _____
 Telephone: _____ cell _____ work _____

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: [Signature] Date: 5-11-20
 Applicant signature: [Signature] Date: 5-11-20

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Legend

- Roads**
- Secondary Road
 - SC Highway
 - Municipals
 - Parcels

Chester County Zoning

- AG
- EDD
- GC
- ID-1
- ID-2
- ID-3
- LC
- R-1
- R-2
- R-3
- R-4
- RG-1
- RG-2
- RIV
- RS-1

City of Chester Zoning

- BI
- CC
- GR
- HC
- LI
- MF
- NC
- NCH
- R-10
- R-6
- County Boundary

ParcelID 123-00-00-090-000
 Sec/Twp/Rng n/a
 Property Address
 District n/a
 Brief Tax Description n/a

Alternate ID n/a
 Class n/a
 Acreage n/a

Owner Address n/a

20200108257
 Filed for Record in
 CHESTER COUNTY SC
 SUE K. CARPENTER, CLERK OF COURT
 03-13-2020 At 09:59:19 am.
 PLAT 25.00
 Volume ETS Page 6B

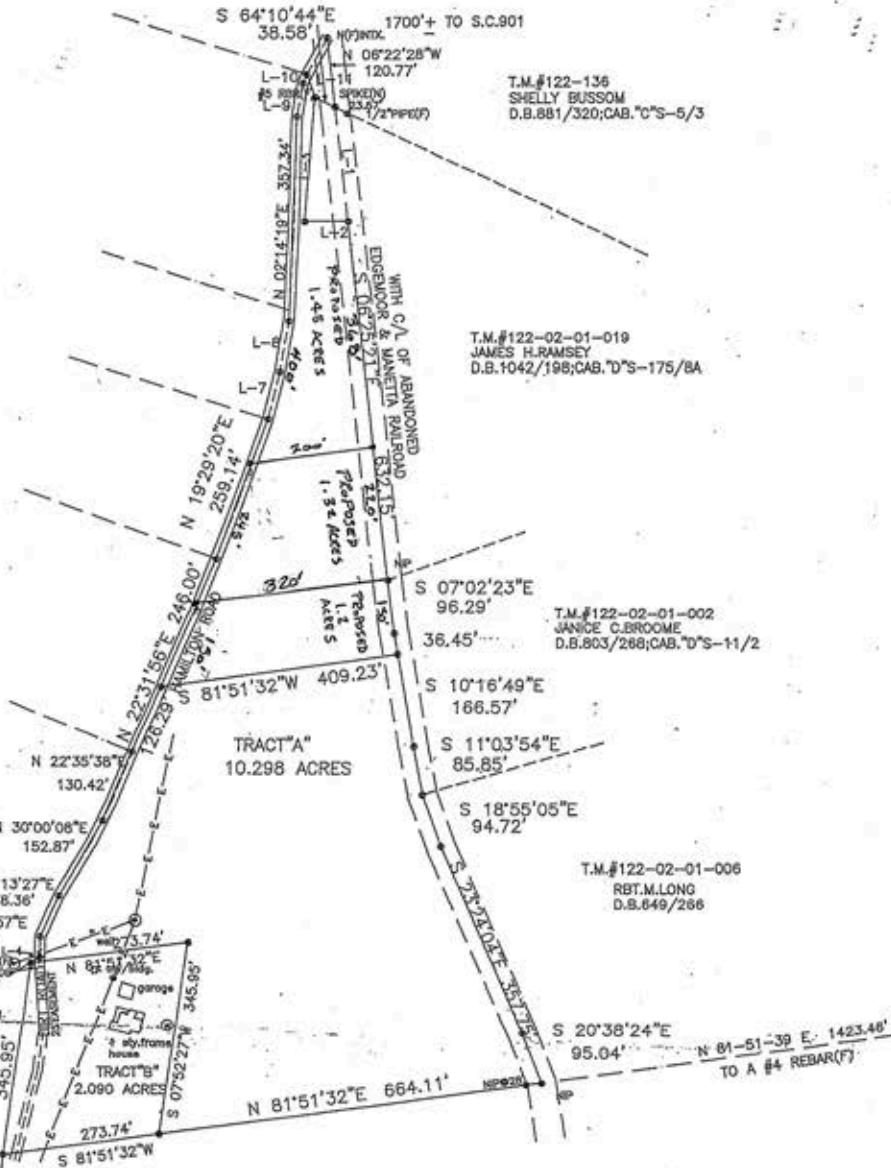
PLAT OF SURVEY FOR
 MICHAEL POLSTON
 BEING A 13.397 ACRE TRACT
 LOCATED ON HAMILTON ROAD
 LEWISVILLE TOWNSHIP, CHESTER COUNTY

SOUTH CAROLINA
 JANUARY 22, 2020
 REFERENCES: TAX MAP #122-02-01-007
 D.B.1077 PG.288
 CAB."E"S-70/108
 REVISED: MARCH 12, 2020
 TRACT "C"

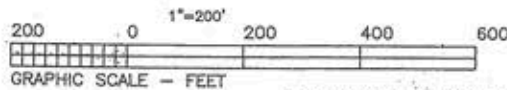
MAGNETIC NORTH

CALL TABLE:

| | | |
|------|--------------|---------|
| L-1 | S 06-25-21 E | 200.00' |
| L-2 | WEST 74-36' | |
| L-3 | N 04-34-45 E | 216.24' |
| L-4 | N 57-00-00 E | 18.23' |
| L-6 | S 57-00-00 W | 152.83' |
| L-7 | N 13-55-08 E | 85.34' |
| L-8 | N 09-22-27 E | 90.12' |
| L-9 | N 10-32-40 E | 57.40' |
| L-10 | N 24-18-44 E | 17.15' |
| L-11 | S 18-20-55 E | 41.14' |



NOTE:
 EIP = EXISTING IRON PIN
 NIP = NEW IRON PIN
 PK = PK NAIL
 RR = RAILROAD SPIKE
 P.P. = PINCHED PIPE



THE INFORMATION SHOWN HEREON IS THE RESULT OF A SURVEY PERFORMED UNDER THE SUPERVISION OF WILLIAM V. HIPPI AND WAS COMPLETED ON THE DATE SHOWN ABOVE. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED UNDER THE CODE OF LAWS OF SOUTH CAROLINA, TITLE 40, CHAPTER 21, AND IS OF CLASS "A" STANDARD. THE AREA (IF SHOWN) WAS DETERMINED USING THE D.M.D. METHOD. BEARINGS WERE REDUCED AS SHOWN. ENCROACHMENTS ARE AS SHOWN, UNLESS NOTED OTHERWISE. ARE NOT WITHIN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO FEMA MAPS.

HIPP LAND SURVEYING, INC.
 3574 VICTORIAN HILLS DRIVE
 RICHBURG, S.C. 29729
 PHONE (803) 789 3716

The subdivision plan shows herein has been found to comply with the Chester County Subdivision Regulations and has been APPROVED FOR RECORDING in the office of the Clerk of Court of Chester County, South Carolina.

[Signature] 3/13/2020
 Chester County

W. V. HIPP, P.L.S. 17587

03.04, 05 here



Chester County, South Carolina
Department of Planning, Building & Zoning
1476 J.A. Cochran Bypass
Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: \$150.00

Meeting Date: 6.16.20 Case # CCMA20-03 Invoice # 2591

The applicant hereby requests that the property described to be rezoned from R-2 to ID-3 & ID-1 per attached zoning plat.

Please give your reason for this rezoning request:

Zoning amendment enables economic development upon the property. Please see the attached "Luck Companies Economic Development Project, Rezoning and Special Exception Permit Application."

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant):

I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request.

NAICS CODE Number: 212313

Property Address Information

Property address: 1421 Collie Lane, Chester, SC 29706

Tax Map Number: 089-00-00-001-000 Acres: 11

Any structures on the property: yes no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant (s): Luck Stone Corporation

Physical Address: 515 Stone Mill Drive, Manakin Sabot, Virginia, 23063

Mailing Address: PO Box 29682, Richmond, Virginia, 23242

Telephone: _____

Alternate: _____

Owner(s) if other than applicant(s): Martin D. Mace - see attached Designation of Agent letter

Address: 1421 Collie Lane, Chester, SC 29706 (mailing address)

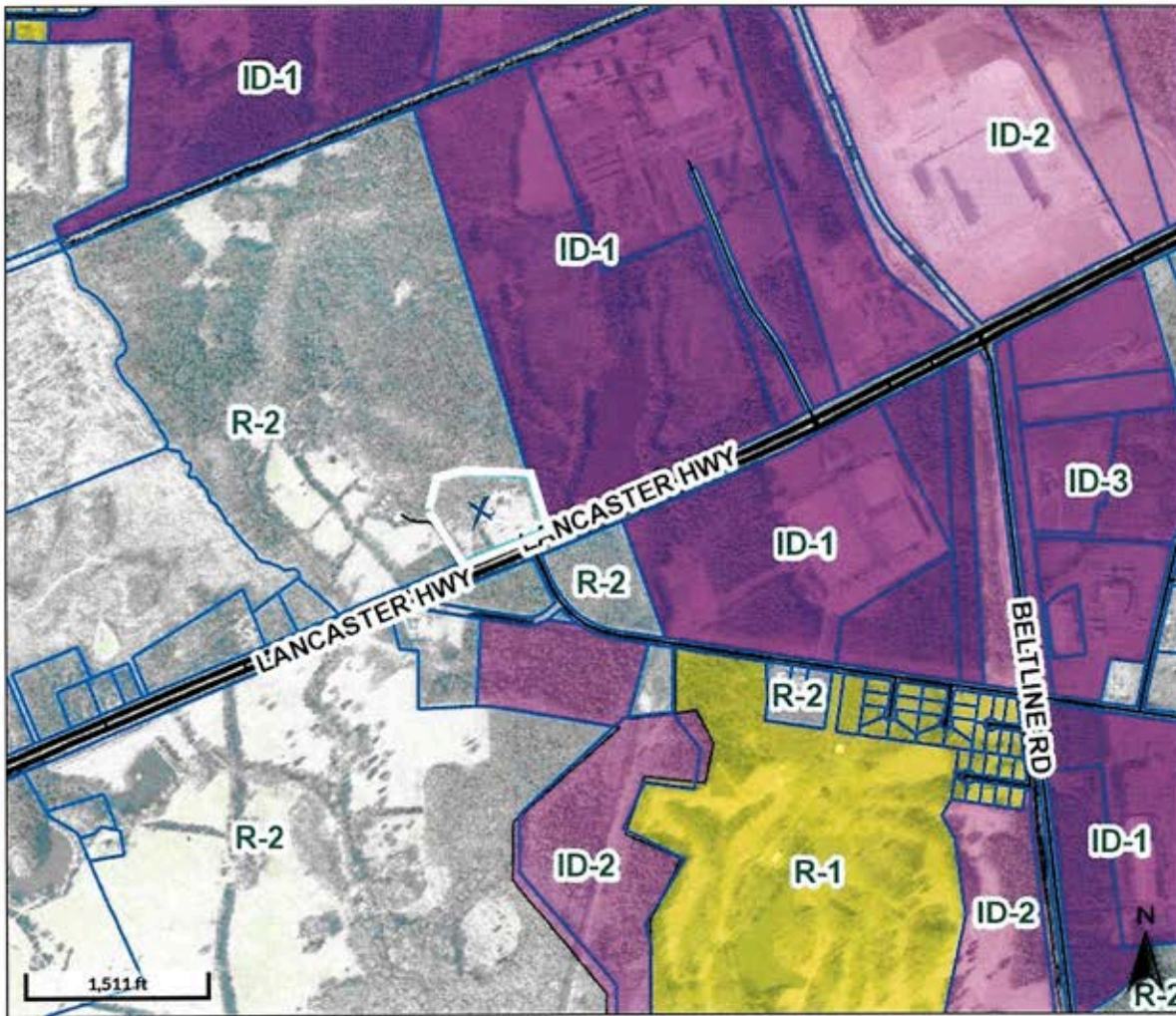
Telephone: see above

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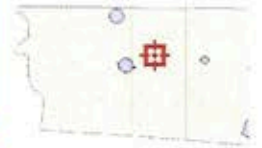
Owner's signature: see attached Designation of Agent letter Date: April 10th, 2020

Applicant signature: [Signature] Date: April 10th, 2020

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Overview



Legend

Roads

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- GC
- ID-1
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- LC
- R-1
- R-2
- R-3
- R-4
- RG-1
- RG-2
- RIV
- RS-1
- County Boundary

| | | | | | |
|------------------------------|-------------------|---------------------|-----|----------------------|-------------------|
| Parcel ID | 089-00-00-001-000 | Alternate ID | n/a | Owner Address | MACE MARTIN DAVID |
| Sec/Twp/Rng | n/a | Class | R | | 1421 COLLIE LANE |
| Property Address | 1421 COLLIE LANE | Acreage | 11 | | CHESTER SC 29706 |
| District | 02 | | | | |
| Brief Tax Description | LANCASTER RD | | | | |

(Note: Not to be used on legal documents)

Date created: 6/30/2020
 Last Data Uploaded: 6/30/2020 3:36:38 AM

Developed by  **Schneider**
 GEOSPATIAL

suit that area. That's my opinion. Plus, the road is very narrow. Commissioner Hill said that's my feeling as well. Homes to be added are not suitable for the acreage.

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Mr. Howell asked if he could speak again. He stepped to the podium and stated the property now is zoned R2, which allows you to build a house on two acres. We bought the property knowing we could build two houses. We're just asking that we can build three. That's the only difference. We're just asking to build one additional house.

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Our origin story starts in 1923. When you think about that time, it was right at the beginning of the great depression. And we've heard stories from our parents, grandparents, about how that experience influenced their

living pattern, their spending pattern for the rest of their life. This gentleman started business right in the worst economic time that our history has experienced. What they did was they banded together, they had food carts brought in on site, side bars. That food was to feed the men and to take home to their families. And that started what has become the most important legacy of our company, which is the people. We remain family oriented for these ninety-seven years.

The younger gentlemen on the screen, that's our next generation. He had worked elsewhere and came to the family company. But lives and breathes the experience that we have at Luck, which is focus on our people. Lots of different faces up there, but the one unique thing I can tell you about our company, is you walk around, and you have conversations with people. And everybody feels and exhibits the same passion for our company. It just kind of breathes through itself. These people remain the main fixtures within our company. Our values are not something that we just kind of slap on the wall. They are what we filter. Every decision, leadership, commitment, integrity and creativity. All this makes some decisions incredibly easy because it aligns with our values, some decisions incredibly hard that we have to walk away from doing some things because they don't. That's just the way we live. And all of it boils into our business which may seem odd for a company and we'll talk about this in just a second, but it might be odd for a company that makes things to be talking about what our district needs. That's very sincere and that's about this growth opportunity that we provide one another and how its employed.

Our footprint spans from Maryland down through Atlanta, Georgia currently. You'll see a little dot there on the map there for Chester. We have two operations in North Carolina. One existing in Kershaw County, which is a site we inquired about two years ago. So, we do have a footprint in South Carolina and we're looking to expand it.

Our three business units are Luck Stone, which is one of the projects associated with this rezoning this evening. It provides stones that goes to the roads, foundations, building schools and basically, it's the bridge and the structure that carries us across the nation. Another business is Luck Ecosystems. Luck Ecosystems is an environmental company focused on street bed restoration projects, short bed stabilization projects. And also, a hydro media that provides filtration to stormwater. In that category they work off design and bringing the environment back to its natural eco system. Another business unit is Luck Real Estate Ventures which is part of the proposal here this evening, on the highway nine frontage. Luck Stone Business and Luck Real Estate Ventures are part of this application this evening. Forth down is Luck Companies, this is our driving arm. So, our corporate giving arm. We give throughout and engage throughout all three business units. And then fourth is InnerWill which is a nonprofit organization. It focuses on coaching companies around their values and allows them to create their own value-based leadership. This is an area that we felt was really important to stress because we feel like it's an area that's missing in cooperate America today. We see a lot of companies out there ultimately making decisions about things that don't line with people and bettering communities. This is a way that we can reach out to professional people and make a positive impact.

When we started this process roughly two years ago, a little greater than two years, the first thing that we did is come to the County and take a look at all the documents that are currently on record. So, we spend a lot of time looking at comprehensive plans. Spend a lot of time looking at economic development plans. This is an existing scenario of Chester County today. Everything you see in red, orange and fuchsia purple color is industrial property. You'll see its all centered on highway nine, cause highway nine is called out as the backbone of the county. And it's expected to be the industrial corridor and the growth corridor of the County. This is the best infrastructure. So, you want to focus on everything around it. You'll see the lighter shading colors are areas that have not been developed and also programmed as the growth areas. This was a key document for us. We always want to be, when were doing site selections, we always want to be on a major corridor. We want to have the

quickest access to where people are coming and going. We don't want people on secondary roads. We don't want people on infrastructure that is not meant to support heavy travel or lots of ingress and egress. We also want trips to be short. The shorter the trips are, the less missions you're putting out and also the shorter the trips are, the safer it is and the cheaper the delivery and materials. Its very important. The largest cost associated with delivering products is transportation cost. That was a good perspective for us.

We then proceeded to look at roughly sixteen properties. We get properties, we talk with property managers. We gain their willingness and desire to work with us. And then we proceed to study property. That included environmental studies. That included some geologic studies. And many times, either early or mid-way through the process there was something that became evident on the property which is the reason we walked away. That is a long way of saying that not every property works for a project. Even along the corridor in the system area of the comprehensive plan.

I want to spend a little time here because this is the root of the application. Tonight, what is before you, is a rezoning request. We'll have a lot of conversation about a quarry as well as what we want to accomplish on the frontage, which is on highway nine, but the quarry itself is not this meeting. That's not what you're voting on. We need to have the full conversation so you can understand what the rezoning ultimately leads to, and our desires. On highway nine you'll see roughly twenty-seven acres right here that we propose to change to ID-1 which is your lower intensity industrial zoning. The reason being is because Luck Real Estate Venture business is in the end. So, we proceed this area as the Economic Development area. With that business, what we do is spend a lot of time working with local, regional and state relationships focused on recruiting for economic development. Examples, and I'll show a few of them later, are, we build shell buildings, or we work to bring somebody there for construction of their own building. But the biggest part of economic development recruitment that grades applause is that you don't have property that is ready yet. People need quick response. Quick immediacy when they are out there doing site selections, otherwise they pick up and go somewhere else quickly. This is where we want to do the ID-1 portion. Then behind it, the ID-3 portion. ID-3 is the heavier industrial, and you'll see in our zoning conditions that we've actually gone into ID-3 within the district and removed most of the usage on that. And that's a way to ensure the protection of what we actually want to do on that property.

Another thing to have in ID-1 along the frontage allows us to create a buffer. So, you'll see the property sits between highway nine and the CSX Rail. And then to the north of us we have already zoned industrial property back there and back here it's covered up a little bit by this existing zoning map. We have the Craighrow neighborhood on the north side of the rail. We'll talk about proximities and what usages are going where on the site. But I wanted to dispose a full description and kind of frame it back is as this is a zoning application. This is not an application about the quarry. So, with as many phases as we did on the site, it included everything from environmental phase one studies, to traffic impact analysis, hydrogeologic studies, endangered species studies, cultural resource studies, and basically got as intimate with this property as you can. And what that process did was ultimately led to coordination with DHEC, SCDOT, State Historic Preservation office, US Fish and Wildlife, Farming and Natural Resources, and US Army Core of Engineers. Before we started any of those conversations, with state agencies, the first thing we did, and before we created any application with the county, was we sent out flyers to about five and half mile radius. And then we put two ads in the newspaper because we wanted to tell people who we were and what we're interested in. And we wanted to gain feedback. That feedback is actually an integral to us starting to design and lay out a project. Something happens that we hear ad that is what ultimately implements the project themselves. So, after multiple of those meetings, after coming and speaking to groups, after bringing people on site visits, then we got very comfortable knowing our studies, knowing the county and move forward with our application to the originations that I mentioned earlier.

So, at this point in time we received all the permitted approvals we need from the state agent. These are the approvals. They are about air quality. They are approvals about being able to responsibly mine properly. There are permits for discharge. We capture a lot of water on our site. And so, we have settling ponds, where we bring water after it settles and reincorporate it in our process. Or if we have excess water, we'll actually discharge it into the adjacent pipes. From a layout standpoint, and we spoke about the ID-1 area and ID-3 area, so the dark green and lighter green colors you see right here are the ID-1 areas. So, one route to highway nine we would have a pad site, and a future building for Economic Development, and that would be the recruitment of additional to the property. We have another area back here, so from a corridor from an intimate standpoint you could have a single point of entry coming back. Then you would cut back to this area or cut back to this area. Or the core use, which is the special exception permit. We would need to go back to the back, and we would have a facility area right here which would be a scale house. And I'll show you pictures of all these. We'll build one by one. And then we would have a processing area back here beside the CSX Railroad. At this point in time we have no plans to utilize the CSX Rail line. This project is about supporting Chester County. This isn't about doing something here sending it elsewhere. And the demand is in Chester County. The darker green areas are berm areas. As a process standpoint, what we would do is we would remove dirt from the top of the rock. We would then place that dirt in berms that would be vegetated and treed. Those berms also exist along the entire perimeter of the property. And that would be considered a staging area. It would be staged but permanent. So, we're not talking about just big mounds of red dirt. We're talking about vegetation. Trees on this. We do recognize those that are visiting our sites, have seen what the aesthetics are and need to be. So, you have this image of industry and a lot of people have a road put a couple planting beds up front and just kind of say that's what it is. But that's not our brand. And that's not what we expect the people of Chester County would actually want to happen. So, we spend a lot of time and energy making our sites look better than any sites you see. That's also very fitting for everyone to say, if you listen to our words, come see the site for yourself. Hear it for yourself. Feel it for yourself and that's an offer we intensively put out.

I also want to point out another feature on our site is Rocky Creek. Runs right here. There was a lot of concern initially about the Carolina Heelsplitter being in Rocky Creek. We studied our sites as well as a mile downstream with US Fish and Wildlife and Department of Natural Resources and it was determined that the Carolina Heelsplitter does not exist, and the habitat is not here. Another feature you'll see, we'll talk about more, is a little parking area right here. And a trail that runs along Rocky Creek. So, we have applied for a special exception condition. We have positioned ourselves to provide that easement and work with the County on creating the trail system that hopefully will not just end here but take a turn and connect all the way over to the school system on McCandless Road. Over on the site we have 1.34 acres are composite trail on a Three-hundred-acre site, or just shy of three hundred acres. Forty percent of it at ultimate development. So, when I say ultimate, I mean fifty plus years from now. We'll remain forty percent open space. .96 miles of preserve stream which is Rocky Creek and some of the feeders coming in. .2 miles of restored stream. So, currently the streams are undesirable, which we'll show you. They are not in very good condition. There's been grazing in there for years and years and the cows have just kind of muddied it. The E. coli is pretty high. Its actually pretty high entering into the property. And so, there's some work that we'll be doing through our Luck Ecosystems business to help bring this back. And when I say the cows have been mudding it up, I'm not saying that's a bad thing. I grew up on a farm, its just the nature of what happens.

The other thing that I'll address off future phases is the phasing of the actual quarry. So, this is the yard area. So, when you hear me use terms like scale house, this is the building that I'm discussing. What happens here is the truck will drive up, it'll get weighed. It will go back, get its product, and it will get weighed again and a ticket received as it leaves. This is an example of our scale house in Charlottesville, Virginia. In the back also, that will be back right at this area, there will be a shop. This is an example of a shop in Rockville Virginia which is just

outside of Richmond. And so, in that you have some equipment repair, you have general tool storage, and you have storage of material that is yet to go out. So, like conveyor belts and things like that. And then the top example is an example of the plant we would have. So, from a scale standpoint, it's about the size of three or four shipping containers stacked end on end and its roughly about fifteen feet in height. That's the processing plant. It will be in there for the early years. Like the zero to fifty years, before a larger plant as Chester grows and has volume.

The buffer areas we've already discussed in large detail. We have twenty acres here, and we have twenty-eight acres here. Initially this would be the area that we would want to work on first, so that we could get a really good screening and landscaped frontage area. And just examples of berms from our sites, are in these two photos here. The lower one I'm not sure about the location, this top one is from our Boscobel site, which is cyber corporate headquarters, and its actually taken from internal to the site. So, you will see a travel blade on this side of it. There is actually a quarry look out right here. Where people come to our parking lot and you know, look over the site during operation.

Economic Development area, the picture on the right-hand side are projects that we've completed so its examples of our work. We're talking about a small industrial park type set up. So, the building that this area right here can absorb, just in itself, will be 40,000 square feet. And that can be anything from light manufacturing, to data storage, to small warehousing.

This is the pit area. So, the way we've kind of broken it down is when you look at it and you need to graphically represent it this way, this large area is the pit. And in total we're talking an area that's going to be seventy acres. For the first twenty years of life of the site, we will just be in this area here. Twenty-three acres. So, from a progression standpoint, we would ultimately move here, coming down and ultimately once we get past twenty years, into this area. The process is about growing the width, and then steer stepping down as you grow.

So, when we look at a total picture of the site, and I say ultimately, it remains forty percent open space. For the first twenty years, we're really going to be talking about a three-hundred-acre site, with impacting forty to fifty acres. So, from the facility area and back to the developing area just with phase one pit area.

We have created a traffic impact analysis. Which has been reviewed by SCDOT. What you see on the top of the screen is the existing line of site on highway nine. Longer term, this is what you would see. So, you don't see the building there. You don't see the quarry there. And really the only way to gain access through the internal, or from an aerial position. And SCDOT did approve the traffic impact analysis for the commercial application.

The trail area. So, you would come in this area right here. There will be a parking area and from there you cross along the bottom of the field, over to the trail, and there along Rocky Creek. We envision along with this putting in multiple picnic areas and again hopefully we can attach this and move this over to the school system. You know this is also not unique to us. We build trails at many of our sites. We actually have our rails to trail program that bisect our property. And actually, bisects two of our pits in Virginia. And gets traffic of hundreds of thousands yearly. And that also has an overlook of the quarry. The bottom picture is the trail we did in Fredericksburg, Virginia where the trail leaves the property and we have current endangered species area for the salamander. So, there's a southlander nesting area that's roped off.

Taxes. Everyone wants to talk about taxes. And we do pay a lot of them. This project is not requesting any incentives. So, we haven't spoke to the state. We haven't talked to the county. No one has discussed incentives on this property. We believe that's a big plus. We view ourselves as a value add in that sense. We don't put a strain on schools. We don't put a strain on public infrastructure. We don't put a strain on emergency services. So, where we contribute is in the real-estate taxes. The machine and tools tax. So, for example, each one of these pieces of equipment here, which would be comparable to what are on site, run in the neighborhood of \$600,000

to \$750,000 each. So, there is that mobile equipment, there's personal property, and there is also the sales tax. So, the demand is currently in Chester for this project. Currently, if we served from down into the north, so it's either coming from Lowrys, which means its traveling secondary roads and backroads and heading out to highway nine to then go to the main project. Or its coming from Rock Hill coming down the interstate and either staying on the interstate or cutting east or west. Or, it is cutting off early and heading down back roads. So, this is not additional trucks that are on roads. This is keeping your source local, which means fewer miles and you gaining the benefits of having a private tier. Those fewer miles also mean ultimately private cost effectiveness.

You'll see the developments that's currently around one of our sites. We'll discuss this a little more. It's what happens to property value. So, this is a site of ours in Northern Virginia. Everything in orange up here, it is a little hard to see on this projector, but the green circles are actually our quarries. So, we have two pits on one site here. And this is that trail bisecting it that I was telling you about. Then we have one pit here. Everything orange is data centers. One of which is a google data center. Others are amazon and or third-party data centers. So, when you think about what you want to locate to, there are going to be some questions about blasting and vibration and things like that. Nothing is more sensitive than these data centers. So, if a company like google can get comfortable with it and recognize doing their diligence and its not an issue. I feel like it's a really good testament to how we do business and what people think. We also have a county park right here, that is one of the larger county parks in the state of Virginia. Ultimately this is going to become the home of major league soccer, Washington's team minor league. And then all of these are neighborhoods. Bringing the whole property. So, this neighborhood right here runs anywhere from \$500,000 to \$1,000,000 plus in homes. This neighborhoods about \$500,000 to \$800,000. And this one is \$600,000 to \$800,000. There is also a retirement community located right here where they took half of this golf course and turned it into a six-hole golf course and the lower half that's adjacent to our quarry is the retirement home.

We talk a lot about our community engagement because it's something that's precious to us. It stems from everything from going and teaching in schools to supporting little leagues to doing habitat projects, you'll see one there in the middle. We did another one that's on the bay that speaks to the platypus. But also, like bringing endangered species like sturgeon back to the James River. These are all part of our brand and why we feel very confident and sometimes almost sound a little braggy, which I apologize for, but we do think we're different. And we do care in different ways. Education is a major thing for us. Ninety two percent of our associates are engaged in continuing education on a yearly basis. I mention we've been in Kershaw for two years now, a little shy of two years. In our first year we donated and participated in United Way, done Reach Across America. We had programs going to the eighth grade and in conjunction with the technical college there. Then I'm sure ya'll heard about the horrible tornado issue that occurred in Kershaw.

We will hear tonight about proximities to schools. We are well over a mile from the Chester schools. These other examples on the screen are showing distances that are half that and in fact closer from the many schools associated with our quarry. More than half of our quarries have schools that's within three thousand feet. The school board did come out, thanks for coming, to our project. And the reason being is that they visited, they saw the examples and they spoke to people who have experience coordinating.

Some recent images of the horrible experience that we're still undergoing with COVID. We were considered an essential business. So, we're one of the fortunate groups that was allowed to continue working through it. We did work differently. Social distancing as you've seen here tonight. But also, a lot of people were working from homes. A lot of people were doing good work supporting others. So, as part of this we felt it very important to give back. So, you can see examples of us celebrating stuff for the school workers. You'll see our appreciation

for the Fire Departments here in Chester, as well as the County Sheriffs Department. We also had donations and those are both giving some food and also donations of protective equipment. As well as the City of Chester.

So, getting back to why we felt this use, this area, is correct. These are all the statement from the Chester County Comprehensive Plan. So, these are the words that were given as the blueprint for development and the desires for Chester. This is citizens committees that developed those. Planning Department, I know you all were heavily involved. One of the key ones that jumped out to me was the thirty nine percent drop in a decade of jobs associated with agricultural, forestry, industry and mining industries. Those are key backbone industries that every county needs to support them.

As you look through our application this is a condensed and abbreviated version, so it's a little tight because we were trying to get it all on one page. But you'll see just listing after listing of the conditions that were saying will be accompanying any approval associated with both a recommendation attached to our project. So, everything you see on the right, excuse me on the left here, that deals with air, that deals with blasting, it deals with the protection of people's wells. how we put noise monitors surrounding the property. We're going to be constantly be testing. This is one of the most technical company industries regulated in America. We're regulated by the state as well as the federal government. And its consistent. They are on site. They're talking to us. They're asking questions. But in addition to that. Superseding, we know we have to meet all that. In addition, we sat here and said we'll further condition ourselves to how we operate and demonstrate our comfort level knowing that we do things right. Those conditions are attached to the special exception application. The conditions here on the right-hand side, are the conditions that are before you this evening in a vote. So, what we've mainly focused on is limiting in use in ID-3 that we felt would be concerning. Our view that's overly aggressive that's attached to that zoning destination. ID-3 is a heavy zoning destination. What we want to do, ultimately, is place a quarry there. And we need to go through that application process to be able to achieve that. But we want you to understand that regardless, these uses are not going to be allowed on our property. The bottom section here speaks to the three parcels that are attached to the application. And so, by proper planning you can not have split zoning parcels. And so, what we've said, and we've provided a draft already to the county, is if we are fortunate enough to have an approval, we'll align the property lines in the subdivision, to meet the zoning. So were not out of alignment with zoning.

I'd like to show you a brief video that explains our company a little better. That has some testimonials. And then I understand that you're going to be opening up to a public hearing. We'll be happy to answer any questions prior to that, or after that. But more than anything we are standing here before you asking to become a part of your community. This is important to us. We believe we will be a great fit. And we really hope you agree.

(Video Starts)

Mr. Thompson steps back to the podium. Thank ya'll very much and I'll leave it to you all to direct the next steps to your process. but I hope I have the opportunity to come back up and speak. Answer any question you may have. Also, I brought with me several experts that can answer questions more fully if I'm unable to do so. So, back to you again and I appreciate your consideration.

Chairman Raines says at this time we will take public comment. We have five people signed up to speak in favor of the letter proposed.

Byron Hager of 1355 Cedarhurst Road, Chester steps to the podium. I live on Cedarhurst Road, directly behind, across from the tracks from the proposed site. Chairman Raines reminded him he had three minutes for citizens comments. He said that's fine, he was going to be real quick. Just want to say thank you for giving this opportunity

and say I bought property on Cedarhurst Road about twenty years ago. I do live there now, for the past three years. I am here tonight to get everyone to consider supporting the quarry with Luck company for Chester County. I plan on staying here. I have kids and grandkids. I think it will be good for them and I've done some research and the research I've found; I try to think of things being a Christian. I try to think of things positive. And I try to give everybody an opportunity. The research I've done, the company will bring sustained jobs to the community, far beyond just that. It will bring other positions to the company trying to look forward to the future. Luck Company will provide jobs for the children and grandchildren down the road. The way they do business, what research I've seen and the way they operate, and this presentation shows you, they can't afford to make a mistake. They know that they are under the microscope, so they are going to be checked for regulations. I'm sure as far as the noise level is concerned, I can lay in bed at night and hear beepers running over at the pulpwood plant. And trains coming by. So, the noise level can't be even close to that. Basically, I just try to take the positive look and opportunities in business cause I was a business owner for twenty years. This is an opportunity that will give lots of flourishing long term. Especially the way they go about promoting everything for the public and I think its lucky that Chester County has an opportunity to get a chance to look at this. Every one of the folks that I've met and talked to, its been several of them, they are very professional. They are well trained. Well educated in their field of expertise and I think Luck members that share our community values based on where they grew up and what they've done. I think it will be good luck for us to have Luck Company to be in the county.

Chairman Raines stated he forgot to reiterate the five minutes, Attorney Winters corrects three minutes, and forgot to time it. He asked that you be precise and keep comments brief and accurate as possible.

David Bratton of 5281 York Highway, York steps to the podium. I live on highway five in York. I'm employed by I&C Land Holdings and Springland who is a commercial real restate side. We have been very fortunate over the last four years to be able to bring two big industries to Chester County. One was, the first one, was Jones Hamilton who employs about fifty people. And Giti Tire. Well, we knew that when Giti Tire came to Chester that's going to stir up some stuff because why would a big international company like that come to Chester South Carolina. They done their research. They knew ya'll had smart leaders. You had people in this community that wanted jobs. And they were all excited. Everybody that was here was all excited about having Giti and having Jones Hamilton. These folks are good people. I personally know them because I was in the construction business twenty-four years, and did subdivisions up in the Chapel Hill area, and toured one of their plants up there. They've got a first-class operation. I must tell that it will be a big asset for Chester if you could score this because these folks mean business and they mean to help this community a lot. Thank you so much.

Tony Pope of 1180 Oakwood Drive, Chester steps to the podium. Thank you for the opportunity to speak, I am a resident of Chester County for twenty-six years. I currently serve as the Chairman of the Chester Development Association. Many of you know the Chester Development Association is made up of private investors who are supporting Chester County and play a big role in obviously try to bring and support industries that want to come to our area. On behalf of Chester Development Association, we do support Luck Stone. We've done a tremendous amount of research. A lot of due diligence. We don't allow just anyone to come to our county and be a part of our county. There are a lot of industries that want to come to Chester County you don't even know about that don't make the cut. I'm here to tell you that Luck Stone is going to be a great corporate citizen. It's definitely going to enhance our county and I hope you'll give Luck consideration. I'll also let you know I serve on the state board for the largest wetland conservation organization in North America, I've contacted some of our biologist, and asked them a lot of questions about impacts of things of this nature. And I can come back here and tell you without a doubt, it was all very positive. Please consider Luck Stone.

Jim Fuller of 998 Pineview Lakes Road, Chester steps to the podium. I'd like to give a brief overview of my situation with Luck Stone. As being a member of the board of trustees of the school district, we had some individuals come to us stating the fact that with Luck Stone comes silica dust. The blasting and vibrations would mess up the computers. The teachers couldn't teach because of the building shaking. We heard all kinds of stuff. After this, Luck Stone came to the board and they said we would like for you to go see for yourself exactly what we do. And that's what we did. We went to Virginia. They took us to their corporate headquarters which is like maybe a thousand feet or so from the actual quarry where they blast. The corporate office is all glass and wood. Eco friendly. We had lots of presentations. Saw the chart that ya'll saw tonight how their pits are close to schools and data centers. Things that are very susceptible to blasting. They took us around to the pit and showed us how they quarry the stone and everything. And of course, we were going to get to see a blasting that day. They had drilled and anticipated the drill that day. It was somewhere between thirty-five and forty-seven holes ready for explosions. Not dynamite, they don't use dynamite. They are diesel fuel-soaked balls. Sponge balls. They are pushed down into the holes, along with ammonia nitrate on top of that. And that's how they blast. So, they told us where the holes were. We could see little things with blue lights. Less than a quarter of a mile away across from the quarry from where they do the blasting. They started. A siren went off. It got quiet a few minutes. Another siren went off. Then they started counting down from ten. When it got to one, you heard poof. And some dust. I don't mean a dust storm. A little bit of dust. That was it. I promise you it was almost no noise at all, and the dust was gone in thirty to forty-five seconds. It just dissipated. That's what a blasting looks like. So, we got in the van, we rode around and we asked the question because we had heard that they were going to blast three to five times a day. Attorney Winters breaks in with the fifteen second countdown. So, anyway, they blast once every week to ten days. And it takes a week to ten days to move all that stone, that they did basically that day. So, that just gives you, there are \$670,000 houses like a thousand feet back behind here. I could tell you more but I'm out of time. Thank you.

Trent Bagley of 1076 Craigbrow Circle, Chester steps to the podium. I'm here speaking for myself and on behalf on my mother, Gail Bagley. I'm pretty sure that's the closest neighbor that will be to the project in the Craigbrow area at least. I just wanted to tell you guys that my mother and I spent many hours talking to DHEC expressing our concerns about the environmental issues. We went to visit Luck Stone's personal quarry to get an idea of what was coming to our area and what kind of noise to expect. We came away satisfied with the levels that we could hear. And we also hired an attorney to verify statements made by DHEC and Luck Stone to kind of double check things we were hearing from people. We were interested in wells. We found in addition to the studies that were done, that there's bonded criteria that acts as an insurance policy concerning well water and water supply. With that being said, on behalf of my mother and myself, we would like to express support for this zoning application. Thank you.

Chairman Raines says that completes those that were signed up in favor. Mr. Don Foster if you could, please state a preference. are you opposed or in favor? Mr. Foster stated opposed. Chairman Raines thanked him and stated to start the speakers in opposition.

Hazel Alexander of 540 Wildwood Drive, Chester steps to the podium. I have 10 reasons to oppose. The DHEC mining permit will be for one hundred years. Luck's own hydrogeological assessment suggest water requirements for the quarry will be 100,000 gallons of water a day. This potentially threatens hundreds of nearby wells, especially with our recent history of frequent droughts and rising temperatures. The traffic impact analysis prepared by a Luck Stone consultant states that at maximum operation Luck will put three hundred and seventy more trucks (three hundred and forty five of which will be big, heavy dump trucks) a day onto SC 9, which is already heavily traveled by logging and other trucks, school busses and cars. Luck has said explosives will be

delivered to the site by truck every day blasting is scheduled. This means trucks with explosives will be traveling on SC 9 with logging trucks, school busses and cars. Two hundred forty plus acres will be forever environmentally degraded, with wetlands destroyed, a tributary of Rocky Creek diverted, discharge water dumped into the main creek and the quarry pit eventually being nearly five hundred feet deep. At the projects end, the pit will fill with water. Quarry lakes are notoriously dangerous, often deadly places, not the unfenced "amenity" Luck is boasting theirs will be. Mining granite will release silica dust, a known carcinogen, less than one and a half miles from three schools and two churches and hundreds of homes. Property values of nearby homes could fall as much as thirty percent or more. Luck says the quarry will employ fifteen to twenty-five people. If the site were to be used for clean manufacturing instead, hundreds of jobs could be created. A quarry is not compatible with the existing zoning and land use of farms, homes, schools, churches and cemeteries. Noise from blasting, crushers, excavators, tractors, trucks, bulldozers, will destroy our precious peace and quiet so important to our quality of life. Profits will go to the Luck headquarters in Virginia. Chester County has nothing to gain and much to lose. Thank you.

Dr. Bill Altman of 2762 Blaney Road, Chester steps to the podium. I have comments about this project from three distinguished physicians. The first one is doctor Sam Stone. Dear Planning Commission members, I have watched and read with great interest about the proposed rock quarry here in Chester. I have read many of the ideas, both pros and cons about it and feel led to speak out against it. From a medical standpoint I worry about the amount of rock dust that will be generated at the quarry. And being aware of how it is dissipated, it is still a concern. Chester's population has a high density of COPD and asthmatic patients. They are already at a high risk due to their condition. High concentrations of air pollutants such as rock dust will put them at an even higher risk for exacerbations and possibly increase rates of pneumonia and hospitalizations. Studies show that with each exacerbation and hospitalization there is an increase of morbidity and mortality rates. Also, with schools being close by having a large number of asthmatic students, this also puts them at a higher risk for flare ups. Another concern I have is the overuse of precious ground water. Over the past several summers Chester has experienced droughts which have led to many wells dropping and drying up. I feel like the operation would worsen that situation in an area with multiple established homes. There are also the issues of noise pollution, increased traffic, and land destruction in an area that could be better utilized for residential development. I am from Chester and love it dearly. I want to see it grow and prosper but in a healthy way. I strongly feel that the risk that this operation presents to the citizens of Chester would outweigh the benefits. I hope the Planning Commission will consider these aspects and vote against this project proposal. Thank you for your time. Samuel R. Stone, Medical Doctor. The next distinguished physician I would like to share with you is Doctor William Clark. Doctor William Clark finished medical school in 1966. He went to Harvard Medical School for three years. He did surgical internship at the University of Colorado, US Navy, Radiology Resident at Duke, Private practice of radiology in Mecklenburg for two years Thirty years, Attorney Winters breaks in with the fifteen second countdown. Dear Planning Commission Members, as you review the Luck Stone gravel project before you on June 16, my very strong preference would be to speak to you in person. However, a close family member is fighting bone marrow cancer after a transplant in May and is very vulnerable to any infection whatsoever. With the Covid - 19 present, I simply must avoid closed spaces with multiple people. I am a retired physician (Chairman Raines interrupts giving ten seconds, stating he is almost a minute over) well acquainted with the specter of chronic lung disease and its toll on patients. Dyspnea is the fancy term for profound breathlessness and is terrifying to experience. Imagine pinching your nose shut and breathing through a soda fountain straw. The first breath is fine, the second is tougher, Chairman Raines says I'm going to have to ask you to stop.

Don Foster of 1036 Hollow Road, Chester steps to the podium. What Luck stone don't want to tell you, 100,000 gallons of water a day, is three thousand gallons for everybody that lives in Chester county, every day. In one

month. That's three millions of gallons of water, ground water gone. After a year, that's thirty-six million gallons of water. That's one million gallons per person, every person in Chester county. What they don't want to tell you is that they went around to people's homes saying we'll fix your foundation when we crack it. Isn't it odd they want to bring water out of the ground? They don't want to buy it from Chester. This is what Craigbrow has heard from Luck Stone, we're gonna pay your taxes on property. We're gonna hand out donations. We're gonna fix your cracked foundation. We're not gone buy no water from Chester. This is what Craigbrow hears, blasting. Windows vibrating. Silica dust. House value dropped. Problems with your well. That's what we hear where we live. Would you want to live in Craigbrow, if you do, I've got a house for sale if they come in. That's what they're telling about when they talk about the quarry. They're talking about three miles out; they're not talking about around. They're here for money. And that's what Chester is going to let them in for, money. We're trying to save our homes that we've worked for all our lives. We're trying to save our water and air that the good Lord give us to live on. Everything on this earth is about air and water. And now it's in jeopardy. Is that okay? I'm asking you, Chester county citizens, our neighbors, is it okay? Is it okay to be walking around our house every couple of weeks to be checking our foundation? We're praying to Lord in the morning when I wake up that I'll have water in my well. Is it okay? I'm talking to you as Chester county citizens. I know you're the zoning board. But you haven't heard from Craigbrow, is it okay to listen to blasting and rock crushing everyday for the rest of our lives? Is it okay for a one-hundred-year-old church right across the road to endure that? Right across the road from this. Dust and Dirt. They say they can use all the water they want. Why come they didn't take the school board down to Kershaw where this poor woman can't get out of her house and her child can't go outside and play because of the dust? She keeps her TV wide open so she don't have to hear it. She can't even come out of her house. So, I can go home now, since they will be here, and throw my grill away. I might as well tear my deck off the house. They're ain't gone be no sitting outside. I can't sit with my family outside. All those days will be over. I can't raise the windows and enjoy the spring and the fall. They gone be down, every day of the year. Is that okay? Is that the way you want Chester county residents to live? Let's talk about droughts. Everybody here is impacted with spring droughts. Everybody has to cut back on their water use. Attorney Winters breaks in and gives the fifteen second warning. So, I want you to think about one thing, if you lived over there at Craigbrow, how would you feel? Thank you.

Mary Parker of 881 Saluda Road, Chester steps to the podium. I live on Saluda Road in the old Spence Family and Denleck homestead. This company is described as one of the largest family owned quarry's and stone crushing companies in the country with seventeen recorded sites. In your own words, and I quote, significantly broadening its footprint with new business acquisitions in Georgia and South Carolina. This expansion in Georgia and South Carolina launches a new period for strategic accelerated growth for our company. Greed is what I hear in that statement, it is an out of state, privately owned company which grosses over \$824 million dollars per year. Its stark contrast, this is from everyday real people, their neighbors have to say about putting their very small business next to one of these quarries. I made phone calls personally to all of these people. These are people who live with quarries daily. Year after year and did not witness a single staged presentation of blasting. These are direct quotes. Quote, crushing stone at night creates dust, you can wash your car one day and its dusty the next. Sometimes the blast will shake you up. The biggest problem for me is when the wind blows out of the south, you get a lot of dust. If I'd be honest, I didn't want it, but they snuck into our town, that was from Philadelphia, North Carolina. Quote, it's dustier here and there is noise. There are blast every day. When they go off you can feel it. It's dustier here than other places. That was Ashburn, Virginia. When they hit bedrock, there is quit a jolt. Pictures don't fall off the walls, but you feel the vibrations from the blast. And if the road is already busy, now they are a lot busier. And that was from Virginia. Another quote, trucks come in and out all day long. They put a light in so they wouldn't back up traffic. In other words, the truck traffic significantly impacted previous traffic flow on

existing roads. I think the mine would feel like a construction site. The last thing that I heard was from a small business owner who has no choice, and must stay, must remain next to one of the Luck Stone quarries. Much like the families in Craighrow, and like John that I just heard from. This man said its no good. There's a lot of smoke. A lot of noise. A lot of blasting. I hear steady grinding all day. Attorney Winters informs the fifteen second countdown. Vote as best you can because there ain't nothing good about them. So, who really benefits if Luck Stone quarry comes to Chester? Does Chester benefit? No, Luck Stone quarry does. I respect the honesty of these real people I spoke with on the phone sharing their day to day experiences. And I would say to you gentlemen, hindsight is twenty twenty. And sadly, that is what I heard from the folks that I spoke with. Let's learn from their experience and have no regrets. Thank you.

Pete Stone of 761 Lancaster Highway, Chester stepped to the podium. Grace to ya'll peace out. Teacher of Lewisville High School and district teacher of the year. I look at this for my student's standpoint. There's been many questions. I want to say that Lucks people are very passionate. I've never missed a time set up at the school to talk with them one on one. I have no problem with them personally. But the question came that how many jobs does this provide? And the fifteen to twenty-five is kind of my sticking ground. Because for benefits to come even though all the concerns were for the ground water for the folks at Craighrow. The blasting, the dust that can be a problem. My father, the physician wrote about as well. And so, I think about my students. I have classes with thirty kids in them. Fifteen is just half that group. And that's going to be such a prime area. I go over there and walk with my son. The beauty of our county, the ruralness that's a gift. And I'm willing to give that gift up if its going to mean jobs for my students when they walk out that door, they have an opportunity. Not just for fifteen, but for every one of them. And, so I tell them for ya'll, this is the standard. Best is the standard. I can't feel good about marrying our self to something that seems at best mediocre from what could be the next best. I always tell my students if you're dating somebody and you're unsure about a lifelong commitment, if it's a maybe, you're answer better be no. Don't commit yourself to someone for a hundred years like that. You want to commit to something that best is the standard. You see that at Clemson with what Coach Sweeny is going to do, Tommy Dewetty is always mediocre. He came in and said best is the standard and now he's going to school in South Carolina as the envy of the nation. That's something that can happen in Chester. Again, its no offence to Luck Stone. Their nice folks. But I just need to get opportunities for every one of my students when they walk out that door. And so that's what I want to happen. I'm a little resentful of the folks at Craighrow can't afford a Ben Thompson for all the decision making. They can fly the school board first class to look at something in a nice plane. Physicians have banned pharmaceutical companies wooing them to such practices. So, it just comes back to me that you have to look past that to make a presentation. These are my folks and my community in Craighrow and I hear them what they want. Best is the standard. And that is quality of life and that's what I want for my students as well. and that's why I'm here to speak on behalf of them. Thank ya'll so much for your time. I know it's a tough decision and I trust ya'll to do what's right for future homeowners. Thank you so much.

David Clayton of 119 Pinckney Street, Chester steps to the podium. I live in the city of Chester. Part of the county of Chester. I appreciate some of the things that were said about the flyers that were sent out a few feet from where the quarry is coming in. But the city of Chester is much further away from that. But we're really a small community so we travel back and forth all the time. I'm here to speak against the quarry coming in. Let's do the right thing. Let's pray for the glory that God has given us, for the wisdom and ability to serve. Let us pray Lord. I am a citizen of Chester county. And a blues man too. So many blues songs are about bad moon. That has something to do with us and Stone quarry. Luck Stone quarry. We don't need a little song cause we know what went wrong. They say you never miss your water till the well runs dry. People are not grateful for what they have until they lose it. Now, creating fifteen to twenty-five jobs and a one-hundred-year lease. Air pollution, water pollution. Noise pollution. Road congestion. How many years will it take for Luck Stone to break even on this

potential environmental and health disaster? Five years? Ten years? How long is one quarry to run full operations? Twenty years? Thirty Years? Forty years? There was a US deal, and IBM, I don't think they made it a hundred years. So, what's this hundred-year lease on the plan. I don't understand. But I'm thinking that they might see what I feel in my gut, that there is a potential environmental disaster that will began with them coming here. I can see if were using television then, if I'm still alive I can hear the ads, If you were born in 2020 and went to Elementary and High School in Chester South Carolina you might be entitled to..... How many times will Luck have to drill deeper and deeper for water? If Luck promises a grand lake, did that mean that the water from the quarry was too polluted for them to even use in their own operations? But instead leaving behind, there's a lake for our great great, great, children..Attorney Winters breaks in and informs the fifteen second countdown. to be tempted to swim in and drink in. And that they will have to pay for with their tax dollars that will be coming in.

Commissioner Grant request a five-minute break. Chairman Raines says we'll break for ten minutes. Attorney Winters advises commissioners to not have side conversations while we are still hearing petitions.

Debbie Parsons of 1051 Craighbrow Circle, Chester steps to the podium. How many of you have ever visited in or driven through our Craighbrow, Quail Hollow neighborhoods? How many of you have seen that aerial photo showing the close proximity of the proposed quarry to our community? One of Chester's greatest assets, attractions, marketing strategies. is its quality of life. Our neighborhoods are prime examples of that. We treasure our peace and quiet, where often the only sounds are birdsong. If Luck Stone is allowed to do what they want, peace and quiet will end. If the quarry is allowed, there will be noise from blasting, excavators, tractors, bulldozers, conveyors and trucks. All with constantly sounding back up alarms. Did you know that Luck is one giant pressure that can process five hundred and fifty tons an hour? How would you like that to be a quarter of a mile from your house? The majority of families in our community have lived in their homes for many years. Some for several decades. We came for the natural beauty. For the peace and quiet. The country life that's close to town. We steadily paid our mortgages and taxes dreaming of the day that we would retire and fully enjoy what we have worked so hard for. We never imagined that our investments would face such a hideous threat as this quarry posses for us now. If this quarry comes, our lives will be drastically and irreversibly changed. We will be like the woman, one of our group met, just outside of Lucks quarry in Kershaw. She said her child can not play outside because of the dust and she has to keep the TV on all day to keep down the noise. Do you wish that on anyone? You may have seen a slick favor from Luck. Some of the pictures they showed on their presentation. Once again, they are patting their selves on the back for the donations that they have made in the weeks before this hearing. Please think about this. All the donations. All the philanthropy in the world could never replace the quality of life that we have now once the quarry destroys it. How could the ruination of two of the counties most stable communities possibly be worth fifteen to twenty-five jobs? Last, please think on God's commandment to love your neighbor as yourself. We are your neighbors. Please grant us mercy and favor in your ruling.

George Sweet of 2528 Rodman Road, Chester steps to the podium. My family has been here since the Revolutionary War. My quadruple raised grandfather fought for the rebels. He lived on Rocky Creek. This hits me a lot of ways, but my motivation is that I love this county. I'll always love this state. I'm proud of it. Sometimes people want to poke at South Carolina or in particular poke at Chester county. I take offence to that. We've got great potential and we've got great people. And we have a right, like Pete said earlier, to expect the best. Quarries, yes, we need them. We need landfills. But we don't want to put them in our front yard. And that's what we're doing here. We've got the prettiest most progressive thoroughfare that comes into Chester. Comes up I-77 to highway nine. Everything looks lovely coming into town, rolling hills. Then we come up to Orr's Baptist Church. We see York Teck Extension, which my wife and I taught at. We see the elementary school, the park. And we drive on into Chester. It will be different if you look down a quarry, with a five-hundred-foot hole. That's gonna

kind of wage the dog for a hundred years. You'll lose that opportunity to invite people into Chester with something wonderful and progressive, very slowly growing, but in the right way. Again, I said we need quarries, but we don't need them there. Have you ever taken the Porter Road exit, going into Rock Hill on I77, you'll see what I fear? Dusty, desolate. You'll see the quarry on the left heading into Rock Hill, the next thing is a great big junk yard and some small little homes. God bless those people. But nothing, no indication that anything is going to improve, grow or move forward. We don't want this in this place, its just sad to even think about. With all do respect to Luck Stone, they had a good presentation, some distractions about community service, that's okay I don't blame them. I saw an old friend of mine there waiting tables (Attorney Winters breaks in with the fifteen second countdown) Luck Stone had five people come up here as components, we thank you for the extra ones. I tell you we could have had a hundred. We got six hundred signatures on a petition and got them rather quickly. Everybody I spoke to, including Mike Hucks that works at a Gold Mine says don't let this happen. Don't put it there. And I pray that ya'll will listen. And help us with the county. Thank you.

Dan Huntsinger of 918 Craibrow Circle, Chester steps to the podium. Fifteen years ago, my family and I relocated from California to beautiful South Carolina. We settled in Fort Mill. Fort Mill looked a little bit like rural like. A little bit like Chester does now. The downtown, they had some places that weren't occupied. Lots of open space, etcetera etcetera etcetera. Now there are a few factories around. In the last twelve years, you obviously all know, Fort Mill is expanding. They're building new homes. They're building parks They're building things like that. They're not building quarries in Fort Mill. In most of York county. The Panthers are moving to Rock Hill. Things are expanding in natural progressions until you come down in this direction. Since I come to Fort Mill, Delwhit has built two retirement communities. One in Indian Land and one in Fort Mill. We have some friends that we talked to the other day, they just sold their house in Delwhit for \$500,000 and its one bed. That's the kind of tax revenue that's coming down to Chester county. If we don't do things like build mines in Chester county. It's a beautiful community. My wife and I, a year ago bought property here, because it was rural. Because it was zoned not commercial. Zoned for homes. I'm employing you folks to keep it that way. Because progress will come to Chester. No doubt about it. They will be building one day, homes. Parks for the kids. Great businesses. But if there is a mine built there, there is just going to be a natural zoning around it that they're not going to be able to build. Please, think about the future. Think about what's happen north of us. Its going to happen here also. If we're patient Chester county will make much more revenue in the future. We just need a little patience. Not to mention all my neighbors have said about quality of life also. Quality of life standpoint provide financial standpoint in the future. From the beauty of Chester South Carolina. From the beauty of Chester county. Please be patient. Wait for the good businesses to come. The homes. The great step for the kids. When I got to Fort Mill, there was one high school. Now there's three. I can see the day that Chester will have an extra high school as people move in, the county goes up and up when things come here like homes and good businesses. Thank you for keeping this in consideration. Thank you for listening.

Joanna Angle of 2762 Blaney Road steps to the podium. President John Adams said, facts are stubborn things. Let's look at some facts. Number one, there is a clear president for you to recommend denying Lucks rezoning request. In 2014 Dinwiddie county Virginia refused to grant Lucks request to rezone land for a quarry. The reason was that Lucks plan, especially the location, was totally incompatible with that counties comprehensive plan. Well, we have a comprehensive plan too. Largely because three of you gave a year of your lives to make it happen. It's very similar to Dinwiddie county. There are important points from that plan and our zoning ordinance that I would like to call your attention. On our comprehensive plan page 101, the state goal is to use sound judgement and proper planning to ensure the future growth in the county is compatible with existing development and enhances the quality of life. On page 72, the state goal is to encourage respect for the preservation of the natural environment including water, land and air resources. Page 48, a state objective is to create a positive climate with

efforts to attract clean and progressive industries. On the comprehensive plan update, page 37, it says the most important consideration when developing regulations should be in the community's best interest. It says we can pause and take into an account potential and negative impacts to existing community members such as additional traffic. That's on page 37. And at this critical point, from our zoning ordinance in January of this year, on page 20. In ID-3 districts, and that's what they're asking for, at least a hundred acres in ID-3 district are intended for heavy industrial manufacturing processing uses in areas isolated from residential districts. And Webster says isolated means remote. And these are all reasonable goals. But Lucks proposal can not, does not check any of those boxes. Commissioners, you have the president and you have the choice. A quarry at this location can not, does not, will not comply with the comprehensive plan or zoning ordinance. I respectfully encourage you to vote no. Thank you.

Brent Reed of 1207 Lancaster Highway, Chester, steps to the podium. I live approximately fifteen hundred feet across from the quarry to be developed at Rocky Creek. I moved there fifteen years ago because I liked the area. Its rural agricultural. The area is close to town. My main reason to oppose the quarry is because of negative impacts on the environment. I don't see how they can move so much soil, mine so much granite and crush rock and pollutants in the air. To much noise. All the equipment that they will be using. I have kids and this will affect quality of life. Thank you.

Chairman Raines says that completes the list of those who signed up to speak in favor or in opposition of this rezoning request. At this time, we will have a ten minute follow up from Luck Stone.

Ben Thompson steps to the podium once again. Thank you, Mr. Chairman, members of the commission and also folks in the audience and the ones that spoke for and against. I do want to run through, I have ten minutes so I will be as quick as I can, it's getting late in the evening. I wanted to start with the comments about the comprehensive plan. So, from consistent planning that's associated with land use perspectives, we saw the drawing that's a publicized document from Chester county, showing how its two sides of industrial property. This is not a situation where it's spot zoned, or a rural area. This is an area that is designated for industrial growth. I respect the environment. So, we had a comment about respecting the environment with the comprehensive plan. As I've already shared, and I think you all have generally acknowledged, what a highly regulated industry this is. On top of that, we own wetlands, banks, we have conservation easements on many of our properties, we spoke about the work we've done in both the watersheds and the endangered species within those watersheds. On top of that, from a clean business standpoint, in Virginia we have a rating that is called EEE. It's the Exemplary Environmental Consulting Program. So, we are acknowledged as one of the top tier industries for environmental consciousness. The traffic on highway nine. So, our study that was conducted, the traffic that will flow on highway nine, they refer to as a level of service. How easily does the traffic flow? A being the best, F being the worst. It is currently a level service A. Meaning its under utilized court order graphic shows it flows easily and corporately. With our additional trucks, which again, are not truly additional, because they are replacing trucks that are coming from other areas, being York county right now, it remains a level service A at a maximum usage. That maximum usage is equivalent, when you take the federal highway standards, of the same amount of vehicle trips that are generated by a subdivision. So, when you think of the volume that we're talking about, that's the context on the GF basis. The property values. If you turn to page twenty-one of your application, there's a good graphic there. It shows the development around us, it also shows the quarry back in the east, and what that quarry looks like today. So, and we sometimes joke that we act like a magnet, in part of that we are supplying the resources making it easier to build. Making it more cost effective to build. We heard a couple of times water at one hundred thousand gallons. I want to be clear on something, both in depth suppression and our operations, the one hundred thousand gallons is what we need to show in an application for a permit. It's a formulated practice. But our sites are actually

Chairman Raines said pertaining to the comments of noise, tv's and stuff like that, do you have those type comments from your people that live in the area of the quarries? Mr. Thompson says, this is one of the reasons. I will not sit here and say you will never hear our operations. What we did was we went out and studied the ambient noise around the property. And then we went to similar areas to our Kershaw plant, which has the same plant we intend to put here, and this is shown on page twenty-three of the application. The ambient noise in Chester, is actually higher in the same distance as our plant's operation. So that's a good indication that we're not adding to the ambient noise. Even above that, we've placed a condition within our application that speaks to the placement of noise monitors on the property. And all of these things are public information so the regulation that occurs, is built on site. It's open to the public. Those get inspected. So, we place the condition to say we exceed the limits. That we're in violation of the special exception that we have to get. If we're in violation of the special exception, that means the special exception can get pulled. And essentially, our business is stopped. So, there is huge jeopardy associated with one, doing things wrong, doing something wrong from a regulatory standpoint. But there is also, when you think about it, in just commend context, this is our brand. And Chester isn't the only place where we want to be able to call it home. So, if we go to the next county over, or the next county over, and have similar conversations, we don't want people looking back and hearing negative things. Which is why we very quickly, tell everyone, and this is inclusive of the public meetings that we had, and any interaction that we've had, is come see one of our sites. It is different. You heard the comment about Fort Mill, well York county has two quarries sitting up there. They don't need another quarry. That's why another quarry ain't going to Fort Mill. Chester county does not have that opportunity. So, we want you to see our sites. We want you to see us and experience us for who we are. And we are different.

Commissioner Howell asks, the amount of water you use, do you recycle? Mr. Thompson says initially we would in a smaller plant. So, when we apply for these permits, we have to apply for the maximum of everything, So, a smaller plant could be utilizing somewhere in the neighborhood of twenty thousand gallons. And that's until you get the pit opened up, where you actually have the drain to the site, and that's about year one. Commissioner Howell then ask, so at the end of year one, how much will you recycle. Mr. Thompson said I would say on average, it's probably about seventy percent. There is certainly loss as you go. At the majority of our sites, we actually have excessive water. And so, we are able to discharge after the settlement. And I did hear a comment about having public water on highway nine, which we are aware of. We did not feel that we would be of good use to public water. And so, we are intending to utilize that in the ID-1 portion, up front as we run by all those buildings, but for the operational use in the back, we felt like the well and our stumps are more than adequate. And we don't have the one hundred thousand gallons per day requirement.

Commissioner Hill says, I could have missed this in your presentation, but why Chester, and this particular location? Mr. Thompson says the why Chester is something we've had do over a period of time. We decided we wanted to grow. And we looked at our footprint at that time was largely North Carolina, Virginia and Maryland. So, as we looked to grow, which is a sustained constitute to our company, to see more and more business to consolidate, and we always plan to stay family owned and operated. And so, as we looked, we looked at growth. And there is no secret that the south east is a great, great area. We looked at the cultural fit. I spoke about how important our values and our mission are. We felt like there was greater alignment within the south east. Practically the lines that meets South Carolina and Virginia. Then we looked at the nature of the growth spurts. There is the primary corridor to the interstate. You see Charlotte's rapid growth. You see Atlanta, and you see Columbia down south. And you think about Rock Hill and the amount of growth that it's had. We're not necessarily an urban place. We're a rural and suburban company. Our comfort level is rural business. People doing business surrounding relationships. And so, every time that we've come down to visit, after we looked at a major part of the information, Chester kept being on all our minds. We saw businesses like Giti building their

that. I did visit Luck Stone's facility, and looking at these others, at the other locations, I can't believe that it's that much of a problem Big houses in close proximity to them and other facilities. I live in this neighborhood. I don't think that we will know it's there. I'm no biologist or geologist or anything but I think if the state issued a permit, you have to give them some credit. There is science and stuff behind their regulation. And if they say you have to meet this level of stormwater discharge and clarity and things of that nature. You have to have air quality. Monitoring, you have to have certain standards. I think all of that has to be taken into account. But I also understand that it's not in my backyard type issue. So, I guess when it comes down to it, that's probably the biggest question. I can't believe as many locations as they have with type of development to be that detrimental.

Chairman Raines asked again if anyone had any other questions or comments. There were none. Chairman Raines then stated with the motion to approve CCMA20-03 and CCMA20-05 (Commissioner Grant made the motion to approve the zoning request as presented; seconded by Chairman Raines) Vote was 2-4 to approve. With Commissioners Hill, Grant, Williams and Vice Chairman Smith opposed.

Chairman Raines said the process has been denied. We also need to address CCMA20-04.

CCMA20-04: Luck Stone Corporation request Tax Map # 089-00-00-025-000 located on Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial)

Chairman Raines asked if anyone on the commission feel like they need to rehash anything? There was none. Chairman Raines said as far as that request goes, I'll entertain a motion. And that's from R2 to ID-3 only. Chairman Raines said are we not going to consider it at all?

Chairman Raines said I'll make a motion to deny based on that you can't have all continuous properties, so I make a motion to deny this request also; seconded by Commissioner Hill. Vote was 4-2 to deny. With Chairman Raines and Commissioner Howell opposed.

So, both cases failed 4-2. The motions are denied. As we said up front, the final decision is with the county council. We are advisory only. They will be having three continuous readings. Check with staff to find out when those are going to be. And if you wish to attend that, as it was pointed out in the beginning, you will have citizen comments for three minutes if you wish to pursue that. Thank you all for coming. I'd like to thank you for being civil. It was a good hearing. Everybody be careful going home.

Chairman Raines asked if anyone of the commission had any further business. There was none.

Chairman Raines made a motion to adjourn. Commissioner Howell Seconded. Attorney Winters asked folks to keep it down we are not done yet, please. Vote was 6-0 to adjourn.

This is a summary of proceedings at the June 16, 2020 meeting of the Planning Commission; and not a verbatim transcript of the meeting, as it is documented in the minutes as well as can be determined from the recording. This summary, and an audio recording of the meeting is retained by the Chester County Building & Zoning department, and available if requested. This summary represents the facts of this meeting; not the opinion or interpretation of the Secretary.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: \$150.00

Meeting Date: 6.16.20 Case # CCMA20-05 Invoice # 2591

The applicant hereby requests that the property described to be rezoned from R-2 to ID-3 & ID-1 per attached zoning plat.

Please give your reason for this rezoning request:

Zoning amendment enables economic development upon the property. Please see the attached "Luck Companies Economic Development Project, Rezoning and Special Exception Permit Application."

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant):

I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request.

NAICS CODE Number: 212313

Property Address Information

Property address: 1295 Lancaster Highway, Chester, SC 29706

Tax Map Number: 089-00-00-002-000 Acres: 202

Any structures on the property: yes no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant (s): Luck Stone Corporation

Physical Address: 515 Stone Mill Drive, Manakin Sabot, Virginia, 23063

Mailing Address: PO Box 29682, Richmond, Virginia, 23242

Telephone: [REDACTED]

Alternate: [REDACTED]

Owner(s) if other than applicant(s): William C. Floyd, Frances W. Floyd & William T. Hendrix - see attached Designation of Agent letter

Address: 1295 Lancaster Highway, Chester, SC 29706 (mailing address)

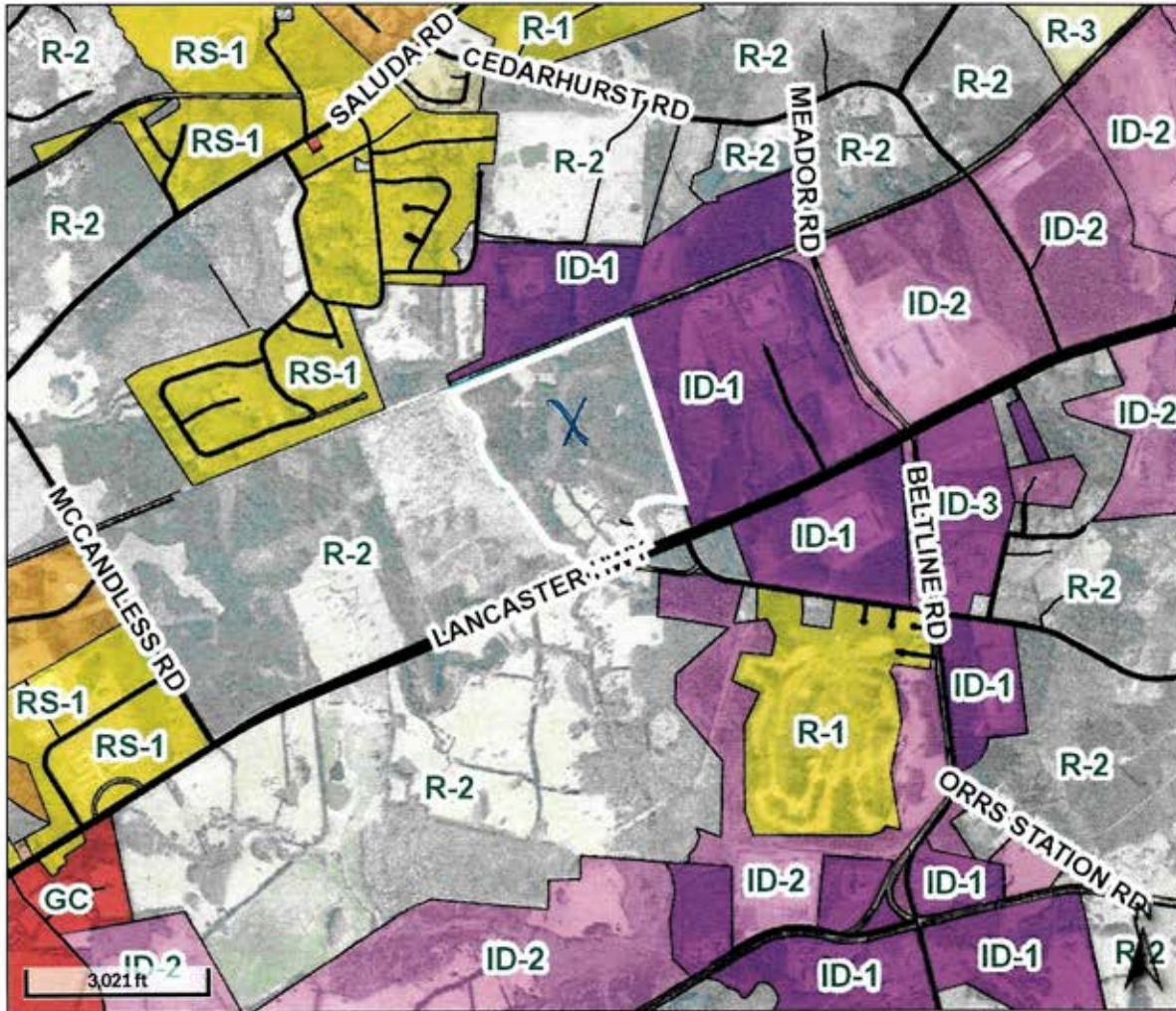
Telephone: see above

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

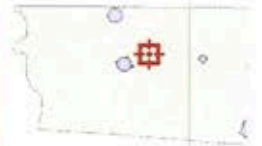
Owner's signature: see attached Designation of Agent letter Date: April 10th, 2020

Applicant signature: [Signature] Date: April 10th, 2020

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Legend

- Roads**
- Secondary Road
 - SC Highway
 - Municipals
 - Parcels
- Chester County Zoning**
- AG
 - EDD
 - GC
 - ID-1
 - ID-2
 - ID-3
 - LC
 - R-1
 - R-2
 - R-3
 - R-4
 - RG-1
 - RG-2
 - RIV
 - RS-1
 - County Boundary

Parcel ID 089-00-00-002-000
 Sec/Twp/Rng n/a
 Property Address

Alternate ID n/a
 Class R
 Acreage 202

Owner Address FLOYD WILLIAM C JR & FRANCES W
 & WILLIAM C HENDRIX
 1295 LANCASTER HIGHWAY
 CHESTER SC 29706

District 02
 Brief Tax Description LANCASTER RD
 (Note: Not to be used on legal documents)

Date created: 6/30/2020
 Last Data Uploaded: 6/30/2020 3:36:38 AM

NETC AND SC STATE GRID POINT DATA
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 VERTICAL DATUM: NAVD 88
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 EAST: 1,951,361.19
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 LONGITUDE: W 081°59'42.70724"
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 EAST: 1,955,977.97
 GEODEIC COORDINATES:
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 LONGITUDE: W 081°58'47.40453"
 COORDINATE DERIVATION: GPS
 UND REDUCTION FACTOR: 0.999982894
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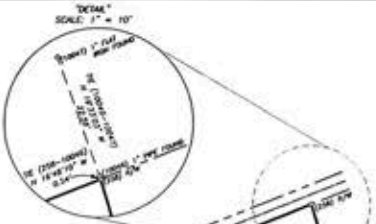
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|---|---------|
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| N | 607.84' |
| W | 123.24' |
| E | 488.87' |
| N | 248.19' |
| E | 182.68' |
| E | 233.23' |
| E | 213.04' |

| LASTMAY | DRUM |
|---------|-----------|
| N | 1,962.79' |
| E | 36.96' |
| E | 1,962.14' |
| N | 36.96' |

REFERENCES
 023-000
 PAGE 88
 68 PAGE 117
 NCE 808
 S.L.B.
 002-000
 NCE 187
 001-000
 PAGE 235
 NCE 181
 NCE 202
 EXACT COPY OF THIS PLAN IS
 V ASSOCIATES SURVEYING, INC.
 THE ORIGINAL SIGNATURE AND
 IF THE RESPONSIBLE SURVEYOR

| REVISION SCHEDULE | CHANGES |
|-------------------|---------|
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| SUMMARY TABLE | |
|---------------|--------------|
| TRACT "A" | 72.40 ACRES |
| TRACT "B" | 193.81 ACRES |
| TRACT "C" | 10.36 ACRES |
| TOTAL | 276.57 ACRES |



STATE GRID NORTH
 FROM STOVE
 MARKS (2017)

| PT-PT | BEARING | DISTANCE |
|-------------|---------------|-----------|
| 10004-10009 | N 87°29'38" W | 203.06' |
| 10005-10004 | N 87°29'38" W | 203.27' |
| 10006-10004 | S 72°30'24" E | 162.68' |
| 10006-10003 | S 79°58'18" W | 248.19' |
| 10003-200 | S 30°02'32" E | 488.87' |
| 200-201 | S 87°29'38" W | 618.62' |
| 201-200 | N 0°20'18" E | 36.96' |
| 200-202 | S 87°29'38" W | 160.68' |
| 202-200 | N 87°29'38" W | 118.68' |
| 2002-2021 | N 22°21'28" W | 75.40' |
| 2021-2002 | S 67°38'40" E | 76.37' |
| 2002-2018 | N 29°47'11" E | 81.87' |
| 2018-2002 | N 37°20'00" W | 141.67' |
| 2002-2017 | S 80°20'53" E | 84.34' |
| 2017-2002 | N 08°02'38" E | 129.63' |
| 2002-2015 | N 74°18'41" E | 100.74' |
| 2015-2002 | N 47°10'18" W | 276.89' |
| 2002-2013 | N 22°21'28" W | 231.80' |
| 2013-2002 | N 51°38'37" E | 68.11' |
| 2002-2011 | N 20°27'10" E | 104.61' |
| 2011-2002 | N 34°42'24" E | 52.27' |
| 2002-2008 | N 28°34'50" E | 71.29' |
| 2008-2002 | S 28°44'18" W | 49.29' |
| 2002-2007 | N 37°02'10" E | 18.18' |
| 2007-2002 | N 12°02'12" E | 62.30' |
| 2002-2005 | N 10°27'38" W | 48.23' |
| 2005-2002 | N 17°31'12" E | 55.41' |
| 2002-2003 | N 34°51'38" E | 62.48' |
| 2003-2002 | N 84°24'30" E | 52.59' |
| 2002-2007 | N 47°20'42" E | 82.71' |
| 2007-2002 | N 47°20'42" E | 82.87' |
| 2002-2021 | N 27°58'18" E | 22.57' |
| 2021-2002 | N 61°11'18" W | 24.29' |
| 2002-2018 | N 02°27'24" E | 73.62' |
| 2018-2002 | N 27°24'30" E | 61.36' |
| 2002-2016 | N 28°08'31" E | 81.21' |
| 2016-2002 | N 47°21'04" E | 103.82' |
| 2002-2014 | N 20°27'10" E | 82.27' |
| 2014-2002 | N 28°34'50" E | 52.68' |
| 2002-2012 | N 02°27'12" E | 61.17' |
| 2012-2002 | N 04°08'14" E | 108.32' |
| 2002-2010 | N 08°46'18" E | 68.93' |
| 2010-2002 | N 68°46'18" E | 68.93' |
| 2002-2008 | N 12°02'12" E | 62.47' |
| 2008-2002 | N 17°31'12" E | 126.74' |
| 2002-2006 | N 27°18'24" E | 118.92' |
| 2006-2002 | N 24°30'30" E | 168.29' |
| 2002-2004 | N 24°29'31" E | 72.10' |
| 2004-2002 | N 30°28'18" E | 68.11' |
| 2002-2002 | N 28°44'18" W | 103.82' |
| 2002-2001 | N 17°12'12" E | 211.64' |
| 2001-200 | N 08°12'32" E | 38.29' |
| 200-200 | N 08°12'32" E | 38.29' |
| 200-1001 | S 1°48'10" E | 5,055.17' |

TRACT "A"
 72.40 ACRES
 TOWNSHIP 35S, RANGE 10E, SECTION 36S

TRACT "B"
 193.81 ACRES
 TOWNSHIP 35S, RANGE 10E, SECTION 36S

TRACT "C"
 10.36 ACRES
 TOWNSHIP 35S, RANGE 10E, SECTION 36S

BOUNDARY SURVEY FOR
LUCK STONE CORPORATION: CHESTER
 LOCATED AT 1295 LANCASTER HIGHWAY
 CHESTER COUNTY, SOUTH CAROLINA
 JANUARY 30, 2019
 SCALE: 1" INCH = 300 FEET
 SURVEYED BY GLENN ASSOCIATES SURVEYING, INC.
 P.O. BOX 12 JENNINGSVILLE, S.C. 29025 Telephone: (803) 345-5297

BRIAN B. BONDS, S.C.P.L.S. # 28582
 I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY DATA HEREON PREPARED AND MADE AN ACCURATE AND TRUE REPRESENTATION OF THE CONDITIONS OF FACTS EXISTING AT THE TIME OF THE SURVEY, AND THAT I AM NOT PROVIDING THE ACCURACY FOR A CASE OF SURVEY OF UNDISCOVERED MINES.

suit that area. That's my opinion. Plus, the road is very narrow. Commissioner Hill said that's my feeling as well. Homes to be added are not suitable for the acreage.

Chairman Raines asked if there was any other comments or discussion on this motion.

Mr. Howell asked if he could speak again. He stepped to the podium and stated the property now is zoned R2, which allows you to build a house on two acres. We bought the property knowing we could build two houses. We're just asking that we can build three. That's the only difference. We're just asking to build one additional house.

Chairman Raines asked as it stands now you can build two houses, two acres each? Mr. Howell said that's correct.

With the motion that's been presented, (Commissioner Hill made the motion to deny the request as presented; seconded by Commissioner Grant.) Vote was 4-1 to deny the rezoning request, with Chairman Raines approving and Commissioner Howell abstained.

Chairman Raines said with the Commissions approval and no objection, he'd like to combine all three of these requests rather than considering all three individuals for purpose of discussion. Does anyone have any objections? Director Levister pointed out that only two of the three requests were the same. CCMA20-3 and CCMA20-05. Chairman Raines said with that, there will be two discussions, CCMA20-03 and CCMA20-05 as one and CCMA20-04 as the other.

CCMA20-03: Luck Stone Corporation request Tax Map # 089-00-00-001-000 located at 1421 Collie Lane, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) See attached letter on page 19 of packet

CCMA20-05: Luck Stone Corporation request Tax Map # 089-00-00-002-000 located at 1295 Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial) and ID1 (Restricted Industrial) See attached letter on page 19 of packet

Chairman Raines said the applicant is Luck Stone, Mr. Thompson. Mr. Thompson stepped to the podium and asked for a moment to set the presentation up. Mr. Thompson said tonight's conversation is a pretty broad conversation. Its going to range from us speaking about what we've heard, what we've felt. About what we've understood from Chester County. I want to share with you some details about our company. Talk about who we are and talk about what it's worth to us. And then we'll get right into the textbook components and the technologies and studies that were employed for us to get a real good understanding of the properties. At the root of everything about this application, we believe it's about growth, and it's about what growth needs. You need the right voices that are diverse and care about the community, have consistent leads on how to support that community. You need companies to support one another. You need those companies to be engaged in the community, to be talking about the right things together. You also need natural resources. So, you need building blocks for the communities so that over all we can share all the same opportunities. What growth provides is opportunities for us to all share in success. We provide good jobs for the youth in Chester, so they don't have to leave Chester and it allows people to be able to have professional development to grow themselves, to be able to support themselves and their family. As we go into this, I want to talk again about who we are as a company.

Our origin story starts in 1923. When you think about that time, it was right at the beginning of the great depression. And we've heard stories from our parents, grandparents, about how that experience influenced their

living pattern, their spending pattern for the rest of their life. This gentleman started business right in the worst economic time that our history has experienced. What they did was they banded together, they had food carts brought in on site, side bars. That food was to feed the men and to take home to their families. And that started what has become the most important legacy of our company, which is the people. We remain family oriented for these ninety-seven years.

The younger gentlemen on the screen, that's our next generation. He had worked elsewhere and came to the family company. But lives and breathes the experience that we have at Luck, which is focus on our people. Lots of different faces up there, but the one unique thing I can tell you about our company, is you walk around, and you have conversations with people. And everybody feels and exhibits the same passion for our company. It just kind of breathes through itself. These people remain the main fixtures within our company. Our values are not something that we just kind of slap on the wall. They are what we filter. Every decision, leadership, commitment, integrity and creativity. All this makes some decisions incredibly easy because it aligns with our values, some decisions incredibly hard that we have to walk away from doing some things because they don't. That's just the way we live. And all of it boils into our business which may seem odd for a company and we'll talk about this in just a second, but it might be odd for a company that makes things to be talking about what our district needs. That's very sincere and that's about this growth opportunity that we provide one another and how its employed.

Our footprint spans from Maryland down through Atlanta, Georgia currently. You'll see a little dot there on the map there for Chester. We have two operations in North Carolina. One existing in Kershaw County, which is a site we inquired about two years ago. So, we do have a footprint in South Carolina and we're looking to expand it.

Our three business units are Luck Stone, which is one of the projects associated with this rezoning this evening. It provides stones that goes to the roads, foundations, building schools and basically, it's the bridge and the structure that carries us across the nation. Another business is Luck Ecosystems. Luck Ecosystems is an environmental company focused on street bed restoration projects, short bed stabilization projects. And also, a hydro media that provides filtration to stormwater. In that category they work off design and bringing the environment back to its natural eco system. Another business unit is Luck Real Estate Ventures which is part of the proposal here this evening, on the highway nine frontage. Luck Stone Business and Luck Real Estate Ventures are part of this application this evening. Forth down is Luck Companies, this is our driving arm. So, our corporate giving arm. We give throughout and engage throughout all three business units. And then fourth is InnerWill which is a nonprofit organization. It focuses on coaching companies around their values and allows them to create their own value-based leadership. This is an area that we felt was really important to stress because we feel like it's an area that's missing in cooperate America today. We see a lot of companies out there ultimately making decisions about things that don't line with people and bettering communities. This is a way that we can reach out to professional people and make a positive impact.

When we started this process roughly two years ago, a little greater than two years, the first thing that we did is come to the County and take a look at all the documents that are currently on record. So, we spend a lot of time looking at comprehensive plans. Spend a lot of time looking at economic development plans. This is an existing scenario of Chester County today. Everything you see in red, orange and fuchsia purple color is industrial property. You'll see its all centered on highway nine, cause highway nine is called out as the backbone of the county. And it's expected to be the industrial corridor and the growth corridor of the County. This is the best infrastructure. So, you want to focus on everything around it. You'll see the lighter shading colors are areas that have not been developed and also programmed as the growth areas. This was a key document for us. We always want to be, when were doing site selections, we always want to be on a major corridor. We want to have the

quickest access to where people are coming and going. We don't want people on secondary roads. We don't want people on infrastructure that is not meant to support heavy travel or lots of ingress and egress. We also want trips to be short. The shorter the trips are, the less missions you're putting out and also the shorter the trips are, the safer it is and the cheaper the delivery and materials. Its very important. The largest cost associated with delivering products is transportation cost. That was a good perspective for us.

We then proceeded to look at roughly sixteen properties. We get properties, we talk with property managers. We gain their willingness and desire to work with us. And then we proceed to study property. That included environmental studies. That included some geologic studies. And many times, either early or mid-way through the process there was something that became evident on the property which is the reason we walked away. That is a long way of saying that not every property works for a project. Even along the corridor in the system area of the comprehensive plan.

I want to spend a little time here because this is the root of the application. Tonight, what is before you, is a rezoning request. We'll have a lot of conversation about a quarry as well as what we want to accomplish on the frontage, which is on highway nine, but the quarry itself is not this meeting. That's not what you're voting on. We need to have the full conversation so you can understand what the rezoning ultimately leads to, and our desires. On highway nine you'll see roughly twenty-seven acres right here that we propose to change to ID-1 which is your lower intensity industrial zoning. The reason being is because Luck Real Estate Venture business is in the end. So, we proceed this area as the Economic Development area. With that business, what we do is spend a lot of time working with local, regional and state relationships focused on recruiting for economic development. Examples, and I'll show a few of them later, are, we build shell buildings, or we work to bring somebody there for construction of their own building. But the biggest part of economic development recruitment that grades applause is that you don't have property that is ready yet. People need quick response. Quick immediacy when they are out there doing site selections, otherwise they pick up and go somewhere else quickly. This is where we want to do the ID-1 portion. Then behind it, the ID-3 portion. ID-3 is the heavier industrial, and you'll see in our zoning conditions that we've actually gone into ID-3 within the district and removed most of the usage on that. And that's a way to ensure the protection of what we actually want to do on that property.

Another thing to have in ID-1 along the frontage allows us to create a buffer. So, you'll see the property sits between highway nine and the CSX Rail. And then to the north of us we have already zoned industrial property back there and back here it's covered up a little bit by this existing zoning map. We have the Craighrow neighborhood on the north side of the rail. We'll talk about proximities and what usages are going where on the site. But I wanted to dispose a full description and kind of frame it back is as this is a zoning application. This is not an application about the quarry. So, with as many phases as we did on the site, it included everything from environmental phase one studies, to traffic impact analysis, hydrogeologic studies, endangered species studies, cultural resource studies, and basically got as intimate with this property as you can. And what that process did was ultimately led to coordination with DHEC, SCDOT, State Historic Preservation office, US Fish and Wildlife, Farming and Natural Resources, and US Army Core of Engineers. Before we started any of those conversations, with state agencies, the first thing we did, and before we created any application with the county, was we sent out flyers to about five and half mile radius. And then we put two ads in the newspaper because we wanted to tell people who we were and what we're interested in. And we wanted to gain feedback. That feedback is actually an integral to us starting to design and lay out a project. Something happens that we hear ad that is what ultimately implements the project themselves. So, after multiple of those meetings, after coming and speaking to groups, after bringing people on site visits, then we got very comfortable knowing our studies, knowing the county and move forward with our application to the originations that I mentioned earlier.

So, at this point in time we received all the permitted approvals we need from the state agent. These are the approvals. They are about air quality. They are approvals about being able to responsibly mine properly. There are permits for discharge. We capture a lot of water on our site. And so, we have settling ponds, where we bring water after it settles and reincorporate it in our process. Or if we have excess water, we'll actually discharge it into the adjacent pipes. From a layout standpoint, and we spoke about the ID-1 area and ID-3 area, so the dark green and lighter green colors you see right here are the ID-1 areas. So, one route to highway nine we would have a pad site, and a future building for Economic Development, and that would be the recruitment of additional to the property. We have another area back here, so from a corridor from an intimate standpoint you could have a single point of entry coming back. Then you would cut back to this area or cut back to this area. Or the core use, which is the special exception permit. We would need to go back to the back, and we would have a facility area right here which would be a scale house. And I'll show you pictures of all these. We'll build one by one. And then we would have a processing area back here beside the CSX Railroad. At this point in time we have no plans to utilize the CSX Rail line. This project is about supporting Chester County. This isn't about doing something here sending it elsewhere. And the demand is in Chester County. The darker green areas are berm areas. As a process standpoint, what we would do is we would remove dirt from the top of the rock. We would then place that dirt in berms that would be vegetated and treed. Those berms also exist along the entire perimeter of the property. And that would be considered a staging area. It would be staged but permanent. So, we're not talking about just big mounds of red dirt. We're talking about vegetation. Trees on this. We do recognize those that are visiting our sites, have seen what the aesthetics are and need to be. So, you have this image of industry and a lot of people have a road put a couple planting beds up front and just kind of say that's what it is. But that's not our brand. And that's not what we expect the people of Chester County would actually want to happen. So, we spend a lot of time and energy making our sites look better than any sites you see. That's also very fitting for everyone to say, if you listen to our words, come see the site for yourself. Hear it for yourself. Feel it for yourself and that's an offer we intensively put out.

I also want to point out another feature on our site is Rocky Creek. Runs right here. There was a lot of concern initially about the Carolina Heelsplitter being in Rocky Creek. We studied our sites as well as a mile downstream with US Fish and Wildlife and Department of Natural Resources and it was determined that the Carolina Heelsplitter does not exist, and the habitat is not here. Another feature you'll see, we'll talk about more, is a little parking area right here. And a trail that runs along Rocky Creek. So, we have applied for a special exception condition. We have positioned ourselves to provide that easement and work with the County on creating the trail system that hopefully will not just end here but take a turn and connect all the way over to the school system on McCandless Road. Over on the site we have 1.34 acres are composite trail on a Three-hundred-acre site, or just shy of three hundred acres. Forty percent of it at ultimate development. So, when I say ultimate, I mean fifty plus years from now. We'll remain forty percent open space. .96 miles of preserve stream which is Rocky Creek and some of the feeders coming in. .2 miles of restored stream. So, currently the streams are undesirable, which we'll show you. They are not in very good condition. There's been grazing in there for years and years and the cows have just kind of muddied it. The E. coli is pretty high. Its actually pretty high entering into the property. And so, there's some work that we'll be doing through our Luck Ecosystems business to help bring this back. And when I say the cows have been mudding it up, I'm not saying that's a bad thing. I grew up on a farm, its just the nature of what happens.

The other thing that I'll address off future phases is the phasing of the actual quarry. So, this is the yard area. So, when you hear me use terms like scale house, this is the building that I'm discussing. What happens here is the truck will drive up, it'll get weighed. It will go back, get its product, and it will get weighed again and a ticket received as it leaves. This is an example of our scale house in Charlottesville, Virginia. In the back also, that will be back right at this area, there will be a shop. This is an example of a shop in Rockville Virginia which is just

outside of Richmond. And so, in that you have some equipment repair, you have general tool storage, and you have storage of material that is yet to go out. So, like conveyor belts and things like that. And then the top example is an example of the plant we would have. So, from a scale standpoint, it's about the size of three or four shipping containers stacked end on end and its roughly about fifteen feet in height. That's the processing plant. It will be in there for the early years. Like the zero to fifty years, before a larger plant as Chester grows and has volume.

The buffer areas we've already discussed in large detail. We have twenty acres here, and we have twenty-eight acres here. Initially this would be the area that we would want to work on first, so that we could get a really good screening and landscaped frontage area. And just examples of berms from our sites, are in these two photos here. The lower one I'm not sure about the location, this top one is from our Boscobel site, which is cyber corporate headquarters, and its actually taken from internal to the site. So, you will see a travel blade on this side of it. There is actually a quarry look out right here. Where people come to our parking lot and you know, look over the site during operation.

Economic Development area, the picture on the right-hand side are projects that we've completed so its examples of our work. We're talking about a small industrial park type set up. So, the building that this area right here can absorb, just in itself, will be 40,000 square feet. And that can be anything from light manufacturing, to data storage, to small warehousing.

This is the pit area. So, the way we've kind of broken it down is when you look at it and you need to graphically represent it this way, this large area is the pit. And in total we're talking an area that's going to be seventy acres. For the first twenty years of life of the site, we will just be in this area here. Twenty-three acres. So, from a progression standpoint, we would ultimately move here, coming down and ultimately once we get past twenty years, into this area. The process is about growing the width, and then steer stepping down as you grow.

So, when we look at a total picture of the site, and I say ultimately, it remains forty percent open space. For the first twenty years, we're really going to be talking about a three-hundred-acre site, with impacting forty to fifty acres. So, from the facility area and back to the developing area just with phase one pit area.

We have created a traffic impact analysis. Which has been reviewed by SCDOT. What you see on the top of the screen is the existing line of site on highway nine. Longer term, this is what you would see. So, you don't see the building there. You don't see the quarry there. And really the only way to gain access through the internal, or from an aerial position. And SCDOT did approve the traffic impact analysis for the commercial application.

The trail area. So, you would come in this area right here. There will be a parking area and from there you cross along the bottom of the field, over to the trail, and there along Rocky Creek. We envision along with this putting in multiple picnic areas and again hopefully we can attach this and move this over to the school system. You know this is also not unique to us. We build trails at many of our sites. We actually have our rails to trail program that bisect our property. And actually, bisects two of our pits in Virginia. And gets traffic of hundreds of thousands yearly. And that also has an overlook of the quarry. The bottom picture is the trail we did in Fredericksburg, Virginia where the trail leaves the property and we have current endangered species area for the salamander. So, there's a southlander nesting area that's roped off.

Taxes. Everyone wants to talk about taxes. And we do pay a lot of them. This project is not requesting any incentives. So, we haven't spoke to the state. We haven't talked to the county. No one has discussed incentives on this property. We believe that's a big plus. We view ourselves as a value add in that sense. We don't put a strain on schools. We don't put a strain on public infrastructure. We don't put a strain on emergency services. So, where we contribute is in the real-estate taxes. The machine and tools tax. So, for example, each one of these pieces of equipment here, which would be comparable to what are on site, run in the neighborhood of \$600,000

to \$750,000 each. So, there is that mobile equipment, there's personal property, and there is also the sales tax. So, the demand is currently in Chester for this project. Currently, if we served from down into the north, so it's either coming from Lowrys, which means its traveling secondary roads and backroads and heading out to highway nine to then go to the main project. Or its coming from Rock Hill coming down the interstate and either staying on the interstate or cutting east or west. Or, it is cutting off early and heading down back roads. So, this is not additional trucks that are on roads. This is keeping your source local, which means fewer miles and you gaining the benefits of having a private tier. Those fewer miles also mean ultimately private cost effectiveness.

You'll see the developments that's currently around one of our sites. We'll discuss this a little more. It's what happens to property value. So, this is a site of ours in Northern Virginia. Everything in orange up here, it is a little hard to see on this projector, but the green circles are actually our quarries. So, we have two pits on one site here. And this is that trail bisecting it that I was telling you about. Then we have one pit here. Everything orange is data centers. One of which is a google data center. Others are amazon and or third-party data centers. So, when you think about what you want to locate to, there are going to be some questions about blasting and vibration and things like that. Nothing is more sensitive than these data centers. So, if a company like google can get comfortable with it and recognize doing their diligence and its not an issue. I feel like it's a really good testament to how we do business and what people think. We also have a county park right here, that is one of the larger county parks in the state of Virginia. Ultimately this is going to become the home of major league soccer, Washington's team minor league. And then all of these are neighborhoods. Bringing the whole property. So, this neighborhood right here runs anywhere from \$500,000 to \$1,000,000 plus in homes. This neighborhoods about \$500,000 to \$800,000. And this one is \$600,00 to \$800,000. There is also a retirement community located right here where they took half of this golf course and turned it into a six-hole golf course and the lower half that's adjacent to our quarry is the retirement home.

We talk a lot about our community engagement because it's something that's precious to us. It stems from everything from going and teaching in schools to supporting little leagues to doing habitat projects, you'll see one there in the middle. We did another one that's on the bay that speaks to the platypus. But also, like bringing endangered species like sturgeon back to the James River. These are all part of our brand and why we feel very confident and sometimes almost sound a little braggy, which I apologize for, but we do think we're different. And we do care in different ways. Education is a major thing for us. Ninety two percent of our associates are engaged in continuing education on a yearly basis. I mention we've been in Kershaw for two years now, a little shy of two years. In our first year we donated and participated in United Way, done Reach Across America. We had programs going to the eighth grade and in conjunction with the technical college there. Then I'm sure ya'll heard about the horrible tornado issue that occurred in Kershaw.

We will hear tonight about proximities to schools. We are well over a mile from the Chester schools. These other examples on the screen are showing distances that are half that and in fact closer from the many schools associated with our quarry. More than half of our quarries have schools that's within three thousand feet. The school board did come out, thanks for coming, to our project. And the reason being is that they visited, they saw the examples and they spoke to people who have experience coordinating.

Some resent images of the horrible experience that we're still undergoing with COVID. We were considered an essential business. So, we're one of the fortunate groups that was allowed to continue working through it. We did work differently. Social distancing as you've seen here tonight. But also, a lot of people were working from homes. A lot of people were doing good work supporting others. So, as part of this we felt it very important to give back. So, you can see examples of us celebrating stuff for the school workers. You'll see our appreciation

for the Fire Departments here in Chester, as well as the County Sheriff's Department. We also had donations and those are both giving some food and also donations of protective equipment. As well as the City of Chester.

So, getting back to why we felt this use, this area, is correct. These are all the statement from the Chester County Comprehensive Plan. So, these are the words that were given as the blueprint for development and the desires for Chester. This is citizens committees that developed those. Planning Department, I know you all were heavily involved. One of the key ones that jumped out to me was the thirty nine percent drop in a decade of jobs associated with agricultural, forestry, industry and mining industries. Those are key backbone industries that every county needs to support them.

As you look through our application this is a condensed and abbreviated version, so it's a little tight because we were trying to get it all on one page. But you'll see just listing after listing of the conditions that were saying will be accompanying any approval associated with both a recommendation attached to our project. So, everything you see on the right, excuse me on the left here, that deals with air, that deals with blasting, it deals with the protection of people's wells, how we put noise monitors surrounding the property. We're going to be constantly be testing. This is one of the most technical company industries regulated in America. We're regulated by the state as well as the federal government. And its consistent. They are on site. They're talking to us. They're asking questions. But in addition to that. Superseding, we know we have to meet all that. In addition, we sat here and said we'll further condition ourselves to how we operate and demonstrate our comfort level knowing that we do things right. Those conditions are attached to the special exception application. The conditions here on the right-hand side, are the conditions that are before you this evening in a vote. So, what we've mainly focused on is limiting in use in ID-3 that we felt would be concerning. Our view that's overly aggressive that's attached to that zoning destination. ID-3 is a heavy zoning destination. What we want to do, ultimately, is place a quarry there. And we need to go through that application process to be able to achieve that. But we want you to understand that regardless, these uses are not going to be allowed on our property. The bottom section here speaks to the three parcels that are attached to the application. And so, by proper planning you can not have split zoning parcels. And so, what we've said, and we've provided a draft already to the county, is if we are fortunate enough to have an approval, we'll align the property lines in the subdivision, to meet the zoning. So were not out of alignment with zoning.

I'd like to show you a brief video that explains our company a little better. That has some testimonials. And then I understand that you're going to be opening up to a public hearing. We'll be happy to answer any questions prior to that, or after that. But more than anything we are standing here before you asking to become a part of your community. This is important to us. We believe we will be a great fit. And we really hope you agree.

(Video Starts)

Mr. Thompson steps back to the podium. Thank ya'll very much and I'll leave it to you all to direct the next steps to your process, but I hope I have the opportunity to come back up and speak. Answer any question you may have. Also, I brought with me several experts that can answer questions more fully if I'm unable to do so. So, back to you again and I appreciate your consideration.

Chairman Raines says at this time we will take public comment. We have five people signed up to speak in favor of the letter proposed.

Byron Hager of 1355 Cedarhurst Road, Chester steps to the podium. I live on Cedarhurst Road, directly behind, across from the tracks from the proposed site. Chairman Raines reminded him he had three minutes for citizens comments. He said that's fine, he was going to be real quick. Just want to say thank you for giving this opportunity

and say I bought property on Cedarhurst Road about twenty years ago. I do live there now, for the past three years. I am here tonight to get everyone to consider supporting the quarry with Luck company for Chester County. I plan on staying here. I have kids and grandkids. I think it will be good for them and I've done some research and the research I've found; I try to think of things being a Christian. I try to think of things positive. And I try to give everybody an opportunity. The research I've done, the company will bring sustained jobs to the community, far beyond just that. It will bring other positions to the company trying to look forward to the future. Luck Company will provide jobs for the children and grandchildren down the road. The way they do business, what research I've seen and the way they operate, and this presentation shows you, they can't afford to make a mistake. They know that they are under the microscope, so they are going to be checked for regulations. I'm sure as far as the noise level is concerned, I can lay in bed at night and hear beepers running over at the pulpwood plant. And trains coming by. So, the noise level can't be even close to that. Basically, I just try to take the positive look and opportunities in business cause I was a business owner for twenty years. This is an opportunity that will give lots of flourishing long term. Especially the way they go about promoting everything for the public and I think its lucky that Chester County has an opportunity to get a chance to look at this. Every one of the folks that I've met and talked to, its been several of them, they are very professional. They are well trained. Well educated in their field of expertise and I think Luck members that share our community values based on where they grew up and what they've done. I think it will be good luck for us to have Luck Company to be in the county.

Chairman Raines stated he forgot to reiterate the five minutes, Attorney Winters corrects three minutes, and forgot to time it. He asked that you be precise and keep comments brief and accurate as possible.

David Bratton of 5281 York Highway, York steps to the podium. I live on highway five in York. I'm employed by L&C Land Holdings and Springland who is a commercial real estate side. We have been very fortunate over the last four years to be able to bring two big industries to Chester County. One was, the first one, was Jones Hamilton who employs about fifty people. And Giti Tire. Well, we knew that when Giti Tire came to Chester that's going to stir up some stuff because why would a big international company like that come to Chester South Carolina. They done their research. They knew ya'll had smart leaders. You had people in this community that wanted jobs. And they were all excited. Everybody that was here was all excited about having Giti and having Jones Hamilton. These folks are good people. I personally know them because I was in the construction business twenty-four years, and did subdivisions up in the Chapel Hill area, and toured one of their plants up there. They've got a first-class operation. I must tell that it will be a big asset for Chester if you could score this because these folks mean business and they mean to help this community a lot. Thank you so much.

Tony Pope of 1180 Oakwood Drive, Chester steps to the podium. Thank you for the opportunity to speak, I am a resident of Chester County for twenty-six years. I currently serve as the Chairman of the Chester Development Association. Many of you know the Chester Development Association is made up of private investors who are supporting Chester County and play a big role in obviously try to bring and support industries that want to come to our area. On behalf of Chester Development Association, we do support Luck Stone. We've done a tremendous amount of research. A lot of due diligence. We don't allow just anyone to come to our county and be a part of our county. There are a lot of industries that want to come to Chester County you don't even know about that don't make the cut. I'm here to tell you that Luck Stone is going to be a great corporate citizen. It's definitely going to enhance our county and I hope you'll give Luck consideration. I'll also let you know I serve on the state board for the largest wetland conservation organization in North America, I've contacted some of our biologist, and asked them a lot of questions about impacts of things of this nature. And I can come back here and tell you without a doubt, it was all very positive. Please consider Luck Stone.

Jim Fuller of 998 Pineview Lakes Road, Chester steps to the podium. I'd like to give a brief overview of my situation with Luck Stone. As being a member of the board of trustees of the school district, we had some individuals come to us stating the fact that with Luck Stone comes silica dust. The blasting and vibrations would mess up the computers. The teachers couldn't teach because of the building shaking. We heard all kinds of stuff. After this, Luck Stone came to the board and they said we would like for you to go see for yourself exactly what we do. And that's what we did. We went to Virginia. They took us to their corporate headquarters which is like maybe a thousand feet or so from the actual quarry where they blast. The corporate office is all glass and wood. Eco friendly. We had lots of presentations. Saw the chart that ya'll saw tonight how their pits are close to schools and data centers. Things that are very susceptible to blasting. They took us around to the pit and showed us how they quarry the stone and everything. And of course, we were going to get to see a blasting that day. They had drilled and anticipated the drill that day. It was somewhere between thirty-five and forty-seven holes ready for explosions. Not dynamite, they don't use dynamite. They are diesel fuel-soaked balls. Sponge balls. They are pushed down into the holes, along with ammonia nitrate on top of that. And that's how they blast. So, they told us where the holes were. We could see little things with blue lights. Less than a quarter of a mile away across from the quarry from where they do the blasting. They started. A siren went off. It got quiet a few minutes. Another siren went off. Then they started counting down from ten. When it got to one, you heard poof. And some dust. I don't mean a dust storm. A little bit of dust. That was it. I promise you it was almost no noise at all, and the dust was gone in thirty to forty-five seconds. It just dissipated. That's what a blasting looks like. So, we got in the van, we rode around and we asked the question because we had heard that they were going to blast three to five times a day. Attorney Winters breaks in with the fifteen second countdown. So, anyway, they blast once every week to ten days. And it takes a week to ten days to move all that stone, that they did basically that day. So, that just gives you, there are \$670,000 houses like a thousand feet back behind here. I could tell you more but I'm out of time. Thank you.

Trent Bagley of 1076 Craighbrow Circle, Chester steps to the podium. I'm here speaking for myself and on behalf on my mother, Gail Bagley. I'm pretty sure that's the closest neighbor that will be to the project in the Craighbrow area at least. I just wanted to tell you guys that my mother and I spent many hours talking to DHEC expressing our concerns about the environmental issues. We went to visit Luck Stone's personal quarry to get an idea of what was coming to our area and what kind of noise to expect. We came away satisfied with the levels that we could hear. And we also hired an attorney to verify statements made by DHEC and Luck Stone to kind of double check things we were hearing from people. We were interested in wells. We found in addition to the studies that were done, that there's bonded criteria that acts as an insurance policy concerning well water and water supply. With that being said, on behalf of my mother and myself, we would like to express support for this zoning application. Thank you.

Chairman Raines says that completes those that were signed up in favor. Mr. Don Foster if you could, please state a preference, are you opposed or in favor? Mr. Foster stated opposed. Chairman Raines thanked him and stated to start the speakers in opposition.

Hazel Alexander of 540 Wildwood Drive, Chester steps to the podium. I have 10 reasons to oppose. The DHEC mining permit will be for one hundred years. Luck's own hydrogeological assessment suggest water requirements for the quarry will be 100,000 gallons of water a day. This potentially threatens hundreds of nearby wells, especially with our recent history of frequent droughts and rising temperatures. The traffic impact analysis prepared by a Luck Stone consultant states that at maximum operation Luck will put three hundred and seventy more trucks (three hundred and forty five of which will be big, heavy dump trucks) a day onto SC 9, which is already heavily traveled by logging and other trucks, school busses and cars. Luck has said explosives will be

delivered to the site by truck every day blasting is scheduled. This means trucks with explosives will be traveling on SC 9 with logging trucks, school busses and cars. Two hundred forty plus acres will be forever environmentally degraded, with wetlands destroyed, a tributary of Rocky Creek diverted, discharge water dumped into the main creek and the quarry pit eventually being nearly five hundred feet deep. At the projects end, the pit will fill with water. Quarry lakes are notoriously dangerous, often deadly places, not the unfenced "amenity" Luck is boasting theirs will be. Mining granite will release silica dust, a known carcinogen, less than one and a half miles from three schools and two churches and hundreds of homes. Property values of nearby homes could fall as much as thirty percent or more. Luck says the quarry will employ fifteen to twenty-five people. If the site were to be used for clean manufacturing instead, hundreds of jobs could be created. A quarry is not compatible with the existing zoning and land use of farms, homes, schools, churches and cemeteries. Noise from blasting, crushers, excavators, tractors, trucks, bulldozers, will destroy our precious peace and quiet so important to our quality of life. Profits will go to the Luck headquarters in Virginia. Chester County has nothing to gain and much to lose. Thank you.

Dr. Bill Altman of 2762 Blaney Road, Chester steps to the podium. I have comments about this project from three distinguished physicians. The first one is doctor Sam Stone. Dear Planning Commission members, I have watched and read with great interest about the proposed rock quarry here in Chester. I have read many of the ideas, both pros and cons about it and feel led to speak out against it. From a medical standpoint I worry about the amount of rock dust that will be generated at the quarry. And being aware of how it is dissipated, it is still a concern. Chester's population has a high density of COPD and asthmatic patients. They are already at a high risk due to their condition. High concentrations of air pollutants such as rock dust will put them at an even higher risk for exacerbations and possibly increase rates of pneumonia and hospitalizations. Studies show that with each exacerbation and hospitalization there is an increase of morbidity and mortality rates. Also, with schools being close by having a large number of asthmatic students, this also puts them at a higher risk for flare ups. Another concern I have is the overuse of precious ground water. Over the past several summers Chester has experienced droughts which have led to many wells dropping and drying up. I feel like the operation would worsen that situation in an area with multiple established homes. There are also the issues of noise pollution, increased traffic, and land destruction in an area that could be better utilized for residential development. I am from Chester and love it dearly. I want to see it grow and prosper but in a healthy way. I strongly feel that the risk that this operation presents to the citizens of Chester would outweigh the benefits. I hope the Planning Commission will consider these aspects and vote against this project proposal. Thank you for your time. Samuel R. Stone, Medical Doctor. The next distinguished physician I would like to share with you is Doctor William Clark. Doctor William Clark finished medical school in 1966. He went to Harvard Medical School for three years. He did surgical internship at the University of Colorado, US Navy, Radiology Resident at Duke, Private practice of radiology in Mecklenburg for two years Thirty years, Attorney Winters breaks in with the fifteen second countdown. Dear Planning Commission Members, as you review the Luck Stone gravel project before you on June 16, my very strong preference would be to speak to you in person. However, a close family member is fighting bone marrow cancer after a transplant in May and is very vulnerable to any infection whatsoever. With the Covid – 19 present, I simply must avoid closed spaces with multiple people. I am a retired physician (Chairman Raines interrupts giving ten seconds, stating he is almost a minute over) well acquainted with the specter of chronic lung disease and its toll on patients. Dyspnea is the fancy term for profound breathlessness and is terrifying to experience. Imagine pinching your nose shut and breathing through a soda fountain straw. The first breath is fine, the second is tougher, Chairman Raines says I'm going to have to ask you to stop.

Don Foster of 1036 Hollow Road, Chester steps to the podium. What Luck stone don't want to tell you, 100,000 gallons of water a day, is three thousand gallons for everybody that lives in Chester county, every day. In one

month. That's three millions of gallons of water, ground water gone. After a year, that's thirty-six million gallons of water. That's one million gallons per person, every person in Chester county. What they don't want to tell you is that they went around to people's homes saying we'll fix your foundation when we crack it. Isn't it odd they want to bring water out of the ground? They don't want to buy it from Chester. This is what Craighbrow has heard from Luck Stone, we're gonna pay your taxes on property. We're gonna hand out donations. We're gonna fix your cracked foundation. We're not gone buy no water from Chester. This is what Craighbrow hears, blasting. Windows vibrating. Silica dust. House value dropped. Problems with your well. That's what we hear where we live. Would you want to live in Craighbrow, if you do, I've got a house for sale if they come in. That's what they're telling about when they talk about the quarry. They're talking about three miles out; they're not talking about around. They're here for money. And that's what Chester is going to let them in for, money. We're trying to save our homes that we've worked for all our lives. We're trying to save our water and air that the good Lord give us to live on. Everything on this earth is about air and water. And now it's in jeopardy. Is that okay? I'm asking you, Chester county citizens, our neighbors, is it okay? Is it okay to be walking around our house every couple of weeks to be checking our foundation? We're praying to Lord in the morning when I wake up that I'll have water in my well. Is it okay? I'm talking to you as Chester county citizens. I know you're the zoning board. But you haven't heard from Craighbrow, is it okay to listen to blasting and rock crushing everyday for the rest of our lives? Is it okay for a one-hundred-year-old church right across the road to endure that? Right across the road from this. Dust and Dirt. They say they can use all the water they want. Why come they didn't take the school board down to Kershaw where this poor woman can't get out of her house and her child can't go outside and play because of the dust? She keeps her TV wide open so she don't have to hear it. She can't even come out of her house. So, I can go home now, since they will be here, and throw my grill away. I might as well tear my deck off the house. They're ain't gone be no sitting outside. I can't sit with my family outside. All those days will be over. I can't raise the windows and enjoy the spring and the fall. They gone be down, every day of the year. Is that okay? Is that the way you want Chester county residents to live? Let's talk about droughts. Everybody here is impacted with spring droughts. Everybody has to cut back on their water use. Attorney Winters breaks in and gives the fifteen second warning. So, I want you to think about one thing, if you lived over there at Craighbrow, how would you feel? Thank you.

Mary Parker of 881 Saluda Road, Chester steps to the podium. I live on Saluda Road in the old Spence Family and Denleck homestead. This company is described as one of the largest family owned quarry's and stone crushing companies in the country with seventeen recorded sites. In your own words, and I quote, significantly broadening its footprint with new business acquisitions in Georgia and South Carolina. This expansion in Georgia and South Carolina launches a new period for strategic accelerated growth for our company. Greed is what I hear in that statement, it is an out of state, privately owned company which grosses over \$824 million dollars per year. Its stark contrast, this is from everyday real people, their neighbors have to say about putting their very small business next to one of these quarries. I made phone calls personally to all of these people. These are people who live with quarries daily. Year after year and did not witness a single staged presentation of blasting. These are direct quotes. Quote, crushing stone at night creates dust, you can wash your car one day and its dusty the next. Sometimes the blast will shake you up. The biggest problem for me is when the wind blows out of the south, you get a lot of dust. If I'd be honest, I didn't want it, but they snuck into our town, that was from Philadelphia, North Carolina. Quote, it's dustier here and there is noise. There are blast every day. When they go off you can feel it. It's dustier here than other places. That was Ashburn, Virginia. When they hit bedrock, there is quit a jolt. Pictures don't fall off the walls, but you feel the vibrations from the blast. And if the road is already busy, now they are a lot busier. And that was from Virginia. Another quote, trucks come in and out all day long. They put a light in so they wouldn't back up traffic. In other words, the truck traffic significantly impacted previous traffic flow on

existing roads. I think the mine would feel like a construction site. The last thing that I heard was from a small business owner who has no choice, and must stay, must remain next to one of the Luck Stone quarries. Much like the families in Craighrow, and like John that I just heard from. This man said its no good. There's a lot of smoke. A lot of noise. A lot of blasting. I hear steady grinding all day. Attorney Winters informs the fifteen second countdown. Vote as best you can because there ain't nothing good about them. So, who really benefits if Luck Stone quarry comes to Chester? Does Chester benefit? No, Luck Stone quarry does. I respect the honesty of these real people I spoke with on the phone sharing their day to day experiences. And I would say to you gentlemen, hindsight is twenty twenty. And sadly, that is what I heard from the folks that I spoke with. Let's learn from their experience and have no regrets. Thank you.

Pete Stone of 761 Lancaster Highway, Chester stepped to the podium. Grace to ya'll peace out. Teacher of Lewisville High School and district teacher of the year. I look at this for my student's standpoint. There's been many questions. I want to say that Lucks people are very passionate. I've never missed a time set up at the school to talk with them one on one. I have no problem with them personally. But the question came that how many jobs does this provide? And the fifteen to twenty-five is kind of my sticking ground. Because for benefits to come even though all the concerns were for the ground water for the folks at Craighrow. The blasting, the dust that can be a problem. My father, the physician wrote about as well. And so, I think about my students. I have classes with thirty kids in them. Fifteen is just half that group. And that's going to be such a prime area. I go over there and walk with my son. The beauty of our county, the ruralness that's a gift. And I'm willing to give that gift up if its going to mean jobs for my students when they walk out that door, they have an opportunity. Not just for fifteen, but for every one of them. And, so I tell them for ya'll, this is the standard. Best is the standard. I can't feel good about marrying our self to something that seems at best mediocre from what could be the next best. I always tell my students if you're dating somebody and you're unsure about a lifelong commitment, if it's a maybe, you're answer better be no. Don't commit yourself to someone for a hundred years like that. You want to commit to something that best is the standard. You see that at Clemson with what Coach Sweeny is going to do, Tommy Dewetty is always mediocre. He came in and said best is the standard and now he's going to school in South Carolina as the envy of the nation. That's something that can happen in Chester. Again, its no offence to Luck Stone. Their nice folks. But I just need to get opportunities for every one of my students when they walk out that door. And so that's what I want to happen. I'm a little resentful of the folks at Craighrow can't afford a Ben Thompson for all the decision making. They can fly the school board first class to look at something in a nice plane. Physicians have banned pharmaceutical companies wooing them to such practices. So, it just comes back to me that you have to look past that to make a presentation. These are my folks and my community in Craighrow and I hear them what they want. Best is the standard. And that is quality of life and that's what I want for my students as well. and that's why I'm here to speak on behalf of them. Thank ya'll so much for your time. I know it's a tough decision and I trust ya'll to do what's right for future homeowners. Thank you so much.

David Clayton of 119 Pinckney Street, Chester steps to the podium. I live in the city of Chester. Part of the county of Chester. I appreciate some of the things that were said about the flyers that were sent out a few feet from where the quarry is coming in. But the city of Chester is much further away from that. But we're really a small community so we travel back and forth all the time. I'm here to speak against the quarry coming in. Let's do the right thing. Let's pray for the glory that God has given us, for the wisdom and ability to serve. Let us pray Lord. I am a citizen of Chester county. And a blues man too. So many blues songs are about bad moon. That has something to do with us and Stone quarry. Luck Stone quarry. We don't need a little song cause we know what went wrong. They say you never miss your water till the well runs dry. People are not grateful for what they have until they lose it. Now, creating fifteen to twenty-five jobs and a one-hundred-year lease. Air pollution, water pollution. Noise pollution. Road congestion. How many years will it take for Luck Stone to break even on this

potential environmental and health disaster? Five years? Ten years? How long is one quarry to run full operations? Twenty years? Thirty Years? Forty years? There was a US deal, and IBM, I don't think they made it a hundred years. So, what's this hundred-year lease on the plan. I don't understand. But I'm thinking that they might see what I feel in my gut, that there is a potential environmental disaster that will began with them coming here. I can see if were using television then, if I'm still alive I can hear the ads, If you were born in 2020 and went to Elementary and High School in Chester South Carolina you might be entitled to..... How many times will Luck have to drill deeper and deeper for water? If Luck promises a grand lake, did that mean that the water from the quarry was too polluted for them to even use in their own operations? But instead leaving behind, there's a lake for our great great, great, children..Attorney Winters breaks in and informs the fifteen second countdown. to be tempted to swim in and drink in. And that they will have to pay for with their tax dollars that will be coming in.

Commissioner Grant request a five-minute break. Chairman Raines says we'll break for ten minutes. Attorney Winters advises commissioners to not have side conversations while we are still hearing petitions.

Debbie Parsons of 1051 Craigbrow Circle, Chester steps to the podium. How many of you have ever visited in or driven through our Craigbrow, Quail Hollow neighborhoods? How many of you have seen that aerial photo showing the close proximity of the proposed quarry to our community? One of Chester's greatest assets, attractions, marketing strategies, is its quality of life. Our neighborhoods are prime examples of that. We treasure our peace and quiet, where often the only sounds are birdsong. If Luck Stone is allowed to do what they want, peace and quiet will end. If the quarry is allowed, there will be noise from blasting, excavators, tractors, bulldozers, conveyors and trucks. All with constantly sounding back up alarms. Did you know that Luck is one giant pressure that can process five hundred and fifty tons an hour? How would you like that to be a quarter of a mile from your house? The majority of families in our community have lived in their homes for many years. Some for several decades. We came for the natural beauty. For the peace and quiet. The country life that's close to town. We steadily paid our mortgages and taxes dreaming of the day that we would retire and fully enjoy what we have worked so hard for. We never imagined that our investments would face such a hideous threat as this quarry poses for us now. If this quarry comes, our lives will be drastically and irreversibly changed. We will be like the woman, one of our group met, just outside of Lucks quarry in Kershaw. She said her child can not play outside because of the dust and she has to keep the TV on all day to keep down the noise. Do you wish that on anyone? You may have seen a slick favor from Luck. Some of the pictures they showed on their presentation. Once again, they are patting their selves on the back for the donations that they have made in the weeks before this hearing. Please think about this. All the donations. All the philanthropy in the world could never replace the quality of life that we have now once the quarry destroys it. How could the ruination of two of the counties most stable communities possibly be worth fifteen to twenty-five jobs? Last, please think on God's commandment to love your neighbor as yourself. We are your neighbors. Please grant us mercy and favor in your ruling.

George Sweet of 2528 Rodman Road, Chester steps to the podium. My family has been here since the Revolutionary War. My quadruple raised grandfather fought for the rebels. He lived on Rocky Creek. This hits me a lot of ways, but my motivation is that I love this county. I'll always love this state. I'm proud of it. Sometimes people want to poke at South Carolina or in particular poke at Chester county. I take offence to that. We've got great potential and we've got great people. And we have a right, like Pete said earlier, to expect the best. Quarries, yes, we need them. We need landfills. But we don't want to put them in our front yard. And that's what we're doing here. We've got the prettiest most progressive thoroughfare that comes into Chester. Comes up I-77 to highway nine. Everything looks lovely coming into town, rolling hills. Then we come up to Orr's Baptist Church. We see York Teck Extension, which my wife and I taught at. We see the elementary school, the park. And we drive on into Chester. It will be different if you look down a quarry, with a five-hundred-foot hole. That's gonna

kind of wage the dog for a hundred years. You'll lose that opportunity to invite people into Chester with something wonderful and progressive, very slowly growing, but in the right way. Again, I said we need quarries, but we don't need them there. Have you ever taken the Porter Road exit, going into Rock Hill on I77, you'll see what I fear? Dusty, desolate. You'll see the quarry on the left heading into Rock Hill, the next thing is a great big junk yard and some small little homes, God bless those people. But nothing, no indication that anything is going to improve, grow or move forward. We don't want this in this place, its just sad to even think about. With all do respect to Luck Stone, they had a good presentation, some distractions about community service, that's okay I don't blame them. I saw an old friend of mine there waiting tables (Attorney Winters breaks in with the fifteen second countdown) Luck Stone had five people come up here as components, we thank you for the extra ones. I tell you we could have had a hundred. We got six hundred signatures on a petition and got them rather quickly. Everybody I spoke to, including Mike Hucks that works at a Gold Mine says don't let this happen. Don't put it there. And I pray that ya'll will listen. And help us with the county. Thank you.

Dan Huntsinger of 918 Craighrow Circle, Chester steps to the podium. Fifteen years ago, my family and I relocated from California to beautiful South Carolina. We settled in Fort Mill. Fort Mill looked a little bit like rural like. A little bit like Chester does now. The downtown, they had some places that weren't occupied. Lots of open space, etcetera etcetera etcetera. Now there are a few factories around. In the last twelve years, you obviously all know, Fort Mill is expanding. They're building new homes. They're building parks They're building things like that. They're not building quarries in Fort Mill. In most of York county. The Panthers are moving to Rock Hill. Things are expanding in natural progressions until you come down in this direction. Since I come to Fort Mill, Delwhit has built two retirement communities. One in Indian Land and one in Fort Mill. We have some friends that we talked to the other day, they just sold their house in Delwhit for \$500,000 and its one bed. That's the kind of tax revenue that's coming down to Chester county. If we don't do things like build mines in Chester county. It's a beautiful community. My wife and I, a year ago bought property here, because it was rural. Because it was zoned not commercial. Zoned for homes. I'm employing you folks to keep it that way. Because progress will come to Chester. No doubt about it. They will be building one day, homes. Parks for the kids. Great businesses. But if there is a mine built there, there is just going to be a natural zoning around it that they're not going to be able to build. Please, think about the future. Think about what's happen north of us. Its going to happen here also. If we're patient Chester county will make much more revenue in the future. We just need a little patience. Not to mention all my neighbors have said about quality of life also. Quality of life standpoint provide financial standpoint in the future. From the beauty of Chester South Carolina. From the beauty of Chester county. Please be patient. Wait for the good businesses to come. The homes. The great step for the kids. When I got to Fort Mill, there was one high school. Now there's three. I can see the day that Chester will have an extra high school as people move in, the county goes up and up when things come here like homes and good businesses. Thank you for keeping this in consideration. Thank you for listening.

Joanna Angle of 2762 Blaney Road steps to the podium. President John Adams said, facts are stubborn things. Let's look at some facts. Number one, there is a clear president for you to recommend denying Lucks rezoning request. In 2014 Dinwiddie county Virginia refused to grant Lucks request to rezone land for a quarry. The reason was that Lucks plan, especially the location, was totally incompatible with that counties comprehensive plan. Well, we have a comprehensive plan too. Largely because three of you gave a year of your lives to make it happen. It's very similar to Dinwiddie county. There are important points from that plan and our zoning ordinance that I would like to call your attention. On our comprehensive plan page 101, the state goal is to use sound judgement and proper planning to ensure the future growth in the county is compatible with existing development and enhances the quality of life. On page 72, the state goal is to encourage respect for the preservation of the natural environment including water, land and air resources. Page 48, a state objective is to create a positive climate with

efforts to attract clean and progressive industries. On the comprehensive plan update, page 37, it says the most important consideration when developing regulations should be in the community's best interest. It says we can pause and take into an account potential and negative impacts to existing community members such as additional traffic. That's on page 37. And at this critical point, from our zoning ordinance in January of this year, on page 20, In ID-3 districts, and that's what they're asking for, at least a hundred acres in ID-3 district are intended for heavy industrial manufacturing processing uses in areas isolated from residential districts. And Webster says isolated means remote. And these are all reasonable goals. But Lucks proposal can not, does not check any of those boxes. Commissioners, you have the president and you have the choice. A quarry at this location can not, does not, will not comply with the comprehensive plan or zoning ordinance. I respectfully encourage you to vote no. Thank you.

Brent Reed of 1207 Lancaster Highway, Chester, steps to the podium. I live approximately fifteen hundred feet across from the quarry to be developed at Rocky Creek. I moved there fifteen years ago because I liked the area. Its rural agricultural. The area is close to town. My main reason to oppose the quarry is because of negative impacts on the environment. I don't see how they can move so much soil, mine so much granite and crush rock and pollutants in the air. To much noise. All the equipment that they will be using. I have kids and this will affect quality of life. Thank you.

Chairman Raines says that completes the list of those who signed up to speak in favor or in opposition of this rezoning request. At this time, we will have a ten minute follow up from Luck Stone.

Ben Thompson steps to the podium once again. Thank you, Mr. Chairman, members of the commission and also folks in the audience and the ones that spoke for and against. I do want to run through, I have ten minutes so I will be as quick as I can, it's getting late in the evening. I wanted to start with the comments about the comprehensive plan. So, from consistent planning that's associated with land use perspectives, we saw the drawing that's a publicized document from Chester county, showing how its two sides of industrial property. This is not a situation where it's spot zoned, or a rural area. This is an area that is designated for industrial growth. I respect the environment. So, we had a comment about respecting the environment with the comprehensive plan. As I've already shared, and I think you all have generally acknowledged, what a highly regulated industry this is. On top of that, we own wetlands, banks, we have conservation easements on many of our properties, we spoke about the work we've done in both the watersheds and the endangered species within those watersheds. On top of that, from a clean business standpoint, in Virginia we have a rating that is called EEE. It's the Exemplary Environmental Consulting Program. So, we are acknowledged as one of the top tier industries for environmental consciousness. The traffic on highway nine. So, our study that was conducted, the traffic that will flow on highway nine, they refer to as a level of service. How easily does the traffic flow? A being the best, F being the worst. It is currently a level service A. Meaning its under utilized court order graphic shows it flows easily and corporately. With our additional trucks, which again, are not truly additional, because they are replacing trucks that are coming from other areas, being York county right now, it remains a level service A at a maximum usage. That maximum usage is equivalent, when you take the federal highway standards, of the same amount of vehicle trips that are generated by a subdivision. So, when you think of the volume that we're talking about, that's the context on the GF basis. The property values. If you turn to page twenty-one of your application, there's a good graphic there. It shows the development around us, it also shows the quarry back in the east, and what that quarry looks like today. So, and we sometimes joke that we act like a magnet, in part of that we are supplying the resources making it easier to build. Making it more cost effective to build. We heard a couple of times water at one hundred thousand gallons. I want to be clear on something, both in depth suppression and our operations, the one hundred thousand gallons is what we need to show in an application for a permit. It's a formulated practice. But our sites are actually

Chairman Raines said pertaining to the comments of noise, tv's and stuff like that, do you have those type comments from your people that live in the area of the quarries? Mr. Thompson says, this is one of the reasons, I will not sit here and say you will never hear our operations. What we did was we went out and studied the ambient noise around the property. And then we went to similar areas to our Kershaw plant, which has the same plant we intend to put here, and this is shown on page twenty-three of the application. The ambient noise in Chester, is actually higher in the same distance as our plant's operation. So that's a good indication that we're not adding to the ambient noise. Even above that, we've placed a condition within our application that speaks to the placement of noise monitors on the property. And all of these things are public information so the regulation that occurs, is built on site. It's open to the public. Those get inspected. So, we place the condition to say we exceed the limits. That we're in violation of the special exception that we have to get. If we're in violation of the special exception, that means the special exception can get pulled. And essentially, our business is stopped. So, there is huge jeopardy associated with one, doing things wrong, doing something wrong from a regulatory standpoint. But there is also, when you think about it, in just commend context, this is our brand. And Chester isn't the only place where we want to be able to call it home. So, if we go to the next county over, or the next county over, and have similar conversations, we don't want people looking back and hearing negative things. Which is why we very quickly, tell everyone, and this is inclusive of the public meetings that we had, and any interaction that we've had, is come see one of our sites. It is different. You heard the comment about Fort Mill, well York county has two quarries sitting up there. They don't need another quarry. That's why another quarry ain't going to Fort Mill. Chester county does not have that opportunity. So, we want you to see our sites. We want you to see us and experience us for who we are. And we are different.

Commissioner Howell asks, the amount of water you use, do you recycle? Mr. Thompson says initially we would in a smaller plant. So, when we apply for these permits, we have to apply for the maximum of everything. So, a smaller plant could be utilizing somewhere in the neighborhood of twenty thousand gallons. And that's until you get the pit opened up, where you actually have the drain to the site, and that's about year one. Commissioner Howell then ask, so at the end of year one, how much will you recycle. Mr. Thompson said I would say on average, it's probably about seventy percent. There is certainly loss as you go. At the majority of our sites, we actually have excessive water. And so, we are able to discharge after the settlement. And I did hear a comment about having public water on highway nine, which we are aware of. We did not feel that we would be of good use to public water. And so, we are intending to utilize that in the ID-1 portion, up front as we run by all those buildings, but for the operational use in the back, we felt like the well and our stumps are more than adequate. And we don't have the one hundred thousand gallons per day requirement.

Commissioner Hill says, I could have missed this in your presentation, but why Chester, and this particular location? Mr. Thompson says the why Chester is something we've had do over a period of time. We decided we wanted to grow. And we looked at our footprint at that time was largely North Carolina, Virginia and Maryland. So, as we looked to grow, which is a sustained constitute to our company, to see more and more business to consolidate, and we always plan to stay family owned and operated. And so, as we looked, we looked at growth. And there is no secret that the south east is a great, great area. We looked at the cultural fit. I spoke about how important our values and our mission are. We felt like there was greater alignment within the south east. Practically the lines that meets South Carolina and Virginia. Then we looked at the nature of the growth spurts. There is the primary corridor to the interstate. You see Charlotte's rapid growth. You see Atlanta, and you see Columbia down south. And you think about Rock Hill and the amount of growth that it's had. We're not necessarily an urban place. We're a rural and suburban company. Our comfort level is rural business. People doing business surrounding relationships. And so, every time that we've come down to visit, after we looked at a major part of the information, Chester kept being on all our minds. We saw businesses like Giti building their

that. I did visit Luck Stone's facility, and looking at these others, at the other locations, I can't believe that it's that much of a problem Big houses in close proximity to them and other facilities. I live in this neighborhood. I don't think that we will know it's there. I'm no biologist or geologist or anything but I think if the state issued a permit, you have to give them some credit. There is science and stuff behind their regulation. And if they say you have to meet this level of stormwater discharge and clarity and things of that nature. You have to have air quality. Monitoring, you have to have certain standards. I think all of that has to be taken into account. But I also understand that it's not in my backyard type issue. So, I guess when it comes down to it, that's probably the biggest question. I can't believe as many locations as they have with type of development to be that detrimental.

Chairman Raines asked again if anyone had any other questions or comments. There were none. Chairman Raines then stated with the motion to approve CCMA20-03 and CCMA20-05 (Commissioner Grant made the motion to approve the zoning request as presented; seconded by Chairman Raines) Vote was 2-4 to approve. With Commissioners Hill, Grant, Williams and Vice Chairman Smith opposed.

Chairman Raines said the process has been denied. We also need to address CCMA20-04.

CCMA20-04: Luck Stone Corporation request Tax Map # 089-00-00-025-000 located on Lancaster Hwy, Chester, SC 29706 be rezoned from R2 (Rural Two) to ID3 (General Industrial)

Chairman Raines asked if anyone on the commission feel like they need to rehash anything? There was none. Chairman Raines said as far as that request goes, I'll entertain a motion. And that's from R2 to ID-3 only. Chairman Raines said are we not going to consider it at all?

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So, both cases failed 4-2. The motions are denied. As we said up front, the final decision is with the county council. We are advisory only. They will be having three continuous readings. Check with staff to find out when those are going to be. And if you wish to attend that, as it was pointed out in the beginning, you will have citizen comments for three minutes if you wish to pursue that. Thank you all for coming. I'd like to thank you for being civil. It was a good hearing. Everybody be careful going home.

Chairman Raines asked if anyone of the commission had any further business. There was none.

Chairman Raines made a motion to adjourn. Commissioner Howell Seconded. Attorney Winters asked folks to keep it down we are not done yet, please. Vote was 6-0 to adjourn.

This is a summary of proceedings at the June 16, 2020 meeting of the Planning Commission; and not a verbatim transcript of the meeting, as it is documented in the minutes as well as can be determined from the recording. This summary, and an audio recording of the meeting is retained by the Chester County Building & Zoning department, and available if requested. This summary represents the facts of this meeting; not the opinion or interpretation of the Secretary.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: \$150.00

Meeting Date: 6.16.20 Case # CCMA20-04 Invoice # 2591

The applicant hereby requests that the property described to be rezoned from R-2 to ID-3 per attached zoning plat.

Please give your reason for this rezoning request:

Zoning amendment enables economic development upon the property. Please see the attached "Luck Companies Economic Development Project, Rezoning and Special Exception Permit Application."

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant):

I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request.

NAICS CODE Number: 212313

Property Address Information

Property address: No 911 Address Designation – See Attached Survey

Tax Map Number: 089-00-00-025-000 Acres: 74

Any structures on the property: yes _____ no X . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant (s): Luck Stone Corporation

Physical Address: 515 Stone Mill Drive, Manakin Sabot, Virginia, 23063

Mailing Address: PO Box 29682, Richmond, Virginia, 23242

Telephone: _____

Alternate: _____

Owner(s) if other than applicant(s): J.W. Mullis - see attached Designation of Agent letter

Address: 199 Washington Street, Great Falls SC 29055 (mailing address)

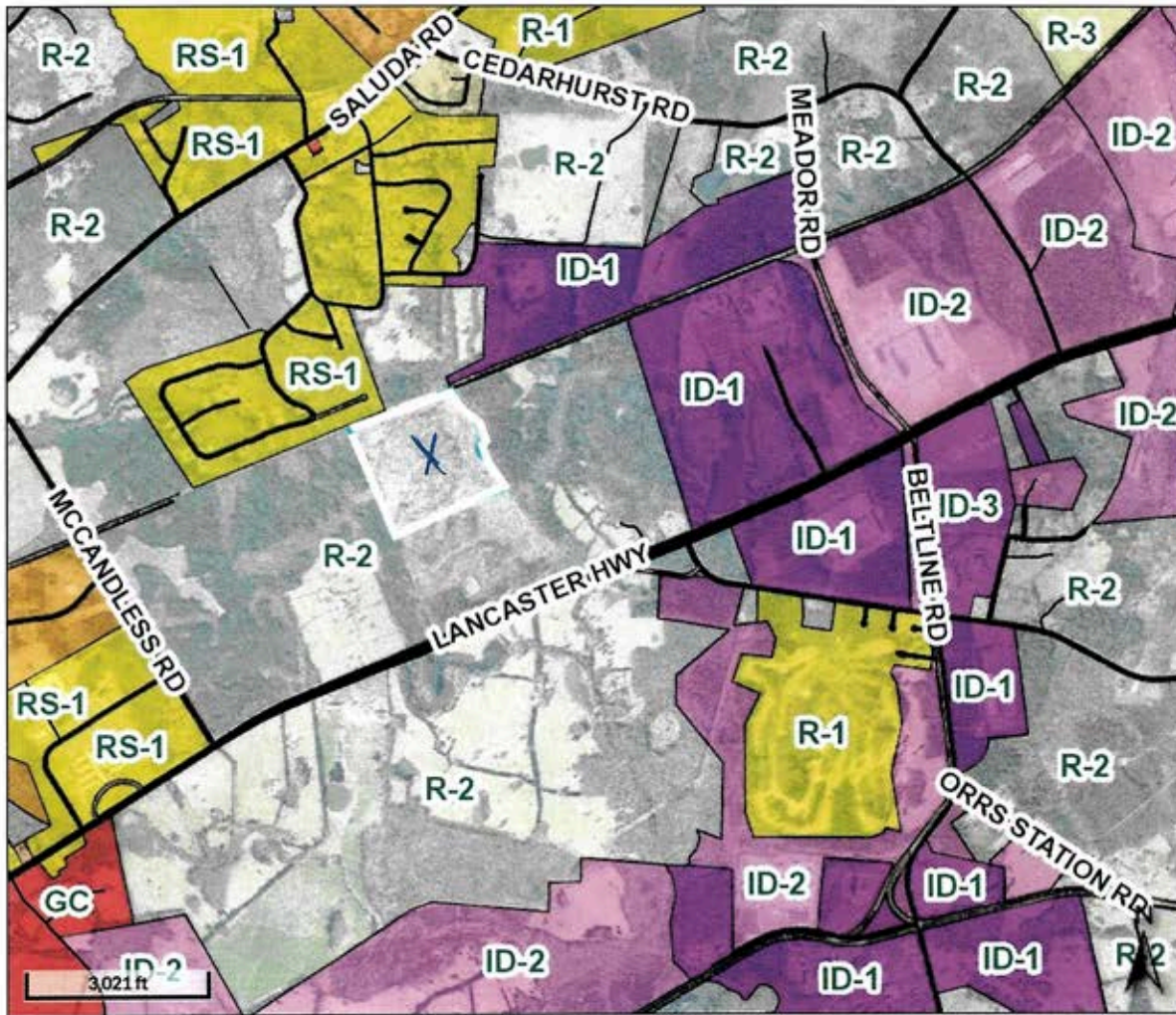
Telephone: see above

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: see attached Designation of Agent letter Date: April 10th, 2020

Applicant signature:  Date: April 10th, 2020

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Legend

Roads

- Secondary Road
- SC Highway
- Municipals
- Parcels

Chester County Zoning

- AG
- EDD
- GC
- ID-1
- ID-2
- ID-3
- LC
- R-1
- R-2
- R-3
- R-4
- RG-1
- RG-2
- RIV
- RS-1
- County Boundary

Parcel ID 089-00-00-025-000
 Sec/Twp/Rng n/a
 Property Address
 District 02
 Brief Tax Description LANCASTER RD

Alternate ID n/a
 Class LA
 Acreage 74

Owner Address MULLIS JW
 199 WASHINGTON STREET
 GREAT FALLS SC 29055

(Note: Not to be used on legal documents)

Date created: 6/30/2020
 Last Data Uploaded: 6/30/2020 3:36:38 AM

Developed by  **Schneider**
 GEOSPATIAL

that. I did visit Luck Stone's facility, and looking at these others, at the other locations, I can't believe that it's that much of a problem Big houses in close proximity to them and other facilities. I live in this neighborhood. I don't think that we will know it's there. I'm no biologist or geologist or anything but I think if the state issued a permit, you have to give them some credit. There is science and stuff behind their regulation. And if they say you have to meet this level of stormwater discharge and clarity and things of that nature. You have to have air quality. Monitoring, you have to have certain standards. I think all of that has to be taken into account. But I also understand that it's not in my backyard type issue. So, I guess when it comes down to it, that's probably the biggest question. I can't believe as many locations as they have with type of development to be that detrimental.

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Richburg Fire Rescue

225 North Main Street

Richburg, SC 29729

(803)789-3636

Follow us on Facebook @ richburgfirerescue

To: Tommy Darby, Treasurer Chester County, SC

From: John Agee, Chief Richburg Fire Department

Date: June 30th, 2020

Subject: Richburg Fire Department COVID-19 payroll
Breanna Morrow

Tommy,

Per our conversation regarding reimbursements for funds for the Richburg EMS Unit, we have submitted a request to Emergency Management to assist in the recovery of funds that we have lost during the recent state of emergency that was declared. Founders Federal Credit Union donated money to assist us in setting up an additional EMS unit that would be based out of our fire station that would provide coverage availability for our community and the county. This money was designated to help us with the startup of EMS unit and was to be used to pay the lease of the equipment and to help with provide staffing. The COVID-19 Pandemic and the temporary closure of the Chester Hospital Med-Surg altered these plans dramatically. We halted the plans to have the unit inspected under our department and it was certified under Chester EMS with a temporary sticker from DHEC. We had an agreement with Chester EMS that they would provide staffing for the unit and could run it out of our station. They were only able to staff this unit with one person, so funds from the donation were used to add a second person, Firefighter/EMT Morrow.

To date, the Richburg Fire Department is now obligated to paying Chester County back \$4,288.13. As we discussed on June 29th, Firefighter/EMT Morrow's timesheets have been coded as COVID-19 Response and the county will be paid back a portion of this money for her billable hours. We are respectfully asking for assistance in the replenishment of these funds and for the lease payment on the unit while it is under Chester County EMS operation.

Our Sincere Thanks,

John H. Agee – Chief
Richburg Fire Rescue

Chester Parks & Recreation Advisory Board

June 8, 2020

1. Jamie nominate Jerry for president J.P second
2. Jamie nominate Justin for V.P Jerry second
3. Jamie nominate Wade for secretary J.P second

General discussion about all the parks in the County and the board suggested that Anthony setup a schedule to make site visits to all the parks so we could evaluate.

General Discussion about playground equipment for parks

The Board voted yes to the new plans for Rodman 4 for none against.

The board agreed to do a site trip to all the parks to Evaluate.

Meeting Adjourned

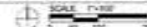
NEW PLANS



CHESTER ATHLETIC PARKS
 CHESTER, SOUTH CAROLINA

RODMAN PARK - MASTER PLAN

DATE: 04/08/2021



NEW PLANS

OLD PLANS



STER ATHLETIC PARKS
SOUTH CAROLINA

RODMAN PARK - MASTER PLAN

DATE: 02/18/14 SCALE: 1"=100'






IIV
 IIV
 IIV
 IIV

Bloc Design
 10111 North Street Suite 111
 Charlotte, NC 28220
 phone: 704.420.2400
 www.bloc-design.com

PROJECT NO.: 002250

OLD PLANS



Application for Chester County Boards, Commissions and Councils

Chester County Council selects citizens for service on Council Appointed Boards and Commissions from individuals who have either volunteered, been recommended for appointment or shown interest in being appointed. The Clerk to Council uses this form to update the roster of volunteers and give Council basic information about each volunteer.

Date: 06/15/2020

Board, Commission or Council Appointment being sought: Parks and Recreation Advisory Board

Name: Ralph E. Lunsford III (Tripp) Occupation: Director of Operations

Street Address: 2335 Old York Rd. Chester, SC 29706

Mailing Address: (if different from above) _____

Telephone (Home): N/A Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 07/22/84 SEX: M

If recommended by a Council Member, indicate name: Pete Wilson

In which Council District do you reside? Please indicate (1-6) 4

Are you presently serving on a County Board or Commission? No If "yes" when does your term expire? _____

CONFLICT OF INTEREST STATEMENT: I, Ralph E. Lunsford III, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. *By consenting and signing this form to be nominated you will be subject to a background check.* (Signature) Ralph E. Lunsford III

Board members shall serve at the will of the appointing Council member and terms shall also run concurrent with that of the appointer.

Please check the appropriate box below.

Boards

- Accommodation Tax Board
- Board of Assessment of Appeals
- Catawba Mental Health Board
- Catawba Regional Council Government
- Catawba Regional Workforce Board
- Chester County Library
- Hazel Pittman Center
- Solid Waste Board
- Zoning Board of Appeals

Commissions

- Airport Commission
- Chester County Parks & Recreation
- Chester County Planning Commission
- Chester Rural Fire District Commission
- John Keziah Park Commission
- Lando Rural Fire District Commission
- Fort Lawn Fire Protection Commission
- Olde English District Commission
- Richburg Fire District Commission
- Chester Metropolitan District Commission



Application for Chester County Boards, Commissions and Councils

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Date: June 09, 2020

Board, Commission or Council Appointment being sought: Fort Lawn Fire Protection Commission

Name: Terrie P. Frost Occupation: Solicitor's Diversion Program
Director

Street Address: 1359 Bridgewood Drive, Fort Lawn, SC 29714

Mailing Address: (if different from above) _____

Telephone (Home): [REDACTED] Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 08 / 19 / 65 SEX: Female

If recommended by a Council Member, indicate name: -

In which Council District do you reside? Please indicate (1-6) District 2

Are you presently serving on a County Board or Commission? no If "yes" when does your term expire?
 / /

CONFLICT OF INTEREST STATEMENT: I, Terrie P. Frost, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. *By consenting and signing this form to be nominated you will be subject to a background check.* (Signature) *Terrie P. Frost*

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Date: 6/9/20

Board, Commission or Council Appointment being sought: FORT LAWN Fire Protection Commission

Name: GLORIA Jean Killian Langford Occupation: Business Owner

Street Address: 2846 Catawba River Rd Fort Lawn SC 29714

Mailing Address: (if different from above) P.O. Box 111 Fort Lawn SC 29714

Telephone (Home): ^{WORK} [REDACTED] Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 11/17/58 SEX: F

If recommended by a Council Member, indicate name: _____

In which Council District do you reside? Please indicate (1-6) 1

Are you presently serving on a County Board or Commission? NO If "yes" when does your term expire? _____

CONFLICT OF INTEREST STATEMENT: I, Gloria K. Langford, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. By consenting and signing this form to be nominated you will be subject to a background check. (Signature) Gloria K. Langford

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Date: June 2, 2020

Board, Commission or Council Appointment being sought: Fort Lawn Fire Protection Commission

Name: Tyler Covington Occupation: Police Officer/Firefighter

Street Address: 606 River Road, Fort Lawn, SC 29714

Mailing Address: (if different from above) _____

Telephone (Home): _____ Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 05/03/1995 SEX: M

If recommended by a Council Member, indicate name: _____

In which Council District do you reside? Please indicate (1-6) 1

Are you presently serving on a County Board or Commission? No If "yes" when does your term expire?
____/____/____

CONFLICT OF INTEREST STATEMENT: I, Tyler Covington as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. (Signature) _____

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Date: 06/06/2020

Board, Commission or Council Appointment being sought: Fort Lawn Fire Commission

Name: "Bud" George Elston Delgouffre Occupation: Retired

Street Address: 4035 Lanksford Rd. Fort Lawn S.C. 29714

Mailing Address: (if different from above) _____

Telephone (Home): [REDACTED] Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 02/06/1944 SEX: Male

If recommended by a Council Member, indicate name: Shane Stewart

In which Council District do you reside? Please indicate (1-6) 1

Are you presently serving on a County Board or Commission? No If "yes" when does your term expire? / /

CONFLICT OF INTEREST STATEMENT: I, George Elston Delgouffre, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. (Signature) George E. Delgouffre

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Please Return to: Clerk to Council, P.O. Box 580, Chester SC 29706 or you may call at (803)-377-7852 or email to klee@chestercounty.org



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Date: 06/06/2020

Board, Commission or Council Appointment being sought: Fort Lawn Fire Commission

Name: Sally Davis Occupation: Retired

Street Address: 5803 Hindmon Road, Fort Lawn, SC 29714

Mailing Address: (if different from above) _____

Telephone (Home): [REDACTED] Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 03 / 24 / 1952 SEX: female

If recommended by a Council Member, indicate name: Shane Stuart

In which Council District do you reside? Please indicate (1-6) 1

Are you presently serving on a County Board or Commission? no If "yes" when does your term expire? / /

CONFLICT OF INTEREST STATEMENT: I, Sally Davis, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. (Signature) Sally Davis

Sally Davis

Board members shall serve at the will of the appointing Council member and terms shall also run concurrent with that of the appointer.

Please check the appropriate box below.

Boards

- Accommodation Tax Board
- Board of Assessment of Appeals
- Catawba Mental Health Board
- Catawba Regional Council Government
- Catawba Regional Workforce Board
- Chester County Library
- Hazel Pittman Center

Commissions

- Solid Waste Board
- Zoning Board of Appeals

- Airport Commission
- Chester County Parks & Recreation
- Chester County Planning Commission

- Chester Rural Fire District Commission**
- John Keziah Park Commission**
- Lando Rural Fire District Commission**
- Fort Lawn Fire Protection Commission**
- Olde English District Commission**

- Richburg Fire District Commission**
- Chester Metropolitan District Commission**

Please Return to: Clerk to Council, P.O. Box 580, Chester SC 29706 or you may call at (803)-377-7852 or email to



Application for Chester County Boards, Commissions and Councils

Chester County Council selects citizens for service on Council Appointed Boards and Commissions from individuals who have either volunteered, been recommended for appointment or shown interest in being appointed. The Clerk to Council uses this form to update the roster of volunteers and give Council basic information about each volunteer.

Date: June 07 2020

Board, Commission or Council Appointment being sought: Board of Directors for Ft. Lawn Fire

Name: Steve Nunn Occupation: Retired

Street Address: 932 Seegars rd.

Mailing Address: (if different from above) _____

Telephone (Home): N/A Cell: [REDACTED]

E-Mail: [REDACTED]

Date of Birth: 02 / 16 / 1955 SEX: M

If recommended by a Council Member, indicate name: Shane Steward

In which Council District do you reside? Please indicate (1-6) 1

Are you presently serving on a County Board or Commission? no If "yes" when does your term expire? / /

CONFLICT OF INTEREST STATEMENT: I, Steve Nunn, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists.

(Signature) [Handwritten Signature]

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- Olde English District Commission
- Richburg Fire District Commission

Chester Metropolitan District Commission

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Application for Chester County Boards, Commissions and Councils

Chester County Council selects citizens for service on Council Appointed Boards and Commissions from individuals who have either volunteered, been recommended for appointment or shown interest in being appointed.

Date: 6-10-2020

Board, Commission or Council Appointment being sought: FORT LAWN FIRE PROTECTION DIST.

Name: JOHNNY DALE WILLIAMS Occupation: SUPERINTENDANT

Street Address: 1938 CATAWBA RIVER RD. FORT LAWN, S.C. 29714

Mailing Address: (if different from above)

Telephone (Home): Cell:

E-Mail:

Date of Birth: 2/14/73 SEX: M

If recommended by a Council Member, indicate name:

In which Council District do you reside? Please indicate (1-6) 4

Are you presently serving on a County Board or Commission? No If "yes" when does your term expire?

CONFLICT OF INTEREST STATEMENT: I, DALE WILLIAMS, as a voting member of any Chester County board, commission or council, agree to disqualify myself from voting on any issue(s) which may arise and in which a conflict of interest exists. By consenting and signing this form to be nominated you will be subject to a background check. (Signature)

Board members shall serve at the will of the appointing Council member and terms shall also run concurrent with that of the appointer.

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