



# **CHESTER COUNTY COUNCIL MINUTES**

**R. Carlisle Roddey Chester County Government Building  
1476 J.A. Cochran Bypass Chester, SC 29706  
Monday, August 21, 2017 at 6:00 PM**

## **MINUTES**

**Present:** Council Member Archie Lucas-Chaired the Meeting, Council Member Pete Wilson, Council Member Alex Oliphant, Council Member Brad Jordan, County Attorney Joanie Winters and Clerk to Council Karen Lee. Council Member Mary Guy arrived at 6:08. Chairman Shane Stuart and Vice Chairman Joe Branham attended a conference in Columbia SC due to traffic Chairman Stuart arrived at 6:30. Vice-Chairman Branham was absent with prior notification.

1. **Call to Order** by Chairman Archie Lucas.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison, invocation was given by Chairman Lucas.
3. **Approval of Minutes- August 4, 2017 County Council Minutes-** Council Member Wilson motioned to approve, seconded by Council Member Oliphant. Vote was 3-0 to approve. Council Member Jordan was absent for the August 4<sup>th</sup> meeting.
4. **Citizen Comments**  
Raymond Carter, PO Box 585, Chester, SC stated he had spoken to Council at a previous meeting on the same subject. He stated the murder of Shane Reginal Kennedy was by the County Police Department, he was there and seen it. He went on to say Alex Underwood stood before Council and lied to them about gangs in Chester County, Mr. Carter stated they were the gangs.
5. **Public Hearing-**No one signed up to speak

**Third Reading- "AN ORDINANCE TO ACQUIRE REAL PROPERTY LOCATED AT 127 SALUDA STREET, CHESTER, SOUTH CAROLINA DESCRIBED ON ATTACHED EXHIBIT "A" WHICH IS INCORPORATED HEREIN BY REFERENCE UPON SUCH TERMS AND CONDITIONS AS DESCRIBED IN AN APPROVED AGREEMENT**

## **6. Ordinances/Resolutions/Proclamations**

Chairman Lucas stated the agenda would be amended by eliminating item 6.b, 6.c, 6.d and 6.e. County Attorney Winters stated documents had not been received by the attorneys for Project 1725 and Magic Bus and advised Council not to go forward for the second reading without the documents.

Chairman Lucas motioned to amend the agenda by removing items 6.b, 6.c, 6.d and 6.e, seconded by Council Member Oliphant. Vote was 5-0 to approve to amend the agenda.

a. **Third Reading-** “AN ORDINANCE TO ACQUIRE REAL PROPERTY LOCATED AT 127 SALUDA STREET, CHESTER, SOUTH CAROLINA DESCRIBED ON ATTACHED EXHIBIT “A” WHICH IS INCORPORATED HEREIN BY REFERENCE UPON SUCH TERMS AND CONDITIONS AS DESCRIBED IN AN APPROVED AGREEMENT- Council Member Oliphant motioned to approve, seconded by Council Member Jordan. Vote was 5-0 to approve

b. **Second Reading** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN CHESTER COUNTY AND [**PROJECT 1725**]; THE INCLUSION OF CERTAIN REAL PROPERTY LOCATED IN CHESTER COUNTY IN A MULTICOUNTY INDUSTRIAL PARK; THE PROVISION OF CREDITS AGAINST FEE IN LIEU OF TAX PAYMENTS; THE EXECUTION AND DELIVERY OF SUCH DOCUMENTS AS MAY BE NECESSARY TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER MATTERS RELATED THERETO.” **Taken off the agenda.**

c. **Second Reading** of An Ordinance AUTHORIZING THE EXPANSION OF THE BOUNDARIES OF THE YORK-CHESTER INDUSTRIAL PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN CHESTER COUNTY IN THE PARK; TO EXTEND THE TERM OF SUCH PARK DESIGNATION FOR SUCH PROPERTY, WHICH PROPERTY IS NOW, OR WILL SUBSEQUENTLY BE, OWNED AND/OR OPERATED BY ONE OR MORE INVESTORS IDENTIFIED FOR THE TIME BEING AS **PROJECT 1725**; AND OTHER MATTERS RELATED THERETO. **Taken off the agenda.**

d. **Second Reading** of An Ordinance AUTHORIZING THE EXPANSION OF THE BOUNDARIES OF THE YORK-CHESTER INDUSTRIAL PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN CHESTER COUNTY IN THE PARK; TO EXTEND THE TERM OF SUCH PARK DESIGNATION FOR SUCH PROPERTY, WHICH PROPERTY IS NOW, OR WILL SUBSEQUENTLY BE, OWNED AND/OR OPERATED BY ONE OR MORE INVESTORS IDENTIFIED FOR THE TIME BEING AS PROJECT **MAGIC BUS**; AND OTHER MATTERS RELATED THERETO. **Taken off the agenda.**

e. **Second Reading** of An Ordinance AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF *AD VALOREM* TAX AND INCENTIVE AGREEMENT BY AND BETWEEN CHESTER COUNTY AND ONE OR MORE INVESTORS IDENTIFIED FOR THE TIME BEING AS PROJECT **MAGIC BUS**, EACH ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT SPONSORS (COLLECTIVELY, “COMPANY”), WHICH SHALL PROVIDE FOR (A) PAYMENT BY THE COMPANY OF CERTAIN FEES-IN-LIEU OF *AD VALOREM* TAXES; (B) A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK (“PARK”) ARRANGEMENT; AND (2) OTHER MATTERS RELATING THERETO. **Taken off the agenda.**

**f. A RESOLUTION SUBSEQUENTLY RATIFYING THE TRANSFER OF CERTAIN FEE IN LIEU OF TAX AGREEMENTS ENTERED INTO BETWEEN CHESTER COUNTY, SOUTH CAROLINA AND RING-MISSOURI, L.P.; AND OTHER RELATED MATTERS.**

Council Member Oliphant motioned to approve, seconded by Council Member Jordan. Vote was 5-0 to approve.

**7. New Business**

**a. Accommodation Tax Recommendation-Cheryl Addison.**

Cheryl Addison stated each year the Accommodation Tax Committee is charged with allocating funds to organizations that promote tourism to the County. This year they had fifteen applications and \$95,000 dollars to distribute between the fifteen applicants. Everyone received funds except for the Olde English district. which receives thirty percent of tax dollars off the top. Council Member Guy motioned to approve the funds allocated, seconded by Council Member Oliphant. Vote was 5-0 to approve.

**b. Discuss and Consider the Liability of a County Road Tax Map # 080-06-02-028-000.**

Ellis Faulkner, Public Works Director stated the road has been in the County road system since 1968 when it was sold to the County for \$1.00, the road has been closed for 25 years. The road led to an egg farm at one time. The property is now owned by Don Wood who would like to buy it back. The road originally belonged to his father before it was sold to the county. Mr. Faulkner stated a company called and asked for a right of way to access the property so they could build a cell tower. Mr. Faulkner suggested selling the road back to the current owner for one dollar, the owner would be responsible for all legal fees. Council Member Oliphant motioned to sell the road to the current owner and the current owner would be responsible for all legal cost, seconded by Council Member Guy. Vote was 5-0 to approve.

**c. Approve bid for the Library Repairs and Waterproofing to Carolina Commercial Builders in the amount of \$82,179.00.** Council Member Oliphant motioned to accept the bid, seconded by Council Member Wilson. Robert Barfield with Hall a/e/c stated the work will consist of a concrete slab in the basement area for storage, waterproofing the front side of the library and demolition of the rear steps. The steps would be built back to the current building codes. Vote was 4-0 to approve. Council Member Oliphant left the meeting before voting due to an emergency.

**d. Approve bid for the El Bethel Fire Station to Salem Builders in the amount of \$499,400.00.**

Council Member Jordan motioned to approve the bid contingent on approval of financing, seconded by Council Member Wilson. Vote was 4-0 to approve.

Agenda Addition: First Reading of an ordinance to authorize a revenue bond for the Fort Lawn Fire District Fire Station which will provide a formal title and full ordinance before the second reading. Council Member Lucas motioned to approve by title only, seconded by Council Member Wilson. Vote was 4-0 to approve.

**e. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Michael and Lisa Carr's Request: A Portion of Tax Map Number 104-00-00-082-000 Consisting of 5 Acres Located on Gregg Road, Rock Hill, SC To Be Rezoned from R-1 Rural One To R-2 Rural Two. Planning Commission Voted 7-0 To Approve.** Council Member Guy motioned to approve, seconded by Council Member Jordan. Vote was 4-0 to approve.

**f. First Reading to Adopt the Planning Commission’s Recommendation to Approve the Rezoning of Richard and Donna Sharpe’s Request: Tax Map Number 060-01-00-019-000 Consisting of 1.5 Acres for Property Located at 1196 Radcliff Road, Chester, SC To Be Rezoned from RG1 Multi Family Residential to RG2 General Residential. The Planning Commission Voted 7-0 to approve.** Council Member Wilson motioned to approve, seconded by Council Member Jordan. Vote was 4-0 to approve.

**g. First Reading to Adopt the Planning Commission’s Recommendation to Approve the Gateway District Master Plan consisting of 764 parcels by Chester County Zoning Ordinance. The Planning Commission Voted 7-0 to approve.** Council Member Guy motioned to approve, seconded by Chairman Stuart. Vote was 4-0 to approve.

**8. Boards and Commissions**

**a. Resignation by Cheryl McBrayer from the Parks & Recreation Committee**

Chairman Stuart motioned to accept Cheryl McBrayer’s resignation, seconded by Council Member Guy. Vote was 4-0 to accept.

**b. Appoint Justin Reynolds to the Parks & Recreation Committee- Alex Oliphant**

Chairman Stuart motioned to approve Justin Reynolds to the Parks & Recreation Committee, seconded by Council Member Wilson. Vote was 4-0 to approve.

**9. Executive Session-**Council Member Guy motioned to go to Executive Session, seconded by Council Member Jordan. Vote was 4-0 to approve.

**a. To receive legal advice on pending litigation cases against Chester County.**

**10. Council Actions Following Executive Session-** Council Member Jordan motioned to go back to Regular Session, seconded by Council Member Guy. Vote was 4-0 to approve.

**a. Action taken concerning legal advice on pending litigation cases against Chester County.**  
No action was taken.

**11. Council Comments-** None

**12. Adjourn-** Council Member Wilson motioned to adjourn, seconded by Council Member Jordan. Vote was 4-0 to adjourn.

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Chairman Shane Stuart, Supervisor &

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Karen Lee, Clerk to Council

**Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified and a notice was posted on the bulletin board at the Chester County Government Building 24 hours prior to the meeting**