

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, September 20th 2021 at 6:00 PM

Present: Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman William Killian, Councilman Pete Wilson, County Attorney Joanie Winters and Clerk to Council Karen Lee.

1. **Call to Order-** Interim Chairman Dr. Frederick called the meeting to order at 6:00 pm.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilwoman Guy gave the **invocation**.

Interim Chairman Dr. Frederick entertained a motion to insert an executive session item to the agenda following item 6.c. for the purpose to receive legal advice regarding development agreements. Councilman Vaughn motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.

3. **Approval of Minutes**
 - a. **September 7th, 2021 Council Minutes.**
Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
 - b. **September 10th, 2021 Special Called Council Minutes.**
Vice Chairman Branham motioned to approve, second by Councilman Killian. Vote 5-0 to approve.
Councilman Jordan was not present for the 9-10-2021 meeting and did not vote.

4. **Citizen Comments**

Sara Shirley, 8008 Corporate Center Drive, Charlotte, NC and Johnathon McCall, 2627 Brekon Ridge Centre Drive, Charlotte both spoke in favor for the Chester Land Holdings, LLC request that was on the agenda for third and final reading.

Steve Bishop, 531 Sherwood Circle, Chester, SC spoke in favor for the US Development request for the third and final reading.

5. **Public Hearing-**Dr. Frederick opened the public hearing.
 - a. **3rd Reading of 2021-10** An Ordinance to Establish Distribution of the Local Option Sales Tax.
No one signed up to speak and Dr. Frederick closed the public hearing.
6. **Ordinances/Resolutions/Proclamations**
 - a. **3rd Reading of 2021-10** An Ordinance to Establish Distribution of the Local Option Sales Tax.
Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote was 6-0 to approve.
 - b. **2nd Reading of 2021-11** An Ordinance To Amend The Master Agreement Governing The York-Chester Industrial Park Between Chester County, South Carolina And York County, South Carolina So As To Enlarge The Park. Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
 - c. **2nd Reading of 2021-12** An Ordinance Adopting The Requirements Of The South Carolina Local Government Development Agreement Act; Creating Uniform Requirements For The County's Executing And Delivering Development Agreements; And Other Related Matters. Councilman Wilson motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

Councilwoman Guy motioned to go into executive session to receive legal advice regarding development and performance agreements, second by William Killian. Vote 6-0 to approve.

Vice Chairman Branham motioned to go back to regular session, second by Councilman Jordan. Vote 6-0 to approve. Interim Dr. Frederick stated the legal advice regarding development and performance agreements were taken as information.

7. **Old Business**

a. Update on current projects- Procurement Director Susan Cok.

Mrs. Cok stated they were currently working on a proposal to obtain additional funding for Rodman Sports Complex, North Chester Fire and Lewis Fire. The next project which is the Hazmat building which will be built on this site the grading will start in November. They were currently working with other department heads on equipment purchases from the 2020 sales tax monies to get those projects going so their equipment can be purchased. Currently they are in initial design processes for several other projects.

b. Update regarding mid-year economic development and Gateway Quarterly Report Economic Developer Director Robert Long, Project Manager Kris Phillips and Event Planner Kimberly Starnes.

Mrs. Starnes gave an update regarding the rental and usage of the Gateway. Mr. Long gave a status report for the number of projects which was 78 and still climbing. Mr. Phillips stated he would be sending Council information regarding two upcoming events the first one being held next month is National Manufacturing Day and in November the Red-Carpet tour for the State Department of Commerce.

c. From CCTC:

1. Action taken from the CTC 2022 Road Paving for district six.

Vice Chairman Branham motioned to approve State Park Road, second by Councilman Killian. Vote 6-0 to approve.

d. 3rd Reading of CCMA21-02: Chester Land Holdings, LLC. Request Tax Map # 123-00- 00-032-000 located along Edgeland Road, Edgemoor SC, be rezoned from R2 (Rural Two) to PD (Planned Development) Planning Commission voted 3-4 to deny.

Councilman Wilson motioned to approve with a reverter clause in place and that a development agreement with Winchester must be in place by December 31st, 2021, second by Vice Chairman Branham. Vote 5-1 to approve. Councilman Jordan opposed.

e. 3rd Reading of CCMA21-04: Chester Land Holdings, LLC. Request Tax Map # 123-00-00-078-000 located along Edgeland Road, Edgemoor SC, be rezoned from R2 (Rural Two) to PD (Planned Development) Planning Commission voted 7-0 to deny. Councilman Wilson motioned to approve with a reverter in place, it would revert back to the original zoning if the development agreement was not in place by December 31st, 2021, second by Councilwoman Guy. Vote 5-1 to approve. Councilman Jordan opposed.

f. 3rd Reading of CCMA21:20: Todd Marion Love request Tax Map # 115-00-00-023-000 located on Lancaster Highway, Chester, SC be rezoned from GC (General Commercial) and R2 (Rural Two) to ID-2 (Limited Industrial). Planning Commission voted 7-0 to approve. Vice Chairman Branham motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

- g. 3rd Reading of CCMA21-21: HLC Holdings, LLC request Tax Map # 115-00-00-144-000 located on Lancaster Highway, Chester, SC be rezoned from GC (General Commercial to ID-2 (Limited Industrial). Planning Commission voted 7-0 to approve. Councilman Vaughn motioned to approve second by Vice Chairman Branham. Vote 6-0 to approve.**
- h. 3rd Reading of CCMA21-22: Earl L. Evans request Tap Map # 069-07-01-026-000 located at 528 West End Road, Chester, SC be rezoned from RG-2 (General Residential) to GC (General Commercial). Planning Commission voted 7-0 to approve. Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.**
- i. 3rd Reading of CCMA21-24: US Developments request Tax Map # 079-04-02-020-000 located on Village Drive, Chester, SC be rezoned from LC (Limited Commercial) to PD (Planned Development). Planning Commission voted 5-2 to approve. Vice Chairman Branham motioned to approve a project agreement that is currently being worked out between the lawyers and with a reverter clause and must be completed by December 31st, 2021, second by Councilwoman Guy. Vote 6-0 to approve.**

Attorney Winters stated for the record the difference between a project agreement and a development agreement was the project agreement is not predicated on the passage of a comprehensive plan and it allows for a little more expedient movement. US Development would have a project agreement as opposed to a development agreement.

- j. 3rd Reading of CCMA21-25: US Developments request Tax Map # 079-04-02-088-000 located on Village Drive, Chester, SC be rezoned from RG-1 (Multi Family) to PD (Planned Development). Planning Commission voted 5-2 to approve. Vice Chairman Branham motioned to approve a project agreement that is currently being worked out between the lawyers and with a reverter clause and must be completed by December 31st, 2021, second by Councilwoman Guy. Vote 6-0 to approve.**
- k. 3rd Reading of CCMA21-26: US Developments request a 28-acre portion of Tax Map # 079- 00-00- 032-000 located on Village Drive, Chester, SC be rezoned from RG-1 (Multi Family) to PD (Planned Development). Planning Commission voted 5-2 to approve. Vice Chairman Branham motioned to approve a project agreement that is currently being worked out between the lawyers and with a reverter clause and must be completed by December 31st, 2021, second by Councilwoman Guy. Vote 6-0 to approve.**
- l. 2nd Reading of CCMA21-27 Chris and Alma Hoskins request Tax Map # 122-01-03-010-000 located at 4431 Edgeland Road, Edgemoor SC be rezoned from R2 (Rural Two) to GC (General Commercial). Planning Commission voted 4-0 to approve. Councilman Jordan motioned to approve with a reverter clause, if the business ceases operation the property would revert back to the original zoning, second by Councilwoman Guy. Vote 6-0 to approve.**

8. New Business

- a. Council to consider the approval of a recycling and disposal service agreement-Public Works Director Robert Hall and Recycling/Litter Control Coordinator Katie Fischer. Councilman Vaughn motioned to approve the service agreement, second by Vice Chairman Branham. Vote 6-0 to approve.**
- b. Setting the 2021 Tax Millage-Auditor Donnie Wade and Treasurer Tommy Darby. Vice Chairman Branham motioned to approve the 2021 tax millage, second by Councilman Vaughn. Vote 6-0 to approve.**

- c. **Council to consider the approval for Lewis Fire Protection District to apply for a \$10,000 dollar grant from the SC Forestry Commission with a \$5000 dollar match. Jay Williams.**
Vice Chairman Branham motioned to approve Lewis Fire Protection District to apply for the grant, second by Councilwoman Guy. Vote 6-0 to approve.

9. **Boards and Commissions**-None

10. **Executive Session**-Councilman Jordan motioned to go to executive session, second by Councilman Killian. Vote 6-0 to approve.

- a. To receive a legal update regarding Opioid litigation. Attorney Winters.
- b. To receive legal advice regarding Chester Research & Development Park. Attorney Winters.

11. **Council Actions Following Executive Session**-Councilwoman Guy motioned to go back to regular session, second by Councilman Jordan. Vote 6-0 to approve.

- a. **Action taken regarding the legal update for Opioid litigation.** Taken as information.
- b. **Action taken regarding legal advice for Chester Research & Development Park.**
Taken as information.

12. **Council Comments**

Interim Chairman Dr. Frederick reminded Council the comprehensive plan and feasibility study had been added to their iPads and asked if they would send their recommendations to him for the comp plan no later than October 12th. He stated the Planning Commission would look it over in October. He also reminded everyone EMS will hold a vaccine clinic this Saturday September 25th from 8am to 4pm, anyone who would like to get the vaccine must pre-register on the County's website.

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

Time: 7:45 pm.

Karen Lee, Clerk to Council

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