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CHESTER COUNTY COUNCIL MEETING

**R. Carlisle Roddey Government Complex
1476 J.A. Cochran By-Pass**

**April 21, 2008
6:00 p.m.**

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

- Chairman Roddey**
- Vice Chairman Lucas**
- Council Member Oliphant**
- Council Member Martin**
- Council Member Guy**
- Council Member Jordan**
- Council Member Branham**
- County Attorney Winters**

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

a. Meeting of April 7, 2008

Vice Chairman Lucas made a Motion to approve the minutes of the April 7, 2008 County Council Meeting, 2nd by Councilwoman Guy, Council vote was unanimous.

b. Special Called Meeting of April 14, 2008

Council Member Martin made a Motion to approve the minutes of the Special Called County Council Meeting of April 14, 2008, 2nd by Council Member Branham, Council vote was unanimous.

Chairman Roddey then stated that a Resolution on the athletic fields in Chester County needed to be added to the agenda. **Councilman Branham then made a Motion to add the Resolution on athletic fields in Chester County to the agenda, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

1 **Councilman Jordan then stated he would also like to add an appointment to the agenda**
2 **and put that in the form of a motion, 2nd by Councilman Oliphant, Council vote was**
3 **unanimous.**

4 **IV. Citizens Comments**

5 **Ms. Sara J. Huse, 3153 Catawba River Rd.**, spoke on the rezoning that Council was to give
6 first reading tonight. Her concerns were: (1) she had not seen the Chester County Master
7 Plan and the area in question was residential and farming. She stated there was property already
8 zoned for industrial; (2) she was concerned about the increase in traffic on Hwy. 21 and stated
9 it was already extremely dangerous; and (3) a potential risk of contamination from the property
10 because the pond on the property that will be used for irrigation is in the direction of her property
11 and a commercial well would probably pump more water and that it should be located as far
12 away from her property as possible per DHEC and she also gave Council Members a handout.

13 **Ms. Gwen Lazenby, 3016 Catawba River Rd.**, also spoke on the proposed rezoning. She
14 stated that her property joined Ms. Huse's and that the wells are monitored by DHEC and no one
15 had been notified of this change. She also stated that a commercial nursery would drain into the
16 Catawba River and possibly into their wells and this would be very dangerous for the residents.

17 **Ms. Peggy Jordan, 3211 Catawba River Rd.**, also spoke on the proposed rezoning. Her
18 concern was the possibility of the water being contaminated from a commercial nursery.

19 **V. Public Hearing**

20 An Ordinance to Acquire Real Property Located at the Corner of Hudson
21 and Saluda Streets Described on Attached Exhibit "A" Which is Incorporated Herein
22 by Reference Upon Such Terms and Conditions as Described in an Approved
23 Agreement

24 **Chairman Roddey** opened the Public Hearing on An Ordinance to Acquire Real Property
25 Located at the Corner of Hudson and Saluda Streets Described on Attached Exhibit "A"
26 Which is Incorporated Herein by Reference Upon Such Terms and Conditions as Described
27 in an Approved Agreement. There were no speakers, therefore, **Chairman Roddey** closed
28 the Public Hearing.

29 **VI. Ordinances & Resolutions**

- 30 1. 3rd Reading of An Ordinance to Acquire Real Property Located at the Corner of Hudson
31 and Saluda Streets Described on Attached Exhibit "A" Which is Incorporated Herein
32 by Reference Upon Such Terms and Conditions as Described in an Approved
33 Agreement

34 **Councilman Oliphant made a Motion to approve 3rd and final reading of An Ordinance**
35 **to Acquire Real Property Located at the Corner of Hudson and Saluda Streets**
36 **Described on Attached Exhibit "A" Which is Incorporated Herein by Reference Upon**
37 **Such Terms and Conditions as Described in an Approved Agreement, 2nd by Council**

1 **Member Branham Council vote was unanimous.**

2

3 2. 2nd Reading of An Ordinance Adopting and Enacting a New Code for the County of
4 Chester, South Carolina; Providing for the Repeal of Certain Ordinances not Included
5 Therein; Providing a Penalty for the Violation Thereof: Providing for the Manner of
6 Amending such Code; and Providing when such Code and this Ordinance shall become
7 Effective

8 **Vice Chairman Lucas made a Motion to approve 2nd Reading of An Ordinance**

9 **Adopting and Enacting a New Code for the County of Chester, South Carolina;**

10 **Providing for the Repeal of Certain Ordinances not Included Therein; Providing a**

11 **Penalty for the Violation Thereof: Providing for the Manner of Amending such Code;**

12 **and Providing when such Code and this Ordinance shall become Effective, 2nd by**

13 **Council Member Martin, Council vote was unanimous.**

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16 VII. Old Business

17 1. Update on County C&D Landfill

18 **Bruce Todd/R.B. Todd & Assoc.** stated he had been working with Chester County for about

19 15 years and he was very familiar with the landfill site. He had a large map and pointed out

20 the location, condition and the expansion area. He stated that based on the tonnage now and

21 anticipated tonnage there was at least 5.4 more years of useable life at the current site. Since

22 the site is supposed to be covered every month, **Chairman Roddey** asked where did we get

23 cover dirt. Mr. Todd said there may be an area behind the transfer station but would confirm that

24 with DHEC. **Councilman Oliphant** asked how much dirt could we get from Cell 2. and Mr. Todd

25 said there was an area we'd have to excavate. **Councilman Oliphant** asked if we could go so

26 many feet below ground water and Mr. Todd said yes we'd get measurements and **Councilman**

27 **Oliphant** asked if this was involved in the permitting and Mr. Todd replied yes. **Chairman**

28 **Roddey** then said his road guy was worried about where he was going to get dirt from and

29 asked how deep the Cell was and Mr. Todd replied about 12-15 feet. **Vice Chairman Lucas**

30 asked if we were in a 10 year span how much more tonnage could it take. Mr. Todd replied about

31 45,000 and we were at about 75% now. **Vice Chairman Lucas** asked what would we do if

32 we reached the tonnage before the life span and Mr. Todd replied we would apply to DHEC.

33 **Councilwoman Guy** asked what was the present life span and Mr. Todd said 5.4 years.

34 **Councilman Oliphant** asked what was the projected life span on Cell #2 and Mr. Todd said

35 15-20 years. **Councilman Jordan** asked when do we start permitting from DHEC and Mr. Todd

36 said any time. **Councilman Oliphant** asked if we shouldn't make Cell #2 as large as possible

37 and Mr. Todd said there was not enough for a 3rd Cell but we could split Cell #2 in half and gain

38 additional space. **Councilman Oliphant** then said that Lockhart charges \$18 a ton and the

1 County is \$45/ton and if we took houses down and paid from them out of demolition wouldn't we
2 be better off taking them to Lockhart? **Councilman Martin** said the price at Lockhart is \$18
3 because Lockhart resells some of their items, especially concrete slabs. **Councilman Branham**
4 asked if any county is required to separate those types of items and Mr. Todd replied no.
5 **Councilman Martin** said he thought Beaufort did. **Councilman Oliphant** then asked if anyone
6 had any idea how much life span was left at Lockhart and Mr. Todd nor Ms. Bickett did not know.
7 **Councilman Oliphant** then stated that by law the County did not have to take anything from
8 outside the county and Mr. Todd stated that was correct. **Councilman Jordan** then asked if
9 the committee was looking at the life span and tonnage estimate and **Councilman Oliphant**
10 said that Wendy Bell from Catawba Regional will be doing that. **Councilman Branham** then
11 asked if it would be possible to get estimates to look at sites that need torn down and **Chairman**
12 **Roddey** stated that Catawba Regional could do this. **Councilman Oliphant** stated that we
13 needed to be thorough. **Councilman Martin** stated this would increase the cost at the landfill
14 and **Chairman Roddey** stated we would use the road crew down there. **Councilman Oliphant**
15 thanked Mr. Todd for coming and would like specifics on the permitting. **Councilman Branham**
16 asked if the committee is on board with this and **Councilman Oliphant** stated all he was doing is
17 trying to gather some info and this is something for the committee to think about.

18

19 2. Update on "Free Day" at the Landfill

20 **Sharon Wilson Bickett/Recycling Coordinator** stated that 129 plus tons were taken in on free
21 day; commercial was 51 tons, C&D 78.3 and 6 tons of tires and the estimated cost would be
22 between \$12,000 and \$15,000. Ms. Bickett said the fuel surcharge would not come in until the
23 end of the month. She also stated that 425 cars came through and she said there were also
24 some problems. One was the road to the landfill was in really bad shape and several cars had
25 gotten stuck and people had to get out and help and it backed the traffic up and then people
26 couldn't get turned around. Another problem was kids were running around and parents weren't
27 looking after them and Mr. Mathews had a concern that this may be a liability to the County.
28 People are not separating their items and then are complaining that the inmates should help them
29 more. Ms. Bickett said there were only four inmates helping out and they were doing all they
30 could. **Councilman Oliphant** asked if there was a breakdown between C&D, tires and
31 commercial and Ms. Bickett replied no. **Councilman Branham** asked if there were any signs
32 about kids and Ms. Bickett replied no but we need to put up signs to take the liability off of the
33 County and even put it in the paper when we advertise the next (if there is one) Free Day.
34 **Councilman Branham** asked if signs were posted would that take the liability off of the County
35 and **Chairman Roddey** replied it would. **Councilman Jordan** asked if the fuel surcharge came
36 on the first of the year and Ms. Bickett replied yes. **Chairman Roddey** stated the expenses thus
37 far are \$657,813 and we've taken in \$484,700 so we're about \$170,000 in the hole. The tonnage
38 will surpass last years and has almost reached the total amount we had in 2007. **Councilman**

1 **Oliphant** said if the City of Chester and the Town of Great Falls brings a lot the rate the
2 municipalities is charged needs to pay for itself. **Councilman Jordan** then asked Ms.
3 Bickett how much we needed to charge to break even and she replied \$46 or \$47.
4 **Councilman Oliphant** asked if she would bring some recommendations back to council
5 and **Councilman Branham** asked if she would do a study. Ms. Bickett asked if the study he
6 wanted was a cost to break even and **Councilman Branham** said yes. **Chairman**
7 **Roddey** stated Mr. Todd could help you with this C&D & MSW. **Councilman Jordan**
8 reminded her too about the surcharge Waste Management was passing on to us and
9 to include this in a report at the next meeting. **Councilman Oliphant** suggested a couple of
10 years to see a comparison. Ms. Bickett said she would be glad to.

11 **VIII. New Business**

- 12
13 1. From Planning Commission
14 First Reading: CCPC Meeting Date: 4/15/2008

| <u>Commission</u> | <u>Council</u> |
|-------------------|----------------|
| <u>Vote</u> | <u>Vote</u> |
| 5-0 to Approve | |

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21 **Tax Map #155-00-00-053**

22
23 **From:** R2 (Rural Two) to GC (General Commercial)
24 **Name:** Claude L. Mauldin, Jr.
25 **Map Amendment #** CCMA08-0006
26 **Location:** 17 acres located at 917 Fincher Rd, Fort Lawn, SC

27
28 **Councilman Oliphant made a Motion to uphold 1st Reading of Tax Map #155-00-00-053,**
29 **2nd by Council Member Guy.** **Councilman Jordan** asked if the Attorney if he was related to
30 everyone that spoke but had no economic interest in the property is that a conflict of interest.
31 **County Attorney Winters** replied that since **Councilman Jordan** had no property involved she
32 saw no conflict of interest. **Councilman Branham** asked how many families were at the
33 Planning Meeting when this issue came up. A citizen in the audience replied that plenty of
34 families attended but the rezoning sign was definitely not visible. **Councilman Branham** then
35 asked **Chairman Roddey** if he would get some information from Mr. Mack Paul and **Chairman**
36 **Roddey** replied he would. **Vice Chairman Lucas** asked if this would be an above or in ground
37 nursery and could zoning specify particulars. **Councilman Martin** said he would like to see
38 the minutes of the Planning Meeting before he voted. **Councilman Jordan** said he would also
39 like to see the minutes and that he had been contacted by some relatives that were in favor
40 of the rezoning. **Councilman Jordan** stated this also deviated from the Comprehensive Plan
41 and he would like to know the reasoning for doing this. **Councilman Jordan** also said that Mr.
42 Paul had said the size of the building was a concern and if the owner had two buildings he

1 probably would not need to rezone. Also, there was a lot of traffic accidents at this section of
2 Hwy. 21 and he would prefer we do this without rezoning and stick to the Comprehensive Plan.
3 **Councilman Oliphant** said its actually not about a nursery but “general commercial”, that a lot
4 goes into general commercial. **Councilman Branham** asked what the County Attorney would
5 recommend. **County Attorney Winters** said there probably wasn’t enough information but if
6 Council gave first reading tonight it would lock them in for two more readings. **At this point,**
7 **Councilwoman Guy withdrew her second and Councilman Oliphant withdrew his Motion.**
8 **Councilwoman Guy** asked if it would be on the agenda for the next meeting and **Chairman**
9 **Roddey** stated it would. **Councilman Martin** and **Vice Chairman Lucas** stated that they would
10 like to see the minutes before making a decision.

11 The Resolution added to the agenda was handled next. **Councilman Martin made a Motion**
12 **to approve the Resolution on athletic fields, 2nd by Councilman Jordan.** Discussion:
13 **Councilman Branham** asked how many times the motorcycle club tried to use the field
14 and **Chairman Roddey** said they attempt 3-4 times a year. **Councilman Jordan** said
15 that the Rodman Field was torn up last year and extra police had to be hired during the event
16 and he explained the terrible condition of the field when the event was over. **Councilman**
17 **Martin** asked if car shows were still allowed and **Chairman Roddey** said they didn’t
18 have them there. **Councilman Oliphant** asked about dog shows and **Chairman**
19 **Roddey** said that was not my decision. **Council then voted and the vote was 5-1 with**
20 **Councilwoman Guy voting against.**

21 **IX. Executive Session**

22 **Chairman Roddey** stated that Council needed to go into Executive Session to discuss:

- 23 1. Economic Development Matter: Re: Great Falls #2 Mill
- 24 2. Personnel Matter: Re: Clerk of Court

25 **Vice Chairman Lucas made a Motion to go into Executive Session, 2nd by Council**
26 **Member Guy, Council vote was unanimous.** Time was approximately 7:20 pm

27 Council returned from Executive Session at approximately 8:50pm.

28 **Councilman Branham made a Motion to go back into Regular Session, 2nd by Council**
29 **Member Martin, Council vote was unanimous.**

30 **Chairman Roddey** stated Council had listened to a presentation in Executive Session
31 regarding the Great Falls #2 Mill and no action was taken.

32 **Chairman Roddey** stated Council had discussed in Executive Session a Personnel Matter
33 regarding the Clerk of Court Office and was taken as information only.

34 At this time **Councilman Jordan then made a Motion to re-appoint Mr. Richard Miller to the**
35 **Lando Fire District Board, 2nd by Councilman Martin, Council vote was unanimous.**

36 **X. Council Members Comments**

37 There were no Council Member Comments

1 **XI. Adjournment**

2 **Vice Chairman Lucas made a Motion to adjourn, 2nd by Councilwoman Guy,**

3 **Council vote was unanimous.** Time was approximately 9:00 pm

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

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R. Carlisle Roddey
Chester County Supervisor

Carolyn S. Clayton-Snipes, CCC
Clerk to Chester County Council

Chester County Council Meeting of 4-21-2008