



## **CHESTER COUNTY COUNCIL MEETING**

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

**February 1, 2010  
Monday  
600 p.m.**

**Chairman Roddey– Presiding**

**Minutes**

**In Attendance:**

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

### **I. Call to Order**

### **II. Pledge of Allegiance & Invocation**

### **III. Approval of Minutes**

1. Chester County Council Meeting Minutes of January 19, 2010

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of January 19, 2010, 2<sup>nd</sup> by Council Member Jordan, Council vote was 5-0 to approve with Council Member Guy coming in late.**

### **IV. Citizens Comments**

There were no Citizens Comments

### **V. Public Hearing**

**Chairman Roddey** opened the Public Hearing on the following Ordinance:

1. An Ordinance to Authorize and Approve an Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster

County and Chester County with Property Located in Lancaster County (Greyne Custom Wood Co., LLC); to Require the Payment of a Fee In Lieu of Ad Valorem Taxes by Businesses and Industries Located in the Park; to Apply Zoning and Other Laws in the Park; to Provide for Law Enforcement Jurisdiction in the Park; and to Provide for the Distribution of Park Revenues within the County

There were no speakers, therefore, **Chairman Roddey** closed this portion of the Public Hearing.

**Chairman Roddey** opened the Public Hearing on the next Ordinance:

2. An Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and Lancaster County dated December 1, 2008 to Include Additional Haile Gold Mine, Inc. Property

There were no speakers, therefore, **Chairman Roddey** closed this portion of the Public Hearing.

**Chairman Roddey** opened the Public Hearing on the last Ordinance:

3. An Ordinance to Create the John Keziah Park Commission for Chester County

There were no speakers, therefore, **Chairman Roddey** closed the Public Hearing.

## **VI. Ordinances**

1. 3<sup>rd</sup> Reading of An Ordinance to Authorize and Approve an Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County and Chester County with Property Located in Lancaster County (Greyne Custom Wood Co., LLC); to Require the Payment of a Fee In Lieu of Ad Valorem Taxes by Businesses and Industries Located in the Park; to Apply Zoning and Other Laws in the Park; to Provide for Law Enforcement Jurisdiction in the Park; and to Provide for the Distribution of Park Revenues within the County

**Vice Chairman Lucas made a Motion to approve 3<sup>rd</sup> Reading of an Ordinance to Authorize an Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County and Chester County with Property Located in Lancaster County (Greyne Custom Wood Co., LLC); to require the payment of a Fee in Lieu of Ad Valorem Taxes by Businesses and Industries Located in the Park; to Apply Zoning and Other Laws in the Park; to Provide for Law Enforcement Jurisdiction in the Park; and to Provide for the Distribution of Park Revenues within the County, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

2. 3<sup>rd</sup> Reading of an Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and Lancaster County dated December 1, 2008 to Include Additional Haile Gold Mine, Inc. Property

**Vice Chairman Lucas made a Motion to approve 3<sup>rd</sup> Reading of an Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and Lancaster County dated December 1, 2008 to Include Additional Haile Gold Mine, Inc. Property, 2<sup>nd</sup> by Council Member Branham, Council vote was Unanimous.**

- 3 . 3<sup>rd</sup> Reading An Ordinance to Create the John Keziah Park Commission for Chester County

**Council Member Branham made a Motion to approve 3<sup>rd</sup> Reading of an Ordinance to create the John Keziah Park Commission for Chester County, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

4. 2<sup>nd</sup> Reading of an Ordinance to Authorize the Postponement Until Property Tax Year 2011 of Reassessment and Revised Property Values Resulting from the Equalization Program as Provided Pursuant to Section 12-43-217 of the Code of Laws of South Carolina, 1976, as Amended

**Council Member Guy Made a Motion to approve 2<sup>nd</sup> Reading of an Ordinance to Authorize the Postponement Until Property Tax Year 2011 of Reassessment and Revised Property Values Resulting from the Equalization Program as Provided Pursuant to Section 12-43-217 of the Code of Laws of South Carolina, 1976, as Amended, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

## **VII. Old Business**

1. Signage for Highway 99 Industrial Park

**Council Member Branham** brought this item back before Council and **Ms. Parker/Economic Development Director** said other companies had submitted prices since the last meeting. **Ms. Parker** said she had four prices and needed to know what Council wanted. **Council Member Oliphant** asked what was the bottom line on one from Jim Brown signs that all Council Members liked. **Ms. Parker** replied; \$2,288 for letters, \$380 for the County Seal and \$550 to set in concrete. **Council Member Jordan** asked if that included lighting and **Ms. Parker** replied no but power was there. **Vice Chairman Lucas** asked how high the sign would be and **Ms. Parker** replied that was up to Council. Several more questions were asked and **Ms. Parker**, in summary, said she would go back with the specifications Council requested and bring back a price quote at the next meeting. Council agreed. **Council Member Guy then made a Motion to take this item as information only and bring back at the next meeting, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.**

2. **2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL**

**Second Reading: From Meeting of December 15, 2009**

<b><u>Commission</u></b>	<b><u>Council</u></b>
<b><u>Vote</u></b>	<b><u>Vote</u></b>
<b>5-0 to approve</b>	<b>6-0 to approve</b>

**MAP AMENDMENT #CCMA09-0011**

Change Zoning from RS1 (Single-Family) to GC (General Commercial)

Applicant: Tim Montgomery

Tax Map Number: 080-01-06-019

Size & Location: 1 Lot located at 644 Columbia Rd. Chester, SC

**Council Member Branham made a Motion to uphold Planning Commissions**

**Recommendations on Map Amendment #CCMA09-0011, 2<sup>nd</sup> by Vice Chairman Lucas,**

**Council vote was unanimous.**

3. Update on Eureka Mill

Before **Council Member Oliphant** spoke, **Chairman Roddey** asked that **Mr. Larry Ramsey** come to the podium to discuss the Performance Bond concern he had regarding the Eureka Mill. Basically, Mr. Ramsey said he could not get a Performance Bond but did have a letter of credit from a bank. **Chairman Roddey** said the Ordinance plainly states a Performance Bond and he could not change that without Council's approval. **County Attorney Winters** said she had met with Mr. Mack Paul on December 3<sup>rd</sup>, 2009 and a value of \$220,000 was discussed. Mr. Ramsey said he had gone to several bonding companies and could not find one to do this unless he had an engineer and a contract with the County. **Council Member Oliphant** then said Mr. Ramsey was correct to some degree but it depended on a person's finances, character and one more item he couldn't think of to obtain a Performance Bond and if he had a contract with the County he could get one but Ms. Winters did a title check and the property is not even in Mr. Ramsey's name. **Council Member Oliphant** also said Mr. Ramsey had been cited because he was taking metal out of the building and was not authorized to do so. Mr. Ramsey said he had to get the metal to sell to continue the work and that one reason the title hasn't been cleared is that he is making payments to the present owner and that he has a person that wants to purchase 5 acres and another that wants to redo the front where the offices are located. **Council Member Oliphant** then said that others have said the same thing and have left the place in a mess and he shouldn't be going in there because of the asbestos in there. Mr. Ramsey said that he had been stopped and that he had gotten a licensed person to remove the asbestos to which **Council Member Oliphant** said that Mr. Ramsey had also said he owned the property but did not, and that he may have an agreement with the owner but not ownership to which Mr. Ramsey replied he was close. **Vice Chairman Lucas** then said the County had been stuck with a lot of mills not being cleaned up and that Mr. Ramsey should understand that the County does not need to go through this again and that

he should own the property, what did he expect Council to think. Mr. Ramsey then said he “almost made his last payment” and **Council Member Oliphant** said everyone is tired of how the town is looking because of the mills and that somebody would clean up the Eureka whether it was Mr. Ramsey or the County and that the County is not going to let anybody go in and take stuff out. Mr. Ramsey said he had a \$50,000 letter of credit and that was what he needed and **Council Member Oliphant** said who told you that and Mr. Ramsey said Mr. Mack Paul. **Chairman Roddey** said that was a couple years back he told you that and Mr. Ramsey said all he wanted to do was clean the Eureka up and sell it. **Council Member Jordan** asked if it had been discussed doing the work in stages and **Council Member Oliphant** said it had been, like outside then another section and he would be open to let somebody abate the asbestos and all debris in the yard cleaned and taken away but not anything inside of value. Mr. Ramsey said it took money to clean and that was the reason he was getting the steel to sell. **Council Member Oliphant** said he hadn’t seen any cleaning on the outside and Mr. Ramsey said he had been burning and **Council Member Oliphant** told him that was totally illegal and Mr. Ramsey said he got a permit from the Fire Department and **Council Member Oliphant** said he couldn’t burn construction debris. At this point, **Council Member Oliphant** asked Mrs. Winters if the Performance Bond penalty could be strengthened and **Mrs. Winters** replied by default the fine is \$500 (unless specified) and **Council Member Oliphant** asked if that was every day and **Mrs. Winters** replied it was. **Vice Chairman Lucas** asked when would he be making the last payment on the property and Mr. Ramsey replied at the end of the month. **Council Member Branham** then asked who do we need to get together to resolve this and Mr. Ramsey replied whoever makes a decision, please let me know. **Council Member Oliphant** then replied “we’ve already told you what to do, do the work in increments with a letter of credit”. At this point, the gentleman speaking that Council thought was Mr. Larry Ramsey said he wasn’t Larry Ramsey, his name was Jim Womack and Mr. Ramsey was sitting in the audience. **County Attorney Winters** said she would need more information especially from EPA and would need a copy of a purchase agreement and an EPA application and Mr. Womack asked when could she meet with he and Mr. Ramsey and **Mrs. Winters** replied on Thursday. **Chairman Roddey** then suggested that Mr. Womack and Mr. Ramsey meet with **Mrs. Winters** and work out the legalities.

**Council Member Jordan then made a Motion to take this as information only and the parties involved get with the County Attorney and work out the legalities and come back to Council on February 15<sup>th</sup>, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

4. Update on 2008-2009 Audit

**Mr. Bob Faulkner/Faulkner & Thompson Assoc.** came before Council and thanked them for allowing Faulkner & Thompson Assoc. to complete the audit. Mr. Thompson then recapped the Audit and stated it was an unqualified audit which is great and that every year the books

and records improve and that the information was received even earlier this year. Mr. Faulkner stated the County had done a great job. **Council Member Oliphant** asked about the "Findings Section" and Mr. Faulkner stated that Mr. Baker had that and **Council Member Oliphant** asked Mr. Baker to send it to him. **Council Member Oliphant** then inquired about the Investment Income Section and asked did it mean "we did good" and Mr. Faulkner stated it did. Several more questions were asked and answered to Council's satisfaction. **Council Member Oliphant then made a Motion to accept the 2008-2009 Audit, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

5. Request to accept EECBG for windows for Court House

**Jerry Baker/Finance Director** stated the County had applied for an EECBG Grant to replace the windows at the Courthouse and originally was to get \$112,000 but it was cut to \$81,000 and that the County had to respond to this particular Grant by February 3, 2010. **Chairman Roddey** then said he also needed to replace the roof at the Court House and did not want to borrow the money. **Council Member Jordan** asked why did Chester County get cut and other counties did not and Mr. Baker said he did not know. **Council Member Jordan** then asked if the COG didn't also allocate funds and Mr. Baker said he couldn't get a answer as to where the funds were. **Council Member Oliphant** suggested the monies come out of the Fund Balance to complete the project. **Council Member Jordan** asked if we could accept the proposed amount of the Grant but appeal and Mr. Baker said we could and also said that we could do the windows in phases but the job would have to be completed in a year. **Vice Chairman Lucas** asked what kind of interest were we looking at if we borrowed the money and Mr. Baker replied 3% with USDA and **Council Member Oliphant** asked why would we want to borrow the money when we have it in Fund Balance. **Council Member Oliphant** then asked if we had an estimate on the roof and **Chairman Roddey** said we had one estimate and was getting another tomorrow. At this time, **Council Member Oliphant then made a Motion to accept the EECBG Grant and try to get the money we're short, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.** **Chairman Roddey** then said he'd see where we could get the rest of the money and come back to Council with an answer.

## **VIII. Executive Session**

**Chairman Roddey** stated an Economic Development item needed to be discussed in Executive Session regarding purchase of land. **Vice Chairman Lucas made a Motion to go into Executive Session, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.** Time was approximately 7:25 p.m.

a. Economic Development - Re: Purchase of Land

Council returned from Executive Session and **Vice Chairman Lucas made a Motion to Go back into Regular Session, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.** **Chairman Roddey** stated that an Economic Development matter regarding the Purchase of Land had been discussed in Executive Session and that

Council authorized Ms. Parker to negotiate a price on the property and that this was taken as information only.

## **IX. Council Members Comments**

There were no Council Member Comments

## **X. Adjournment**

**Council Member Oliphant made a Motion to adjourn, 2<sup>nd</sup> by Council Member Guy.**

**Council vote was unanimous.** Time was approximately 8:00 p.m.

**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 R. Carlisle Roddey Government Complex 24 hours prior to the meeting**

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**R. Carlisle Roddey  
Chairman, Chester  
County Council**

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**Carolyn S. Clayton, CCC  
Clerk to Chester County Council**

Chester County Council Meeting of February 1, 2010