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CHESTER COUNTY COUNCIL MEETING

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

**March 3, 2008
6:00 p.m.**

Carlisle Roddey, Chairman – Presiding

Minutes

In attendance:

**Chairman Roddey
Vice Chairman Lucas
Councilman Oliphant
Councilman Martin
Councilwoman Guy
Councilman Jordan
Councilman Branham
County Attorney Winters**

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Introduction of “My Chester Group” – Chairman Roddey

Class of 2008:	Kierra Banks	Ashlyn Bassett	Courtney Cabaniss
	Victoria Cavanaugh	Briana Horne	Audrey Jennings
	Marty Shea McLaughlin		Siobhan McLaughlin
	Deirdre Miles	Kelsey Pittman	Shatara Young

Chairman Roddey introduced the **Class of 2008** future leaders and **Ben Bowles** with the Clemson Extension Service.

IV. Approval of Minutes

a. Meeting of February 18, 2008

Councilwoman Guy made a Motion to approve the Council Minutes of February 18, 2008, 2nd by Vice Chairman Lucas, Council vote was unanimous.

1 **V. Citizens Comments**

2 **Mr. Philip Moser**, 1875 Great Falls Hwy. had a concern that no environmental impact request
3 had been filed, in particular the rain water run off. The run off is carried by a creek behind his
4 property. If Mr. Clack moves his business he will have run off of residual from oil, etc and
5 Mr. Moser had environmental concerns about the creek that feeds into his pond and the effects
6 the creek will have on several farms in the area.

7 **Mr. Tom Miller** said he didn't live in Chester County but was concerned about the Land Use
8 Plan which Council is ignoring. The Plan places industries where they are best suited and
9 Developers rely on the Land Use Plan. He stated that Council had two cases which do not
10 conform to the non conforming use the Plan designates as rural land. He asked "what is
11 the value of a Land Use Plan" if Council was not going to adhere to it.

12 **Mr. Brian Knight**, 1682 Pleasant Grove Rd. asked that Council consider all the facts and what
13 is to be gained and lost by this rezoning.

14 **Ms. Sharon Furr**, 2049 Boyd Rd., stated that some articles that had been written on this
15 subject were good and that she was amazed that zoning had been overturned before –
16 then she said "no, they haven't been overturned". She said this was akin to the "tiger"
17 incident and if the plan is not right it doesn't work. Spot Zoning is not illegal but the
18 Land Use Plan needs to be amended.

19 **Mr. Robert Van Bevern**, 1212 Pitts Rd., spoke on the trucking company at the Stringfellow
20 Development. He said it was residential and not meant for trucks. He stated that most
21 homes were 20 feet away from each other and no one wanted a trucking company in a
22 residential area.

23 After these citizens spoke, **Vice Chairman Lucas** said he had heard these comments
24 from residents and that if he really felt this would be detrimental to their families he
25 would not vote for this. He stated that Mr. Clack wanted to move his business 3.7 miles
26 further down the road and increase jobs and pay a good salary.

27 **Councilwoman Guy** stated she had the welfare of the citizens of Chester County in mind
28 and that she was not giving preferential treatment to anyone but that she could not see
29 any harm in overturn Planning Commissions Recommendation.

30 **Councilman Jordan** stated that he disagreed with the other Council Members and that
31 we had a Master Plan and should not do this spot zoning and that he thought it was
32 a mistake.

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36 **VI. Old Business**

37 **From Planning Commission**
38

1 **1. Third Reading:**

2 **CCPC Meeting Date: 1-15-08**

3 **Commission**
4 **Vote**
5 **6-0 to Deny**

6 **Council**
7 **Vote**
8 **3-1 to Overturn**
9 **Planning Comm.**

10 **Tax Map # 101-00-00-003**

11 **From:** R2 (Rural Two) to ID-1 (Restricted Industrial)

12 **Name:** April Counterman

13 **Tax Map:** 101-00-00-003-000

14 **Location:** 10 acres located at 1671 Great Falls Hwy, Chester, SC

15 **Map Amendment #CCMA08-0003**

16 **Vice Chairman Lucas made a Motion to Overturn Planning Commissions**

17 **recommendation on Tax Map # 101-00-00-003, 2nd by Councilman Martin**

18 **Council vote was 3-1 to overturn the Planning Commission recommendation,**

19 **with Council Members Branham and Oliphant abstaining and Council Members**

20 **Lucas, Guy and Martin in favor and Councilman Jordan opposing.**

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24 **2. Third Reading:**

25 **CCPC Meeting Date: 1/15/2008**

26 **Commission**
27 **Vote**
28 **6-0 to Deny**

29 **Council**
30 **Vote**
31 **4-3 to Uphold**

32 **MAP AMENDMENT # 088-00-00-012**

33 **From:** R2 (Rural Two) to LC (Limited Commercial)

34 **Name:** Matthew R. Niemiec

35 **Tax Map:** 088-00-00-012-000

36 **Location:** 8 acres located at 1234 Stringfellow Rd, Chester, SC

37 **Map Amendment #CCMA08-0002**

38 **Councilman Jordan made a Motion to uphold Planning Commission's Recommendation to**

39 **Deny Tax Map # 088-00-00-012, 2nd by Councilman Branham, Council vote was 3-3 with**

40 **Council Members Branham, Oliphant and Jordan voting to uphold and Council Members**

41 **Martin, Guy and Lucas opposing. Chairman Roddey then voted to uphold Planning**

42 **Commissions Recommendation to make the vote 4-3 to uphold.**

1
2 “Every dwelling must have a land survey cut out to meet zoning district
3 regulations.”
4

5 **Councilman Oliphant made a Motion to approve 1st Reading of Text Amendment**
6 **#CCTA08-0002, 2nd by Vice Chairman Lucas, Council vote was unanimous.**
7

8 **Councilman Oliphant** asked what the difference was between this Text Amendment and
9 the previous one they voted on. **Mr. Mack Paul** stated the first had to do with Zoning, what
10 part of an area you wanted to use and the 2nd has to do with setbacks.

11
12 **3. From CCTC:**

- 13 1. Reimbursement for Sign Material in Amount of \$6,303.56 to Convenient Site
14 Account

15 **Vice Chairman Lucas made a Motion to approve reimbursement for Sign Material**
16 **in the Amount of \$6,303.56 to the Convenience Site Account, 2nd by Councilman**
17 **Branham, Council vote was 5-0 to approve with Councilwoman Guy abstaining.**

- 18 2. Payment of 2006 – 25% to SCDOT

19 **Vice Chairman made a Motion to apply the monies, not to exceed \$200,000 from**
20 **The C-Fund account to the sidewalks and ramps in the City of Chester, 2nd by Councilman**
21 **Oliphant, Council vote was 4-0 to approve with Council Members Martin and Guy**
22 **abstaining.**

- 23 3. Payment of 2008 – 25% to SCDOT

24 **Councilman Branham made a Motion to take this item as information only, 2nd by**
25 **Vice Chairman Lucas, Council vote was 5-0 to approve with Councilwoman Guy**
26 **abstaining.**

27 **4. Rural Fire Maintenance Account**

28 **Andy Martin/Chairman Rural Fire** came before Council to ask that Council authorize
29 the transfer of monies to the Maintenance Account of the Rural Fire Department. **Chairman**
30 **Roddey** replied that Council would ask him to come back when they have an answer.
31

32 **VIII. Executive Session**

33 **Chairman Roddey** stated Council needed to meet in Executive Session to discuss
34 the following:

- 35 **1. Personnel Matter: Re: Rural Fire**
36 **2. Contractual Matter: Re: Magistrates Office**
37 **3. Contractual Matter: Re: Land**
38 **4. Economic Development Matter: Re: Project 0805**

39 and also a matter of Legal Advise to be added to Executive Session. **Councilman Branham**

1 **made a Motion to add Legal Advice to the Executive Session Agenda, 2nd by Councilman**
2 **Martin, Council vote was unanimous.**

3
4 **Councilwoman Guy made a Motion to go into Executive Session, 2nd by Councilman**
5 **Martin, Council vote was unanimous.** Time was approximately 6:45pm.

6 Council returned from Executive Session at approximately 7:55pm.

7 **Councilman Martin made a Motion to go back into Regular Session, 2nd by**
8 **Vice Chairman Lucas, Council vote was unanimous.**

9 **Chairman Roddey** stated Council had discussed a Personnel Matter: Re:
10 Rural Fire in Executive Session and it was taken as information only.

11 **Chairman Roddey** stated Council had discussed a Contractual Matter: Re:
12 Magistrates Office in Executive Session and **Vice Chairman Lucas made a Motion**
13 **to pursue a contract with the town of Great Falls, Council vote was unanimous.**

14 **Chairman Roddey** stated Council had discussed a Contractual Matter: Re:
15 Land in Executive Session. The land was on the corner of Hudson St. and Saluda St.

16 **Councilman Oliphant made a Motion to proceed discussions with the owner to have**
17 **the underground tanks removed (up to \$25,000) and deed the property to the County,**
18 **2nd by Councilman Branham, Council vote was unanimous.**

19 **Chairman Roddey** stated Council had discussed an Economic Development Matter: Re:
20 Project 0805 in Executive Session and **Chairman Roddey** stated it was taken as information
21 only.

22 Legal Advice added to Executive Session Agenda – **Chairman Roddey** stated that it concerned
23 action going on in the Legislature and that no action was taken.

24 **IX. Council Members Comments**

25 **Chairman Roddey** commented on the large turnout (over 300 people) for the dedication of the
26 building and thanked everyone that attended. He also told Council Members that Chester
27 County had been awarded \$50,000 for the Thread Trail Grant.

28 **Vice Chairman Lucas** asked that the News & Reporter and the Herald let people know that
29 everyone is at the new building except the Clerk of Court.

30 **Councilman Oliphant** thanked **Chairman Roddey** and **Council** for the proposal of the property
31 on Saluda and Hudson St. He said he had been trying to get this done for the last 3 years.

32 **Councilman Martin** commended **Chairman Roddey** and his staff for a most successful
33 open house.

34 **X. Adjournment**

35 **Councilwoman Guy made a Motion to adjourn, 2nd by Vice Chairman Lucas,**
36 **Council vote was unanimous.** Time was approximately 8:20 pm

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**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 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**

R. Carlisle Roddey
Chester County Supervisor

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

Chester County Council Meeting of 3-3-2008