



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

CHESTER COUNTY COUNCIL MEETING

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

**May 19, 2008
6:00 p.m.**

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

**R. Carlisle Roddey, Chairman
Archie Lucas, Vice Chairman
Alex Oliphant, Councilman
Tommy Martin, Councilman
Mary Guy, Councilwoman
Brad Jordan, Councilman
Joe Branham, Councilman**

Absent:

Attorney Winters

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

a. Meeting of May 5, 2008

Vice Chairman Lucas made a Motion to approve the minutes of the May 5, 2008 County Council Meeting, 2nd by Councilwoman Guy, Council vote was unanimous.

IV. Citizens Comments

Mr. Hugh Mauldin came before Council and thanked them for their positive votes on the rezoning issue regarding his property.

Mr. Weyland Burns of Fort Lawn, came before Council and stated that it was difficult to know where underground water did flow and that according to what he has found out there have been 13 accidents on Fincher Rd not the one that Mr. Mauldin had stated at the previous Council Meeting. (The water comment from Mr. Mauldin at the previous meeting was that water didn't run

1 uphill) Mr. Burns had a concern that if the property was rezoned GC what would happen in the
2 event Mr. Mauldin sold the business or if he left the property to a relative and something else
3 would be there other than a nursery. He suggested that Mr. Mauldin move a retail business to
4 town where there were only three businesses and that the property at 971 Fincher Rd. should
5 remain R-2. He stated that this Council did not want to be known as a "Spot Zoning Council" or
6 change the Comprehensive Plan. He also questioned the employees Mr. Mauldin said he would
7 employee, where would they come from. His final comment was "who deserves the most
8 consideration in the controversial decision, the local team or the visiting team"?

9 **Chairman Roddey** then stated that an item needed to be added to the agenda and he forgot to
10 mention it at the beginning of the meeting. The item was roads. **Councilman Branham made**
11 **the Motion to add Roads to the agenda, 2nd by Councilwoman Guy, Council vote was**
12 **unanimous.**

13 **V. Ordinances & Resolutions**

14 1. 2nd Reading of An Ordinance to Increase Landfill Fees to \$48.00 Per Ton
15 **Councilman Oliphant made a Motion to approve 2nd Reading of An Ordinance to**
16 **Increase Landfill Fees to \$48.00 Per Ton, 2nd by Councilman Martin.** Discussion:
17 **Councilman Oliphant** asked if the County would be sending out letters to the municipalities and
18 **Chairman Roddey** stated we would when we had 3rd vote and approval. **Council then voted**
19 **and the vote was unanimous.**

20 2. A Resolution Creating the Carolina Thread Trail Commission for Chester County
21 **Councilman Jordan made a Motion to approve a Resolution Creating the Carolina Thread**
22 **Trail Commission for Chester County, 2nd by Vice Chairman Lucas, Council vote was**
23 **unanimous.**

24 3. 1st Reading of the FY2008-2009 Budget Ordinance in Title Only
25 **Councilwoman Guy made a Motion to approve the 1st Reading of the FY2008-2009**
26 **Budget Ordinance in Title Only, 2nd by Councilman Branham.** Discussion: **Councilman**
27 **Jordan** then asked were we doing this tonight to avoid a special called meeting and **Chairman**
28 **Roddey** said "that's right". **Council then voted and the vote was unanimous.**

29 **VI. Old Business**

30 1. From Planning Commission
31 Second Reading: CCPC Meeting Date: 4/15/2008

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
5-0 to Approve	4-2 to Uphold
	but come back next
	Council Meeting with
	a Reverter Clause

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

2
3 **From:** R2 (Rural Two) to GC (General Commercial)

4 **Name:** Claude L. Mauldin, Jr.

5 **Map Amendment #** CCMA08-0006

6 **Location:** 17 acres located at 917 Fincher Rd, Fort Lawn, SC

7 **Councilwoman Guy made a Motion to Uphold 2nd Reading of Planning Commissions**

8 **recommendation on Tax Map #155-00-00-053, 2nd by Councilman Oliphant.** Discussion:

9 **Councilman Branham** said he had been thinking about this and had been trying to figure a
10 win/win situation and he would like to put a reverter clause that would state if the property was
11 sold it would revert back to R-2 and asked **Mr. Mack Paul, Planning and Zoning Director** for an
12 opinion. Mr. Paul said he had discussed this with the County Attorney and it was her suggestion
13 that Council did send it back to the Planning Commission for a reverter clause to be added. He
14 also stated that Planning Commission had a meeting the next night and it would be back to
15 Council for the June 2 meeting. **Councilman Oliphant** asked if the reverter clause would have to
16 come from the Planning Commission and Mr. Paul said it would. **Councilman Oliphant** then
17 asked how would Council get it back to the Planning Commission. Mr. Paul said Council would
18 need to make a Motion that it go back to Planning Commission and a reverter clause added.

19 **Councilwoman Guy** asked if a change were made in a Will, what would happen and
20 actually **Councilman Oliphant** said even if it changes names as long as the business stays the
21 same it wouldn't matter and Mr. Paul stated that was correct. **Vice Chairman Lucas** then said it
22 would seem like the best thing to do would be to start completely over and Mr. Paul said a
23 reverter clause would be simpler and that the County Attorney agreed that once a landscaping
24 business isn't there the GC stops, it has to be landscaping. **Councilman Jordan** asked if
25 Council could defer 2nd Reading to another time and **Councilman Oliphant** asked what would be
26 the worse thing that could happen, Council still had a 3rd Reading to go through. **Councilman**
27 **Jordan** then said there was 17 acres why couldn't two buildings be built instead of one and not
28 change rezoning and **Chairman Roddey** replied they could not have a retail business under R2.

29 **Councilman Martin** referred to the Planning Commission minutes that discussed the reverter
30 clause that all Council members had received in their notebooks. At this time, **Chairman**
31 **Roddey** then asked **Councilman Oliphant** if he wished to withdraw his 2nd to the Motion made
32 by **Councilwoman Guy** and Councilwoman Guy her Motion to uphold and add that this be sent
33 back to Planning Commission for a reverter clause to be added. **Councilman Oliphant then**
34 **withdrew his 2nd and Councilwoman Guy withdrew her original Motion to approve 2nd**
35 **Reading to uphold Planning Commission recommendations. Councilman Branham then**
36 **made a Motion to accept 2nd Reading but with the stipulation it would go back to the**
37 **Planning Commission and a reverter clause added before 3rd and final reading, 2nd by**
38 **Councilwoman Guy, Council vote was 4 to 2 to approve Councilman Branham's**

1 **recommendation with Council Members Branham, Guy, Oliphant and Martin approving and**
2 **Council Members Lucas and Jordan opposing.**

3 **2. Republic Mill #2**

4 **Alpha Serendipity Development, LLC** came before Council and gave an extended presentation
5 on their plans for the Republic Mill #2 and gave each member a detailed handout. After the
6 presentation Council members had comments and asked several questions. **Councilman**
7 **Oliphant** said he had been trying to figure out how to preserve this building and he could
8 definitely see how this project could be a change for the community and a major investment in
9 Great Falls and Chester County. **Councilman Oliphant** also said that Council had no say over
10 this that it was really up to the Forfeited Land Commission. **Vice Chairman Lucas** asked if the
11 Forfeited Land Commission saw fit to work with Alpha Serendipity Development, LLC when would
12 the top go back on the water tank and Mr. Harlee (one of the owners/partners) stated a study
13 would be done first but it would be immediate and that they did not intend to salvage anything
14 from the mill for resale they would try to restore and build on history as much as possible.

15 **Councilman Branham** asked how long the building had been of interest to them and Mr. Harlee
16 replied about two months. **Councilman Branham** asked if the Forfeited Land Commission could
17 be convinced to change their opinion how long would it be before they could get started and Mr.
18 Harlee said they would begin immediately. **Councilman Branham** asked Mr. Harlee what
19 economic impact did he expect from this project and Mr. Harlee replied it was small project so it
20 could exist and contribute to a small community. **Councilman Jordan** then said he had several
21 questions for the County Attorney and **Councilman Oliphant** then said all Council would be
22 doing tonight would be making recommendations that they were in favor of this project over the
23 other one. At this time **Vice Chairman Lucas made a Motion that the County Supervisor**
24 **writes a letter to the Forfeited Land Commission and ask that they consider reversing their**
25 **decision on the sale of the Republic Mill #2, 2nd by Councilman Oliphant, Council vote was**
26 **unanimous.**

27 **3. Carolina Thread Trail Steering Committee**

28 **Councilman Jordan** said that Council had given him recommendations for the Carolina
29 Thread Trail Steering Committee and asked full Council approval. The recommendations
30 were: District 1 – Loraine Linder; District 2 – Glen Smith; District 3 – L.B. Cannon; District
31 4 – Anne Hayes; District 5 – Gloria Kellerhals; and District 6 – Glenda Coleman.

32 **Councilman Jordan made a Motion that Council accept these nominations to the Steering**
33 **Committee, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

34 **4. Derelict Houses**

35 **Councilman Oliphant** wanted to make sure liens were being placed against properties that
36 are derelict and by law in the State and our County we could collect these liens in taxes.

37 **Chairman Roddey** said he would check with the County Attorney to make sure and **Councilman**

1 **Oliphant** said we have a good chance to collect this money. **Councilman Oliphant** then
2 proposed that a house on Walnut Street (he thought 70 Walnut St.) in Great Falls be put out for
3 bids then taken down and the debris taken to the landfill. This would give us a good chance to
4 collect some money. **Councilman Martin** asked if this property had been seized and **Chairman**
5 **Roddey** said no but it has been condemned and we can put a lien on it. At this time,
6 **Councilman Oliphant made a Motion to take the house down on Walnut St. in Great Falls**
7 **and wavier the fee at the landfill for the debris, 2nd by Vice Chairman Lucas.** Discussion:
8 **Councilman Branham** asked if we had the funds to tear the house down and **Chairman Roddey**
9 replied we did. **Council then voted and the vote was unanimous.**

10
11 Added to Agenda – Roads

12
13 **Mr. L.B. Cannon** stated that Council members had given him their individual list of DOT Roads
14 to be paved by the State and asked for full Council approval. The roads were: Oakland,
15 Tanglewood, Joe Caldwell, Elbony Grove, Maple, Marshall Byrer, Unique and Poplar.
16 **Councilwoman Guy made a Motion to accept the roads to be paved by the State, 2nd by**
17 **Councilman Jordan.** Discussion: **Councilman Jordan** asked if the Intersection of 901 and 9
18 would be taken over by the State and Mr. Cannon said it would be very expensive but he would
19 address it with DOT and **Councilman Jordan** asked that he please do that. **Councilman Martin**
20 then said he did not believe it would be a conflict of interest for him to vote on this matter,
21 therefore, he would vote. **Council then voted and the vote was unanimous.**

22 23 **VII. New Business**

24 **1. Use of County Ball Field in Great Falls**

25 **James Wilmore** was not present because he went to the Great Falls Council Meeting
26 to request use of the ball field but sent **Mr. Kenny Blackman** in his place. Mr. Blackman
27 said that the motorcycle club had used this field for several years and that they had
28 a \$2.M insurance policy to cover any damages, they had extra security and had always
29 taken care of the field. **Councilman Oliphant** asked who gave authorization last year
30 to use the field and **Chairman Roddey** said last year he sent them to Mayor Starnes.
31 **Chairman Roddey** stated we did not own that field only maintained it. **Chairman Roddey**
32 suggested that Council wait until Mr. Wilmore had spoken to Great Falls Council and asked that
33 Mr. Blackman tell Mr. Wilmore to come back to Council in two weeks.

34 **2. Bulletproof Vest Grant (\$2,739.83)**

35 **Chief Deputy Culpepper** came before Council to ask for approval to apply for a Grant for
36 11 bulletproof vests with a 50% County match in the amount of \$2,739.83. **Chairman Roddey**
37 stated that the County had \$2,739.83 in the Grant Matching Fund account to cover this Grant.

1 **Councilman Martin made the Motion to allow the Sheriff's Department to apply for the**
2 **bulletproof vest grant and the County will match the 50% required, 2nd by Councilman**
3 **Branham, Council vote was unanimous.**
4

5 **VIII. Executive Session**

6 **Chairman Roddey** stated that Council would need to go into Executive Session to
7 discuss:

8 1. Contractual Matter : Re: Land

9 **Councilwoman Guy made a Motion to go into Executive Session, 2nd by Vice Chairman**
10 **Lucas, Council vote was unanimous.** (Time was approximately 7:40pm)

11 Council returned from Executive Session at approximately 7:57pm and **Councilman Martin**
12 **made a Motion to return to Regular Session, 2nd by Councilwoman Guy, Council vote**
13 **was unanimous.**

14 **Chairman Roddey** stated that a Contractual Matter regarding land has been discussed in
15 Executive Session and Council suggested that he work with the Economic Development
16 Office and come back to Council with a report.
17

18 **IX. Council Members Comments**

19 **Vice Chairman Lucas** stated that the Chester American Legion Baseball Team played
20 Camden in a scrimmage game last Friday and won 21 to 6, that Chester had an outstanding
21 team to watch this year.

22 **Councilman Martin** reminded Council that Wednesday and Thursday this week ISO would
23 be here checking North Chester and West Chester for ratings and that the fire departments were
24 anticipating lower rates, also Mr. Russell Thompson had done all the hydrant work.

25 **Councilman Branham** said a lower ISO rating had saved home owners in South Chester about
26 \$400 on fire insurance.

27 **Councilwoman Guy** said she hoped it would come to her district soon.

28 **Chairman Roddey** reminded Council about a Budget meeting on Wednesday, May 21 at 5:00.
29

30 **X. Adjournment**

31 **Councilman Branham made a Motion to adjourn, 2nd by Vice Chairman Lucas,**
32 **Council vote was unanimous.** Time was approximately 8:15 pm
33
34
35

36 Pursuant to the Freedom of Information Act, the **Chester News & Reporter,**
37 **The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing**
38 **Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants**

1 were notified and a notice was posted on the bulletin board at the R. Carlisle Roddey
2 Government Complex 24 hours prior to the meeting
3
4
5
6
7
8
9

10 _____
11 **R. Carlisle Roddey**
12 **Chester County Supervisor**

10 _____
11 **Carolyn S. Clayton-Snipes, CCC**
12 **Clerk to Chester County Council**

13 **Chester County Council Meeting of 5-19-2008**