



## **CHESTER COUNTY COUNCIL MEETING**

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

**April 18, 2011  
6:00 p.m.**

**Chairman Carlisle 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 April 4, 2011

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of April 4, 2011, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

#### **IV. Citizens Comments**

**Melinda Cole** – 3694 Fishing Creek Rd., Rock Hill has asthma and has had it all her life. Breathing cold air brings it on and since moving to Rock Hill it has gotten better. She sited one day in February it was nice outside and she started wheezing and she suspected it was the sludge. She then sited an incident in Ohio and asked Council to take action.

**Liz Odum** – 1235 Gruen Augen Rd., Chester said she enjoyed photography and there were new flags at the Gateway Commons Park she wanted to photograph. On April 11 she and her husband went there and were stopped by two deputies and were told there was a private county event being held there. The next day she called Planning and Zoning and asked if a CO had been issued and was told no. She stated it was the second function that had been held there and that she also suspected that Economic

Development had already moved in. She stated that 64.4% of county citizens were on food Stamps.

**Jimmy Bruce** – Richburg – stated this was the second reading for Richburg Fire Bond and that \$1.4M was originally approved. He asked if Council bought land why did the county spend tax dollars to improve what is not County property. He also cited that the county was paying more for smaller tracts of land than for larger tracts. He mentioned the poor condition of the courthouse but stated that the county had purchased the Norse Auto Mall and stated it seems that the County keeps spending and he was concerned about putting a burden on the tax payers.

**Nathan Peachey** came before Council and asked if there were any questions concerning his purchase of land from the county.

## V. Public Hearing(s)

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

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 (the Heath Springs Industrial Park, including the Rico Industries, inc. property); 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** then opened the Public Hearing on:

2. An Ordinance to Authorize the County of Chester, by Chester County Council, to sell the Real Estate Described on Attached Exhibit "A" which is incorporated herein by Reference to Mr. and Mrs. Nathan Peachey upon such terms and conditions as described in the Agreement of Sale that is Exhibit "B"

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

## VI. Ordinances & Resolutions

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 (the Heath Springs Industrial Park, including the Rico Industries, inc. property); 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.

**Council Member Oliphant made a Motion to approve 3<sup>rd</sup> and final 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 (the Heath Springs Industrial Park, including the Rico Industries, inc. property); 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 Vice Chairman Lucas, Council vote was unanimous.

2. 3<sup>rd</sup> Reading of an Ordinance to Authorize the County of Chester, by Chester County Council, to sell the Real Estate Described on Attached Exhibit "A" which is incorporated herein by Reference to Mr. and Mrs. Nathan Peachey upon such terms and conditions as described in the Agreement of Sale that is Exhibit "B"  
Vice Chairman Lucas made a Motion to approve 3<sup>rd</sup> and final reading of an Ordinance to Authorize the County of Chester, by Chester County Council, to sell the Real Estate Described on Attached Exhibit "A" which is incorporated herein by Reference to Mr. and Mrs. Nathan Peachey upon such terms and conditions as described in the Agreement of Sale that is Exhibit "B", 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.
3. 2<sup>nd</sup> Reading of an Ordinance authorizing the issuance and sale of a not exceeding \$1,750,000 fire protection district improvement revenue bond of Chester County, South Carolina, for the purpose of defraying the cost of improvements to the Richburg Fire Protection District; prescribing the form and details of the bond; providing for the increase in rates and charges for services furnished by the District to provide sufficient revenues from the operation of the system for the payment of the principal of and interest on the bond from the revenues; creating and establishing certain funds and accounts; and making other covenants and agreements in connection with the foregoing; and other related matters  
Council Member Jordan made a Motion to approve 2<sup>nd</sup> reading of an Ordinance authorizing the issuance and sale of a not exceeding \$1,750,000 fire protection district improvement revenue bond of Chester County, South Carolina, for the purpose of defraying the cost of improvements to the Richburg Fire Protection District; prescribing the form and details of the bond; providing for the increase in rates and charges for services furnished by the District to provide sufficient revenues from the operation of the system for the payment of the principal of and interest on the bond from the revenues; creating and establishing certain funds and accounts; and making other covenants and agreements in connection with the foregoing; and other related matters, 2<sup>nd</sup> by Council Member Branham, Council vote was 5-1 with Council Member Holcombe opposing.

4. 1<sup>st</sup> Reading of an Ordinance for an Amendment to Solid Waste Plan  
(In Title Only)

**County Attorney Winters** said that the Solid Waste Plan stated that we did not have a used oil recovery operation and we do, Southeastern Petroleum and this simply clarifies this.

**Council Member Branham made a Motion to approve 1<sup>st</sup> reading of an Ordinance In Title Only for an Amendment to the Solid Waste Plan, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

5. Resolution in Support of Fair and Equitable Housing

**Council Member Guy made a Motion to approve a Resolution in Support of Fair and Equitable Housing, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.**

## **VII. New Business**

- 1 2010 Census Update

**Earl Moore, Voters Registration Director**, came before Council to try to explain why Chester County had loss citizens in the 2010 Census, when the County officials were originally told the County would gain citizens. Basically, Mr. Moore said it was because of the non resident houses in Chester County.

2. From CCTC Meeting held at 5:45 PM.

**Council Member Branham made a Motion to accept Cindy Lane in the County System 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**Council Member Jordan made a Motion to approve Industrial Way for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

**Vice Chairman Lucas made a Motion to approve Browns Ferry Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.**

**Vice Chairman Lucas made a Motion to approve Berry Wood Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

**Council Member Jordan made a Motion to approve Poverty Hollow Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**Council Member Guy made a Motion to Rodman Park for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

Council Member Holcombe made a Motion to approve Country Pine Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous

Council Member Jordan made a Motion to approve Hicklin Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.

Council Member Guy made a Motion to approve Mayhugh Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.

Council Member Guy made a Motion to approve Phil Grant Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.

Council Member Guy made a Motion to approve Piper Road for the 2011 Road Improvement Program, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.

Council Member Branham made the Motion to approve the SCDOT 25% C Funding recommendations to pave: Forest/Brendale/Catawba Roads, Ball Park in Great Falls, Hill Top Acres and Forest Drive, 2<sup>nd</sup> by Council Member Holcombe, Council Vote was unanimous.

### **VIII. Old Business**

1. Request to accept Assistance to Firefighter Grant for 2011 Tanker Truck for Lando Fire Dept. (approved May 17, 2010 to apply)

**Eddie Murphy, EMA Director** came before Council to request to accept Grant Funding for a 2011 Tanker Truck for the Lando Fire Dept. that was approved to apply for in 2010 stating that the County Match was \$9,875.

Council Member Jordan made the Motion to allow Mr. Murphy accept the Grant for the 2011 Tanker Truck for the Lando Fire Dept., 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.

2. **2011 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL**

### **Second Reading: From Meeting of March 15, 2011**

Commission  
Vote

Council  
Vote

6-0 to approve

6-0 to approve

**Case #11-1**  
Michael Wylie  
R2 to ID1

Tax Map # 69-7-1-68  
Part of 65 acres located at 742 J A Cochran Bypass, SC

**Council Member Branham made a Motion to approve 2<sup>nd</sup> Reading of Case #11-1, 2<sup>nd</sup> by Council Member Holcombe Council vote was unanimous.**

2. Sludge

**David Cole** came before Council once again to discuss his concerns about the sludge problem in Chester County. He spoke for 45 minutes from the handout he gave council which is included in the permanent minutes. **Chairman Roddey** asked for a motion to accept this as information only. **Vice Chairman Lucas made the motion to accept Mr. Cole's presentation as information only, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**IX. Council Members Comments**

**Council Member Branham** commented on Mr. Cole's remarks about de-worming his cattle stating that it was a common practice that you do not use the same "medicine" all the time, because as everyone knows, it becomes ineffective and it is not particular to this sludge.

**X. Adjournment**

**Council Member Branham made a Motion to adjourn, 2<sup>nd</sup> by Vice Chairman Lucas Council vote was unanimous.** Time was approximately 7:25pm

**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