



CHESTER COUNTY COUNCIL MEETING

1476 J.A. Cochran By-Pass

December 2, 2013

6:00 p.m.

Chairman Carlisle Roddey– Presiding

MINUTES

IN ATTENDANCE: **Chairman Roddey**
 Council Member Oliphant
 Council Member Guy
 Council Member Jordan
 Council Member Lucas
 Council Member Holcombe
 County Attorney Winters
 Clerk to Council Clayton

ABSENT: **Vice Chairman Branham – Came in at 6:15pm**

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

1. Chester County Council Meeting of November 18, 2013
Council Member Guy made a Motion to approve the Chester County Council Meeting Minutes of November 18, 2013, 2nd by Council Member Archie, Council vote was unanimous.
2. Chester County Special Called Council Meeting of November 20, 2013
Council Member Lucas made a Motion to approve the Chester County Council Special Called Meeting Minutes of November 20, 2013, 2nd by Council Member Holcombe, Council vote was 4-0 to approve with Council Member Jordan abstaining.
3. Chester County Special Called Council Meeting of November 21, 2013
Council Member Lucas made a Motion to approve the Chester County Council Special Called Meeting Minutes of November 21, 2013, 2nd by Council Member Guy, Council vote was 4-0 to approve with Council Member Jordan abstaining.

IV. Citizen's Comments

There were no Citizen's Comments

V. Public Hearing

Chairman Roddey opened the Public Hearing on:

An Ordinance to Authorize and Approve the Removal of Property from the Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County, South Carolina and Chester County, South Carolina, Dated December 5, 2005; and to provide for other matters related thereto

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

VI. Ordinances and Resolutions

1. 3rd Reading of an Ordinance to Authorize and Approve the Removal of Property from the Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County, South Carolina and Chester County, South Carolina, Dated December 5, 2005; and to provide for other matters related thereto
Council Member Lucas made a Motion to approve 3rd and Final Reading of an Ordinance to Authorize and Approve the Removal of Property from the Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County, South Carolina and Chester County, South Carolina, Dated December 5, 2005; and to provide for other matters related thereto, 2nd by Council Member Guy, Council vote was 4-0 to approve with Council Member Oliphant abstaining.
2. 1st Reading of AN ORDINANCE TO Ordinance to Authorize and Approve the Removal of Property from the Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County, South Carolina and Chester County, South Carolina, Dated December 5, 2005; and to provide for other matters related thereto
Council Member Lucas made a Motion to approve 1st Reading of an Ordinance to Ordinance to Authorize and Approve the Removal of Property from the Agreement for the Development of a Joint Industrial and Business Park by and Between Lancaster County, South Carolina and Chester County, South Carolina, Dated December 5, 2005; and to provide for other matters related thereto, 2nd by Council Member Holcombe, Council vote was unanimous.
3. A Resolution to Approve The Chester County Defined Contribution Premium Reimbursement Program
Council Member Oliphant made a Motion to approve a Resolution to Approve the Chester County Defined Contribution Premium Reimbursement Program, 2nd by

Council Member Lucas, Council vote was unanimous.

4. A Resolution by Chester County Council Adopting an Organizational Chart placing the E-911 County Employee Positions under the Chester County Supervisor and transferring funds and appropriation to E-911 to Chester County under the Chester County Supervisor

Chairman Roddey stated this Resolution needed to be postponed to be discussed in Executive Session and asked for a Motion to have this discussed in Executive Session. **Council Member Guy made a Motion to discuss this Agenda item in Executive Session, 2nd by Council Member Oliphant, Council vote was unanimous.**

VII. New Business

1. Approval of County Council Meeting Dates for 2014

Council Member Holcombe made a Motion to approve the Chester County Council Meeting dates for 2014, 2nd by Council Member Oliphant, Council vote was unanimous.

VIII. Old Business

1. From Planning Commission

Rezoning Request – 3rd Reading

CCMA13-7

Chester Second Baptist Church

Tax Map # 79-4-2-20

34 acres located on Village Drive and J A Cochran Bypass, Chester, SC

Request: Change zoning from ID1 (Restricted Industrial) to LC (Limited Commercial)

Council Member Lucas made a Motion to approve the 3rd Reading from Planning Commission on CCMA13-7, 2nd by Council Member Holcombe, Council vote was 4-0 to approve with Council Member Oliphant abstaining.

CCMA13-8

Chester County

Tax Map # 79-59

94.218 acres located at 500 Ballymena Drive, Chester, SC

Request: Change zoning from GC (General Commercial) to ID2 (Limited Industrial)

Council Member Guy made a Motion to approve 3rd Reading from Planning Commission on CCMA13-8, 2nd by Council Member Lucas, Council vote was unanimous.

IX. Executive Session

Chairman Roddey stated Council Members needed to go into Executive Session to discuss the Agenda item that was deferred to Executive Session.

Council Member Guy made a Motion to go into Executive Session, 2nd by Council Member Lucas, Council vote was unanimous. (Time was 6:10pm)

1. Legal Matter

Council returned from Executive Session at 7:05pm and **Council Member Lucas made a Motion to go back into Regular Session, 2nd by Council Member Holcombe, Council vote was unanimous.**

Chairman Roddey stated the Resolution under Tab 5 on the agenda had been discussed in Executive Session and asked that the attorney's from DuBose and Robinson please come to the podium to explain the Resolution. Mr. DuBose started by saying that Home Rule grants County Council the rights to control E-911, and that Council adopted an organizational chart in 2005 and moved to change E-911 and Animal Control in 2009 from the County Supervisor to the Sheriff's Department. In November of this year Council then voted to move E-911 back under the supervision of the County Supervisor. **Council Member Jordan** asked was Item 4 in this Resolution because the 911 Director was terminated by the Sheriff. Mr. DuBose stated that the building is a County Building, the equipment belongs to the County and there is not a certified E-911 person in charge at this time. Furthermore, there is a tape of a deputy and at least two inmates removing the back up 911 equipment from the Ella Street building and this was clearly a public safety issue. **Vice Chairman Branham** then asked what were the liabilities of not having a backup 911 system or a certified E-911 director. Mr. DuBose stated this was a public safety issue that would be addressed in court. After no further comments, **Chairman Roddey** called for the question. **Vice Chairman Branham made a Motion to approve A Resolution by Chester County Council Adopting an Organizational Chart placing the E-911 County Employee Positions under the Chester County Supervisor and transferring funds and appropriation to E-911 to Chester County under the Chester County Supervisor, 2nd by Council Member Jordan, Council vote was 4 to 2 to approve with Council Members Oliphant and Guy voting against.**

X. Council Comments

There were no Council Comments.

XI. Adjourn

Council Member Lucas made a Motion to adjourn, 2nd by Council Member Holcombe, vote was unanimous. (Time was 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

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

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

Chester County Council Meeting of December 2, 2013

The R. Carlisle Roddey Government Complex, Chester, SC where Council Chambers is located is in full compliance with ADA Standards