



CHESTER COUNTY COUNCIL MINUTES

**Where: R. Carlisle Roddey Chester County Government Complex
1476 J.A. Cochran Bypass Chester, SC 29706**

When: Monday, October 17, 2016 at 6:00 P.M.

Members Present:

Chairman Shane Stuart- Presiding
Council Member Joseph Branham- Vice-Chairman
Council Member Archie Lucas
Council Member John W. Holcombe
Council Member Alex Oliphant
Council Member Mary Guy
Council Member Brad Jordan
County Attorney, Joan E. Winters
Clerk to Council Karen Lee

I. Call to Order

II. Pledge of Allegiance and Invocation

III. Approval of Minutes

1. October 3, 2016 – Regular Chester County Council Meeting
Council Member Lucas motioned to approve, seconded by Council Member Guy. Council Member Lucas stated Council Member Branham’s name was misspelled in several places, also he wanted to clarify a reference made by County Attorney Winters where she quoted Ms. Andino saying “Mr. Graham was at the will of the governing body, meaning Mr. Stuart”, Council Member Lucas stated that was not true, the Council is the governing body and Mr. Stuart is the Supervisor. Vote was 6-0 to approve with corrections.

IV. Citizen Comments

Mark Palmer thanked Council for this opportunity to speak, he stated he was running for Senate Seat District 17 and asked to consider him for that seat. His goal is to restore relationships back between the legislators and the people it represents.

V. Public Hearing

1. 3rd Reading to Approve a Fourth Amendment to the Agreement for the Development of a Joint Industrial and Business Park dated as of December 1, 2008 between Chester County and Lancaster

County so as to add to the Agreement Certain Haile Gold Mine Inc. Property; To Correct Scrivener's Errors in Certain Legal Descriptions and Tax Map Number Identifiers for Certain Property Previously added and Covered by the Agreement; and to Provide for other matters Related Thereto.

VI. Ordinances/Resolutions/Proclamations

1. 3rd Reading to Approve a Fourth Amendment to the Agreement for the Development of a Joint Industrial and Business Park dated as of December 1, 2008 between Chester County and Lancaster County so as to add to the Agreement Certain Haile Gold Mine Inc. Property; To Correct Scrivener's Errors in Certain Legal Descriptions and Tax Map Number Identifiers for Certain Property Previously added and Covered by the Agreement; and to Provide for other matters Related Thereto. Council Member Oliphant motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.
2. 2nd Reading of an Ordinance to Authorize the County of Chester, By Chester County Council, To Purchase the Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein by Reference Upon Such Terms and Conditions as Described in Exhibit A- Council Member Lucas motioned to approve, seconded by Council Member Branham. Vote was 6-0 to approve.

VII. New Business

1. Council Member Joe Branham- Consideration for an Ordinance to allow a public referendum to change the form of government from County Supervisor to County Administrator form. Council Member Branham stated at the last meeting there was no action taken and asked Council if they could get this voted on so next year they could start the process. Council Member Lucas stated he would be "three no votes" on three readings on any move to put a government switch before the voters. He also stated if the council was determined to do so, it should investigate having it the same day as the City of Chester's municipal election in May. That way, the city polling places, which are the county's largest, would already be open and in use, which would cut costs to some extent. Council Member Jordan asked County Attorney Winters about the Justice clearance. County Attorney Winters stated that was not pursued since it was taken from the ballot. Council Member Oliphant stated it was embarrassing to have to come back and do this again. It makes us all look bad. Council Member Guy stated it should be up to the citizens to make this call. No action was taken.
2. Kotina Feaster- We Build Communities Youth Center
Ms. Feaster stated she is the program director and runs a youth organization at S. L. Finley and would like a little support from the County by the way of donations of snacks, drinks, water, fruit and class supplies.
3. Susan Cok-Approval of Bid for E-911 for a Generator & Installation in the amount of \$10,699.00. Chester County Purchasing/Procurement Director Susan Cok stated this was an

approved local match and covered the current line item. Council Member Oliphant motioned to approve with follow up from the Clerk to Council to why E-911 needs the generator, seconded by Council Member Holcombe. Vote was 6-0 to approve.

4. Mike Ehrmanntruat- Richburg Fire District, FEMA Grants Matching Funds
Mr. Ehrmanntruat stated they worked with the Catawba Regional Council of Governments and Senator Graham's office and was successful in obtaining a \$66,275 dollar FEMA grant with the stipulation they would receive a 5% match of \$3155 dollars. Council Member Oliphant motioned to approve and take the money out of the contingency fund, seconded by Council Member Jordan. Vote was 6-0 to approve.

VIII. Old Business

2nd Reading to adopt the Planning Commission's recommendations for the following:

- a. The Planning Commission voted 4-0 to approve Dr. Bertha Roddey request, Tax Map # 142-00-00-079-000, 7.612 acres located at 4663 Catawba River Rd, Catawba, SC rezone from R2 (Rural Two) to RS1 (Single Family). Council Member Guy motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.
- b. The Planning Commission voted 4-0 to approve Douglas Korfel request, Tax Map # 069-07-06-010-000, 7.00 acres located at 759 J A Cochran Bypass, Chester, SC rezone from RG1 (Multi-Family) to ID1 (Restricted Industrial) Council Member Jordan motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.
- c. The Planning Commission voted 4-0 to approve Rob & Lisotte Authier request, Tax Map # 156-01- 08-009-000, 6.00 acres located on Hopkins Road, Fort Lawn, SC rezone from R2 (Rural Two) to RG2 (General Residential). Council Member Jordan motioned to approve, seconded by Council Member Branham. Vote was 6-0 to approve.
- d. The Planning Commission voted 4-0 to approve Amending the Chester County Zoning Ordinance Section 4-119 ID1 Restricted Industrial District Uses adding #4 Solar Farms to Conditional Uses. Council Oliphant motioned to approve, seconded by Council Member Holcombe. Vote was 6-0 to approve.
- e. The Planning Commission voted 4-0 to approve Amending the Chester County Zoning Ordinance Section 4-121 ID2 Restricted Industrial District Uses adding #3 Solar Farms to Conditional Uses- Council Member Oliphant motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

IX. **Executive Session** Council Member Lucas motioned to go into executive session, seconded by Council Member Branham. Vote was 6-0 to go into executive session.

1. To receive legal advice regarding a property tax appeal

X. Council Actions after Executive Session Council Member Branham motioned to go back into regular session, seconded by Council Member Lucas. Vote was 6-0 to go back to regular session.

1. Action taken on legal advice regarding property tax appeal

There was no action taken, County Attorney Winters stated this was brought to Council's attention recently that a pipeline company called Planes, LPG has been protesting the taxes on this property for the last eight years with the Department of Revenue. The pipeline runs through Lancaster, Kershaw, York and Chester County and has had meetings to discuss their protest but has not contacted Chester County. The County received a letter five or six weeks ago from DOR stating they were going to settle, the pipeline purchased the building for fifty-five million dollars and thinks their assessment should be eight million dollars. This is the discrepancy that has been discussed with DOR for the last eight years. County Attorney Winters stated this was the first time Chester County has heard about it along with the other counties. Kershaw County has filed a motion to intervene with the court. All the Council members agreed this would cost citizens of Chester County money. This settlement is schedule to go before the administrative law court in November. Council Member Oliphant asked County Attorney Winters to write a letter with the Council's disapproval of the process and let Council read it before it is sent.

XI. Council Comments

Council Member Holcombe asked if the Council meeting for October 24, 2016 was in reference to the referendum to change the form of government. Chairman Stuart stated no, it was for the third reading to purchase real estate. Council Member Holcombe also asked if anything was happening with the purchase for the rock pile on Ashford Rd, Chairman Stuart stated Susan Cok was in the process of getting sealed bids.

XII. Adjourn

Council Member Lucas motioned to adjourn, seconded by Council Member Oliphant. Vote was 6-0 to adjourn. Meeting adjourned at 7:25 pm

**K. Shane Stuart, Council Chairman
& Count Supervisor**

Clerk to Council, Karen Lee

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 Chester County Government Building 24 hours prior to the meeting