



CHESTER COUNTY COUNCIL MEETING

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

November 16, 2009

Monday

6:00 p.m.

Carlisle Roddey, Chairman – 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

Chairman Roddey said two items needed to be added to the agenda. First the EMA Director, Eddie Murphy had another Grant request in conjunction with the one on the agenda that would follow under New Business.

Vice Chairman Lucas made the Motion to allow a Grant Request by Mr. Murphy to be added to the agenda, 2nd by Council Member Jordan, Council vote was unanimous.

Next, **Chairman Roddey** said that **Vice Chairman Lucas** wanted to add a discussion On American Flags for County Buildings to the agenda.

Council Member Oliphant made the Motion to add American Flags on County Buildings to the agenda, 2nd by Vice Chairman Lucas, Council vote was unanimous.

III. Approval of Minutes

1. Chester County Council Meeting Minutes of November 2, 2009

Council Member Guy made a Motion to approve the Chester County Council

Meeting Minutes of November 2, 2009, 2nd by Council Member Holcombe, Council Vote was unanimous.

IV. Citizens Comments

Ms. Janet Byars of Raxter Road stated she had lived there for 13 years and that several times her child had missed school because of the flooding and she had missed work. She said that last week she also missed work and that her son who attended college also missed classes. Ms. Byars asked that something please be done. She knew it would take time, but it was getting worse.

Mr. Jimmy Bruce came before Council to discuss WTE. He talked about the impact the emissions would have on the people in this area. Mr. Bruce stated the County already had a very high cancer rate and was afraid that would emissions from this plant add to that rate. He named various chemicals that would come from emissions and stated if the County promoted this and also the IBHS Industry which would create an enormous noise that these types of industries were of a great concern to him and he hoped to Council as well.

V. Public Hearing

Chairman Roddey opened the Public Hearing on:

An Ordinance to Provide for the Gifting of Service Weapons to Retiring Law Enforcement Officers.

There were no speakers, therefore, **Chairman Roddey** closed this Public Hearing and opened up the next on:

An Ordinance to Regulate the Sale of Alcoholic Beverages in Chester County.

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

VI. Ordinances

1. 3rd Reading of An Ordinance to Provide for the Gifting of Service Weapons to Retiring Law Enforcement Officers

Vice Chairman Lucas made a Motion to approve 3rd and Final Reading of an Ordinance to Provide for the Gifting of Service Weapons to Retiring Law Enforcement Officers, 2nd by Council Member Branham, Council vote was unanimous. **Council Member Holcombe** asked the Sheriff was it 3 or 4 on the list to receive weapons and the Sheriff said he would check and let him know.

2. 3rd Reading of An Ordinance to Regulate the Sale of Alcoholic Beverages in Chester County

Council Member Branham made a Motion to approve 3rd and Final Reading of an Ordinance to Regulate the Sale of Alcoholic Beverages in Chester County, 2nd by Council Member Jordan. Discussion: **Council Member Guy** said she appreciated all that the officers did for the County but did not have a problem with selling alcohol after 2:00am but did have a problem with closing the doors of establishments. She also asked

about businesses such as the Waffle House that stayed open 24 hours and **County Attorney Winters** said that this would not apply to businesses that sold 51% of food. **Council Member Holcombe** still had concerns about County Law over-riding State Law and **County Attorney Winters** assured him that, in fact, we were in compliance with State Law. **Council then voted and the vote was 5-1 with Council Member Guy opposing.**

VII. Old Business

1. 2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL

Second Reading: From Meeting of *October 20, 2009*

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
5-0 to approve	6-0 to approve

MAP AMENDMENT #CCMA09-0011

Change Zoning from RG1 (Multi-Family) to R2 (Rural Two)

Applicant: Maurice Mobley

Tax Map Number: 078-00-00-110-000

Size & Location: 12.43 acres located at 851 Nancy's Place, Chester, SC

Council Member Guy made a Motion to approve 2nd Reading of Map Amendment No. CCMA09-0011, 2nd by Vice Chairman Lucas, Council vote was unanimous

Council Member Holcombe asked again about the location and **Council Member Guy** said it was off of Armory Road.

VIII. New Business

1. 2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL (Tab #5)

First Reading: From Meeting of *November 10, 2009*

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
5-0 to approve	6-0 to approve

Map Amendment

Reference CCMA09-0012

Applicant: Herb Flosdorf

Tax Map Number: portion of 146-00-00-003-000

Size & Location: 100 (+/-) acres near Intersection of Mt. Arant Rd. & Hwy 9, Richburg, SC

Request

Change zoning from ID2 (Limited Industrial District Use)

To ID-3 (General Industrial District Use)

Council Member Branham made a Motion to approve 1st Reading of Map Amendment No. CCMA09-001, 2nd by Council Member Holcombe,

County Attorney Winters then stated that a Reverter Clause should be added to this Motion and **Council Member Branham** then stated he would also like to add that when the facility started up absolutely no hazardous waste would be burned. **County Attorney winters** then said that **Council Member Holcombe** would need to withdraw his 2nd then **Council Member Branham** his Motion and make two Motions. **Council Member Holcombe** then withdrew his 2nd and **Council Member Branham** his original Motion.

Council Member Branham then made a Motion to include a Reverter Clause in the Contract, 2nd by Vice Chairman Lucas, Council vote was unanimous.

Council Member Branham then made a Motion that absolutely no hazardous waste would be burned at this facility and that it is written in the Contract with Covanta, 2nd by Council Member Holcombe. Discussion: **Council Member Guy** asked if a fine would be imposed If they were caught doing this and **Chairman Roddey** stated it would be written in the Contract drawn up by the County Attorney. **Council then voted and the vote was unanimous.**

At this point, **Council Member Branham** asked if he would be allowed to say a few words. **Chairman Roddey** then gave **Council Member Branham** the floor. **Council Member Branham** stated he had been to visit several of these sites along with several other people and that there was absolutely no smell, no noise and no trash. He stated you would not know what type of facility this was if you weren't told. He went on to say that he and the Economic Development Director had been involved in conference calls with eleven other sites all over the United States exactly like the one that was visited in Maryland and all were very positive in each area and all said there were absolutely no adverse affects on emissions and that schools, homes and farm lands were within one mile of several of the sites. **Council Member Branham** noted that there were no problems with ground water and that DHEC monitors all plants. The plant and technology they are bringing to Chester County speaks volumes of this company and all existing companies have renewed their contracts after 20 years. **Council Member Branham** said this was truly advantageous for Chester County and the State of South Carolina. **Chairman Roddey** thanked **Council Member Branham** for his input. At this time, **Council Member Oliphant** said he would like to thank **Council Member Branham** for being the liaison for Council and Economic development and he knew it took a lot of his personal time and he appreciated what **Council Member Branham** and the entire Economic Development team did for Chester County.

2. Discussion on charging a fee for use of old Armory facility

Chairman Roddey told Council that so many outside people had been asking to use the large room at the Old Armory it was getting out of hand plus some of our people had to clean up after them so he would like to suggest a small fee of \$50 to anyone that asked to use the facility. **Chairman Roddey** said of course this would not apply to Veterans, or Clemson Extension Agency

Council Member Holcombe asked if the Chairman ever turned people away and **Chairman Roddey** said he did. **Council Member Oliphant** asked if this would go through the Supervisors Office and **Chairman Roddey** said it would.

Council Member Guy asked if this would apply to night functions and **Chairman Roddey** replied it would. **Council Member Branham** asked if there was a fee if the room was not cleaned and **Council Member Oliphant** said the guidelines may needed to be expanded and **Chairman Roddey** said he would have the County Attorney look at what his office had typed up. Council then voted.

Council Member Oliphant made a Motion to allow a fee of \$50.00 to be charged and a contract similar to the Memorial Building to be completed before use, 2nd by Council Member Guy, Council vote was unanimous.

3. Approval to apply for Phase II Mitigation Plan for Raxter Rd. Grant

EMA Director, Eddie Murphy came before Council to ask for approval to apply for the Phase II Mitigation Plan for Raxter Rd Grant.

Council Member Oliphant stated that we got trapped on this road as well as the residents by the developer but we would get there. **Vice Chairman Lucas** Asked Mr. Murphy if he had a vague idea of a time frame and Mr. Murphy replied that the Grant (if we got it) would be awarded in the Spring, then the County would go out for bids.

Council Member Jordan made a Motion to approve the application to apply For the Phase II Mitigation Plan for Raxter Rd. Grant, 2nd by Council Member Oliphant, Council vote was unanimous.

Added to the Agenda:

Grant Request for Contractor to Update Chester County Multi Hazard Mitigation Plan
Mr. Murphy said the Multi Hazard Mitigation Plan Update is required every five years and it just happened to coincide with the other Grant. The amount of the Grant is \$42,000 with County's being obligation of \$10,500.

Council Member Guy made a Motion to all the EMA Director to apply for the Contractor to update Chester County's Multi Hazard Mitigation Plan, 2nd by Council Member Jordan, Council vote was unanimous.

Next Item added to Agenda:

Vice Chairman Lucas said he had observed several different flags on Veterans Day and also went to Lancaster County and that every other light pole downtown had a flag and

that it looked great. Vice Chairman Lucas then made a Motion to have Flags put on all County Public Buildings and flown at appropriate times, 2nd by Council Member Branham, Council vote was unanimous.

IX. Council Members Comments

Chairman Roddey reminded Council Members about the Special Called Council Meeting that will be held on Friday, November 20th at 10:00am in Council Chambers. **Vice Chairman Lucas** said he would like to have an update from the Senior Services Board at the next meeting.

X. Adjournment

Council Member Holcombe made a Motion to adjourn, 2nd Vice Chairman Lucas vote was unanimous. Time was approximately 6:50pm

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 November 16, 2009