

# CHESTER COUNTY COUNCIL MINUTES

## **R. Carlisle Roddey Chester County Government Complex**

1476 J.A. Cochran Bypass Chester, SC 29706

**Monday, May 3<sup>rd</sup>, 2021 at 6:00 PM**

**Present:** Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman William Killian, Clerk to Council Karen Lee and County Attorney Joanie Winters. Rules of Procedure Section 2-59 and 60 were suspended.

**Absent:** Councilman Pete Wilson with prior notification.

1. **Call to Order-**Interim Chairman Dr. Frederick called the meeting to order.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes**
  - a. **April 19<sup>th</sup>, 2021 Council Minutes.**  
Councilman Vaughn motioned to approve, second by Councilman Killian. Vote 5-0 to approve.
  - b. **April 22<sup>nd</sup>, 2021 Special Called Minutes.**  
Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.
  - c. **April 26<sup>th</sup>, 2021 Special Called Minutes.**  
Councilwoman Guy motioned to approve, second by Councilman Jordan. Vote 4-0 to approve.  
Councilman Killian was not present for the April 26<sup>th</sup> meeting and did not vote.
4. **Citizen Comments**

Barry Dodson, 3631 Hernandez Road, Richburg spoke about the approval process for rezoning does not match up with the Gateway Master Plan.
5. **Public Hearing-** No one signed up to speak.
  - a. **3<sup>rd</sup> Reading of 2021-5** An Ordinance to Adopt Various International and Standard Codes Relating To Inspection Activities of The County of Chester, South Carolina And Enforcement of Building Provisions As Provided in Said Codes.
6. **Ordinances/Resolutions/Proclamations**
  - a. **3<sup>rd</sup> Reading of 2021-5** An Ordinance to Adopt Various International and Standard Codes Relating To Inspection Activities of The County of Chester, South Carolina And Enforcement of Building Provisions As Provided in Said Codes. Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.
7. **Old Business**
  - a. Update on the 2014 Capital Project Sales Tax funds. Susan Cok.  
Mrs. Cok went over the list of projects left to finish up and was taken as information.
  - b. **3<sup>rd</sup> Reading of CCMA21-01:** Pamela F. Guinn request Tax Map # 122-00-00-197-000 located on Clinton Road, Edgemoor SC, be rezoned from ID-1 (Restricted Industrial) to R1 (Rural One). *Planning Commission voted 7-0 to approve.* Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

**c. 3<sup>rd</sup> Reading of CCMA21-05:** Patricia A Howze, Paulette Howze and Rachel D. Howze request Tax Map # 134-00-00-199-000 located on Highway 223, Chester, be rezoned from R2 (Rural Two) to RS-1 (Single Family) *Planning Commission voted 7-0 to approve.* Councilwoman Guy motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

**d. 3<sup>rd</sup> Reading of CCMA21-06:** J.M. Mullis, Inc request Tax Map # 165-00-00-079-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from R2 (Rural Two) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Jordan motioned to approve with a reverter clause, second by Vice Chairman Branham. Vote 5-0 to approve.

**e. 3<sup>rd</sup> Reading of CCMA21-07:** J.M. Mullis, Inc request Tax Map # 165-00-00-055-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from R2 (Rural Two) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Jordan motioned to approve with a reverter clause, second by Vice Chairman Branham. Vote 5-0 to approve.

**f. 3<sup>rd</sup> Reading of CCMA21-08:** J.M. Mullis, Inc request Tax Map # 165-00-00-091-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Vaughn motioned to approve with a reverter clause, second by Councilman Jordan. Vote 5-0 to approve.

**g. 3<sup>rd</sup> Reading of CCMA21-09:** J.M. Mullis, Inc request Tax Map # 165-00-00-080-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Jordan motioned to approve with a reverter clause, second by Vice Chairman Branham. Vote 5-0 to approve.

**h. 3<sup>rd</sup> Reading of CCMA21-10:** J.M. Mullis, Inc request Tax Map# 165-00-00-066-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Vaughn motioned to approve with a reverter clause, second by Vice Chairman Branham. Vote 5-0 to approve.

**i. 3<sup>rd</sup> Reading of CCMA21-11:** J.M. Mullis, Inc request Tax Map # 165-00-00-065-000 located on Highway 21 (Catawba River Rd) Fort Lawn, SC be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial) *Planning Commission voted 7-0 to approve.* Councilman Vaughn motioned to approve with a reverter clause, second by Vice Chairman Branham. Vote 5-0 to approve.

**j. Approval of the Needs and Assessment 2021 Priority List–County Council.**  
Council went over the list and decided to add the YMCA and have a representative from Catawba Regional come to the next meeting to explain how the list is categorized. Vice Chairman Branham motioned to approve the list and to add the YMCA, second by Councilman Killian. Vote 5-0 to approve.

**k. From CTC meeting.**

**1.** Action taken for reimbursement from C-funds to the Road Department in the amount of \$38,170.38. Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Vote 5-0 to approve.

**2.** Action taken for reimbursement from C-funds to the Recycling Department in the amount of \$1458.38. Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 5-0 to approve.

**3.** Action taken for 2022 Road repaving list. Vice Chairman Branham motioned to approve, second by Councilman Killian. Vote 5-0 to approve.

**4.** Action taken for Pedestrian Crossing Agreement at Railroad at Pizza Hut. Taken as information.

5. Action taken for truck traffic on Sugar Plum Road. Taken as information.  
6. Action taken for road repairs on Wylie Road. Taken as information.  
7. Action taken for 2022 SCDOT/ CTC partnership.  
Vice Chairman Branham motioned to approve, second by Councilwoman Guy. Vote 4-1 to approve.  
Councilman Vaughn opposed.

8. Action taken for Douglas and Washington Street sidewalks. Taken as information.

**8. New Business**

a. **1<sup>st</sup> Reading of CCMA21-12:** Michael D. Cannon of MC Real Estate, LLC request Tax Map # 125-00-00-010-000 located on Colonels Point Parkway be rezoned from ID-2 (Limited Industrial) to ID-3 (General Industrial). *Planning Commission vote 6-0 to approve with a reverter clause if the business closes.*  
Councilman Vaughn motioned to approve, second by Councilman Killian. Councilman Jordan stated he did not like the idea of the space to be rented out to be used as ID-3 as well. He asked for more information to be presented at the next meeting. Councilman Killian withdrew his second, Councilman Vaughn withdrew his motion. Councilman Jordan motioned to deny, second by Councilman Vaughn. Vote 5-0 to deny.

b. **1<sup>st</sup> Reading of CCMA21-13:** Michael R. Mills, agent for JAH Properties LLC request Tax Map # 087-00-00-001-000 (portion of) located along Darby Road, Chester SC be rezoned from R2 (Rural Two) to RS-1 (Single Family) *Planning Commission voted 6-0 to approve.* Councilwoman Guy motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

**9. Boards and Commissions -None**

**10. Executive Session-**Councilwoman Guy motioned to go into Executive Session, second by Vice Chairman Branham. Vote 5-0 to approve.

- a. Discussion regarding Project Magma. Attorney Winters.
- b. To Discuss a contractual matter regarding Project 2024. Attorney Winters.
- c. To receive legal advice regarding Southeastern Petroleum. Attorney Winters.
- d. Receive legal advice for a property contract. Attorney Winters.

**11. Council Actions Following Executive Session-**Councilman Vaughn motioned to go back to Regular Session, Second by Councilman Killian. Vote 5-0 to approve.

a. Action taken regarding discussion for Project Magma. Taken as information.

b. Action taken regarding discussion of Project 2024.  
Councilman Jordan motioned to allow project 2024 to use adjacent land for storage subject to an improved MOU and indemnity agreement and run to the end of the year and subject to a sixty day right of the County to require them to move, second by Vice Chairman Branham. Vote 5-0 to approve.

c. Action taken regarding legal advice for Southeastern Petroleum.  
Councilman Vaughn motioned to allow the County Attorney to take necessary actions to conclude the sale of Southeastern Petroleum, second by Councilman Killian. Vote 5-0 to approve.

d. Action taken regarding legal advice for a property contract. Taken as information.

**12. Council Comments**

Councilman Vaughn and the rest of Council congratulated Councilman Wilson and his wife Caroline on their new baby.

**13. Adjourn**

Vice Chairman Branham motioned to adjourn, second by Councilman Killian. Vote 5-0 to adjourn.

Time: 8:00 PM

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.

