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6 **CHESTER COUNTY COUNCIL MEETING**

7 **R. Carlisle Roddey Government Complex**
8 **1476 J.A. Cochran By-Pass**

9
10 **June 2, 2008**
11 **6:00 p.m.**

12
13 **Carlisle Roddey, Chairman – Presiding**

14
15 **Minutes**

16
17 **In Attendance:**

18 **Chairman Roddey**
19 **Vice Chairman Lucas**
20 **Councilman Oliphant**
21 **Councilman Martin**
22 **Councilwoman Guy**
23 **Councilman Jordan**
24 **Councilman Branham**
25 **County Attorney Winters**

26
27 **I. Call to Order**

28 **II. Pledge of Allegiance & Invocation**

29 **III. Approval of Minutes**

30 a. Meeting of May 19, 2008

31 **Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting**
32 **Minutes of May 19, 2008, 2nd by Councilwoman Guy, Council vote was unanimous.**

33 **IV. Citizens Comments**

34 **Keith Hawkins** spoke on the rezoning of 638 Columbia Rd. He stated that there were enough
35 properties zoned GC on Columbia Rd. and that it was an eyesore to the County. He said that
36 General Commercial covers a wide range and presented a copy of a petition signed by property
37 owners.

38 **John Reid Franklin** also spoke on the rezoning issue of 638 Columbia Rd. He stated this
39 rezoning would open a lot of doors to changes that could be in GC. He stated that the County
40 needed industry but he was concerned about the appearance of Columbia Rd.

41 **Hugh Mauldin** – addressed the reverter clause that Council suggested and Planning & Zoning
42 added to the property on Fincher Rd., in Fort Lawn. He said he was completely “blind sided” by

1 the reverter clause and that if the rezoning request did not go through he was going to put a
2 trailer park across the road to recoup the \$80,000 he's spend thus far.

3 **Roger Huse** read a letter from DHEC to Council members. Even though the property at 917
4 Fincher Rd. does not have water contamination the letter stated there was a "potential effect"
5 on the property across the road. He reiterated again (from the last two meetings he spoke at)
6 that there had been 14 wrecks on that road and that more traffic would be a hazard. His idea
7 was that GC was not specific for a greenhouse and that it should be sent back to the Zoning
8 Board of Appeals for a "special exception". If GC passes, this would no longer be considered a
9 rural area.

10 **Attorney Brian Grier** – spoke on the zoning issue on Columbia St. He stated he represented
11 Mr. Stepp and that the concern of some people in the area was that the GC zoning would allow
12 junk cars to be placed there and that GC does not allow that. Also, he felt that Mr. Stepp
13 should be treated fairly in the matter because there were many other businesses on that road
14 and, in fact, next door to Mr. Stepp's property was already GC. He named two insurance
15 companies, a feed store, a convenience store and several others. All he asked was Council to
16 be fair in this rezoning issue.

17 **V. Public Hearing**

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

19 An Ordinance to Increase Landfill Fees to \$48.00 Per Ton

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

21 **VI. Ordinances & Resolutions**

22 1. 3rd Reading of An Ordinance to Increase Landfill Fees to \$48.00 Per Ton

23 **Councilman Martin made a Motion to approve 3rd and final reading of an Ordinance to**
24 **increase Landfill Fees to \$48.00 per ton, 2nd by Vice Chairman Lucas.** Discussion:

25 **Councilman Branham** asked when this would take effect and **Chairman Roddey** replied June
26 10. **Councilman Oliphant** asked that letters be sent to the municipalities informing them of the
27 increase and requested that it be reflected in the motion. **Vice Chairman Lucas withdrew his**
28 **2nd to the motion, and Councilman Martin withdrew his Motion and restated the Motion to**
29 **say "approve 3rd and final reading of an Ordinance to increase Landfill fees to \$48.00 per**
30 **ton and all municipalities using the facility be notified by mail that the increase will take**
31 **place on June 10th, 2008, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

32 2. 2nd Reading of the FY2008-2009 Budget Ordinance

33 **Councilman Oliphant made a Motion to approve 2nd Reading of the FY2008-2009 Budget**
34 **Ordinance, 2nd by Councilman Martin.** Discussion: **Chairman Roddey** explained to all
35 members of the audience and Council everything that was included in the budget and also that
36 employees would get a 2% raise and that there would not be a property tax increase. The total
37 budget was approximately \$23,488,595. **Councilman Branham** wanted to reiterate that no fire
38 truck would be idle because of the high cost of gasoline and **Chairman Roddey** replied they

1 would not. **Councilman Martin** said that West Chester and North Chester Fire Departments
2 should know if the ISO Rating would be lowered in a few months. **Councilman Branham** stated
3 that a lower ISO rating had saved the people in South Chester an average of \$300-400 on their
4 insurance and thanked **Mr. Blair White** for doing such a good job. **Councilwoman Guy** asked if
5 taxes would be raised and **Chairman Roddey** replied they would not. **Councilman Oliphant**
6 asked when would Council get an audit and **Chairman Roddey** stated it was basically done that
7 the Finance Director would be going through it once received. **Council then voted and the vote**
8 **was unanimous.**

9 **3. A Proclamation to Honor Chester County Dairy Farmers**

10 **Councilman Martin** presented a Proclamation to honor the dairy farmers in Chester County.
11 Mrs. Susan Stephenson accepted both plaques on behalf of her husband Ronnie Stephenson
12 and cousin, Herbie Lutz.

13 **VII. Old Business**

14 **1. From Planning Commission**

15 Third Reading: CCPC Meeting Date: 4/15/2008

16 **Reverter Clause Attached**

17 Commission
18 Vote

19 Council
20 Vote

21 **5-0 to Approve**

22 **4-2 to Approve**

23 **Tax Map #155-00-00-053**

24 **From:** R2 (Rural Two) to GC (General Commercial)

25 **Name:** Claude L. Mauldin, Jr.

26 **Map Amendment #** CCMA08-0006

27 **Location:** 17 acres located at 917 Fincher Rd, Fort Lawn, SC

28 **Councilwoman Guy made a Motion to uphold Planning Commissions Recommendations**

29 **on 3rd and final reading of Tax Map # 155-00-00-053 with the Reverter Clause added, 2nd by**

30 **Councilman Oliphant Council vote was 4-2 to approve with Vice Chairman Lucas and**

31 **Councilman Jordan opposing.**

32 **2. Use of County Ball Field in Great Falls**

33 **James Wilmore** came before Chester Council once again to ask that his organization be allowed
34 to use the ball field in Great Falls, SC. He stated that he went to the Great Falls Council Meeting
35 and was told it was up to the Chester County Council but it seemed that no one would make a
36 decision. **Mr. Wilmore** also said the Resolution saying all County owned ball fields were for
37 athletic events only was done after his request to use the ball field in Great Falls.

38 **Chairman Roddey** stated the Resolution was in progress but not completed and he had
39 mentioned other options but **Mr. Wilmore** said the "gate" couldn't be controlled at those places.

40 **Chairman Roddey** then said he was just trying to protect the ball fields. **Councilman Branham**
41 then said if Council did this for **Mr. Wilmore**, then what would happen when other organizations
42 wanted to use the fields for events other than sports. **Councilwoman Guy** suggested that he be

1 allowed to use it this year and **Councilman Oliphant** suggested the County Attorney work it out.
 2 **County Attorney Winters** asked **Mr. Wilmore** when would he need an answer and **Mr. Wilmore**
 3 replied "by Friday". **County Attorney Winters** then suggested that Council add this to Executive
 4 Session as a Contractual Matter. **Councilman Oliphant then made a Motion to add the use of**
 5 **the Great Falls ball field to Executive Session as a Contractual Matter, 2nd by**
 6 **Councilwoman Guy, Council vote was unanimous.**

7 3. From CCTC – any item that requires a vote
 8 **Chairman Roddey stated there was only one item that required a vote from full Council**
 9 **and that was the award of the contract for the 2008 Roadway Improvement Project to LCI-**
 10 **Lineberger Construction Inc. in the amount of \$1,067,684.94 and put this in the form of a**
 11 **Motion, 2nd by Councilwoman Guy.** Discussion: **Councilman Oliphant** requested that the
 12 News & Reporter and the Herald be given a copy of the road list and cost. **Council vote was**
 13 **unanimous.**

14 **VIII. New Business**

15 1. First Reading: From Meeting of 5/20/08

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
4-0 to Approve	6-0 to Uphold

19 **Tax Map # 047-00-00-036**

20
 21 From R3 to R2
 22 Name:David & Laura Brown
 23 Map Amendment # CCMA08-0007
 24 Location.....42.772 acres located at 1788 Atkinson Rd

26 **Councilman Martin made a Motion to uphold Planning Commission recommendations on**
 27 **Tax Map # 047-00-00-036, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

29 2. First Reading: From Meeting of 5/20/08

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
4-0 to Deny	4-3 to Overturn Panning Commission

32 **Tax Map # 080-01-06-017**

37 From RS1 to GC
 38 Name: Carlton Stepp
 39 Map Amendment..... CCMA08-0009
 40 Location..... One lot located at 638 Columbia Rd

42 **Councilman Jordan made a Motion to Uphold Planning Commissions recommendation, 2nd**
 43 **by Councilman Oliphant.** Discussion: **Councilman Branham** stated he was unclear on what

1 reason was given to deny the change. **Mr. Mack Paul** stated he was unsure of what was going
2 on that it was suggested that Mr. Stepp wanted to put “junk cars” at the property but a GC zoning
3 change did not allow that. **Councilman Oliphant** asked what was the properties around 638
4 Columbia St. zoned and **Mr. Paul** stated GC. **Chairman Roddey** stated before the 2nd Reading
5 he wanted some clarification on what 638 Columbia Rd. would be used for. **Council then voted**
6 **and the vote was 3 to 4 to overturn the Planning Commission with Council Members**
7 **Oliphant, Jordan and Branham voting to uphold and Council Members Guy, Lucas , Martin**
8 **and Supervisor Roddey voting to overturn Planning Commission.**
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10 IX. Executive Session

11 **Chairman Roddey** stated that Council needed to go into Executive Session to discuss:

12 1. Economic Development Matter: Re: Republic Mill #2

13 and added to Executive Session: A Contractual Matter regarding the ball field in Great
14 Falls, **Vice Chairman Lucas made a Motion to go into Executive Session, 2nd by**

15 **Councilwoman Guy, Council vote was unanimous.** (Time was approximately 7:00pm)

16 Council returned from Executive Session at approximately 8:30 pm and

17 **Councilman Martin made a Motion to go back into Regular Session, 2nd by Councilman**
18 **Branham, Council vote was unanimous.**

19 **Chairman Roddey** stated that Council had discussed an Economic Development Matter
20 regarding the Republic Mill #2 in Executive Session and no decision was made and Council had
21 taken the discussion as information only. On the matter of the ball field in Great Falls, **Chairman**
22 **Roddey** said Council members asked that he make the decision and his decision was that Mr.
23 **Wilmore** would be allowed to use the field one more time as long as he supplied proof of his
24 \$2M liability insurance and had police patrol. **Chairman Roddey** replied this would be the last
25 time any event except an athletic event took place on a County ball field.

26 X. Council Members Comments

27 There were no Council Members Comments
28
29

30 XI. Adjournment

31 **Councilwoman Guy made a Motion to adjourn, 2nd by Vice Chairman Lucas, Council vote**
32 **was unanimous.** Time was approximately 8:35 pm
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36 Pursuant to the Freedom of Information Act, the **Chester News & Reporter,**
37 **The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing**
38 **Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants**

1 were notified and a notice was posted on the bulletin board at the R. Carlisle Roddey
2 Government Complex 24 hours prior to the meeting
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10 _____
11 **R. Carlisle Roddey**
12 **Chester County Supervisor**

10 _____
11 **Carolyn S. Clayton-Snipes, CCC**
12 **Clerk to Chester County Council**

13 **Chester County Council Meeting of 6-2-2008**
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