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CHESTER COUNTY COUNCIL MEETING

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

May 5, 2008
6:00 p.m.

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

R. Carlisle Roddey, Chairman
Archie Lucas, Vice Chairman
Alex Oliphant, Councilman
Tommy Martin, Councilman
Mary Guy, Councilwoman
Brad Jordan, Councilman
Joe Branham, Councilman
Joanie Winters, County Attorney

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

a. Meeting of April 21, 2008

Vice Chairman Lucas made a Motion to approve the County Council Minutes of April 21, 2008, 2nd by Councilwoman Guy, Council vote was unanimous.

Chairman Roddey then stated that a Resolution had just been sent to him by the attorney in Columbia regarding the one cent sales tax and it needed to be added to the agenda. **Councilman Branham then made a Motion to add to the agenda under Resolutions and Ordinances the one cent sales tax resolution, 2nd by Councilman Oliphant, Council vote was unanimous.**

IV. Citizens Comments

Ms. Sara J. Huse, 3153 Catawba River Rd., spoke on the rezoning that was on the Council agenda. She spoke at the April 21st Council meeting and reiterated her concerns.

1 Ms. Huse said that she had lived at the old home place which was built in 1914 and this was
2 zoned as residential and agriculture or R-2 since zoning came to Chester. She stated that
3 “spot zoning” was against what zoning intended and that contamination from the water on
4 that property was a concern. She was concerned about the increase in traffic on Hwy. 21
5 and stated it was already extremely dangerous; and that no one had been notified of the
6 proposed rezoning, had they been, she felt the Planning Commission’s decision would have
7 been different.

8 **M. Cheryl Baker, 115 Caldwell St.**, came before Council and asked that Council temporarily
9 wavier the fee at the landfill for the City to demolish homes. She thanked the County for
10 tearing down a house at Loomis St. and then asked that the County partner with the City
11 for summer recreation activities for the youths.

12 **Mr. Hugh Mauldin, 917 Fincher Rd.**, stated he had petitioned for rezoning the property
13 for a nursery and landscaping business and said there was a house there he would be
14 living in which would improve the property value. Mr. Mauldin stated he would only use
15 eco friendly pesticides and that the opponents to his rezoning lived across the road and
16 the water contamination of which they spoke was already there and did not come from
17 his property because water did not run uphill. Mr. Mauldin said he had been told there
18 had been one wreck in seven years on that road. His plan for the business would be to
19 exit in front of his house which would not cause a problem with traffic on Hwy. 21.
20 He also stated there was a strawberry farm beside his property that generated traffic.
21 Mr. Mauldin said he presently employed about 10 people and with a retail license to
22 sell plants, fertilizer, livestock feed, farming equipment, lawn mowers, etc. he needed
23 a retail center and could not do this without a GC (General Commercial) rezoning.
24 He stated by the end of the year he hoped to employee at least 25 people, thereby,
25 creating jobs.

26 **V. Public Hearing**

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

28 An Ordinance Adopting and Enacting a New Code for the County of
29 Chester, South Carolina; Providing for the Repeal of Certain Ordinances not Included
30 Therein; Providing a Penalty for the Violation Thereof: Providing for the Manner of
31 Amending such Code; and Providing when such Code and this Ordinance shall become
32 Effective

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

34 **VI. Ordinances & Resolutions**

- 35 1. 3rd Reading of An Ordinance Adopting and Enacting a New Code for the County of
36 Chester, South Carolina; Providing for the Repeal of Certain Ordinances not Included
37 Therein; Providing a Penalty for the Violation Thereof: Providing for the Manner of
38 Amending such Code; and Providing when such Code and this Ordinance shall become

1 Effective

2 **Councilman Oliphant made a Motion to approve 3rd and final reading of an Ordinance**
3 **Adopting and Enacting a New Code for the County of Chester, South Carolina;**
4 **Providing for the Repeal of Certain Ordinances not Included Therein; Providing a**
5 **Penalty for the Violation Thereof: Providing for the Manner of Amending such Code;**
6 **and Providing when such Code and this Ordinance shall become Effective , 2nd by**
7 **Vice Chairman Lucas.** Discussion: **Councilwoman Guy** asked about the Committees that
8 were listed in the Codification and **Chairman Roddey** stated that under the Supervisor Form
9 of Government he was not required to have committees unless necessary. **Council then**
10 **voted and the vote was unanimous.**

11 Added to Agenda – Resolution on One Cent Sales Tax

12 **Chairman Roddey then stated his three selections to the One Cent Sales Tax**
13 **Commission were: Mr. Jim Hicklin, Mr. Marvin Waldrep and Mr. Jack Cornwell**
14 **and put this in the form of a Motion, 2nd by Councilman Oliphant.** Discussion:
15 **Councilwoman Guy** asked if the bond passed what would happen to the commission.
16 **Chairman Roddey** stated it would go away. **Councilman Jordan** then asked if there was
17 anything preventing a member from Council making a recommendation to the commission
18 in place of asking the Mayors of Great Falls and Fort Lawn and **Chairman Roddey** replied
19 “no”. **Councilwoman Guy** then asked about the architecture firm and **Chairman Roddey**
20 stated they had already been hired. **Chairman Roddey** asked the County Attorney to
21 explain who would make appointments to the one cent sales tax committee. **County**
22 **Attorney Winters** read the State Statute and explained that Council and or the Supervisor
23 would pick three members and the City of Chester would pick one person who in turn would
24 pick two more. Hopefully these two would be from other municipalities such as Great Falls
25 or Fort Lawn. **Vice Chairman Lucas** asked about Lowry’s and Richburg and **County**
26 **Attorney Winters** sited the Statute again and reiterated it was based on population.
27 **Chairman Roddey** then stated that the population criteria was not met with the other
28 municipalities and that was why the City of Chester member chooses the other two
29 members. **Vice Chairman Lucas** asked what number was used and **County Attorney**
30 **Winters** stated that the City of Chester was the only municipality that had a whole number.
31 **Vice Chairman Lucas** then asked if Council was suppose the accept the Supervisor’s
32 recommendation on three members and **County Attorney Winters** replied yes. **Vice**
33 **Chairman Lucas** then stated he did not necessarily agree with leaving some of the
34 municipalities out. **Chairman Roddey** stated that was the way the law was written.
35 **At this time Council then voted on Chairman Roddey’s recommendations to the One**
36 **Cent Sales Tax Commission and the vote was unanimous.** **Councilman Martin then**
37 **made a Motion to adopt the One Cent Sales Tax Resolution, 2nd by Councilman**
38 **Oliphant, Council vote was unanimous.**

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3 **VII. Old Business**

4 **1. Update on "Free Day" at the Landfill**

5 **Sharon Wilson Bickett/Recycling Coordinator** gave Council a comparison of the
6 increasing cost at the landfill over the last several years and as discussed at the
7 last meeting the cost have steadily gone up. After looking at the comparison,
8 **Councilman Jordan** stated we were already in the hole and **Chairman Roddey** said
9 by the end of the year it will be about \$200,000. **Councilman Jordan** asked Ms.
10 Bickett how much she thought we should raise the rate to and she replied at least
11 \$47/ton. Ms. Bickett stated that the "free days" at the landfill cost the county at least
12 \$60,000-\$70,000 each year. **Councilman Oliphant** then stated if we raised the rates
13 the municipalities should also increase. **Councilman Branham** asked the last time
14 the County had raised rates and Ms. Bickett replied 4 years ago. **Councilman Jordan**
15 stated he thought this was something we needed to do. **Councilman Jordan** then
16 said that since Waste Management had raised their fuel surcharge it was really hurting
17 the county. **Councilman Branham** said Ms. Bickett had a difficult job with all the litter
18 and the increasing cost of the landfill. **Chairman Roddey** said he hoped to get her
19 some help later on. **Councilman Martin** then said he would like for Council to consider
20 \$48/ton that \$47/ton would be a temporary solution. **At this time, Councilman Martin**
21 **then made a Motion to go to \$48/ton, 2nd by Councilman Jordan.** Discussion:
22 **Councilman Oliphant** asked the attorney if they needed to do this by ordinance and she
23 replied they did. **Councilman Oliphant** asked if Council could consider this a Motion "In Title
24 Only" and **County Attorney Winters** replied they could. **Council then voted on**
25 **Councilman Martin's Motion and Councilman Jordan's second, to raise the fees at the**
26 **Landfill to \$48/ton and this would be considered 1st Reading of an Ordinance in Title**
27 **Only, Council vote was unanimous.**

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30 **2. From Planning Commission**

31 First Reading: CCPC Meeting Date: 4/15/2008

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
5-0 to Approve	4-2 to Uphold

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

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

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

41 **Map Amendment #** CCMA08-0006

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

1 **Councilwoman Guy made a Motion to uphold 1st Reading from Planning Commission,**
2 **2nd by Councilman Oliphant.** Discussion: **Councilman Jordan** asked the County Attorney if
3 she was sure there was no conflict of interest on his part on this rezoning and she replied there
4 was not. **Councilman Oliphant** said he would like some information at the next meeting on the
5 Comprehensive Plan. **Chairman Roddey** stated the Comprehensive Plan was actually just a
6 “road map” and that he would have Mr. Mack Paul at the next meeting if Council had
7 questions. **Councilman Jordan** the said that most knew how he felt about the Comprehensive
8 Plan and the plan for this section calls for residential and he stated we ought to stay with it. He
9 went on to say that R-2 agriculture could be done without a GC classification. His concern was
10 that this would be a GC tract in the middle of a residential area. **Councilman Branham** asked
11 how close was the strawberry farm and **Chairman Roddey** stated next door. **Councilman**
12 **Jordan** then said his problem is GC not the nursery that GC would be in an area that is
13 residential. **Council voted and the vote was 4 to 2 to uphold with Vice Chairman Lucas and**
14 **Councilman Jordan opposing.**

15 **3. Carolina Thread Trail**

16 **Councilman Jordan** asked a representative of the Carolina Thread Trail to be in attendance
17 tonight and Ms. Ann Browning spoke to Council. She said a Master Greenway Grant had been
18 awarded in the about of \$50,000 and she was in the process of getting input from the public
19 and information from neighboring counties to bring back to Council. She said she would like
20 for Council to appoint a representative to work with them. **Councilman Oliphant** then said he
21 would like to appoint **Councilman Jordan** to a Steering Committee and let him come back
22 with recommendations of who will be on the committee. **Councilman Jordan** asked how many
23 members should be on the committee and **Chairman Roddey** suggested five. **Vice Chairman**
24 **Lucas** then suggested that each District have a representative which would be six. Harold
25 Shapiro with Catawba Regional then stated to Council that Chester County had the resources
26 to develop trails and this was really a good project and Catawba Regional was pleased to
27 partner with Ms. Browning’s group. **At this time, Vice Chairman Lucas made a Motion that**
28 **six members be on a Steering Committee and Councilman Jordan Chair the Committee,**
29 **one member from each District to be named at the next Council meeting, 2nd by**
30 **Councilman Oliphant, Council vote was unanimous.**

31 **4. Litter**

32 **Councilman Martin** stated he would like for the County to be able to purchase camera’s to
33 be placed a strategic points across the County to see who was littering. These cameras would
34 get a tag number and they had timers on them. **Councilman Martin** said he would have more
35 information on these cameras at budget time and was only bringing this to Council as information
36 only.

37 **5. Update on clean up of Springsteen & Thomas & Howard sites**

38 **Councilman Oliphant** said he was also bringing this agenda item before Council as information

1 only. The Springsteen and Thomas & Howard Phase I Study came back. The Thomas &
2 Howard building had no environmental concerns and is ready to be torn down, however the
3 Springsteen building had some asbestos and was a danger to the neighborhood. This would take
4 longer to clean up and he would let Council know when he had some figures on the cleanup. He
5 also said he would like for Council to think about waiving the fee to the City to tear down 10-15
6 houses to take to the landfill and see how much room they took up.

7 **VIII. New Business – From CCTC**

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9 1. Prioritization of SDOT roads in each Council Member District

10 Council Members would have this list at the next CCTC meeting for the Dennis Corp.

11 2. Eugina Road

12 County will look at this road and decide if it should be taken into the
13 system for maintenance.

14 3. Looking Glass, Hopps, Reflection & Rippling Brook. **County Supervisor Roddey**

15 will send a letter to Ms. Daves requesting these roads be brought up to

16 standard in order for the County to take them into the system. Also, requested

17 by Mr. Cannon to add Nancy Road in this list. **Councilman Martin made a**

18 **Motion to add Nancy Road to the county maintenance road list, 2nd by**

19 **Councilman Branham, Council vote was unanimous.**

20 4. Dixie Youth Fields & Great Falls Recreation Area

21 **Councilman Oliphant made a Motion to add the Dixie Youth Fields and Great**

22 **Falls Recreation Area to the Road Improvement List, 2nd by Vice Chairman**

23 **Lucas, Council vote was unanimous.**

24 **IX. Appointment**

25 1. Resignation from Rural Fire Board

26 **Councilwoman Guy made a Motion to accept Mr. Jim Harker's verbal resignation**

27 **from the Rural Fire Board, 2nd by Councilman Oliphant, Council vote was unanimous.**

28 2. Appointment to Rural Fire Board

29 **Councilwoman Guy made a Motion to appoint Eumon Chisholm, Jr. to the**

30 **Rural Fire Board, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

31 3. Re-Appointment to Lando Fire District Board

32 **Councilman Jordan made a Motion to re-appoint Mr. Robert Moore to the Lando Fire**

33 **District Board, 2nd by Councilwoman Guy Council vote was unanimous.**

34 4. Re-Appointment to Lando Fire District Board

35 **Councilman Jordan made a Motion to re-appoint Mr. Vernon Terry to the Lando Fire**

36 **District Board, 2nd by Councilman Oliphant, Council vote was unanimous.**

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2 **X. Executive Session**

3 **Chairman Roddey** stated that Council needed to go into Executive Session to discuss
4 the following matters:

- 5 1. Personnel Matter: Re: Clerk of Court
- 6 2. Economic Development Matter: Re: Great Falls Mill #2
- 7 3. Economic Development Matter: Re: Project 0801
- 8 4. Economic Development Matter: Re: Project 0806
- 9 5. Contractual Matter: Re: Facility Rental
- 10 6. Personnel Matter: Re: Job Description Rural Fire

11 **Councilman Oliphant made a Motion to go into Executive Session, 2nd by Vice Chairman**

12 **Lucas, Council vote was unanimous.** Time was approximately 7:40pm

13 Council returned from executive session at approximately 9:30pm and **Councilwoman Guy**
14 **made a Motion to return to Regular Session, 2nd by Vice Chairman Lucas, Council vote was**
15 **unanimous.**

16 **Chairman Roddey** stated in Executive Session a Personnel Matter regarding the Clerk of Court
17 was discussed and taken as information only.

18 **Chairman Roddey** stated in Executive Session an Economic Development Matter regarding
19 the Great Falls Mill #2 was discussed and was taken as information only.

20 **Chairman Roddey** stated in Executive Session an Economic Development Matter regarding
21 Project 0801 was discussed. At this time, Karlisa Parker, Economic Development Manager
22 requested that the first year abatement to be 95%, second year abatement 85% and
23 the third year abatement 75%. **Councilman Branham made a Motion to approve**
24 **the request by Mrs. Parker, 2nd by Councilman Martin, Council vote was unanimous.**

25 **Chairman Roddey** stated in Executive Session an Economic Development Matter regarding
26 Project 0806 was discussed and taken as information only.

27 **Chairman Roddey** stated in Executive Session a Contractual Matter regarding a facility rental
28 was discussed and taken as information only.

29 **Chairman Roddey** stated in Executive Session a Personnel Matter regarding a job description
30 for rural fire was discussed and was taken as information only. Council will study the description.

31 **XI. Council Members Comments**

32 **Vice Chairman Lucas** asked if Budget Workshops would start on Wednesday and **Chairman**
33 **Roddey** replied they would.

34 **Councilman Martin** said next month was Dairy Month and he would like for Chester County to
35 recognize our dairy farmers. **Chairman Roddey** said he would have the County Attorney draw
36 up a Proclamation. Also, **Chairman Martin** said that Duke Energy was getting ready to build
37 another nuclear plant in Cherokee County and wanted to draw 50 million gallons a day of water

1 from the Broad River and that the Cliffside Plant was adding a boiler and wanted to draw 280
2 million gallons of water a day from the Broad River. He wanted Council to be aware of this.

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4 **XII. Adjournment**

5 **Vice Chairman Lucas made a Motion to adjourn, 2nd by Councilwoman Guy,**

6 **Council vote was unanimous.** Time was approximately 10:00 pm

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10 Pursuant to the Freedom of Information Act, the **Chester News & Reporter,**
11 **The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing**
12 **Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants**
13 **were notified and a notice was posted on the bulletin board at the R. Carlisle Roddey**
14 **Government Complex 24 hours prior to the meeting**

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R. Carlisle Roddey
Chester County Supervisor

Carolyn S. Clayton-Snipes, CCC
Clerk to Chester County Council

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Chester County Council Meeting of 5-5-2008