



CHESTER COUNTY COUNCIL MEETING

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

**April 4, 2011
6:00 p.m.**

Chairman Carlisle Roddey– 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

Before the meeting was started, **Vice Chairman Lucas** presented a Proclamation to **Coach John Smith, Basketball Coach for the Great Falls Red Devils**. The Great Falls Basketball Team won the Class A State Championship on March 5, 2011. **Coach John Smith** has been the coach for 42 seasons and has won 865 games.

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

1. Chester County Council Meeting Minutes of March 21, 2011
Council Member Guy made the Motion to approve the Chester County Council Meeting Minutes of March 21, 2011, 2nd by Vice Chairman Lucas, Council vote was unanimous.

IV. Citizens Comments

There were no Citizens Comments

V. Ordinances & Resolutions

1. 2nd Reading of an Ordinance to authorize and approve an agreement for the development of a joint industrial and business park by and between Lancaster County and Chester

County with property located in Lancaster County (the Heath Springs Industrial Park, including the Rico Industries, inc. property); to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within the county.

Council Member Holcombe made a Motion to approve 2nd Reading of to authorize and approve an agreement for the development of a joint industrial and business park by and between Lancaster County and Chester County with property located in Lancaster County (the Heath Springs Industrial Park, including the Rico Industries, inc. property); to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within the county, 2nd by Vice Chairman Lucas Council vote was unanimous.

2. 2nd Reading of an Ordinance to Authorize the County of Chester, by Chester County Council, to sell the Real Estate Described on Attached Exhibit "A" which is incorporated herein by Reference to Mr. and Mrs. Nathan Peachey upon such terms and conditions as described in the Agreement of Sale that is Exhibit "B"

Council Member Branham made a Motion to approve 2nd Reading of an Ordinance to Authorize the County of Chester, by Chester County Council, to sell the Real Estate Described on Attached Exhibit "A" which is incorporated herein by Reference to Mr. and Mrs. Nathan Peachey upon such terms and conditions as described in the Agreement of Sale that is Exhibit "B, 2nd by Council Member Guy, Council vote was unanimous.

3. 1st Reading of an Ordinance authorizing the issuance and sale of a not exceeding \$1,750,000 fire protection district improvement revenue bond of Chester County, South Carolina, for the purpose of defraying the cost of improvements to the Richburg Fire Protection District; prescribing the form and details of the bond; providing for the increase in rates and charges for services furnished by the District to provide sufficient revenues from the operation of the system for the payment of the principal of and interest on the bond from the revenues; creating and establishing certain funds and accounts; and making other covenants and agreements in connection with the foregoing; and other related matters

Council Member Oliphant made the Motion to approve 1st Reading of an Ordinance authorizing the issuance and sale of a not exceeding \$1,750,000 fire protection district improvement revenue bond of Chester County, South Carolina, for the

purpose of defraying the cost of improvements to the Richburg Fire Protection District; prescribing the form and details of the bond; providing for the increase in rates and charges for services furnished by the District to provide sufficient revenues from the operation of the system for the payment of the principal of and interest on the bond from the revenues; creating and establishing certain funds and accounts; and making other covenants and agreements in connection with the foregoing; and other related matters, 2nd by Council Member Branham, Council vote was 5 to 1 with Council Member Holcombe voting against.

VI. New Business

1. 2011 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL

FIRST Reading: From Meeting of March 15, 2011

Commission
Vote

Council
Vote

6-0 to approve

6-0 to approve

Case #11-1

Michael Wylie

R2 to ID1

Tax Map # 69-7-1-68

Part of 65 acres located at 742 J A Cochran Bypass, SC

Council Member Branham made a Motion to approve 1st Reading of Planning Commissions Recommendations on Case #11-1, 2nd by Council Member Guy, Council vote was unanimous.

2. Sludge

David Cole came before Council to talk about the sludge issues in South Carolina. Mr. Cole asked that Council consider passing an Ordinance to protect the citizens Of Chester County or figure out another way to protect the citizens. He stated that Chester County was a “hot bed for cancer” and that it couldn’t be proved that this Sludge was the cause of cancer in Chester County but that it was the number one dumping ground for this material. DHEC was asked to look into this and DHEC responded that no one was doing anything wrong. Mr. Cole suggested instead of

allowing this Class B material to be used to bump it to Class A. **Council Member Jordan** asked how would this be done and Mr. Cole said pasteurization. **Vice Chairman Lucas** asked if DHEC was monitoring this “sludge” and Mr. Cole stated only if there was a problem. **Vice Chairman Lucas** asked Mr. Cole what was his major complaint, odor, contaminants or what and Mr. Cole responded those plus viruses, bacteria and everything else that is associated with the sludge. **Council Member Holcombe** stated that he had a lot of farmers in is District and have never had any complaints and **Council Member Guy** said she recently drove by a farm and smelled nothing. Mr. Cole then said he was just trying to say there was a better way to use this material and it wasn’t just Chester County it was all over and that using the material was putting lives at risk. **Council Member Holcombe** then said if DHEC approved he did not see what County Council could do. **Council Member Branham** then said they had had a meeting on Wednesday with Mr. Cole and this issue had been discussed. **Chairman Roddey** suggested a Motion to take this as information only. **Council Member Holcombe then made the Motion to take this as information only, 2nd by Council Member Branham, Council vote was unanimous.**

VII. Old Business

1. Eureka Mill

Arthur Gaston, Attorney came before Council stated he represented Larry Ramsey and Pamela Womak (the lady that put up the \$50,000 bond). Mr. Gaston started out by talking about the Springstein Mill, which after a considerable amount of time discussing how much the County paid (\$500,000) to clean it up was told by **Chairman Roddey** that the Springstein was not cleaned up by the County because it was in the City and all the County did was some “in-kind” labor, the City had obtained a Grant for this cleanup, Mr. Gaston then passed out pictures of the site that Mr. Ramsey had purchased and, in his opinion, as agreed in the MOU, cleaned up in a three phase operation. He asked the County to return the money less \$6,000 in fines from DHEC. **Chairman Roddey** then responded to Mr. Gaston that Council would be discussing this same subject in an Executive Session later in the meeting.

VIII. Boards and Commissions

1. Appointment to Lando Fire Dept. Board

Council Member Jordan appointed Ms. Shirley Brice to the Lando Fire Dept. Board, 2nd by Council Member Branham, Council vote was unanimous.

IX. Executive Session

Chairman Roddey said Council needed to go into Executive Session to discuss:

1. Legal Advice – Eureka Mill

Vice Chairman Lucas made a Motion to go into Executive Session,

2nd by Council Member Guy Council vote was unanimous. (Time was approximately 6:55pm)

Council returned from Executive Session and Vice Chairman Lucas made the Motion to return to Regular Session, 2nd by Council Member Oliphant, Council vote was unanimous. (Time was approximately 7:20pm)

Chairman Roddey stated Council had discussed in Executive Session a matter of legal advice on the Eureka Mill and was taken as information only. **County Attorney Winters** would set up a meeting with Attorney Gaston.

X. Council Members Comments

Vice Chairman Lucas said he appreciated **Chairman Roddey** sending the letter to the Post Master General on the Lando Post Office.

Council Member Holcombe requested that **Chairman Roddey** read a note from several citizens thanking Mr. Ramsey for letting them use the ball fields located behind the Eureka Mill (enclosed with the minutes) which **Chairman Roddey** did.

XI. Adjournment

Vice Chairman Lucas made a Motion to adjourn, 2nd by Council Member Guy Council vote was unanimous. Time was approximately 7:25pm

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 April 4, 2011