



## **CHESTER COUNTY COUNCIL MEETING**

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

**June 6, 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**

#### **I. Call to Order**

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

#### **III. Approval of Minutes**

1. Chester County Council Meeting Minutes of May 16, 2011

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of May 16, 2011, 2<sup>nd</sup> by Council Member Holcombe, Council Vote was unanimous.**

#### **IV. Citizens Comments**

**Mr. Alfonzo Wherry**, 2344 Southfork Rd., Rock Hill, SC came before Council to discuss several items. The first item was public safety in Chester County when violet thunderstorms occur. He stated the storms were becoming more severe and wanted to make sure Chester County citizens would be warned well ahead of time. The second item was the road he lived on, Southfork, he stated the trucks running up and down the road and he felt that the road could not handle that amount of traffic (Southfork is a State Road). The last item was the sludge being applied in his area and ask what could the County do about this.

#### **V. Public Hearing**

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

1. An Ordinance to Establish Operating and Capital Budgets for the Operation of the County Government of Chester County, South Carolina for the Fiscal Year Commencing July 1, 2011; to Provide for the Levy of Taxes for Chester County for the Fiscal Year Commencing July 1, 2011; to provide for the Expenditure of Tax Revenues and other County Funds; to Provide for other County Purposes; to Authorize the County to Borrow Money in Anticipation of Taxes and to provide for the Payment of Tort Claims and Worker's Compensation Claims against Chester County; to provide for certain Fiscal and other matters relating to County Government

**Judge Diane Moore** came before Council to ask Council to add another Administrative Assistant to the Magistrate's Office. She provided to Council a handout showing why this person is needed.

There were no other speakers on this topic, therefore, Chairman Roddey closed this portion of the Public Hearing.

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

2. An Ordinance to Amend The Solid Waste Plan  
There were no speakers; therefore, **Chairman Roddey** closed the Public Hearing.

## **VI. Ordinances & Resolutions**

1. 3<sup>rd</sup> Reading of an Ordinance to Establish Operating and Capital Budgets for the Operation of the County Government of Chester County, South Carolina for the Fiscal Year Commencing July 1, 2011; to Provide for the Levy of Taxes for Chester County for the Fiscal Year Commencing July 1, 2011; to provide for the Expenditure of Tax Revenues and other County Funds; to Provide for other County Purposes; to Authorize the County to Borrow Money in Anticipation of Taxes and to provide for the Payment of Tort Claims and Worker's Compensation Claims against Chester County; to provide for certain Fiscal and other matters relating to County Government

**Council Member Branham made a Motion to approve 3<sup>rd</sup> and Final Reading of an Ordinance to Establish Operating and Capital Budgets for the Operation of the County Government of Chester County, South Carolina for the Fiscal Year Commencing July 1, 2011; to Provide for the Levy of Taxes for Chester County for the Fiscal Year Commencing July 1, 2011; to provide for the Expenditure of Tax Revenues and other County Funds; to Provide for other County Purposes; to Authorize the County to Borrow Money in Anticipation of Taxes and to provide for the Payment of Tort Claims and Worker's Compensation Claims against Chester County; to provide for certain Fiscal and other matters relating to**

**County Government, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.** Vice Chairman Lucas thanked Chairman Roddey and his entire staff for the hard work that had been done on the budget. Council Member Guy and Branham also said with all the cuts made the entire Staff had done a great job to keep employees not being furloughed, services in place and no increase in taxes.

2. 3<sup>rd</sup> Reading of an Ordinance to Amend The Solid Waste Plan  
**Council Member Branham made a Motion to approve 3<sup>rd</sup> and final Reading of an Ordinance to Amend the Solid Waste Plan, 2<sup>nd</sup> by Council Member Guy, Council Vote was unanimous.**

## VII. Old Business

From Planning Commission Meeting of 4-19-2011

3<sup>rd</sup> Reading:

1. **Case #MA11-2**  
Mike Burnham, Sr  
R2 to GC  
Tax Map # portion of 146-53  
4.74 acres located at 4949 Lancaster Hwy, Fort Lawn, SC  
  
**Planning Commission Vote - 5-0 to Approve**  
  
**Council Member Jordan made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Case #MA11-2, 2<sup>nd</sup> by Vice Chairman Lucas, Council Vote was unanimous.**
  
2. **Case #MA11-3**  
Perry & Debbie Blakely  
R1 to RG2  
Tax Map # 139-35  
3.54 acres located at 2394 Hidden Valley Rd, Richburg, SC  
  
**Planning Commission Vote - 5-0 to Approve**  
  
**Vice Chairman Lucas made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Case #MA11-3, 2<sup>nd</sup> by Council Member Guy, Council Vote was unanimous.**
  
3. **Case #MA11-4**  
John Faust

GC to R2  
Tax Map # 125-2  
2.00 acres located at 3571 Lancaster Hwy, Richburg, SC

**Planning Commission Vote - 5-0 to Approve**

**Council Member Guy made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Case #MA11-4, 2<sup>nd</sup> by Council Member Holcombe, Council Vote was unanimous.**

**4. Case # MA11-5**

Craig Black  
R1 to R2  
Tax Map # 104-111  
6.00 acres located at 2012 Gregg Rd, Rock Hill, SC

**Planning Commission Vote - 5-0 to Approve**

**Council Member Holcombe made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Case #MA11-5, 2<sup>nd</sup> by Vice Chairman Lucas, Council Vote was unanimous.**

- 5. Text Amendment CCTA11-1 Amending the Chester County Zoning Ordinance by *adding to* section 4-127 River Preservation District to River Permitted Uses (*Adding*) 4. Existing nonconforming principal dwelling (See *Special Exception #2*)**

**Planning Commission Vote - 5-0 to Approve**

**Vice Chairman Lucas made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Text Amendment CCTA11-1, 2<sup>nd</sup> by Council Member Branham, Council Vote was unanimous.**

- 6. Text Amendment CCTA11-2 Amending the Chester County Zoning Ordinance by *adding* 4-127 River Preservation Conditional Uses**

**Planning Commission Vote - 5-0 to Approve**

**Vice Chairman Lucas made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Text Amendment CCTA11-2 2<sup>nd</sup> by Council Member Jordan, Council Vote was unanimous.**

7. **Text Amendment CCTA11-3** Amending the Chester County Zoning Ordinance by adding to section 4-127 River Preservation District Special Exception #2.

*2. Existing Nonconforming Principal Residential Dwelling provided the Board of Zoning Appeals determines:*

*a. a nonconforming principal dwelling can be expanded provided no construction is directed*

*toward the river buffer or creek banks;*

*b. submittal of mitigation plan submitted by a qualified Professional Engineer or approved*

*by the Zoning Administrator demonstrating the expansion can be accomplished without*

*sacrificing water quality;*

*c. must meet all other regulations;*

*d. the use is compatible with the district;*

**Planning Commission Vote - 5-0 to Approve**

**Council Member Guy made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Text Amendment CCTA11-3 2<sup>nd</sup> by Council Member Jordan, Council Vote was unanimous.**

8. **Text Amendment CCTA11-4** Amending the Chester County Zoning Ordinance by adding to Section 4-128 River Preservation District Regulations *as provided in Chapter 4-127*

**Planning Commission Vote - 5-0 to Approve**

**Vice Chairman Lucas made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Text Amendment CCTA11-4 2<sup>nd</sup> by Council Member Guy, Council Vote was unanimous.**

9. **3<sup>rd</sup> Reading: From Meeting of April 19, 2011**

**TEXT AMENDMENT CCLDRT-11** amending the Chester County Land Development Ordinance by

*adding* to section 5-4.8 which reads:

Street Access- Every lot shall front or abut on a street which conforms to the requirements

of these regulations. Every lot shall have at least twenty-five (25) feet of access on a Adding → (County dedicated maintained road) an existing paved public road, a new paved, public road, or a paved private road.

**Planning Commission Vote - 5-0 to Approve**

**Council Member Branham made the Motion to uphold Planning Commissions recommendations on 3<sup>rd</sup> and Final Reading of Text Amendment CCLDRT-11 by Council Member Holcombe, Council Vote was unanimous.**

**10. Update on turkey feathers**

**County Attorney Winters** had researched **Vice Chairman Lucas's** request concerning the littering of turkey feathers on the side of the roadways and determined that the County could not legally do anything to prevent this. **Vice Chairman Lucas** then stated he would like for the County to write letters to the carriers to contain the turkeys with a mesh wire so that the feathers would not litter the highways. **Council Member Jordan** reiterated what the County Attorney had stated saying that writing letters was fine but he did not believe there was anything the County could do legally. **Council Member Branham** agreed. **Vice Chairman Lucas** said he still wanted a letter written.

**Chairman Roddey** stated that if this is what **Vice Chairman Lucas** wanted he should put it in the form of a Motion. **Vice Chairman Lucas then made a Motion that letters be sent to the carriers to contain the turkey feathers with a mesh wire, 2<sup>nd</sup> by Council Member Guy, Council vote was 3-3 with Council Members Oliphant, Jordan and Branham opposing, Council Members Lucas, Guy and Holcombe in favor, Chairman Roddey broke the tie in favor and said he would have the County Attorney send letters to the carriers.**

**VIII. New Business**

1. From CCTC: Award Paving Contract on: Doe, Fawn, Snelgrove, Antler, Murdock Rd., Murdock Rd., Spur and One Way In & One Way Out

**Council Member Branham made the Motion to award the Paving Contract to Boggs Construction in the amount of \$295,499 to pave Doe, Fawn, Snelgrove, Antler, Murdock Rd. and Murdock Rd., Spur, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous. (Full Dept Reclamation)**

**Council Member Holcombe made the Motion to award the Asphalt Paving Contract of One Way In and One Way Out in the amount of \$260,110 to Boggs Construction, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

2. Transfer Cost of Sign material from C-Fund Account to Litter Control Account, \$2,998.96  
**Vice Chairman Lucas made the Motion to transfer \$2,998.96 from the C-Fund Account to the Recycle & Litter Control Account, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.** Council Member Branham then asked if the \$500 reward was still in place for anyone caught stealing signs and **Chairman Roddey** stated it was.

#### **IX. Council Members Comments**

**Chairman Roddey** said he had a comment to make to Mr. Wherry who spoke under Citizens Comments. **Chairman Roddey** stated he had met with the EMA Director, Eddie Murphy and that we had sirens donated by Duke Power Company and that we were working on a plan to strategically locate them throughout the County, however, most of the sirens did need some work done to them.

#### **X. Adjournment**

**Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.** Time was approximately 6:45 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 R. Carlisle Roddey Government Complex 24 hours prior to the meeting

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**R. Carlisle Roddey**  
Chairman, Chester  
County Council

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**Carolyn S. Clayton CCC**  
Clerk to Chester County Council

Chester County Council Meeting of June 6, 2011