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## CHESTER COUNTY COUNCIL MEETING

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

June 3, 2009

Wednesday

6:00 p.m.

Carlisle Roddey, Chairman – 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 18, 2009

Vice Chairman Lucas made a Motion to Approve the Chester County Council Meeting Minutes of May 18, 2009, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.

**IV. Citizens Comments**

There were no Citizens Comments

**Chairman Roddey** stated that three items needed to be added to the agenda;

Mr. Travis Moorehead with the Carolina Tread Trail was in attendance to give

Council an update under Old Business. Council Member Guy made a Motion to add

an update on the Carolina Thread Trail, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.

The next item to be added under Old Business was the Eureka Mill Clean up.

Vice Chairman Lucas made a Motion to add the Eureka Mill Clean up to the agenda,

2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.

1 **Chairman Roddey** then said an Executive Session item on Economic Development  
2 Prospects needed to be added to the agenda. **Council Member Branham made a**  
3 **Motion to add Economic Development to Executive Session, 2<sup>nd</sup> by Council Member**  
4 **Guy, Council vote was unanimous.**

## 5 **V. Ordinances & Resolutions**

- 6 1. 2<sup>nd</sup> Reading of an Ordinance to Establish Operating and Capital Budgets  
7 for the Operation of the County Government of Chester County, South Carolina  
8 for the Fiscal Year Commencing July 1, 2009, to Provide for the Levy of Taxes for  
9 Chester County for the Fiscal Year Commencing July 1, 2009; to Provide for the  
10 Expenditure of Tax Revenue and other County Funds; to Provide for Other County  
11 Purposes; to Authorize the County to Borrow Money in Anticipation of Taxes and to  
12 Provide for the Repayment of Sums Borrowed by the County Governing Body; to  
13 Provide for the Payment of Tort Claims and Worker's Compensation Claims against  
14 Chester County; to Provide for Certain Fiscal and other Matters Relating to County  
15 Government  
16 **Council Member Guy made a Motion to accept 2<sup>nd</sup> Reading of an Ordinance**  
17 **to Establish Operating and Capital Budgets for the Operation of the County**  
18 **Government of Chester County, South Carolina for the Fiscal Year Commencing**  
19 **July 1, 2009, to Provide for the Levy of Taxes for Chester County for the Fiscal Year**  
20 **Commencing July 1, 2009; to Provide for the Expenditure of Tax Revenue and other**  
21 **County Funds; to Provide for Other County Purposes; to Authorize the County to**  
22 **Borrow Money in Anticipation of Taxes and to Provide for the Repayment of Sums**  
23 **Borrowed by the County Governing Body; to Provide for the Payment of Tort**  
24 **Claims and Worker's Compensation Claims against Chester County; to Provide for**  
25 **Certain Fiscal and other Matters Relating to County Government, 2<sup>nd</sup> by Council**  
26 **Member Holcombe, Council vote was unanimous.**

- 27 2. 1<sup>st</sup> Reading of an Ordinance to Amend the Chester County Code of Law  
28 **Chairman Roddey** informed Council Members this was the latest Chester County  
29 Ordinances that had been sent Municode for Codification. **Council Member Branham**  
30 **made a Motion to Approve 1<sup>st</sup> Reading of an Ordinance to Amend the Chester**  
31 **County Code of Law, 2<sup>nd</sup> by Council Member Jordan.**

32 Discussion: **Council Member Jordan** asked if basically this was adding in a  
33 supplement and **Council Member Oliphant** replied that they were approving an  
34 amendment to the Ordinance already in place. **Council then voted and the vote**  
35 **was unanimous.**

1 **VI. Old Business**

2 1. Planning Commissions Recommendation to County Council

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4 **Third Reading: From Meeting of April 21, 2009**

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**Commission**      **Council**  
**Vote**              **Vote**  
**6-0 to Approve**   **6-0 to Uphold**

**TEXT AMENDMENT #CCT09-0001** amending *Chester County Land Development Regulations* Article 3-1 (1) b. deleting (compliance with requirements for citizen participation for subdivision or development plan involving 10 or more lots, as set forth in section 3-9) and deleting Article 3-9 thru 3-9.4 Citizens Participation Plan

**Vice Chairman Lucas made a Motion to Uphold 3<sup>rd</sup> and Final Reading of Planning Commissions Recommendation to County Council on Text Amendment #CCT09-0001, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**Commission**      **Council**  
**Vote**              **Vote**  
**6-0 to Approve**   **6-0 to Uphold**

**TEXT AMENDMENT #CCT09-0002** amending *Chester County Land Development Regulations* Article 3-1 (2) Review and approval of Preliminary Plat *adding* (adjacent landowners must be notified 15 days prior to Preliminary meeting with Planning Commission.)

**Vice Chairman Lucas made a Motion to Uphold 3<sup>rd</sup> and Final Reading of Planning Commissions Recommendation to County Council on Text Amendment #CCT09-0002, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

**Added to the Agenda:** Update on Carolina Tread Trail

**Mr. Travis Moorehead, Carolina Thread Trail** gave Council a power point presentation update which is included in the permanent minutes. The highlights are that this project was started in 2005-2006 and there are 15 counties in N.C. and 4 counties in S.C. participating. Chester County was the 3<sup>rd</sup> County awarded a Planning Grant. Then asked Council if they had any questions. **Vice Chairman Lucas** asked where would the trail cross 21 coming out of Great Falls. **Mr. Moorehead** could not tell on the map he had at the meeting but would definitely get that information to Mr. Lucas. **Vice Chairman Lucas** then asked how we were doing on

1 grants and Mr. Moorehead said we had \$300,000 committed to date. **Council Member**  
2 **Oliphant** asked if that would be used to purchase property or to get right of ways and **Mr.**  
3 **Moorehead** responded it was. **County Attorney Winters** then said that Chester County had  
4 previously adopted a Resolution to participate in the Tread Trail. **Vice Chairman Lucas** then  
5 commended the committee for their efforts in using the water way from Great Falls to the  
6 Landsford Canal.

7 **Next Item added:** Eureka Mill Clean up

8 **Mr. Mack Paul, Planning and Zoning Director** gave Council and update. He said he had  
9 met with Mr. Gary Mahaffey and Mr. David Evans and that they wanted to continue with the  
10 Eureka Mill clean up in increments of \$50,000 and would sign a letter of intent. **County**  
11 **Attorney Winters** then said that she and **Mr. Paul** had met with both parties and “gone back  
12 and forth with them” and that she would need a letter from Mr. Mahaffey saying he would  
13 allow Mr. Evans to go back on the property (at one time Mr. Mahaffey had stated that Mr.  
14 Evans was not allowed on the property) and a letter of credit for \$50,000 from a bank that  
15 would back the \$50,000. Also, in return the County would ask that Mr. Mahaffey release a  
16 lien against the Springsteen Mill because he has the only lien on that property. **Council**  
17 **Member Oliphant** asked **Mr. Paul** what was their proposal. **Mr. Paul** stated they would do  
18 \$50,000 clean up and call him, he would inspect the property at that time. **Mr. Paul** also  
19 said he had requested an outline from Mr. Mahaffey and Mr. Evans of what they proposed  
20 to do in each increment. **County Attorney Winters** then said a contract should be done with  
21 each phase they do in their letter of credit. **Council Member Oliphant** said he was not  
22 opposed to the idea but he would like to see their letter of credit but first the asbestos needed  
23 to be removed and then they needed to clean up the outside. **Chairman Roddey** then  
24 said that nothing is going to happen unless that lien is signed over to the County. **Vice**  
25 **Chairman Lucas** asked how we would know they had \$50,000 and **County Attorney**  
26 **Winters** said a bank would guarantee the money. **Council Member Branham** asked **Mr.**  
27 **Paul** how often would he go to the site and **Mr. Paul** replied weekly. **Council Member**  
28 **Guy** asked **Mr. Paul** would he be the one to tell them what to do and **Mr. Paul** replied no,  
29 they would come up with a plan. **County Attorney Winters** then stated that the County  
30 had already started nuisance and abatement on the Springsteen Mill. **Chairman Roddey**  
31 then said Council would take this as information only and bring it back to the next  
32 meeting on June 15<sup>th</sup>.

### 33 **VII. New Business**

34 1. Planning Commissions Recommendation to County Council

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36 **First Reading: From Meeting of** May 19, 2009

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38 **Commission**  
39 **Vote**

**Council**  
**Vote**

1 4-0 to Approve 6-0 to Uphold

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3 **MAP AMENDMENT # CCMA09- 0005**

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5 **From: ID1 (Restricted Industrial) to R2 (Rural Two)**

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7 **Name: ..... Jewel Jessee**

8 **Tax Map..... 158-01-03-038**

9 **Location..... One lot located on 1519B Catawba River Rd, Fort Lawn, SC**

10 **Vice Chairman Lucas made a Motion to Uphold 1<sup>st</sup> Reading of Planning**

11 **Commissions Recommendation to County Council on Text Amendment #CCMA09-0005,**

12 **2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.**

13 **Vice Chairman Lucas** then commented that this land got tied in as industrial and  
14 that never should have happened and asked the **Planning and Zoning Director** if  
15 that was correct and **Mr. Mack Paul** agreed.

16 2. Fees for Great Falls Memorial Building

17 **Chairman Roddey** told Council Members that the Great Falls Memorial Building was  
18 now complete and there would be a ceremony on Sunday at 3:00pm to see the  
19 building. **Chairman Roddey** then said several things needed to be decided, i.e.  
20 what fee to charge and who would collect the money. **Vice Chairman Lucas**  
21 suggested that the original committee consisting of himself, and **Council Members**  
22 **Guy** and **Oliphant** be reinstated and discuss these issues and bring back to Council  
23 on June 15<sup>th</sup>. **Chairman Roddey** then said that would have been his proposal and  
24 asked that the three of them have a meeting and bring their suggestions to Council  
25 at the next meeting.

26 **Added to the Agenda: Executive Session:** Economic Development Matter:

27 Re: Prospects

28 **Council Member Oliphant made a Motion to go into Executive Session, 2<sup>nd</sup> by**

29 **Council Member Branham, Council vote was unanimous.** Time was approximately

30 6:50 pm

31 Council returned from Executive Session and **Council Member Holcombe made a**

32 **Motion to go back into Regular Session, 2<sup>nd</sup> by Vice Chairman Lucas, Council**

33 **vote was unanimous.** Time was approximately 7:20 pm

34 **Chairman Roddey** stated Council had a briefing from the Economic Development Director  
35 concerning potential prospects and it was taken as information only.

36 **IX. Council Members Comments**

37 **Chairman Roddey** reminded everyone about the ceremony in Great Falls on Sunday  
38 at 3:00 pm

1 **X. Adjournment**

2 **Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> Council Member Guy Council**  
3 **vote was unanimous.** Time was approximately 7:25 pm

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

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18 **R. Carlisle Roddey**  
19 **Chairman, Chester**  
20 **County Council**

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

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Chester County Council Meeting of June 3, 2009