



## **CHESTER COUNTY COUNCIL MEETING**

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

**October 5, 2009**

**Monday**

**6:00 p.m.**

**Carlisle Roddey, Chairman – Presiding**

### **Agenda**

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

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

#### **III. Approval of Minutes - (Tab #1)**

1. Chester County Council Meeting Minutes of September 21, 2009

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

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

1. The issuance by the Issuer from time to time of one or more series of its Economic Development Revenue Bonds (the "Bonds") in an aggregate principal amount not to exceed \$10,000,000, the proceeds of which will be made available to the Institute for Business and Home Safety, an Illinois nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Borrower"). The proceeds of the Bonds will be used by the Borrower to defray the costs of acquiring, constructing and equipping a state-of-the-art , multi-peril applied research and training laboratory to be located at 5721 Richburg Road, Richburg, South Carolina (the "Project"). The Borrower will be the initial owner and operator of the Project. The Borrower will unconditionally covenant to make payments sufficient to pay the principal of and interest on the Bonds. The Bonds will be payable by the Issuer solely and exclusively out of payments to be made by the Borrower and are to be secured, *inter alia*, by a security interest in the revenues derived by the Issuer from the Borrower in connection with the Project. The Bonds do not constitute an indebtedness of the State of, the County, or any other political subdivision of the State of South Carolina within the meaning of any state constitutional provision or statutory limitation or constitute or give rise to any pecuniary liability of such entities South Carolina, the Issuer or a charge against the general credit or taxing powers of any such entity.

## Guidelines for Addressing Council

### Citizens Comments:

- Please sign the sign-in sheet upon arrival
- Must state name, address and telephone number
- Each citizen will be limited to three minutes
- Large groups speaking on the same position on an issue must appoint one representative to speak on behalf of the group
  
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### Petitioners: (A maximum of 5 petitioners will be allowed per meeting)

- Please sign the sign-in sheet upon arrival
- Must state name, address and telephone number
- Large groups speaking on the same position on an issue must appoint one representative to speak on behalf of the group
- Must be placed on the agenda prior to the agenda's closing the agenda closes at 12:00PM on the Wednesday before the meeting

### Public Hearings:

- Please sign the sign-in sheet upon arrival
- Must state name, address and telephone number
- Each speaker will be limited to a three minute presentation

### When introduced, please:

- Approach the podium
- Speak loudly and clearly making sure that the microphone is not obstructed
- Do not address the audience – direct all comments to Council
- Do not approach the Council table unless directed
- Allow Council the opportunity to ask questions when finished

### Anyone addressing Council will be called out of order if you:

- Use profanity
- Stray from the subject
- Make comments personally attacking an individual member of Council
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2. An Ordinance to Update Chester County Code Chapter 34, Floods, to Comply with the South Carolina Department of Natural Resources Flood Mitigation and FEMA Requirements (Part 2)
3. An Ordinance Authorizing the Execution and Delivery of a Fee In Lieu of Tax Agreement Between Chester County, South Carolina, and Poly Eastern, Inc; and Other Matters Relating Thereto Including, Without Limitation, Payment of a Fee In Lieu of Taxes and Granting Certain Infrastructure Credits to Poly Eastern, Inc.
4. An Ordinance To Amend the Boundaries of the Chester Fire District, to Exclude from said Fire District Certain Economic Development Property Owned by Mars Partners LTD, and Other Matters Relating Thereto
5. An Ordinance Authorizing the Execution and Delivery of a Fee Agreement Dated as of October 5, 2009 by and Between Chester County, South Carolina and Southeastern Petroleum LLC, Providing for a Payment of a Fee in Lieu of Taxes and an Infrastructure Credit

## **VI. Ordinances**

1. 3<sup>rd</sup> Reading of an Ordinance Authorizing the Execution and Delivery of a Fee In Lieu of Tax Agreement Between Chester County, South Carolina, and Poly Eastern, Inc; and Other Matters Relating Thereto Including, Without Limitation, Payment of a Fee In Lieu of Taxes and Granting Certain Infrastructure Credits to Poly Eastern, Inc. (Tab #2)
2. 3<sup>rd</sup> Reading of An Ordinance To Amend the Boundaries of the Chester Fire District, to Exclude from said Fire District Certain Economic Development Property Owned by Mars Partners LTD, and Other Matters Relating Thereto - (Tab #3)
3. 3<sup>rd</sup> Reading of an Ordinance to Amend Chester County Code Chapter 34, Floods, to Comply with the South Carolina Department of Natural Resources Flood Mitigation Program Review and FEMA Requirements - (Tab #4) (2<sup>nd</sup> Part)
4. 3<sup>rd</sup> Reading of an Ordinance Authorizing the Execution and Delivery of a Fee Agreement Dated as of October 5, 2009 by and Between Chester County, South Carolina and Southeastern Petroleum LLC, Providing for a Payment of a Fee in Lieu of Taxes and an Infrastructure Credit - (Tab #5)
5. 1<sup>st</sup> Reading of An Ordinance to Amend That Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and York County Dated December 5, 2005 to add Southeastern Petroleum Tract - (Tab #6)
6. An Amendment to Agreement for the Development of a Joint Industrial and Business Park Dated December 5, 2005 adding Southeastern Petroleum Tract (Chester and York Counties - (Tab #7)
7. A Resolution in Support of the Issuance by the South Carolina Jobs-Economic

Development Authority of its Economic Development Revenue Bonds (Institute for Business and Home Safety (IBHS Project), Series 2009 Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as Amended in the Aggregate Principal Amount of not Exceeding \$10,000,000. – (Tab #8)

**VII. Old Business**

1. **2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL** (Tab #9)

**Second Reading: From Meeting of September 15, 2009**

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
5-0 to approve	

**TEXT AMENDMENT #CCT09-0005** amending *Chester County Comprehensive Plan 2005-2025* by adding Carolina Thread Trail to Parks and Recreation Areas.

**VIII. Boards & Commissions – (Tab #10)**

1. Zoning Board of Appeals – Council Member Holcombe

**IX. Executive Session**

1. Personnel Matter: Re: Restructuring Sheriff’s Dept.

**X. Council Members Comments**

**XI. Adjournment**