



CHESTER COUNTY COUNCIL MEETING

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

December 7, 2009

Monday

6:00 p.m.

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

**Chairman Roddey
Vice Chairman Lucas
Council Member Oliphant
Council Member Guy
Council Member Holcombe
County Attorney Winters**

Absent:

Council Member Jordan

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

1. Chester County Council Meeting Minutes of November 16, 2009

Council Member Holcombe made a Motion to approve the Chester County Council Meeting Minutes of November 16, 2009, 2nd by Council Member Oliphant. Vice Chairman Lucas said there was one error on page one that needed corrected and Clerk to Council will/has made correction, Council then voted and the vote was unanimous.

2. Chester County Council Special Meeting Minutes of November 20, 2009

Council Member Branham made a Motion to approve the Chester County Council Special Meeting Minutes of November 20, 2009, 2nd by Council Member Guy, Council vote was unanimous.

IV. Proclamation Honoring Omnova Solutions, Inc.

Council Member Branham presented a Proclamation to Omnova Solutions, Inc. for the recent beautification project they had done and also expressed thanks

for the many good things the company had done for Chester County and the citizens.

V. Citizens Comments

David Merryman, 421 Minuet Lane, Charlotte, NC. Mr. Merryman stated he was the Catawba River keeper and his concerns were the pollutants of heavy metals in the water. Mr. Merryman said it was Council's interest to maintain quality of life in Chester County and asked that the zoning request not be approved. He said the highest levels of mercury is found in South Carolina and this would further degrade the waters in this area.

Chris Johnson, 4036 Hayward Lane, no town given. Mr. Johnson said he was aware of the dangers to the residents and animals of Chester County and hoped that Council was too. This was third generation testing and meant Chester County would be a testing ground. This would cause undue hardships on farmers and that the grounds would absorb these chemicals which would kill the grass and animals that eat the grass and in turn be passed on to the people in this County. He said the children would be especially susceptible to these toxins.

Katie Lambert, 4040 Hayward Lane, no town given. Ms. Lambert asked Council to look at what they would be doing for the next 20 years. She said that she felt that Council's feelings came from Covanta. The traffic would increase as well as rail cars and the smell would be very difficult to believe. Ms. Lambert asked that Council hold off on 3rd and final reading tonight.

Scott Rice, 1481 Decater Dr., no town listed. Mr. Rice said he had planned to move to Chester County but was surprised to hear an incinerator was being considered. He said the same plant had been voted down by another County and asked if Council had met with local realtors saying this plant would decrease the value of property. Mr. Rice said he did not believe this move would bring more people to the County and asked that Council delay the vote tonight. Mr. Rice also asked if burning garbage wasn't illegal in this County and this plant would be doing just that. Mr. Rice also made note that Council Member Jordan was not in attendance and this was his District.

Anna Holbrook, Chips Meadows, no town listed. Ms. Holbrook said that she lived in Fort Mill but owned land in Chester County and was extremely concerned about future generations in this area and the impact of the traffic on highway 9 in this County.

Jimmy Bruce, Richburg, SC. Mr. Bruce said that "we've heard from residents against this and you don't apparently want public input". This was the third meeting and the only one that the public was allowed to speak. He asked Council why they wanted Chester County to be the trash magnet and that the citizens had the right to be heard and that they demanded to be heard on this issue. He said Council still had a chance to do the right thing by having a public hearing.

VI. Old Business

1. 2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL

Third Reading: From Meeting of *November 10, 2009*

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

Map Amendment

<u>Reference</u>	CCMA09-0012
<u>Applicant:</u>	Herb Flosdorf
<u>Tax Map Number:</u>	portion of 146-00-00-003-000
<u>Size & Location:</u>	100 (+/-) acres near Intersection of Mt. Arant Rd. & Hwy 9, Richburg, SC
<u>Request</u>	Change zoning from ID2 (Limited Industrial District Use) To ID-3 (General Industrial District Use)

Council Member Branham made a Motion to uphold 3rd and final reading of Map Amendment CCMA09-0012 and the proposed zoning changes, 2nd by Council Member Holcombe, Council vote was unanimous.

At this time, **Council Member Branham** read a statement on behalf of Council and Covanta and **Chairman Roddey** read a statement from **Council Member Jordan** (enclosed with permanent minutes)

2. 2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL (Tab #3)

Third Reading: From Meeting of *October 20, 2009*

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

MAP AMENDMENT #CCMA09-0011

Change Zoning from RG1 (Multi-Family) to R2 (Rural Two)	
<u>Applicant:</u>	Maurice Mobley
<u>Tax Map Number:</u>	078-00-00-110-000
<u>Size & Location:</u>	12.43 acres located at 851 Nancy's Place, Chester, SC

Vice Chairman Lucas made a Motion to uphold 3rd and final reading of Map Amendment CCMA09-0011, 2nd by Council Member Guy, Council vote was unanimous.

VII. Ordinances

1. 1st 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 (Greyne Custom Wood Co., LLC); 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
Vice Chairman Lucas made a motion to approve 1st 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 (Greyne Custom Wood Co., LLC); 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 Council Member Holcombe, Council vote was unanimous.
2. Agreement for the Development of a Joint Industrial and Business Park (Greyne)
Vice Chairman Lucas made a Motion to approve an Agreement for the Development of a Joint Industrial and Business Park (Greyne), 2nd by Council Member Branham, Council vote was unanimous. Council Member Guy asked if Council always had these Agreements and Chairman Roddey replied yes when they are out of the County.
3. 1st Reading of an Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and Lancaster County dated December 1, 2008 to Include Additional Haile Gold Mine, Inc. Property
Vice Chairman Lucas made a Motion to approve 1st Reading of an Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Chester County and Lancaster County dated December 1, 2008 to Include Additional Haile Gold Mine, Inc. Property, 2nd by Council Member Branham, Council vote was unanimous.
4. First Amendment to the Agreement for the Development of a Joint Industrial and Business Park
Vice Chairman Lucas made a Motion to approve a First Amendment to the Agreement for the Development of a Joint Industrial and Business Park, 2nd by Council Member Holcombe, Council vote was unanimous.
5. An Ordinance to Create the John Keziah Park Commission for Chester County

Council Member Guy made a Motion to approve 1st Reading of an Ordinance to Create the John Keziah Park Commission for Chester County, 2nd by Council Member Branham. Council Member Branham then said the Commission members should come from that District only and asked the County Attorney to change that section of the Enabling Act and **Chairman Roddey** agreed. **Council then voted and the vote was unanimous.**

VIII. New Business

1. Council Meeting Schedule for 2010

Chairman Roddey asked that Council approve the Council Meeting Schedule for 2010. **Vice Chairman Lucas made a Motion to approve the Council Meeting Schedule for 2010, 2nd by Council Member Holcombe, Council vote was unanimous.**

2. Resignation from Planning Commission

Chairman Roddey stated in **Council Member Jordan's** absence that Mr. Alec Amos had resigned his position on the Planning Commission and asked that Council accept his resignation. **Council Member Oliphant made a Motion to accept the resignation of Mr. Alec Amos from the Planning Commission, 2nd by Council Member Branham, Council vote was unanimous.**

IX. Executive Session

Chairman Roddey stated that Council would need to go into Executive Session to discuss:

- a) Legal Matter: Re: Update on Great Falls Mill #2

Vice Chairman Lucas made a Motion to go into Executive Session, 2nd by Council Member Guy, Council vote was unanimous. Time was approximately 7:00pm.

Council returned from Executive Session at approximately 7:28pm and **Vice Chairman Lucas made a Motion to go back into Regular Session, 2nd by Council Member Guy, Council vote was unanimous.** .

Chairman Roddey stated in Executive Session a Legal Matter regarding an update on Great Falls Mill No. 2 had been discussed and no action was taken.

X. Council Members Comments

Vice Chairman Lucas said he appreciated everyone's stand and it took gumption and he was looking forward to this endeavor (Covanta)

Council Member Branham thanked everyone for their comradery and said he enjoyed Council members working well together.

Council Member Holcombe said he appreciated all the help he had received his first year in office.

Council Member Guy said she wished everyone a very Merry Christmas and to all the citizens of Chester County a very Merry Christmas.

XI. Adjournment

Vice Chairman Lucas made a Motion to adjourn, 2nd by Council Member Guy, Council vote was unanimous. Time was approximately 7:35pm

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 December 7, 2009