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## CHESTER COUNTY COUNCIL MEETING

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

July 6, 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 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 June 15, 2009

**Council Member Guy made a Motion to approve the Chester County Council Meeting Minutes of June 15, 2009, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was 5-0 to approve with Council Member Branham abstaining.**

#### IV. Citizens Comments

There were no Citizens Comments

#### V. Public Hearing

Chairman Roddey opened the Public Hearing on:

An Ordinance to Amend the Chester County Code of Law  
there were no speakers; therefore, **Chairman Roddey** closed the Public Hearing.

1 Chairman Roddey stated the items voted on from the previous CCTC meeting  
2 needed to be added to the agenda. Vice Chairman Lucas made a Motion to  
3 add the CCTC items to the agenda, 2<sup>nd</sup> by Council Member Oliphant, Council  
4 vote was unanimous.

5 Chairman Roddey then stated that another Executive Session item, Legal  
6 Matter, needed to be added to the agenda. Council Member Oliphant made a  
7 Motion to add Legal Matter to Executive Session, 2<sup>nd</sup> by Vice Chairman Lucas,  
8 Council vote was unanimous.

9 **VI. Ordinances & Resolutions**

10 1. 3<sup>rd</sup> Reading of an Ordinance to Amend the Chester County Code of Law  
11 Council Member Oliphant made a Motion to approve 3<sup>rd</sup> and final Reading  
12 of an Ordinance to Amend the Chester County Code of Law, 2<sup>nd</sup> by Council  
13 Member Jordan, Council vote was unanimous.

14 **VII. Old Business**

15 1. Planning Commissions Recommendation to County Council

16

17 Third Reading: From Meeting of May 19, 2009

18

19	<u>Commission</u>	<u>Council</u>
20	<u>Vote</u>	<u>Vote</u>
21	4-0 To Approve	6-0 To Uphold
22		

23 MAP AMENDMENT # CCMA09- 0005

24

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

26

27 **Name: ..... Jewel Jessee**

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

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

30

31 Vice Chairman Lucas made a Motion to Approve and Uphold 3<sup>rd</sup> and Final Reading of  
32 Planning Commissions recommendations on Map Amendment #CCMA09-0005, 2<sup>nd</sup>  
33 by Council Member Jordan, Council vote was unanimous.

33

34 2. Second Reading From Meeting of April 20, 2009

35

36	<u>Commission</u>	<u>Council</u>
37	<u>Vote</u>	<u>Vote</u>
38	6-0 TO Approve	5-1to Uphold

38

39 TEXT AMENDMENT #CCT09-0004 amending the *Chester County Zoning Ordinance*  
40 *2000* by adding to Article 5-610 a. A sexually oriented business may be located only

1 within a GC- General Commercial district. adding: as a Special Exception when  
2 authorized as such by the ZBA. A person having a substantial interest in a decision  
3 of the Zoning Board of Appeals may appeal a decision as provided under Section 7-  
4 103 of this Code.

5  
6 **Council Member Oliphant made a Motion to Approve and Uphold 2<sup>nd</sup> Reading of**  
7 **Planning Commissions recommendations on Text Amendment #CCT09-0004, 2<sup>nd</sup> by**

8 **Council Member Guy.** Discussion: **Council Member Oliphant** asked the County  
9 Attorney to explain the wording change and also if the County had a business license in  
10 place would that give the County extra leverage.

11 **County Attorney Winters** stated that the Planning Commission needed to make it as a  
12 Special Exception that would require a public hearing and that there would be an  
13 Appeal Process that would apply. **County Attorney Winters** said a business license  
14 would help in this case.

15 **Council then voted and the vote was 5-1 to approve 2<sup>nd</sup> Reading with Vice Chairman**  
16 **Lucas opposing.**

## 17 VIII. New Business

### 18 1. A-Tax Recommendations

19 **Mrs. Bessie Vastis/A-Tax Chairman** came before Council with the A-Tax  
20 Committee's recommendations for funding (Included in minutes). **Mrs. Vastis**  
21 stated there were 15 applicants this year. **Council Member Branham** thanked  
22 **Mrs. Vastis** for taking over the Chairmanship and stated that the committee finally  
23 got some satisfactory answers from the State on A-Tax. **Council Member Jordan**  
24 asked what the last column meant in the handout as far as percentage and **Finance**  
25 **Director, Jerry Baker** stated "percent to tourism".

26 **Council Member Branham made a Motion to approve the A-Tax Committee's**  
27 **recommendations, 2<sup>nd</sup> by Council Member Holcombe, Council vote was**  
28 **unanimous.**

### 30 Added to Agenda: CCTC items

- 31 a. Carobrooks Rd: **Council Member Jordan made a Motion to take Carobrooks Road into**  
32 **the County System, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.**
- 33 b. 2009 Road Improvement Program: **Council Member Guy made a Motion to allow Mr.**  
34 **L.B. Cannon to put these roads out for bids, 2<sup>nd</sup> by Council Member Jordan, Council**  
35 **vote was unanimous.**

36 **Chairman Roddey** stated the other items at the CCTC Meeting were taken as information  
37 only.

1 2. Planning Commissions recommendation to County Council

2 **First Reading: From Meeting of June 16, 2009**

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7

**Commission**      **Council**  
**Vote**              **Vote**  
6-0 to approve    6-0 To Uphold

8 **MAP AMENDMENT # CCMA09- 0009**

9

10 **From: R2 (Rural Two) to GC (General Commercial)**

11

12 **Name: .....Shawn Grigsby**

13 **Tax Map..... 146-00-00-008-000**

14 **Location.....One Lot located at 5113 Thrailkill South Rd, Ft. Lawn, SC**

15

16 **Council Member Jordan** asked **Mr. Paul, Planning and Zoning Director**, if this lot faced  
17 Number 9 and **Mr. Paul** replied it did. **Council Member Branham** asked what was the  
18 purpose of the change and **Mr. Paul** replied that Mr. Grigsby wanted to sell either  
19 manufactured homes or RV's. **County Attorney Winters** asked **Mr. Paul** if letters were  
20 sent out and **Mr. Paul** replied they were.

21 **Council Member Guy made a Motion to Approve and Uphold 1<sup>st</sup> Reading of Planning**  
22 **Commissions recommendations on Map Amendment #CCMA09-0009, 2<sup>nd</sup> by Vice**  
23 **Chairman Lucas, Council vote was unanimous**

24

25 3. **First Reading: From Meeting of June 16, 2009**

26

27

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

28

29

30

31 **MAP AMENDMENT # CCMA09- 0007**

32

33 **From: R2 (Rural Two) to GC (General Commercial)**

34

35 **Name: .....Shawn Grigsby**

36 **Tax Map..... 146-00-00-010-000**

37 **Location.....One Lot located at 5106 Thrailkill South Rd, Ft. Lawn, SC**

38

39 **Council Member Branham made a Motion to Approve and Uphold 1<sup>st</sup> Reading of**  
40 **Planning Commissions recommendations on Map Amendment #CCMA09-0007, 2<sup>nd</sup>**  
41 **by Council Member Jordan, Council vote was unanimous**

42 **Council Member Jordan** asked **Mr. Mack Paul, Planning and Zoning Director**, if this  
43 lot was going to be a part of the same business and **Mr. Paul** replied "yes".

44

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2 4. First Reading: From Meeting of June 16, 2009

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4 Commission      Council  
5 Vote              Vote  
6 5-0 to Deny      6-0 to Uphold

7  
8 MAP AMENDMENT # CCMA09- 0006

9  
10 **From: RS1 (Single Family) to R2 (Rural Two)**

11  
12 **Name: .....** Jeheil E. Taylor

13 **Tax Map.....** 079-04-03-002-000

14 **Location.....**0.506 acres located at 616 Morningside Dr, Chester, SC

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16  
17 **Council Member Branham asked Mr. Paul why this was denied. Mr. Paul**  
18 **stated that Mr. Taylor wanted to put a modular home there and that wasn't allowed.**

19 **Council Member Holcombe made a Motion to Approve and Uphold 1<sup>st</sup> Reading of**  
20 **Planning Commissions recommendations on Map Amendment #CCMA09-0006, 2<sup>nd</sup>**  
21 **by Branham, Council vote was unanimous**

22  
23  
24 5. First Reading: From Meeting of June 16, 2009

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26 Commission      Council  
27 Vote              Vote  
28 6-0 To approve    6-0 to Uphold

29  
30 MAP AMENDMENT # CCMA09- 0010

31  
32 **From: R2 (Rural Two) to GC (General Commercial)**

33  
34 **Name: .....**Donald Collins

35 **Tax Map.....** 146-00-00-009-000

36 **Location.....**One Lot located at 5122 Thrailkill South Rd, Ft. Lawn, SC

37  
38 **Council Member Guy made a Motion to Approve and Uphold 1<sup>st</sup> Reading of Planning**  
39 **Commissions recommendations on Map Amendment #CCMA09-0010, 2<sup>nd</sup> by Council**  
40 **Member Holcombe, Council vote was unanimous**

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42  
43 6. First Reading: From Meeting of June 16, 2009

44  
45 Commission      Council

Vote                      Vote  
**6-0 To approve**    **6-0 to Uphold**

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4 **MAP AMENDMENT # CCMA09- 0008**

5  
6 **From: R2 (Rural Two) to GC (General Commercial)**

7  
8 **Name: .....Shawn Grigsby**

9 **Tax Map..... 146-00-00-050-000**

10 **Location.....One Lot located at Thrailkill South Rd, Ft. Lawn, SC**

11  
12 **Council Member Jordan made a Motion to Approve and Uphold 1<sup>st</sup> Reading of**  
13 **Planning Commissions recommendations on Map Amendment #CCMA09-0008, 2<sup>nd</sup>**  
14 **by Council Member Holcombe, Council vote was unanimous**

15  
16  
17 **7. First Reading: From Meeting of June 16, 2009**

18  
19 Commission                      Council  
20 Vote                                      Vote  
21 **6-0 To approve**    **5-1to Uphold**  
22

23 **TEXT AMENDMENT #CCT09-0005** amending the *Chester County Zoning Ordinance*  
24 *2000* by moving Article VI 5-600 thru 5-613 Sexually Oriented Business and adding to  
25 Chapter 4-117 General Commercial District as special exception # 4

26  
27 **Council Member Guy** asked what the difference was in this wording versus the previous  
28 one and **County Attorney Winters** replied that this text amendment moved the ordinance  
29 into General Commercial.

30 **Council Member Jordan made a Motion to Approve and Uphold 1<sup>st</sup> Reading of**  
31 **Planning Commissions recommendations on Text Amendment #CCT09-0005, 2<sup>nd</sup> by**  
32 **Council Member Holcombe, Council vote was 5-1 to approve with Vice Chairman**  
33 **Lucas opposing**

34  
35 **IX. Executive Session**

36 1. Economic Development Matter: Re: Project – 0911

37 Chairman Roddey stated an Economic development Matter: Re: Project -0911 had  
38 been tabled until a later meeting.

39 2. **Added to Agenda: Legal Matter: Regarding Personnel**

40 **Vice Chairman Lucas made a Motion to go into Executive Session, 2<sup>nd</sup> by Council**  
41 **Member Guy, Council vote was unanimous.** Time was approximately 6:35 p.m.

42 **Council returned from Executive Session at approximately 7:10 p.m. and Council**

43 **Member Jordan made a Motion to return to Regular Session, 2<sup>nd</sup> by Council**

1 **Member Guy, Council vote was unanimous.**

2 **Chairman Roddey** said that a Legal Matter regarding personnel had been taken as  
3 information only.

4 **X. Council Members Comments**

5 There were no Council Member Comments.

6 **XI. Adjournment**

7 **Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> Council Member Guy Council**  
8 **vote was unanimous.** Time was approximately 7:15 pm

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

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23 **R. Carlisle Roddey**  
24 **Chairman, Chester**  
25 **County Council**

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

26 **Chester County Council Meeting of July 6, 2009**