



## **CHESTER COUNTY COUNCIL MEETING**

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

**March 2, 2009  
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**

After the Pledge of Allegiance and Invocation, **Chairman Roddey** said he would like a Motion to allow **Mr. Robert Benfield** from the Association of Counties to present a Safety Award to Chester County. **Council Member Holcombe made the motion to allow Mr. Benfield to present a Safety Award to Chester County, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

**Mr. Robert Benfield, Risk Manager for the South Carolina Association of Counties** for 11 years presented an Achievement Award to **Barbara Cameron, Risk Manager** for Chester County and **Brit Lineberger, EMS Manager** for the efforts they had made in the County to reduce the amount of claims due to the fitness room provided to employees and the equipment that had been installed in ambulances to reduce back pain.

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

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

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting**

**Minutes of February 16, 2009, 2<sup>nd</sup> by Council Member Branham, Council vote was 5-0 to approve with Council Member Guy abstaining.**

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

There were no Citizens Comments

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

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

An Ordinance to Adopt the Enabling Act for the Construction Board of Adjustments and Appeals

There were no speakers, therefore, **Chairman Roddey** closed the Public Hearing.

#### **VI. Ordinances & Resolutions**

1. 3<sup>rd</sup> Reading of an Ordinance to Adopt the Enabling Act for the Construction Board of Adjustments and Appeals

**Council Member Branham made a Motion to approve 3<sup>rd</sup> Reading and final reading of an Ordinance to Adopt the Enabling Act for the Construction Board of Adjustments and Appeals, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous**

2. 2<sup>nd</sup> Reading of an Ordinance for the issuance and sale of not exceeding eleven million dollars (\$11,000,000) General Obligation Bonds of Chester County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto.

**Chairman Roddey** stated this was an amended 2<sup>nd</sup> Reading of this Ordinance because some of the numbers had changed slightly.

**Council Member Guy made a Motion to approve 2<sup>nd</sup> Reading of an Ordinance for the issuance and sale of not exceeding eleven million dollars (\$11,000,000) General Obligation Bonds of Chester County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous**

3. 1<sup>st</sup> Reading of an Ordinance Authorizing: (1) the Execution and Delivery of a Special Source Credit Agreement by and Between Chester County, South Carolina (The County) and Project 0822 (The Company); and (2) other Matters related thereto

**Council Member Branham made a Motion to approve 1<sup>st</sup> Reading of an Ordinance Authorizing: (1) the Execution and Delivery of a Special Source Credit Agreement by and Between Chester County, South Carolina (The County) and Project 0822 (The Company); and (2) other Matters related thereto, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous**

4. 1<sup>st</sup> Reading of an Ordinance to Develop a Joint Industrial /Business Park in Conjunction with Lancaster County, such Industrial/Business Park to be Initially

Geographically Located in Lancaster County and Established Pursuant to Section 4-1-170 of The Code of Laws of South Carolina 1976, as Amended; to Provide for a Written Agreement with Lancaster County to Provide for the Expenses of the Park, the Percentage of Revenue Application, and the Distribution of Fees In Lieu of Ad Valorem Taxation; and Other Matters Related Thereto. (MacMillan Investments II Site in Lancaster).

**Vice Chairman Lucas made a Motion to approve 1<sup>st</sup> Reading of an Ordinance to Develop a Joint Industrial /Business Park in Conjunction with Lancaster County, such Industrial/Business Park to be Initially Geographically Located in Lancaster County and Established Pursuant to Section 4-1-170 of The Code of Laws of South Carolina 1976, as Amended; to Provide for a Written Agreement with Lancaster County to Provide for the Expenses of the Park, the Percentage of Revenue Application, and the Distribution of Fees In Lieu of Ad Valorem Taxation; and Other Matters Related Thereto. (MacMillan Investments II Site in Lancaster), 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous**

5. A Resolution to Adopt the Revised Policy and Procedure for Courthouse Access in Compliance with Americans with Disabilities Act and the Americans with Disabilities Act Amendment Act

**Council Member Guy made a Motion to approve A Resolution to Adopt the Revised Policy and Procedure for Courthouse Access in Compliance with Americans with Disabilities Act and the Americans with Disabilities Act Amendment Act, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous**

6. A Resolution to Adopt the Revised Policy and Procedure for County Facility Access in Compliance with Americans with Disabilities Act and the Americans with Disabilities Act Amendment Act

**Council Member Guy made a Motion to approve A Resolution to Adopt the Revised Policy and Procedure for County Facility Access in Compliance with Americans with Disabilities Act and the Americans with Disabilities Act Amendment Act, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous**

## **VII. Old Business**

1. Planning Commissions Recommendation to County Council

**Third Reading: From Meeting of CCPC 1-13-09**

<b><u>Commission</u></b>	<b><u>Council</u></b>
<b><u>Vote</u></b>	<b><u>Vote</u></b>
<b>5-1 to approve</b>	<b>6-0 to Uphold</b>

**MAP AMENDMENT # CCMA09-0001**

**From: RG1 (Multi Family) to LC (Limited Commercial)**

**Name: .....** Adrian Buchanan

**Tax Map.....** 079-01-14-006-000

**Location.....**One Lot located at 564 York Rd., Chester, SC

**Vice Chairman Lucas made a Motion to approve 3<sup>rd</sup> and Final Reading of Planning**

**Commission Recommendations to County Council on Tax Map Number 079-01-14-006-000, 2<sup>nd</sup> by**

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

2. Planning Commissions Recommendation to County Council

**Second Reading: From Meeting of CCPC 1-13-09**

**Commission**  
**Vote**

**5-1 to approve**

**Council**  
**Vote**

**6-0 to Uphold**

**MAP AMENDMENT # CCMA09-0002**

**From: RS1 (Single Family) to LC (Limited Commercial)**

**Name: .....** Keith Stephenson

**Tax Map.....** 079-04-04-016-000

**Location.....**One Lot located at 745 Lancaster Hwy., Chester, SC

**Council Member Branham made a Motion to approve 2<sup>nd</sup> Reading of Planning Commission**

**Recommendations to County Council on Tax Map Number 079-04-04-016-000, 2<sup>nd</sup> by**

**Council Member Holcombe, Council vote was unanimous**

3. Recreation Commission

**Council Member Jordan** stated that two meetings ago he discussed the possibility of needing an Advisory Committee on Recreation. **Council Member Jordan** said the old Recreation Ordinance is still in our Ordinance Codification and he would like to see the County Attorney rewrite the ordinance to establish an Advisory Committee for planning recreation for the future in Chester County. **Council Member Guy** asked if some recreation was still under the YMCA and **Council Member Jordan** replied yes and that there were also several other boards that worked separately. **Council Member Jordan then made a Motion to request**

**that County Attorney Winters rewrite the Recreation Ordinance to establish an Advisory Committee for planning recreation for the future in Chester County and also this be considered First Reading of the Ordinance, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

#### 4. Clean up of Eureka Mill

**County Attorney Winters** said a few weeks ago a gentleman had come before Council to request that he be allowed to enter the Eureka Mill property and remove some shelving. Since that time, it has come to the attention that the gentleman, in fact, did not own the shelving he requested he be allowed to remove and the property owners, **Mr. Gary Mahaffey** and his son **Ken Mahaffey** had met with **County Attorney Winters** and had two requests. 1) they remove two trailers filled with trash that they are paying storage on and; 2) that they understand the issue with the Performance Bond but would ask that Council consider splitting incrementally each time work was done. **County Attorney Winters** stated that she explained to **Mr. Mahaffey** that she needed a timeline with a dollar figure attached. **Council Member Branham** then asked which part of the clean up they would start with. **Mr. Ken Mahaffey** said what they had proposed was to get containers to clean up outside as they were cleaning up inside. **Council Member Oliphant** asked about the inside and **Mr. Ken Mahaffey** said the last people in there had left everything. **Council Member Oliphant** then asked if they had abated the asbestos and **Mr. Mahaffey** said they had started. **Council Member Branham** asked if they planned to tear down the existing building at the same time and **Mr. Mahaffey** stated they plan to do it piece by piece. **Council Member Oliphant** then asked about the bonding by stages and **Mr. Mahaffey** said taking the trash off as we demolish, which was about \$150,000. **Council Member Oliphant** then asked **Mr. Mack Paul, Planning and Zoning Director** if he had looked at the two dumpsters and **Mr. Paul** said he had not. **Council Member Oliphant** said he did not have concerns about taking the debris off but to did have concerns of letting someone go in and take the steel out without the Performance Bond and stated that if the past is a sign of the future then we could create something worse and we've all seen this time and time again. **Mr. Mahaffey** said he had had weekly conversations with **Mr. Paul** about this. **Council Member Oliphant** then said if the outside was cleaned and **Mr. Paul** would monitor this; **Mr. Mahaffey** asked what specifics do you propose and **Council Member Oliphant** stated to get the outside cleaned up. **Chairman Roddey** then proposed a committee to give Council some guidelines and the committee would consist of **Council Members Oliphant** and **Branham, Mack Paul** and **County Attorney Winters**. There was some other conversation regarding the Performance Bond and **Chairman Roddey** stated he was appointing this committee because we all want this mill taken down. **At this time, Council Member Oliphant then made a Motion to allow Mr. Mahaffey to remove the two dumpsters, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.** **Chairman Roddey** asked that the people he appointed to the committee meet and come back to Council with some guidelines.

#### VIII. New Business

**Council Member Oliphant** asked if the CCTC business should be on the agenda.

Clerk to Council replied that it should have been and she inadvertently omitted it.

**Council Member Oliphant then made a Motion to add the CCTC business to the agenda under New Business, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.**

**From CCTC – added to Agenda under New Business**

a) Reimbursement from C-Funds for \$5,902.80 for sign material.

**Council Member Branham made a Motion to approve reimbursement from the C-Fund Account in the amount of \$5,902.80 for sign material, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

b) Haylie Lane

**Council Member Jordan then made a Motion to accept Haylie Lane into the County Program, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

c) Colonel’s Pointe – L&C Project at Brown’s Industrial Park

**Council Member Branham made a Motion to allow LCI to add Colonel’s Point to the contract in the amount of \$155,886.14, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

1. Planning Commissions Recommendation to County Council

**First Reading: From Meeting of February 17, 2009**

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
7-0 to approve	6-0 to Uphold

**MAP AMENDMENT # CCMA09- 0003**

**From: RG1 (Multi Family) to GC (General Commercial)**

**Name:** ..... Danny Plyler Jr

**Tax Map**..... 080-01-01-024-000

**Location**..... One lot located east on JA Cochran Bypass across from Chester Senior High, Chester, SC

**Vice Chairman Lucas made a Motion to approve 1st Reading of Planning Commission Recommendations to County Council on Tax Map Number 080-01-01-024-000, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous**

2. Update on A-Tax Rules & Regulations

**Finance Director, Jerry Baker** updated Council Members on the A-Tax Rules & Regulations.

**Council Member Oliphant** asked that all Council Members be given a copy of the Rules and

Regulations as read by **Mr. Baker**. **Mr. Baker** basically said that if a group that applies for A-Tax monies are not “putting heads in a bed” they won’t receive monies. **Vice Chairman Lucas** asked if advertising could be done by computers and **Mr. Baker** replied “yes” if you can prove the hits. **Council Member Oliphant** asked what would happen to the funds if “heads in a bed” can’t be proved and **Mr. Baker** replied they would go to the Old English District. **Council Member Oliphant** asked if the Old English District could do refunds and **Mr. Baker** replied they could not. **Council Members Oliphant and Jordan** asked if he had informed the people that usually apply for A-Tax and **Mr. Baker** responded by saying they were meeting with all of them next week as well as committee members.

3. Authorization to Apply for a 2009 Firefighter Assistance Grant – **911/EMS Director Ginny Sloan**

**Council Member Guy made a Motion to approve the authorization to Apply for Ms. Sloan to apply for a 2009 Firefighter Assistance Grant with a 10% County Match (in her budget) in the amount of \$27,363, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous**

## **IX. Boards & Commissions Appointments & Re-appointments**

1. Catawba Regional Council of Governments

**Council Member Guy made a Motion to re-appoint Mrs. Robbie King Boyd to the Catawba Regional Council of Governments, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.**

2. Construction Board of Appeals

**Chairman Roddey made a Motion to appoint Mr. Gene Cudd to the Construction Board of Appeals, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

**Council Member Branham made a Motion to appoint Mr. Bobby Roddey to the Construction Board of Appeals, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

3. Chester County Rural Fire Commission

**Council Member Branham made a Motion to re-appoint Mr. Blair White to the Chester County Rural Fire Commission, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**Chairman Roddey made a Motion to re-appoint Mr. Billy Gilden to the Chester County Rural Fire Commission, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.**

4. Hazel Pittman Center Board

**Chairman Roddey made a Motion to re-appoint Ms. Ann Johnson to the Hazel Pittman Center Board, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

**Council Member Branham made a Motion to re-appoint Ms. Betty Wishert to the Hazel Pittman Center Board, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

5. A-Tax Advisory Committee

**Council Member Branham made a Motion to appoint Ms. Lauren Medlin to the A-Tax Advisory Committee, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

### **X. Council Members Comments**

Council Member Guy said the pictures Mrs. Gerbers took looked good and she had really done a good job.

### **XI. Adjournment**

**Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> Council Member Holcombe Council vote was unanimous.** Time was approximately 7:15 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-Snipes, CCC  
Clerk to Chester County Council**

Chester County Council Meeting of March 2, 2008