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CHESTER COUNTY COUNCIL MEETING

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

September 21, 2009

Monday

6:00 p.m.

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

Chairman Roddey
Vice Chairman Lucas
Council Member Guy
Council Member Jordan
Council Member Branham
Council Member Holcombe
County Attorney Winters

Absent:

Council Member Oliphant

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

1. Chester County Council Meeting Minutes of September 8, 2009

Vice Chairman Lucas made a Motion to Approve the Chester County Council Meeting Minutes of September 8, 2009, 2nd by Council Member Jordan, Council vote was unanimous.

IV. Citizens Comments

Mr. Travis Moorehead, Carolina Thread Trail, thanked Council for holding a hearing on the Thread Trail and said the Thread had grown from a thread to a garment. Mr. Moorehead said he was delighted that Richburg, Lowrys and Great Falls all had approved the Thread Trail. Chairman Roddey thanked Mr. Moorehead for being at the meeting and the great work accomplished on the Thread Trail.

V. Public Hearing

Chairman Roddey opened the Public Hearing on:

An Ordinance to Update Chester County Code Chapter 34, Floods, to

1 Comply with the South Carolina Department of Natural Resources Flood Mitigation
2 Program Review.

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

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

5 An Ordinance to Regulate and Administer Excavation and Construction on
6 County Roads and Property by Private Owners, Utilities, Contractors, and other Entities;
7 to Require a Permit; and to Impose a Permit Fee

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

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10 VI. Ordinances

11 1. 3rd Reading of an Ordinance to Update Chester County Code Chapter 34, Floods, to
12 Comply with the South Carolina Department of Natural Resources Flood Mitigation
13 Program Review.

14 **Council Member Guy made a Motion to approve 3rd and Final Reading of an**
15 **Ordinance to Update Chester County Code Chapter 34, Floods, to Comply with the**
16 **South Carolina Department of Natural Resources Flood Mitigation Program Review,**
17 **2nd by Council Member Holcombe, Council vote was unanimous.**

18 2. 2nd Reading of an Ordinance to Regulate and Administer Excavation and Construction on
19 County Roads and Property by Private Owners, Utilities, Contractors, and other Entities;
20 to Require a Permit; and to Impose a Permit Fee

21 **Vice Chairman Lucas made a Motion to approve 2nd Reading of an Ordinance to**
22 **Regulate and Administer Excavation and Construction on County Roads and Property**
23 **by Private Owners, Utilities, Contractors, and other Entities; to Require a Permit; and**
24 **to Impose a Permit Fee, 2nd by Council Member Jordan Council vote was unanimous**

25 **Vice Chairman Lucas** asked how quick would an entity or person be able to get a permit
26 if an emergency arose. **County Attorney Winters** said there was a section stating a permit
27 could be issued in case of an emergency and also that Mr. L.B. Cannon with the Dennis
28 Corporation said there was ample coverage concerning excavation and construction in the
29 Road Ordinance. **County Attorney Winters** said “we may be over protecting” the County.
30 **Council Member Branham** asked when could council amend and **County Attorney**
31 **Winters** replied at 3rd Reading. **Council Member Holcombe** asked about the fees and
32 **Planning and Zoning Director, Mack Paul** said he would get a copy of the fees to **Council**
33 **Member Holcombe**. **Council Member Holcombe** then inquired if private property should be
34 in the Ordinance and **County Attorney Winters** replied it was only County Property, the
35 County had nothing to do with private property.

36 3. 2nd Reading of an Ordinance Authorizing the Execution and Delivery of a Fee In Lieu
37 of Tax Agreement Between Chester County, South Carolina, and Poly Eastern, Inc;
38 and Other Matters Relating Thereto Including, Without Limitation, Payment of a Fee In

1 Lieu of Taxes and Granting Certain Infrastructure Credits to Poly Eastern, Inc
2 **Council Member Branham made a Motion to approve 2nd Reading of an Ordinance**
3 **Authorizing the Execution and Delivery of a Fee In Lieu of Tax Agreement Between**
4 **Chester County, South Carolina, and Poly Eastern, Inc; and Other Matters Relating**
5 **Thereto Including, Without Limitation, Payment of a Fee In Lieu of Taxes and Granting**
6 **Certain Infrastructure Credits to Poly Eastern, Inc, 2nd by Council Member Guy,**
7 **Council vote was unanimous**

8 4. 2nd Reading of An Ordinance To Amend the Boundaries of the Chester Fire District, to
9 Exclude from said Fire District Certain Economic Development Property Owned by Mars
10 Partners LTD, and Other Matters Relating Thereto

11 **Vice Chairman Lucas made a Motion to approve 2nd Reading of an Ordinance**
12 **To Amend the Boundaries of the Chester Fire District, to Exclude from said Fire**
13 **District Certain Economic Development Property Owned by Mars Partners LTD,**
14 **and Other Matters Relating Thereto, 2nd by Council Member Guy, Council vote was**
15 **unanimous.** Council Member Jordan asked if the Company had asked for this exclusion
16 and Chairman Roddey replied that they had.

17 5. 2nd Reading of an Ordinance to Amend Chester County Code Chapter 34, Floods, to
18 Comply with the South Carolina Department of Natural Resources Flood Mitigation Program
19 Review and FEMA Requirements (2nd Part)

20 **Council Member Holcombe made a Motion to approve 2nd Reading of an Ordinance**
21 **To Amend Chester County Code Chapter 34, Floods, to Comply with the South**
22 **Carolina Department of Natural Resources Flood Mitigation Program Review and**
23 **FEMA Requirements (2nd Part), 2nd by Council Member Guy, Council vote was**
24 **unanimous**

25 6. 2nd Reading of an Ordinance Authorizing the Execution and Delivery of a Fee Agreement
26 Dated as of October 5, 2009 by and Between Chester County, South Carolina and
27 Southeastern Petroleum LLC, Providing for a Payment of a Fee in Lieu of Taxes and an
28 Infrastructure Credit

29 **Council Member Branham made a Motion to approve 2nd Reading of an Ordinance**
30 **Ordinance Authorizing the Execution and Delivery of a Fee Agreement**
31 **Dated as of October 5, 2009 by and Between Chester County, South Carolina and**
32 **Southeastern Petroleum LLC, Providing for a Payment of a Fee in Lieu of Taxes and**
33 **an Infrastructure Credit, 2nd by Vice Chairman Lucas, Council vote was**
34 **unanimous**

1 **VII. New Business**

2 1. Request for Funding for Courthouse Windows

3 **Chairman Roddey** stated this was not actually a request for funding for the Courthouse
4 windows but just to inform Council that a grant had been applied for and in the event
5 Chester County was not awarded the grant he could then borrow \$185,000 at 3% interest
6 to be paid back over a period of 10 years. **Council Member Branham** asked if **Chairman**
7 **Roddey** could get the figure on savings from Mr. Frank Williams, Pinnacle Architecture, P.A.
8 because his firm had performed the study and **Chairman Roddey** said he would.

9 At this time, **Chairman Roddey made a Motion to take this as information only, 2nd by**
10 **Council Member Branham, Council vote was unanimous.**

11

12 2. **2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY**
13 **COUNCIL**

14

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

16

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

17

18 **TEXT AMENDMENT #CCT09-0005** amending *Chester County Comprehensive Plan*
19 *2005-2025 by adding Carolina Thread Trail to Parks and Recreation Areas.*

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21 **Vice Chairman Lucas made a Motion to approve 1st Reading of Text Amendment #CCT09-**
22 **0005, 2nd by Council Member Holcombe, Council vote was unanimous.**

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24 **VIII. Council Members Comments**

25 Chairman Roddey told Council Members there would be a Cancer Awareness Meeting
26 sponsored by DHEC on Monday in Council Chambers beginning at 3:30 if anyone was
27 interested in attending and also the employee Health Fair would be on Tuesday beginning
28 at 9:00 in Council Chambers.

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36 **IX. Adjournment**

37 **Vice Chairman Lucas made a Motion to adjourn, 2nd Council Member Guy**
38 **vote was unanimous.** Time was approximately 6:25 pm

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1 Pursuant to the Freedom of Information Act, the Chester News & Reporter,
2 The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing
3 Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants
4 were notified and a notice was posted on the bulletin board at the R. Carlisle Roddey
5 Government Complex 24 hours prior to the meeting
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12 _____
13 R. Carlisle Roddey
14 Chairman, Chester
15 County Council
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Carolyn S. Clayton, CCC
Clerk to Chester County Council

17 Chester County Council Meeting of September 21, 2009