



CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, April 3, 2023 at 6:00 PM

MINUTES

Present: Chairman Branham, Vice Chairman Wilson, Councilman Vaughn, Councilman Guy, Councilwoman Mosley, Councilman Agee, Councilman Killian, County Administrator Hester, County Attorney Winters and Clerk to Council Lee.

- 1. Call to Order-** Chairman Branham called the meeting to order.
- 2. Pledge of Allegiance and Invocation-** Pledge was recited in unison; invocation was given by Councilman Guy.

Chairman Branham called for a motion to remove 6.d. from the agenda. Councilwoman Mosley motioned to remove, second by Councilman Guy. Unanimous vote.

- 3. Approval of Minutes**
 - a. March 20th, 2023 minutes.** Vice Chairman Wilson motioned to approve, second by Councilman Killian. Unanimous vote.

- 4. Citizen's Comments**

Benji Layman, 8720 Red Oak Blvd, Charlotte NC addressed Council regarding being in favor of both Fielding rezoning request.

Fran Sudol Hutchins, 3236 Fishing Creek Church Rd, Chester addressed Council regarding being opposed to both Fielding and DR Horton rezoning request.

Doug Elles, 12957 Blakemore Dr, Huntersville, NC addressed Council regarding being in favor of Fielding rezoning request.

Allen Dickard, 10601 Agnes Douglas Rd, Fort Mill, SC addressed Council regarding being opposed to both Fielding rezoning request.

Shawn Saras, 2738 Lyle Rd, Chester, SC addressed Council regarding being opposed to both Fielding and DR Horton's rezoning request.

Ron Thompson, 2615 Steele Village Rd, Rock Hill addressed Council regarding being opposed to both Fielding and DR Horton's rezoning request.

Roxanne James, 3007 Steele Village Rd, Rock Hill addressed Council regarding being opposed to Fielding rezoning request.

Eddie Bechlter, 1520 Grandparents Rd, Edgemoor, SC addressed Council regarding being opposed to both Fielding rezoning request.

Troy Karski, 8025 Arrow bridge Rd, Charlotte, NC addressed Council regarding being in favor of all DR Horton rezoning request.

5. **Public Hearing**-Chairman Branham opened the public hearing. No one signed up to speak.

a. **3rd Reading of 2023-10** An Ordinance Authorizing (1) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Chester County, South Carolina, And A Company Identified For The Time Being As Project 2187, Acting On Behalf Of Itself And/Or Any Affiliates Or Other Project Investors, To Provide For Certain Special Source Revenue Credits In Connection With The Establishment Of Certain Facilities Located In Chester County; (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Property; And (3) Other Related Matters. The public hearing was closed.

6. **Ordinances/Resolutions/Proclamations**

a. **3rd Reading of 2023-10 An Ordinance Authorizing (1) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Chester County, South Carolina, And A Company Identified For The Time Being As Project 2187, Acting On Behalf Of Itself And/Or Any Affiliates Or Other Project Investors, To Provide For Certain Special Source Revenue Credits In Connection With The Establishment Of Certain Facilities Located In Chester County; (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Property; And (3) Other Related Matters.**

Councilman Agee asked Bond Attorney Michael Kozlarek how much money from the fee in lieu would go to schools and how many years.

Mr. Kozlarek stated \$70 million was invested and it was a flat amount that is paid to the county every year at \$313,875. As Mr. Darby mentioned at the last meeting, 30% of that would be going to the school district, which was \$94,162.50 per year for forty years. He stated that if the project survives all the caveats in place if that level of investment is maintained, and that level of fee stream is received by the county and the county makes no other changes to the allocation. Councilman Agee motioned to approve, second by Councilman Guy. Unanimous vote.

b. **2023-5 A Resolution Authorizing An Amendment To The Master Agreement Governing The York-Chester Industrial Park (“Park”) To Increase The Park’s Boundaries To Include Certain Real Property Located In Chester County; And Other Related Matters (Project 2187).** Councilman Vaughn motioned to approve, second by Councilman Agee. Unanimous vote.

c. **3rd Reading of 2023-9 An Ordinance for Social Media Policy.** Public Hearing 3-20-23.

County Administrator Hester stated he and Attorney Winters had long discussions regarding this. He stated that they looked into other options, they were currently being live streamed on the County website. This would push people to our website where information about the county can be obtained. Citizens would go to our website under Council where they would click on live streaming and watch the meeting there also, he stated they were testing it out right now.

Vice Chairman Wilson asked if the recordings on the council website could be archived.

Mr. Hester stated yes, it can also be shared on You Tube. Councilman Vaughn motioned to approve, second by Councilman Guy. Unanimous vote.

(Removed) d. 2nd Reading 2023-8 An Ordinance to Amend Chester County Code, Chapter 6, Animals. Public Hearing 3-6-2023.

7. **Administrator’s Report- County Administrator Brian Hester.**

Mr. Hester stated he would provide Council reports by email and as well as being uploaded to your packet and one drive. At the last meeting he stated he was asked to gather information regarding GITI tire, he found there were no issues Council would need to act on as far as the fee in lieu agreement. The railroad congestion information he obtained from L&C Norfolk Southern was from the aftermath of COVID. Their plans were to increase the number of rail cars and hire more people.

8. Old Business

a. 1st Reading of CCMA22-17 Fielding Homes LLC C/O Isaacs Group request 160.33 acres of Tax Map # 114-00-00-015-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 5-1 to approve.

Councilman Agee and Councilwoman Mosley agreed with the citizens who spoke during citizens comments stating it would be too much traffic on the roads in those areas.

Councilman Guy stated he did not feel comfortable approving any of the rezoning request without having a development agreement in place.

Chairman Branham stated the development agreement would be resolved before the third and final reading.

Vice Chairman Wilson stated he appreciated all the citizens who show up for meetings and express their concerns. He voted for Stanton, Winchester and Village Drive planned developments, and he voted for the industries coming to Chester who will need employees and houses. He stated that there are a lot of pros and cons to every issue, but having a planned development with sidewalks, fire hydrants with ingress and egress those are benefits as opposed to scattered developments throughout the county. Scattered developments would create a host of problems and he sees the benefits of having the density which would save land and farmland.

Councilman Agee motioned to deny, second by Councilwoman Mosley. Vote 4-3 to deny. Councilman Killian motioned to reconsider, second by Councilman Agee. Unanimous vote. Councilman Killian motioned to defer the first reading to May 1st and asked County Administrator Hester to put together a workshop, second by Councilwoman Mosley. Unanimous vote.

b. 1st Reading of CCMA22-18 Fielding Homes LLC C/O Isaacs Group request 19.27 acres of Tax Map # 114-00-00-059-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 5-1 to approve. Councilman Guy motioned to defer the first reading to May 1st, second by Councilman Killian. Unanimous vote.

c. 1st Reading of CCMA22-19 D.R. Horton Inc request Tax Map # 135-00-00-019-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Vice Chairman Wilson motioned to defer the first reading to May 1st, second by Councilman Guy. Vote 5-2 to approve. Councilmembers Agee and Mosley opposed.

d. 1st Reading of CCMA22-20 D.R. Horton Inc request Tax Map # 135-00-00-020-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Councilman Killian motioned to defer the first reading to May 1st, second by Councilman Agee. Vote 5-2 to approve. Councilmembers Agee and Mosley opposed.

e. 1st Reading of CCMA22-21 D.R. Horton Inc request Tax Map # 135-00-00-032-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Councilman Guy motioned to defer the first reading to May 1st, second by Councilman Killian. Vote 5-2 to approve. Councilmembers Agee and Mosley opposed.

f. 1st Reading of CCMA22-22 D.R. Horton Inc request 9.45 acres of Tax Map # 136-00-00- 042-000 on Lancaster Hwy to be rezoned from Restricted Industrial District (ID-1) to Planned Development District (PD). Planning Commission voted 6-0 to approve. Vice Chairman Wilson motioned to defer the first reading to May 1st, second by Councilman Killian. Vote 5-2 to approve. Councilmembers Agee and Mosley opposed.

9. Executive Session-Councilman Guy motioned to go to executive session, second by Councilwoman Mosley. Unanimous vote.

a. To receive legal advice regarding Project 2298. Bond Attorney Michael Kozlarek.

b. To discuss a contractual matter regarding the Administrator. - Attorney Winters.

c. To receive legal advice regarding Project 2273. Attorney Winters.

d. To receive legal advice regarding Administrative & Public Works personnel matter. Attorney Winters.

10. Council Actions Following Executive Session- Councilman Killian motioned to go back to regular session, second by Councilwoman Mosley. Unanimous vote.

a. Action taken regarding Project 2298. Council gave Economic Development permission to proceed with negotiations.

b. Action taken regarding Administrator's contractual matter. Information only.

c. Action taken regarding Project 2273. Information only.

d. Action taken regarding Administrative & Public Works personnel matter.

Councilman Vaughn motioned that Council authorize Mr. Hester to make personnel changes that were discussed in executive session, second by Councilman Killian. Vice Chairman Wilson asked if the changes could be explained.

Administrator Hester said first, the receptionist position that currently reports to the County Administrator would report directly to Human Resources. Second, the current position that's in the budget for an assistant county administrator to reclassify as an assistant for the County Administrator/PIO (public information officer) for the County and would report to him. Third, take the parks and recreation position that was budgeted and reclassify that position. There will be a parks and recreation position, but it may not be at a director level but would fall somewhere in between.

11. Council Comments

Councilman Agee thanked Robert Long and Kris Phillips for the fantastic job they do regarding recruiting interest to Chester County.

12. Adjourn-Councilman Agee motioned to adjourn, second by Councilwoman Mosley. Unanimous vote.

KLee

Time: 9:30 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 Chester County Government Building 24 hours prior to the meeting.