



CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, June 5, 2023 at 6:00 PM

Minutes

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

Absent: Councilman Killian with prior notification.

1. **Call to Order**-Chairman Branham called the meeting to order.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison: Councilman Agee gave the invocation.

Chairman Branham called for a motion to remove 8.a from the agenda. Vice Chairman Wilson motioned to remove 8.a from the agenda, second by Councilman Vaughn. Unanimous vote.

Councilman Vaughn motioned to remove 8.b. from the agenda, second by Vice Chairman Wilson. Unanimous vote.

Councilman Guy motioned to delay 8.c to the June 20th agenda, second by Councilwoman Mosley. Unanimous vote.

3. **Approval of Minutes**

- a. **May 15, 2023 Council minutes.**

Councilman Guy motioned to approve, second by Councilwoman Mosley. Unanimous vote.

- b. **May 16, 2023 Budget Workshop minutes.**

Councilwoman Mosely motioned to approve, second by Councilman Agee. Unanimous vote.

- c. **May 30, 2023 Budget Workshop minutes.**

Vice Chairman Wilson motioned to approve, second by Councilman Vaughn. Vote 4-0 to approve. Chairman Branham and Councilman Guy were not present.

4. **Citizen Comments**

Russell H. McCullough. 9418 Errington Ln, Mint Hill, NC addressed Council regarding the Burnt Meeting House Cemetery and thanked Council was doing to restore it.

5. **Public Hearing**-Chairman Branham opened the public hearing. No one signed up to speak.
- a. **3rd Reading Of 2023-11** An Ordinance to Amend Chester County Council Rules Of Procedures Article III, Section 2-21 Thru 2-27.
 - b. **3rd Reading of 2023-12** An Ordinance to Amend Ordinance 2021-12.
Chairman Branham closed the hearing.
6. **Ordinances/Resolutions/Proclamations**
- a. **3rd Reading Of 2023-11** **An Ordinance To Amend Chester County Council Rules Of Procedures Article III, Section 2-21 Thru 2-27.**
Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Attorney Winters stated this was in reference to the change of form of government from County Supervisor form to County Administrator and it changes those phrases it also lists out how the county council chair operates now that the council chair is not the county supervisor so those nuances that go with the council supervisor form of government has been changed to reflect the nuances of County Administrator form.
Unanimous vote.
 - b. **3rd Reading of 2023-12 An Ordinance to Amend Ordinance 2021-12.**
Councilman Guy motioned to approve, second by Councilwoman Mosely. Attorney Winters stated in December of 2021, you all adopted an ordinance and approved requirements for the county to execute and deliver development agreements. Through further discussion council decided the appropriate fee for development fees would not exceed the amount of \$5,000 for single family homes Townhomes the fee would not exceed the amount of \$3,000 and so this ordinance solidifies those numbers. It amends the ordinance Council passed in 2021. Unanimous vote.
 - c. **2nd Reading of 2023-13 An Ordinance Authorizing (1) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between The County And [Project 2247] In Connection With The Establishment Of Certain Facilities Located In The County; (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To [Project 2247] And The Property; And (3) Other Related Matters.** Councilman Guy motioned to approve, second by Councilwoman Mosley. Bond Attorney Kozlerek stated this was a special source revenue credit agreement that's before council for second reading tonight is effectively a Bailey bill replacement agreement. As Council knows the Bailey bill is the opportunity under state law for each local government each local government the county or the city to approve a fixed assessment value or assessed value of property for historic buildings and for low income at pre rehabilitation values for the construction period up to two years and then for an additional period up to 20 years. Unanimous vote.
 - d. **2nd Reading of 2023-14 Chester County Fiscal Year 2023/2024 Budget to Establish Operating And Capital Budgets For The Operation Of The County Government Of Chester County, South Carolina For The Fiscal Year Commencing July 1, 2023; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2023; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Authorize The County To Borrow Money In Anticipation Of Taxes And To Provide For The Repayment Of Sums Borrowed By The County Governing Body; To Provide For The Payment Of Tort Claims And Worker's Compensation Claims Against Chester County; To Provide For Certain Fiscal And Other Matters Relating To County Government.** Councilman Guy motioned to approve, second by Councilwoman Mosely. Unanimous vote.

e. 1st Reading Of 2023-15 Amending Ordinance No. 2018-11, As Amended And Clarified By Ordinance No. 2022-13, To Provide For The Allocation Of Fee In Lieu Of Tax Revenues For Some Property Located In The County; And Providing For Other Related Matters. Councilwoman Mosley motioned to approve, second by Vice Chairman Wilson. Administrator Hester stated this would amend the current FILOT agreement post gateway and that will give 5% to the fire district where the fee in lieu is located in. 4% goes to economic development 15% will go to school districts operational budget. And then previously, there was another 15% that went to the school district's debt service, or debt allocation and we're removing that 15% that's going to the district's debt allocation and putting it into the rest of that total which will go to the county which I believe is 76% of that fee in lieu will go to the county's general fund but the goal was not to affect the school district's operating budget. And this change to the reallocation of that portion that went to their debt doesn't affect their ability to pay debt or borrow. Unanimous vote.

f. Resolution 2023-12 Identifying The Capital Projects As Part Of A Program Of General Obligation Borrowing; And Other Related Matters. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Unanimous vote.

7. Administrator's Report

Administrator Hester introduced his new Administrative Assistant/Public Information Officer Jamie Deason who has twenty-five years of administrative experience along with ten years of management in public relations. He told Council he would update them on discussions that were had at the last budget workshop regarding the order that was placed for fire trucks. He planned to discuss the decision to use commercial grade equipment on current projects.

8. Old Business

a. 2nd 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 Vaughn motioned to accept Fielding Homes request to withdraw their application, second by Councilwoman Mosley. Unanimous vote.

b. 2nd 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 Vaughn motioned to accept Fielding Homes request to withdraw their application, second by Councilman Guy. Unanimous vote.

c. 2nd 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. Motion to delay the beginning of Council meeting.

d. 3rd Reading of CCMA23-04 Robert L. Reid III request Tax Map #123-00-00-088-000 at 3458 Hernandez Rd, Richburg, SC 29729 to be rezoned from Limited Commercial District (LC) to General Commercial District (GC). Planning Commission voted 7-0 to approve. Vice Chairman Wilson motioned approve, second by Councilwoman Mosley. Unanimous vote.

e. 3rd Reading of CCMA23-05 Allison and Gerald Timmons request Tax Map #166-01-04-016-000 at 975 Jackson Rd, Fort Lawn, SC 29714 to be rezoned from Rural One District (R1) to Rural Two District (R2). Planning Commission voted 7-0 to approve. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Unanimous vote.

9. New Business

a. Council to approve bid of RFP2223-10 for HVAC Unit Installation to Cudd Heating & Air, Inc., Chester, SC in the amount of \$33,250.00 dollars for the Gateway Conference Center. Source of funding from Gateway budget (\$16,250) and Chester Development Foundation (\$17,000). - Susan Cok. Mrs. Cok stated this was an emergency bid and the actual amount would be \$16,185.45 and come from the Gateway budget. The remaining would come from Chester Development Foundation and should have that the next day. Councilman Agee motioned to approve, second by Vice Chairman Wilson. Unanimous vote.

b. Council to approve bid RFP 2223-11 for Richburg Fire Substation to Salem Builders, Rock Hill, SC in the amount of \$38,340.00 dollars to enclose three sides of the building and add two regular doors plus one roll up door. No electrical work to be performed. Source of funding from the one cent sales tax monies.- Susan Cok. Councilman Agee motioned to approve, second by Councilman Guy. Vote 5-0 to approve. Councilman Agee recused stating he was first cousins to the owner of Salem Builders.

c. Council to approve Emergency Management to use remaining allocated grant match funds in the amount of \$12,800 dollars to outfit a 4 x 4 Gator given to them through a Duke Foundation awarded grant. - Ed Darby. Councilman Agee motioned to approve, second by Councilwoman Mosley. Unanimous vote.

d. 1st Reading of CCMA23-06 E & J Gallo Winery requests 0.24 acres of a portion of Tax Map #165-00-00-066-000 on or near Highway 21 (Catawba River Rd) to be rezoned from Limited Industrial District (ID-2) to General Industrial District (ID-3). Planning Commission voted 6-0 to approve. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Unanimous vote.

e. 1st Reading of CCMA23-08 Chiffon Crawley request Tax Map #069-05-25-002-000 at 527 West White Street, Chester, SC 29706 to be rezoned from Multi-family Residential District (RG-1) to General Residential District (RG-2). Planning Commission voted 6-0 to approve. Councilman Guy motioned to approve, second by Councilwoman Mosley. Unanimous vote.

f. From CCTC:

1. Approval to SCDOT in the amount of \$500.00 dollars to erect dedication signs that reads “Torrey Craig Highway” in the Town of Great Falls, SC. Councilman Vaughn motioned to approve with the verbiage changing from “Highway” To “Avenue”, second by Councilwoman Mosley. Unanimous vote.

10. Boards and Commissions

a. Reappointment to the Gateway Steering Committee- County Council.

Councilman Agee motioned to reappoint Herbie Lutz, second by Vice Chairman Wilson. Unanimous vote.

b. Appointment to the Burnt Meeting House Cemetery Board- County Council.

Councilwoman Mosley motioned to appoint Sandra Anglin, second by Councilman Vaughn. Unanimous vote.

c. Reappointment to Catawba Regional Council of Governments. County Council.

Councilman Vaughn motioned to reappoint Nettie Archie, second by Councilman Guy. Unanimous vote.

d. Resignation from the Catawba Regional Council of Governments. County Council.

Vice Chairman Wilson motioned to accept Jim Fuller's resignation, second by Councilwoman Mosley. Unanimous vote.

11. Executive Session

Councilwoman Mosley motioned to go to execution session, second by Vice Chairman Wilson. Unanimous vote.

- a. To receive legal advice regarding Project 2213. Attorney Winters.

12. Council Actions Following Executive Session

Vice Chairman Wilson motioned to go back to regular session, second by Councilwoman Mosley. Unanimous vote.

a. Action taken regarding Project 2213.

Councilman Vaughn motioned to allow Administrator Hester to communicate with the Department of Commerce for \$300,000 dollars to use toward the road at the R & D Park, second by Councilwoman Mosley. Unanimous vote.

13. Council Comments- None

14. Adjourn

Councilman Guy motioned to adjourn, second by Councilwoman Mosley. Unanimous vote.

Karen Lee, Clerk to Council

Time: 8:00 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.