



## **CHESTER COUNTY COUNCIL MEETING**

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

**April 6, 2010  
Tuesday  
6:00 p.m.**

**Chairman Roddey– 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 March 15, 2010

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of March 15, 2010, 2<sup>nd</sup> by Council Member Guy, Council Vote was unanimous.**

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

**Mr. Jim Gaston** said he was concerned with all the negative comments on the Incinerator and he wanted to put a positive spin on things. He stated he had been on the Solid Waste Advisory Committee for several years and the problem has come up several times about the landfill being filled to capacity. When the incinerator came up (and he's also attended all meetings, zoning, DHEC, etc. relating to it) the people that went to see these plants had great praise for these places. Sooner or later, landfills will close and he have not heard a negative comment from the plants near us. Mr. Gaston said we need to take a positive look and it's a thing of the future.

## V. Public Hearing

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

An Ordinance to Repeal Chester County Code, Appendix A, Division 2, Section 6-310-323 of Ordinance 1-15-90 Entitled “Solid Waste Management Franchise Procedure,” Deleting the Requirement for a Solid Waste Management Facility to Enter Into a Franchise

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

## VI. Ordinances

1. 3<sup>rd</sup> Reading of An Ordinance to Repeal Chester County Code, Appendix A, Division 2, Section 6-310-323 of Ordinance 1-15-90 Entitled “Solid Waste Management Franchise Procedure,” Deleting the Requirement for a Solid Waste Management Facility to Enter Into a Franchise

**Council Member Jordan** cited several sections of Statutes and stated some were out of date and that he would like to see some of these amended, he had also spoken to a Mr. Coleman at DHEC on the determination of need for the County. **Council Member Jordan** said Council may need to make some Ordinances stricter for any solid waste facilities coming to the County. **Council Member Jordan** said his concerns were mainly: Solid Waste is new technology; DHEC will review the 600 tons; and He didn't want to give away the rights of the County.

**County Attorney Winters** also responded from Statute on determination of need and other Statutes that cited we were actually making it harder, not easier, for a solid waste facility.

**Council Member Branham** asked if the ordinance was passed tonight could Council amend this ordinance if needed and **County Attorney Winters** replied a new Ordinance could be introduced. After no further discussion, **Chairman Roddey** called for the question.

**Council Member Holcombe Made a Motion to approve 3<sup>rd</sup> and Final Reading of an Ordinance to Repeal Chester County Code, Appendix A, Division 2, Section 6-31—323 Of Ordinance 1-15-90 Entitled “Solid Waste Management Facility to Enter into a Franchise, 2<sup>nd</sup> by Council Member Branham, Council vote was 5-1 with Council Member Jordan voting against.**

2. 1<sup>st</sup> Reading of an Ordinance to Create the Medical Responder Advisory Council.  
**County Attorney Winters** explained that the Emergency Room Doctor at the Chester Regional Medical Center was trying to get up to speed on the EMS system and felt we needed a dispatch policy. He also suggested a committee be formed to get input and that this committee be ongoing. **Council Member Guy** asked if there had been any problems and **County Attorney Winters** replied not specifically. **Chairman Roddey** then said that the Doctor had suggested some people for the committee and **Council Member Branham**

asked if Council would have to approve their recommendations and **County Attorney Winters** replied yes. **Vice Chairman Lucas** said “way back it was a hassle” and was somebody trying to take over control. **Chairman Roddey** said there were advantages to doing this and this was only pertaining to dispatching. **Council Member Oliphant** stated that there were a lot of first responders and this would organize it better. **Council Member Guy** asked who would select an At Large Member and **Chairman Roddey** said it hadn’t got that far yet. With no further discussion on the Ordinance, **Council Member Branham made a Motion to approve 1<sup>st</sup> Reading on an Ordinance to Create the Medical Responder Advisory Council, 2<sup>nd</sup> by Council Member Oliphant, Council vote was unanimous.**

## VII. Old Business

1. Hwy. 99 Industrial Park

**Chairman Roddey** said he had been giving a lot of thought to renaming the Hwy. 99 Industrial Park and suggested Chester County Research and Development Park. **Vice Chairman Lucas** asked who came up with this and why should it be changed. **Council Member Branham** said he thought the new name was a great idea and with IBHS already there, the name surely would not limit it to R&D and actually may be a draw to other companies. **Chairman Roddey then made the Motion to rename the Hwy. 99 Industrial Park to Chester County Research and Development Park, 2<sup>nd</sup> by Council Member Oliphant.** At this time, **Council Member Guy** asked about the Motion Council had made previously on the signs for the Park and would Council need to amend that Motion. **County Attorney Winters** replied that they should and that was a good point. **Chairman Roddey** also said that the signs should cost less because there would be less lettering. **Council Member Oliphant withdrew his 2<sup>nd</sup> and Chairman Roddey withdrew his original Motion. Chairman Roddey then made an amended Motion that included changing the signage from Hwy. 99 Industrial Park to Chester County Research and Development Park, 2<sup>nd</sup> by Council Member Oliphant, Council vote was 5-1 with Vice Chairman Lucas declining.**

2. Update on Solar Lighting Project, Exit 65

**Council Member Jordan** said he had some concerns about safety issues at Exit 65 and had met with Herb Cooper, SCDOT to discuss why this project was at a stand still. DOT says they need more information from the County and the County says they have given DOT all the information they have asked for. **Council Member Jordan** said Mr. Cooper said there was a procedure that looks at staff, procurement, etc and that only 15 counties are qualified to administer the funds. **Council Member Jordan** said he will be meeting with DOT again in April to see if Chester County qualifies to administer these funds. **Council Member Oliphant** asked if DOT were in charge of administering

the funds would this have already happened and **Chairman Roddey** replied “actually no” because it’s Federal money. **Council Member Branham** said it would definitely be another calling card for Chester County to get these lights, sidewalks, etc. **Council Member Jordan** said he was giving this update to Council members as information only.

3. Exit 65 Welcome Signs

**Council Member Jordan** asked Mr. Tommy McMinn of the Town of Richburg to show Council members a picture of the proposed signs for Exit 65. Mr. McMinn said the Landsford Canal was depicted in the design and it would be a round wall five feet high with letters three feet high, something to be seen but not a distraction. **Council Member Jordan** then said the same people that did the Master Plan came up with using the Landsford Canal picture. **Chairman Roddey** asked about the cost and Mr. McMinn said from \$100,000 to \$150,000 each. **Council Member Guy** asked if they were looking for Grants and Mr. McMinn replied they were and also donations, that Cultured Stone had donated the stone. **Council Member Jordan** then said he wanted to give Council members an update and this was for information only.

4. Demolition of Eureka Mill

**Chairman Roddey** wanted to give Council an update of what was going on with the demolition at the Eureka Mill and asked **County Attorney Winters** to explain what she had received. **County Attorney Winters** said he had received a photo copy of a letter of credit from a bank in Illinois in the name of Jennifer Womack and it was a “stand by letter”. She called the bank and spoke with the president and asked why was it a “stand by letter” and why was it to Jennifer Womack and not Jim Womack. The president of the bank could or would not give me a definitive answer and that the letter expires on September 19<sup>th</sup>, this year. **County Attorney Winters** said she had called Mr. Womack but he had not called her back. **Council Member Oliphant** said the Springsteen Mill is how it’s done right and that in his opinion, pretty much what has happened is that the site has been contaminated with asbestos and all of the steel is gone. **Council Member Oliphant** also said the “truths have not added up” and these people are making a mess at the expense and health of the people in the area and ruining the image of the town and they need to be stopped now. **Chairman Roddey** then said that Mr. Mack Paul and a Deputy had been on site and a ticket was written but that it was dismissed by the Magistrate. **Vice Chairman Lucas** asked why and **County Attorney Winters** replied that Judge Moore told Mr. Womack to work it out with the County. **Vice Chairman Lucas** then said maybe we should notify the Senator if the Magistrate won’t issue a ticket for something this important. **Council Member Branham** then stated that Mr. Womack should be contacted and told that if he could not come up with a Performance Bond he would have to stop and the County has bent over backwards to help Mr. Womack all they could. **County Attorney Winters** said we could call Mr. Mahaffey and let him know what this group is doing (Mr. Mahaffey actually owns the

property). **Council Member Oliphant** said the same thing was done at the Gayle Mill and would have been at the Springsteen had Mr. Mahaffey not signed off on it because of liability. **Chairman Roddey** then suggested we move forward with giving Mr. Womack a ticket everyday and would get with Mr. Mack Paul first thing in the morning and get him to take a Deputy with him every time he went over there. **County Attorney Winters** also said that DHEC had been by there and gave Mr. Womack “reading materials”. **Chairman Roddey** then said he just wanted Council to get an update about what was taking place and this was information only.

## **VIII. New Business**

1. Request to Accept 2010 COPS Technology Program Grant

**Sheriff Smith & Ginny Sloan** came before Council to request an acceptance of a Grant that had been applied for in 2008 for a Communications Tower. **Council Member Oliphant** asked where would the Tower be placed and Sheriff Smith said he wasn't exactly sure. **Council Member Oliphant** asked if space could be rented and Ginny Sloan replied yes. **Council Member Branham** asked if it would eliminate “dead spots” And Ms. Sloan replied “ were always going to have “dead spots”

**Council Member Guy made a Motion to approve acceptance of the Grant, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

2. Request to continue Grant “cycle” for 2010 Asst. to Firefighters Grant

**EMS Director Britt Lineberger** came before Council to request to continue the Grant cycle for the 2010 Assistant to Firefighters Grant and stated that this was just the EMS portion of the Grant.

**Vice Chairman Lucas made a Motion to approve the continued Grant Cycle request for the 2010 Assistant to Firefighters Grant, 2<sup>nd</sup> by Council Member Jordan, Council vote was unanimous.**

## **IX. Executive Session**

**Chairman Roddey** stated that Council needed to go into Executive Session to discuss:

1. Personnel Matter: Re: Former Employee

**Vice Chairman Lucas made the Motion to go into Executive Session, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.** Time was approximately 7:20 p.m.

Council returned from Executive Session at approximately 7:40pm and **Vice Chairman Lucas made a Motion to go back into Regular Session, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

**Chairman Roddey** said a personnel matter regarding a former employee had been discussed with **County Attorney Winters** giving Council Members a briefing and that no was action taken.

## **X. Council Members Comments**

There were no Council Members Comments.

## **XI. Adjournment**

**Council Member Holcombe made a Motion to adjourn, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.** (Time was approximately 7:40pm)

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, CN2 News, WCNC News, WBTW 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.

---

**R. Carlisle Roddey**  
**Chairman, Chester County Council**

---

**Carolyn S. Clayton, CCC**  
**Clerk to Chester County Council**

Chester County Council Meeting of April 6, 2010