



## **CHESTER COUNTY COUNCIL MEETING**

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

**February 15, 2010  
Monday  
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 February 1, 2010

**Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of February 1, 2010, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

At this time, **Council Member Jordan asked that the Hwy. 9 Solar Lighting Project be added to the agenda, 2<sup>nd</sup> by Council Member Branham, Council vote was unanimous.**

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

**Mr. Dean Brown, 727 Willa Ct., Chester, SC spoke on behalf of the citizens of Chester County about the Eureka Mill. Mr. Brown said he hoped this Board could work something out with the people that want to clean up the Eureka Mill so it won't be left in the same situation as the Gayle and Springsteen Mills were left in.**

**V. Public Hearing**

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

- 1. An Ordinance to Authorize the Postponement Until Property Tax Year 2011 of Reassessment and Revised Property Values Resulting from the Equalization Program as Provided Pursuant to Section 12-43-217 of the Code of Laws of South Carolina, 1976, as Amended

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

**VI. Ordinances**

- 1. 3<sup>rd</sup> Reading of an Ordinance to Authorize the Postponement Until Property Tax Year 2011 of Reassessment and Revised Property Values Resulting from the Equalization Program as Provided Pursuant to Section 12-43-217 of the Code of Laws of South Carolina, 1976, as Amended

**Council Member Guy made a Motion to approve 3<sup>rd</sup> and Final Reading of an Ordinance to Authorize the Postponement Until Property Tax Year 2011 of Reassessment and Revised Property Values Resulting from the Equalization Program as Provided Pursuant to Section 12-43-217 of the Code of Laws of South Carolina, 1976, as Amended, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

**VII. Old Business**

- 1. **2009 PLANNING COMMISSIONS RECOMMENDATION TO COUNTY COUNCIL**

**Third Reading: From Meeting of December 15, 2009**

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

**MAP AMENDMENT #CCMA09-0011**

Change Zoning from RS1 (Single-Family) to GC (General Commercial)

Applicant: Tim Montgomery

Tax Map Number: 080-01-06-019

Size & Location: 1 Lot located at 644 Columbia Rd. Chester, SC

**Council Member Branham made a Motion to approve 3<sup>rd</sup> and Final Reading of Planning Commissions Recommendations on Tax Map Number 080-01-06-019, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.**

2. Hwy. 99 Industrial Site Prices on Signs

**Karlisa Parker/Economic Development Director**, brought back to Council the bids on signs she had obtained at Council's request. Ms. Parker pointed out to Council that Jim Brown Signs were the low bidder with \$8,800 versus Sign Techniques at \$11,000 and recommended that Council approve the low bidder. **Council Member Oliphant made a Motion to approve Jim Brown Signs with the low bid of \$8,800 without lights, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

3. Eureka Mill Clean Up

**County Attorney Joanie Winters** had met on Thursday, February 4<sup>th</sup> with all parties involved to try to resolve this issue. **County Attorney Winters** started by saying that Mr. Womack had provided her a Phase I report but that it was the same report she had been given previously by a Mr. Evans and that she understood that Mr. Womack had actually purchased the report (August of 2008) from Mr. Evans. **County Attorney Winters** went on to say that the Risk Assessment was done by a lady who's licensed Has expired and that Target Contractors license had expired also. There has been no closing date on the purchase of the property from Mr. Mahaffey to Mr. Ramsey and therefore, not a done deal until it was filed in the Clerk of Court's Office and that all of this was explained in detail to Mr. Womack. **County Attorney Winters** stated that the demolition report had asbestos checked NO and that it was a revised report and we did not have another report and that DHEC requires specific dates to start and stop or you are required to start all over again. **Council Member Oliphant** then said he understood that there was inappropriate language used at that meeting and that he was sorry that Mrs. Winters was put in that position. **Council Member Oliphant** said technically, Mr. Mahaffey still owns the mill and that several different contractors have been on site and his "gut" tells him that no debris has gone to the landfill. If someone goes into the Mill part and starts ripping stuff out then everything gets contaminated with the asbestos and that Mr. Mahaffey and Mr. Ramsey were very aware of this and of the bond procedure and nothing has been done as far as bonding is concerned. **Council Member Oliphant** went on to say he was against not protecting the citizens of this county and this would take of lot of work but it was a nice piece of property. **Council Member Oliphant** then said he was open to a letter of credit only if the outside is cleaned and taken to a landfill. **Council Member Jordan** said his concern was the asbestos and that the person had his license expire that was removing them. **Council Member Oliphant** asked if the Council allowed a letter of credit to do the work in phases, would He (Mr. Womack) be able to clean the outside and Mr. Womack said he would. **Council Member Oliphant** then said the outside debris had been tested for asbestos and there was none and if Council allowed Mr. Womack to proceed would he haul the debris to a landfill, not the brick but the wood debris and Mr. Womack responded that he was going to clean the site. **Council Member Oliphant** then said "you're not answering my question". Mr. Womack said he would

take the trash but not the brick that he would crush the brick.

There was further discussion about the clean up between **Council Member Oliphant** and Mr. Womack and **Council Member Branham** asked if Council gave him permission to do this work in phases how long would it take him to get a letter of credit and Mr. Womack replied he could have one tomorrow. After more discussion, **Council Member Branham then made a Motion to allow Mr. Womack to get a survey from DHEC, a letter of credit from his bank and get a permit from Planning and Zoning before he started work, 2<sup>nd</sup> by Council Member Holcombe.** Discussion: **Council Member Oliphant** wanted further clarification about the cleaning up on the outside and the concrete being ground up and not being left on site. **Council Member Jordan** then said materials ground up should not be left on site. At this time, **Council Member Holcombe** withdrew his second and **Council Member Branham** withdrew his original Motion. **Council Member Branham then made a Motion that Mr. Womack gets an asbestos survey from DHEC, a \$50,000 Letter of Credit and a permit from Planning and Zoning and any debris be hauled off and disposed of appropriately including hazardous materials, 2<sup>nd</sup> by Council Member Holcombe.** Vice Chairman **Lucas** stated he would like discrepancies resolved and Mr. Womack said he would get current documentation with the Letter of Credit and give to Mr. Mack Paul, Vice Chairman **Lucas** asked that it be reviewed by the County Attorney. **Council then voted and the vote was Unanimous** with Vice Chairman **Lucas** saying it was against his better judgment.

4. Gayle Mill

**Council Member Oliphant** said there wasn't a lot of stuff still at the Gayle Mill Site of value and he would like to propose getting bids to do a Phase 1 and 2 study to see what was left. **Council Member Oliphant** said if it's done like the Springsteen it won't take long and if asbestos's are still there it's probably a very small amount. **Chairman Roddey** asked if **Council Member Oliphant** wanted to make a Motion on his proposal. **Council Member Oliphant made a Motion to put for bids to environmental companies to do testing for Phase I work, 2<sup>nd</sup> by Council Member Holcombe.**

Discussion: **Council Member Jordan** asked what the cost might be and **Council Member Oliphant** replied in the neighborhood of \$3,000-\$5,000 would be his guess. **Council then voted and the vote was unanimous.**

5. Added to Agenda: Hwy. 99 Solar Lighting Project – **Council Member Jordan**

**Council Member Jordan** stated that it seemed like this Project couldn't get moving because SCDOT keeps asking for more information and seemed like they want to head up the project for 30% and asked what could the County do to get it moving. **Chairman Roddey** said it was a stall tactic and that SCDOT wanted to do the Project. **Council Member Jordan** then said he would like for Mr. Herb Cooper, local SCDOT Program Administrator to come to the next CCTC Meeting and tell us what to do. **Chairman Roddey** then said that Mr. Cooper's assistant, Julia Barber had already

planned to attend the next meeting. **Council Member Jordan** then said this had been stalled a long time and definitely wanted someone at the next CCTC Meeting from SCDOT to discuss this and **Chairman Roddey** replied that someone would be here on March 1<sup>st</sup>.

### **VIII. New Business**

1. Request to apply for County wide warning sirens

**Eddie Murphy/EMA Director** came before Council to request to apply for 8 sirens to provide a warning to residents when a severe storm or tornado warnings are issued for Chester County. These sirens would be strategically placed in remote areas of Chester County. This Grant would also include 700 weather radios to be distributed to County Facilities and special needs groups in the County. **Council Member Jordan made a Motion to allow Mr. Murphy to proceed to apply for the Grant, 2<sup>nd</sup> by Council Member Guy, Council vote was unanimous.**

### **IX. Council Members Comments**

**Council Member Jordan** requested that Free Day at the Landfill and Haz Mat Day at the Landfill is put on the next agenda.

### **X. Adjournment**

**Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> by Council Member Holcombe, Council vote was unanimous.** Time was approximately 7:45 p.m.

**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, CCC**  
Clerk to Chester County Council