



CHESTER COUNTY COUNCIL MEETING

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

**March 1, 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 15, 2010

Vice Chairman Lucas made a Motion to approve the Chester County Council Meeting Minutes of February 15, 2010, 2nd by Council Member Holcombe, Council vote was unanimous.

Chairman Roddey stated there were three items that needed to be added to the agenda. First was Mr. Bruce Todd needed to address Council regarding the Solid Waste Committee. **Council Member Branham made a Motion to add Mr. Bruce Todd to the agenda under New Business, 2nd by Council Member Guy, Council vote was unanimous.**

Chairman Roddey then said the next item to add to the agenda was accepting a Grant for an engine for the trash compactor at the landfill. **Council Member**

Guy made the Motion to add request to accept Grant under New Business to the Agenda, 2nd by Vice Chairman Lucas, Council vote was unanimous.

Chairman Roddey then said a Contractual Matter needed to be added under Executive Session. **Vice Chairman Lucas made a Motion to add a Contractual Matter to Executive Session, 2nd by Council Member Oliphant, Council vote was unanimous.**

IV. Citizens Comments

Jimmy Bruce from Richburg, SC said he had concerns about repealing a portion of the Solid Waste Plan and said it was like “rolling out the red carpet” for Covanta. He then gave Council Members a packet on new waste incinerators and said that Council was appealing local laws just for Covanta.

Chris Johnson from Richburg, SC asked Council for details as to why Council was appealing the Ordinance on Solid Waste and what it would mean to the County.

Morgan Armstrong – Plan Benefit Services - spoke on the impact the retiree’s medical account would take if the County switched insurance companies at this time. He said his company was able to reduce the liability by the recommendations they gave and that the committee that was chosen should have had a representative from the Finance Department. He further stated that decisions were made and they were not “informed decisions” and that he recommended Plan Benefit Services be reinstated as the County’s consultant.

V. Old Business

1. From CCTC Meeting

a) Reimbursement for Sign Material \$2,623.80

Vice Chairman Lucas made a Motion to approve the reimbursement from C-Fund for the sign material, 2nd by Council Member Holcombe, Council vote was 5-0 to approve with Council Member Guy abstaining.

b) 25% Expenditures for 2010 on DOT Roads

Council Member Oliphant made a Motion to approve the two roads suggested by SCDOT (Blaney & 1st Street in Great Falls) for the 25% expenditure for 2010, 2nd by Council Member Oliphant, Council vote was 5-0 with Council Member Guy abstaining.

2. Free Day at Landfill and Haz Mat Day at Landfill

Council Member Jordan said these were two separate items he wanted to discuss with Council. **Council Member Jordan** said currently the County was providing four free days at the landfill and he would like Ms. Bickett to give him a break down of manpower hours that have been put in. Also, he noted the days the Convenience Sites were not in operation and what Chester County did not take in, i.e., paint, appliances, etc. He suggested that maybe the County should provide extra days

as well as other services. **Haz Mat Day – Council Member Jordan** stated the cost was around \$12,000 for the Haz Mat Day and he would like to see another one as well and that maybe it could be funded from the Enterprise Fund. **Council Member Guy** suggested that one “Free Day” be cut and another “Haz Mat Day” is added. **Council Member Jordan** said he would like to see the Haz Mat Day in conjunction with the Free Day. **Chairman Roddey** then said the County could not do both at the same time, it would be a disaster. **Chairman Roddey** then suggested that Council take this is information and until Ms. Bickett could gather more data. **Council Member Jordan then made a Motion to take as information only and get more data from Ms. Bickett to be on the March 15 Agenda, 2nd by Council Member Guy, Council vote was unanimous.**

VI. New Business

1. Request to apply for 2010 Citizens Corps Grant and LEMPG Grant

EMA Director/Eddie Murphy came before Council to request to apply for a 2010 Citizens Corps Grant with no match.

Council Member Branham made a Motion to allow Mr. Murphy to apply for the 2010 Citizens Corps Grant, 2nd by Council Member Oliphant, Council vote was unanimous.

EMA Director/Eddie Murphy came before Council to request to apply for a LEMPG Grant with no match.

Council Member Guy made a Motion to allow Mr. Murphy to apply for a LEMPG Grant, 2nd by Council Member Holcombe, Council vote was unanimous.

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

First Reading: From Meeting of February 16, 2010

<u>Commission</u>	<u>Council</u>
<u>Vote</u>	<u>Vote</u>
4-1 to deny	5-1 to uphold

Case #10-1

Change Zoning from R2 to ID1

Applicant: Gary Shepherd

Tax Map Number: 165-00-00-086

Size & Location: 5.97 acres North on Catawba River Rd. past Edwards Rd.,
Fort Lawn, SC

Council Member Jordan made a Motion to uphold Planning Commissions

Recommendations, 2nd by Council Member Oliphant. Discussion: **Vice Chairman**

Lucas said he felt this was a personal issue with some of the Planning Commission Members and how was Chester County going to grow when people couldn't even do what they wanted to with their own property. **Council Member Jordan** said he was concerned about "spot zoning" and commended the Planning Commission. **Council Member Holcombe** said he had talked with his representative on the Planning Commission and that the property was next door to a church and houses were all around.

Council then voted and the vote was 5-1 to uphold Planning Commissions

recommendations with Vice Chairman Lucas opposing.

Added to Agenda:

Mr. Bruce Todd, came before Council to request that the Solid Waste Committee is allowed to reconvene. **County Attorney Winters** then said she would also answer Ms. Johnson's question during the Citizens Comments for information as to why Council needed 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.

County Attorney Winters said this Ordinance was passed in 1990 and that in 1991 the State of South Carolina had passed new laws that made our County law invalid and obsolete. **County Attorney Winters** further stated that the franchise procedure was invalid under State Law and that a franchise was merely an agreement between a County and a Company. **Vice Chairman Lucas** asked if this Ordinance would go back to the Solid Waste Committee and **County Attorney Winters** replied no and that she would put a memo together for Council outlining exactly what this means.

Council Member Branham then made a Motion to allow the Solid Waste Committee to reconvene, 2nd by Vice Chairman Lucas, Council vote was unanimous.

Council Member Branham made a Motion that this be considered 1st 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, 2nd by Council Member Holcombe, Council vote was unanimous.

Added to Agenda:

Chairman Roddey said a request to apply for an engine for the backup trash compactor had been approved in the amount of \$29,000 and Council needed to vote to accept the Grant. **Council Member Oliphant made the Motion to accept the \$29,000 Grant for the backup engine for the trash compactor, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

3. Census Update

Earl Moore – Elections/Voter Registrations Director gave Council an update on the Census and some literature. Mr. Moore said the County was possibly losing at least \$18.0M because people were not being counted. Mr. Moore also asked that Council members inform everyone they were in contact with to please complete the Census form when it came in the mail.

VII. Executive Session

Chairman Roddey stated that Council needed to go into Executive Session to discuss a Contractual Matter regarding employees and that the legal matter regarding Economic Development had been pulled from the Agenda.

Vice Chairman Lucas made a Motion to go into Executive Session, 2nd by Council Member Oliphant, Council vote was unanimous. Time was approximately 7:10 pm

Council returned from Executive Session and **Vice Chairman Lucas made a Motion to return to Regular Session, 2nd by Council Member Holcombe, Council vote was unanimous.** Time was approximately 7:40 pm

Chairman Roddey stated a Contractual Matter was discussed in Executive Session and was taken as information only.

VIII. Council Members Comments

There were no Council Members Comments

IX. Adjournment

Vice Chairman Lucas made a Motion to adjourn, 2nd by Council Member Branham, 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

R. Carlisle Roddey
Chairman, Chester
County Council

Carolyn S. Clayton, CCC
Clerk to Chester County Council