

Citizens article, footnote 11

From: Michael Johnson <MichaelJohnson@scsenate.gov>
Sent: Thursday, July 18, 2024 9:49 PM
To: tjhegarty7@gmail.com <tjhegarty7@gmail.com>
Subject: Re: Response and Request Regarding Silfab Solar

Tim:

Thanks for reaching out. I did read the memo that was sent in the original email. I actually agree with most of the analysis. What I attempted to point out was that once county staff made the determination that the process was allowed under light industrial, and issued a binding letter to the applicant, they had a vested right to use the property in that manner.

I would not have issued that type of letter, but that is moot as it was done. I think you and I agree on this issue other than I believe the vested right issue makes it nearly impossible for the county to reverse course. You clearly believe otherwise. I hope you are correct and I am wrong on the vesting issue. I imagine a judge will ultimately decide.

Again, I agree with you that the work to be performed on that site does not fall into the light industrial category as I interpret it.

Michael Johnson

Sent from my iPhone

On Jul 18, 2024, at 4:52 PM, tjhegarty7@gmail.com wrote:

You don't often get email from tjhegarty7@gmail.com. [Learn why this is important](#)

Dear Senator Johnson,

I have been made privy to your July 17, 2024, 4:31 PM email response to Jennifer Dickens email earlier that day titled "concerns". In her email, Ms. Dickens makes an appeal for your assistance and references a letter (document) that was given to county officials by the leaders of the Move Silfab movement at an in-person

meeting last week. She asks that you read the document because she thinks it articulates well the concerns of the community. I am the author of that document and in that capacity I feel compelled to respond to your email.

It is obvious from your response that you did not take the time to read the document. Instead, you are apparently content to rely on what "The Herald has reported" and what "the County has said"; that being that "Silfab was issued a letter in 2022 stating that they had the right to move forward and use the property for their intended purpose. Once that was done, Silfab had a "vested" right."

You have apparently not read the 2022 letter you reference above either. The document you were sent clearly spells out why it is not possible that the letter could be construed as providing ANY rights to Silfab.

Your email response also states that "there are countless decisions by the US Supreme Court and the SC Supreme Court saying so". I respectfully request that you cite one or more examples of such Supreme Court decisions for consideration.

I hope this email has added to your understanding of why the local Fort Mill Community is relentlessly pursuing the need to Move Silfab to an appropriately zoned Heavy Industrial site. I look forward to your response to my request above to cite specific case examples. Thank you.

Respectfully,

Tim Hegarty
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