

# CHESTER COUNTY COUNCIL MINUTES

## **R. Carlisle Roddey Government Complex**

1476 J A Cochran Bypass, Chester, SC

**Monday, November 19, 2018 at 6:00 PM**

Chairman Shane Stuart Presiding

### **MINUTES**

**Present:** Chairman Shane Stuart, Council Member Brad Jordan, Council Member Alex Oliphant, Council Member Mary Guy, Council Member Archie Lucas, Council Member Pete Wilson, County Attorney Joanie Winters and Clerk to Council Karen Lee. **Absent:** Vice Chairman Joe Branham with prior notification.

**1. Call to Order-**Meeting was called to order by Chairman Stuart at 6:00 PM

**2. Pledge of Allegiance and Invocation-** Pledge was recited in unison, Council Member Lucas led the invocation.

**3. Approval of Minutes-**November 5<sup>th</sup>, 2018.

Council Member Guy motioned to approve as written, second by Council Member Wilson. Vote 4-0 to approve. Council Member Jordan did not vote, he was not present at the Nov. 5<sup>th</sup> meeting.

**4. Citizens Comments**

Charellette Cockrell of 1472 Minter Road, Chester stated she had concerns with an easement that had been approved by the Planning Commission on Butlerlake Road. She stated she and other neighbors can't understand why he can't go through his own property to get access to his own property in the rear.

Raymond Carter of 810 Yarbrough Road, Chester stated he had warned people in town about their children. The City and County Police departments are corrupt. He gave praise to the Lewisville school principal and stated prayers will not help.

**5. Ordinances/Resolutions/Proclamations**

**a. 2<sup>nd</sup> Reading of an Ordinance Authorizing the Issuance of General Obligation Bonds, In One Or More Series, Tax-Exempt or Taxable, In an Amount Not to Exceed \$100,000 For the Purpose Of Acquiring, Constructing, Equipping, Or Rehabilitating Various Capital Projects in The Lando Rural Fire District; Authorizing the County Supervisor to Prescribe the Form and Details of The Bonds; Providing for The Payment of The Bonds and The Disposition of The Proceeds of The Bonds; Providing for Borrowing in Anticipation of The Issuance of The Bonds; And Other Related Matters.** Chairman Stuart stated this money would be used to purchase a brush truck. Council Member Lucas stated the funds comes out of the special purpose tax money. Council Member Lucas motioned to approve, second by Council Member Jordan. Vote 5-0 to approve.

- b. **A Resolution Consenting to The Addition of Giti Tire (Usa) Ltd., Giti Tire R&D Center (North America) Inc., Giti Tire Manufacturing (Usa) Ltd., And Giti Property (Usa) Ltd., Each as A Sponsor Affiliate to The Existing Fee-In-Lieu- Of Ad Valorem Taxes Agreement Between Chester County, South Carolina And Giti Tire Holdings (Usa) Ltd (“Company”), As Sponsor; And Other Related Matters.** Attorney Michael Kozlarek stated multiple entities had asked to come under the same fee in lieu agreement and stated this does not lessen the taxes that has been done. This was in the original fee agreement agreed by Council a few years ago. This follows up on original the agreement since the entities now have entity names. Council Member Oliphant motioned to approve, second by Council Member Guy. Vote 5-0 to approve.
- c. **1<sup>st</sup> Reading of An Ordinance to Adopt Various International and Standard Codes Relating To Activities of The County of Chester, South Carolina And Enforcement of Building Provisions As Provided in Said Codes.** Planning Director Mike Levister stated currently the County needs to adopt the International Spa Code, International Existing Building Code and the International Property Maintenance Code to be in compliance. Council Member Oliphant motioned to approve, second by Council Member Lucas. Vote 5-0 to approve.
- d. **A Resolution to Amend the Organizational Chart for The Chester County Planning Department.** County Attorney Winters stated Planning Director Mike Levister came to her concerning having someone in his role in his absence to make decisions since things has been busier. This would be an exempt position with no overtime pay along with a raise that is currently in the budget. Council Member Guy motioned to approve, second by Council Member Jordan. Vote 5-0 to approve.

## 6. Old Business

- a. **2<sup>nd</sup> Reading CCMA18-27:** Robert Hinson request Tax Map # 158-00-00-041-000 located on Footloose Rd in Fort Lawn SC, be rezoned from R1 (Rural One) to R2 (Rural Residential) Planning Commission voted 6-0 to approve. Council Member Jordan motioned to approve, second by Council Member Guy. Vote 5-0 to approve.

b. **October Litter Pickup with Report from Surrounding Counties-Chairman Stuart.**

Chairman Stuart stated 211 bags of trash were picked up in October. He stated the list from other Counties provided to them, some use State inmates, the ones who does pays them.

Council Member Oliphant stated he would like the Chairman and the rest of Council to come up with a plan, get the sheriff involved.

## 7. New Business

a. **Safety Concerns for Chester County Schools-Chester Ministerial Association**

Pastor Jason Myers, Purity Presbyterian, Chester Pastor Clay Waldrip, First Baptist, Chester, Rev. W. T. Holmes, Retired, Carmel Presbyterian Church, Chester, Pastor Matthew Alexander, One Church, Chester, Rev. Joe Stringfellow, Emmanuel Baptist Church, Chester, Rev. Angela Boyd, Metropolitan AME Zion Church, Rev. Othis Smith, Browns Chapel Church, Lowrys, Rev. Seth Johnson, Wilksburg, Rev. Mike Burgess, Bethel United Methodist. Pastor Clay Waldrip stated he and other pastors wants to keep the teachers and students safe, they care and would like for everyone to come together. He stated they would

like to hold a meeting where members from the sheriff's department, school board and council to figure out how to keep the children and teachers safe in Chester County. Bring all the voices to the table to discuss the same thing by working together. They would like to set up a meeting by January or February.

**b. Consideration of Maintenance Plan for the Daktronics Sign at the Gateway Conference Center**

Economic Developer Karlisa Dean stated they had received noticed in early October concerning the warranty for the sign would expire by the end of this month. She stated she would like to go with the Platinum Plus plan that was recommended by the Counties IT Director David Schuelke since it's IT related. The sign advertisers all events held at the Gateway, the platinum plus is a three-year contract consisting of \$ 12, 570 dollars, she has the first installment in her current budget and will budget for the next two installments in the new budget year. Council Member Oliphant motioned to approve, second by Council Member Jordan. County Attorney Winters stated Council would need to approve it with the deletion of section 18 where it states "Purchaser shall indemnify" she stated County Council does not permit indemnification. Council Member Jordan withdrew his second, Council Member Oliphant withdrew his motion. Council Member Oliphant motioned to approve with the deletion of Section 18 of page 7, second paragraph, Council Member Jordan second the motion. Vote 5-0 to approve.

**c. Approval of 2019 County Council Meeting Schedule.**

Council Member Guy motioned to approve, second by Council Member Wilson. Vote 5-0 to approve.

**d. Review of Text Amendment for Discussion Concerning Ingress/Egress.**

Planning Director Levister stated he and Matt Hines put together example text to see if this is what Council would like to do. On the example text change and after looking at other counties the text could read "one (1) access road for every 200 lots in a subdivision and would require additional access if the increased traffic and noise would create a safety hazard or otherwise be detrimental to residents of the existing subdivision." Council Member Wilson stated he was comfortable with the number of 200 but asked the Director to make sure it would not be a bottleneck. Director Levister recommended having a workshop with Council on the ingress/egress along with RS1 Special Exception next on the agenda.

**e. Review of Text Amendment for Discussion Concerning RS1 Single Family Residential District Special Exception # 2.**

Council Member Jordan stated when the Board of Zoning Appeals approved the special exception for the subdivision that went in, the density was calculated with the total acreage that included the common areas and roadways for three dwellings per acre. He stated you actually have about eight units per acre but if it was spread out it calculated to three, so the houses would be on top of each other. Planning Director Levister stated on the example he took the square footage of the lot size of 14,520 and divided by three so Council could give him feedback of what they thought. Council Member Jordan agreed a workshop is needed.

**f. Mobile GIS update-Carlton Segars**

Carlton Segars, Tax Assessor for Chester County stated the current website contract with Beacon has issues and are on a short cycle with them. Currently the cost with Beacon is \$15,600 dollars a year but stated if the County went with Sidwell who does smaller county websites the cost would be \$22,770 dollars for year one. The first five-year contract period the County would pay \$6300.00 dollars which results in savings of \$30,030. Sidwell would merge the current information onto the ESRI ArcGIS Online Platform which would enable various departments to produce custom maps based on their individual needs. Rob Jackson, GIS from Catawba Regional of Governments stated he had not used the Sidwell but can say it is built on a ESRI platform, if you are familiar with ARC GIS or ESRI they can have a hold on

the market for mapping in general, but he can state they are not going anywhere no time soon. Chairman Stuart stated they have asked Beacon for two years for updates to the site, but it hasn't happened.

## 8. Boards and Commissions

### a. **Appoint Michael L. McBrayer to the Zoning Board of Appeals- Council Member Jordan.**

Council Member Jordan motioned to approve the appointment of Michael L. McBrayer to the Zoning Board of Appeals, second by Council Member Oliphant. Vote 5-0 to approve.

### 9. **Executive Session-**Council Member Jordan motioned to go to Executive Session, second by Council Member Lucas. Vote 5-0 to go in executive session.

- a. To Receive Legal Advice Regarding the Bid and Contract for the Gateway Expansion Project
- b. To Receive Legal Advice Regarding a Contractual Matter for New Assessor Software Website.
- c. Discuss a Contractual Matter Regarding the Purchase of Property.

### 10. **Councils Action Following Executive Session-**Council Member Wilson motioned to go back to Regular Session, second by Council Member Jordan. Vote 5-0 to go back to regular session.

#### a. **Action Taken Regarding Legal Advice Concerning the Bid and Contract for the Gateway Expansion.**

Chairman Stuart motioned to accept the architect contract with the exception of keeping the liquidated damages at the rate of \$ 6050 per day and accept the changes of 288 days the work would be completed, second by Council Member Jordan.

Discussion: Council Member Oliphant stated this would be a savings of \$45,461 dollars.  
Vote 5-0 to approve.

#### b. **Action Taken Regarding Legal Advice Concerning New Assessor Software Website.**

This was taken as information only.

#### c. **Action Taken Concerning a Contractual Matter Regarding the Purchase of Property.**

This was taken as information only.

## 11. Council Comments

Council Member Guy wished everyone a Happy Thanksgiving.

### 12. **Adjourn-**Council Member Lucas motioned to adjourn, second by Council Member Jordan. Vote was 5-0 to adjourn. Time 9:30 pm.

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K. Shane Stuart, County Supervisor & Chairman

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Karen Lee, Clerk to Council

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

