

CHESTER COUNTY COUNCIL MINUTES

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

Monday, December 3rd, 2018 at 6:00 PM

Chairman Shane Stuart Presiding

MINUTES

Present: Chairman Shane Stuart, Vice Chairman Joe Branham Councilman Brad Jordan, Councilman Alex Oliphant, Councilwoman Mary Guy, Councilman Archie Lucas, Councilman Pete Wilson, County Attorney Joanie Winters and Clerk to Council Karen Lee.

- 1. Call to Order-**Chairman Stuart stated before he called the meeting to order, item 9.b on the agenda be removed from the agenda due to applicant asked not to be considered for the Hazel Pittman Board. Also, under the November 19th, 2018 Council Minutes under item 10.a. corrections to remove the wording “except” to accept the changes. He also stated he would like to move item 8.a. Special Recognition for Council Member Archie Lucas to the beginning of the meeting after Citizens Comments if Council had no objections. Council had no objections; Chairman Stuart called the meeting to order.
- 2. Pledge of Allegiance and Invocation-**Pledge was recited in unison; Council Member Lucas led the invocation.
- 3. Approval of Minutes-**November 19th, 2018 -Council Member Guy motioned to approve with corrections, second by Council Member Lucas. Vote was 6-0 to approve.
- 4. Citizens Comments-**No one signed up to speak.

Special Presentation for Council Member Archie Lucas (This item was moved to the beginning of the meeting.) South Carolina House Representative John King stated when he heard Archie was being recognized tonight he wanted to be here. He stated he served with Councilmen Lucas along with Councilman Bunny Guy and both were his mentors when he was on Council. He presented on behalf of South Carolina Representatives to Councilman Lucas a United States flag that flown above the State house as part of Councilman Lucas’s recognition of service to Chester County and the State of South Carolina. Representative King thanked Councilman Lucas for his years of service and friendship. South Carolina House Representative Randy Ligon thanked Councilman Lucas for his years of service. Chairman Stuart read a Proclamation aloud and presented it to him along with a gift certificate.

Councilman Oliphant stated he never found anyone he could work with any better. Councilwoman Guy stated she has enjoyed working with Archie over the years and considered him a good friend. Councilman Jordan stated it was a pleasure working with Archie, and when he wanted to talk to him he

would stop by the feed store since Archie did not do email, haven't always agreed on everything, but Councilman Lucas has always been a gentleman.

Vice Chairman Branham stated he also enjoyed working with Archie and hope he enjoys his time of doing nothing and less as quoted by Archie. Councilman Wilson stated it was an honor to sit beside him and enjoyed working with him for the past two years. County Attorney Winters stated it was a pleasure serving him and did not know who the memory bank would be now since Councilman Lucas could remember everything. Chairman Stuart stated it was a pleasure working with him and appreciated everything he has done and considered him as a scholar and gentleman.

Councilman Lucas stated this occasion only comes around once in a lifetime, and hopes Council treats his replacement Mike Vaughn with the same respect as they had given him, if they don't he stated he would be back as a private citizen. The sun sets every day and its setting on him and appreciates the time given to him to serve, it's been a long trip and a good ride. He ran nine campaigns and was successful in all but two and appreciated everyone in District 2 whether they voted for him or not. He wished everyone a Merry Christmas and a Happy New Year to all.

5. Public Hearing- No one signed up to speak.

- a. **3rd 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.

6. Ordinances/Resolutions/Proclamations

- a. **3rd 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. Councilman Jordan motioned to approve the final reading, second by Councilman Oliphant. Vote 6-0 to approve.
- b. **2nd 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.** Councilman Oliphant motioned to approve the second reading, second by Vice Chairman Branham. Vote 6-0 to approve.
- c. **Resolution to Adopt the Lease Agreement for The Rental of a Portion of The Property Known as The Chester County Court House.** Chairman Stuart stated he was approached by Safe passage to rent a portion of the Court House for administrative purposes only. Safe Passage is a

Program that assist domestic violence victims. The office would be across from the Delegation office in the Court House and would pay a monthly rental agreement of \$500.00. County Attorney Winters stated the hours for their operation would be the same as the Court House 8:30 am to 5:00 pm Monday thru Friday and be used as office use only as an annual lease. Councilman Oliphant asked if the Clerk to Court was on board with this. Chairman Stuart stated he had spoken to her by phone and email, but she had been out of the office sick, not 100 % sure but if Council would like to make it contingent upon the Clerk to Court's approval it could be done that way. Vice Chairman Branham stated he would like to vote on this tonight since there would not be any other meetings this month. He motioned to approve with the lease agreement with the contingency of approval by the Clerk of Court, second by Council Member Wilson. Vote 5-1 to approve. Councilwoman Guy opposed.

6. d. 2nd Reading of An Ordinance To Amend Chester County Ordinance No: 2018-10 The 2018-2019 Chester County Budget Ordinance, In Certain Limited Particulars Only.

Chairman Stuart stated this was in regard to the two School Resource Officers funding from the County and the School District funds the other two, the money stays the same, the first reading passed in September. County Attorney Winters stated that was correct, the money stays the same, the Sheriff has signed the MOU agreement that was approved by Council but has not been approved by the School District. Currently the school district and the sheriff department are working out differences. Councilman Oliphant stated our part is approved but the Sheriff and the School District will need to work their part out, this should be simple. Councilman Wilson asked if any changes to the MOU moving forward it would be brought back to Council. County Attorney Winters stated yes. Councilman Wilson encouraged the school district to see if this could be signed and sealed. County Attorney Winters stated she had recommended to the school district and the sheriff to do a separate contract to address the administrative duties that could be agreed on. Councilman Wilson motioned to approve to amend the budget ordinance, second by Councilman Jordan. Vote 6-0 to approve.

7. Old Business

- a. 3rd 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. Councilman Lucas motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.**

8. New Business

a. Special Presentation for Council Member Archie Lucas

This was moved to the beginning of the meeting.

b. Consideration of Leave Accrual – Chairman Stuart

Chairman Stuart stated currently the policy manual for Chester County allows County employees to carry over forty-five days of annual leave. If you have more than forty-five days at the beginning of the year you lose them, currently we have a lot of dedicated employees who has been with the County for a long time. A lot of officers and other employees cannot take their time due to being short staffed and wanted to make Council aware of this. County Attorney Winters stated the problem is the policy is use it or lose it, some of the positions can't take the time off

due to short staff or schedules. The other problem is all of this must be logged into the general ledger as a liability on the County. Councilman Oliphant stated what happens if they take the time. Chairman Stuart stated it depended on what department and if they were short staffed. Vice Chairman Branham stated he would hate for dedicated employees to lose their time and asked if something could be done to change the policy.

Treasurer Tommy Darby stated the forty-five days is the policy, anything over the forty-five days starting January 1 they lose it. The schedule shows as of November 30th, 2018 the total payout would be \$94,000 dollars what would be lost if employees did not take their days. Councilman Oliphant stated the employees should not lose anything they should take their time off even if it shuts a department down. Mr. Darby stated he makes his employees take their time, he does not want them to lose it. This does put a crunch on the other employees in his office trying to fill that empty slot. Every position is different such as emergency positions would be different as how they could take the time off and really is a supervisor and management issue.

County Attorney Winters stated department heads needs to be encouraged to manage their employees when it comes to taking time off. Councilman Oliphant stated he wanted to applaud Mr. Darby on his professionalism of doing an outstanding job. County Attorney Winters stated as a governing body a resolution could be drafted to extend this as a onetime vote, at the next meeting if Council agrees she could present a proposal to revise the policy manual for 2019. This would give employees who have over the forty-five days now time to take their days. After much discussion Vice Chairman Branham motioned approve leave accrual to be extended until March 31st, 2019, second by Councilwoman Guy. Councilman Lucas stated you don't fool with people's money. Chairman Stuart and County Attorney Winters stated they would notify Human Resource to send out a memo to County employees concerning this. Vote 6-0 to approve.

c. Lighting Project at Exit 65- Sylvia Jennings, Gateway Steering Committee

Sylvia Jennings, Chairperson for the Gateway Steering Committee stated they would like exit 65 to be where travelers want to return to and explore other opportunities the County has to offer. The CDA and private businesses raised money to purchase additional up lighting for exit 65, to light the area for travelers coming off of I-77. This will up light the trees and signage to make the exit more appealing. She asked if Council would pay the monthly bill since the funds to purchase the lighting had been raised. Chairman Stuart stated this could be taken out of the utility budget. Vice Chairman Branham motioned to approve, second by Councilman Oliphant. Vote was 6-0 to approve.

9. Boards and Commissions

a. Appoint Shannon Hyde to the Chester County Library Board- Council Member Oliphant-

Councilman Oliphant motioned to approve Shannon Hyde to the Chester County Library Board second by Vice Chairman Branham. Vote 6-0 to approve.

b. Removed from agenda at beginning of meeting. Appoint Jimmy Starnes to the Hazel Pittman Board-Council Member Brad Jordan

10. Executive Session-Councilman Jordan motioned to go into Executive Session, second by Councilwoman Guy. Vote 6-0 to approve.

a. Contractual Matter Concerning Inmates- City of Chester

b. To Receive Legal Advice based on the Purchase of Property

11. **Councils Action Following Executive Session-**Councilman Wilson motioned to go back to regular session, second by Councilwoman Guy. Vote 6-0 to approve.

a. **Action taken on a Contractual Matter Concerning Inmates-City of Chester**

Taken as information only.

b. **Action taken on Legal Advice based on the Purchase of Property**

Chairman Stuart motioned to move forward to purchase tax map number 122-01-04-001-000 for \$ 25,000 dollars for property adjacent to the Lando Fire Department, second by Councilman Oliphant. Councilman Wilson asked how many acres. Chairman Stuart stated one. Vote 7-0 to approve.

12. **Council Comments**

Chairman Stuart reminded everyone the parades for Richburg and Fort Lawn were Saturday, Dec 1st.

Vice Chairman Branham reminded everyone about the Championship game the Chester Cyclones will be playing at William Brice Stadium Saturday.

13. **Adjourn-**Councilman Jordan motioned to adjourn, second by Councilman Lucas. Vote 6-0 to adjourn.

K. Shane Stuart, County Supervisor & Chairman

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.