

# **CHESTER COUNTY COUNCIL MEETING MINUTES**

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

1476 J A Cochran Bypass, Chester, SC

Monday, February 3<sup>rd</sup>, 2020

### **MINUTES**

**Present:** Chairman Shane Stuart, Vice Chairman Joe Branham, Councilman Pete Wilson, Councilman Alex Oliphant, Councilman Brad Jordan, Councilman Mike Vaughn, County Attorney Joanie Winters.

**Absent:** Councilwoman Mary Guy and Clerk to Council Karen Lee were absent with prior notification.

1. **Call to Order** -Chairman Stuart called the meeting to order.
2. **Pledge of Allegiance and Invocation**- Pledge was recited in unison; Vice Chairman Branham gave the invocation.
3. **Approval of Minutes**-Approval of January 21<sup>st</sup>, 2020 Council Minutes. Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

#### **4. Citizen Comments**

Lawrence Miller of 808 Murdock Road, Richburg stated he would not sign the easement to widen Murdock Road since it would take away 15 to 20 feet of frontage on his property. It was not necessary to widen the road since there were only five houses past his property with very little traffic. A turnaround already exists there, and the road is 18 feet wide with two lanes. Mr. Miller stated a better use of the money could be used on Barbers Creek Road that has 27 houses and actually needs a better road.

Roxanne James, 3007 Steele Village Rd, Rock Hill stated improvements to the Rodman Ballpark could be a calling card to host traveling tournaments since there are nice hotels and restaurants are already in place. There would be a lot of money brought to Chester County if we had a nice recreation center.

Terry Morris, 5702 Shangri-la Lane, Fort Lawn stated the County has an ordinance that prohibits vehicles from parking in the SCDOT and County right of ways. Someone is parking in front of his property on the right of way, the right of way is used for utility purposes or emergencies. By law no one should be parking on the right of way and would like clarification concerning this law.

#### **5. Public Hearing**-Chairman Stuart opened the public hearing

##### **a. Needs and Assessment Hearing.**

Philip Thompson King, on behalf of Chester County Wastewater Recovery. Mr. King stated there need was to replace around 1300 feet of sewer line on Dawson Drive near the Law Enforcement Complex. Part of the pipe is compromised since some of it runs under the railroad track and Dawson Drive, engineers has stated the estimated to replace the lines was around \$750,000 dollars. The sewer line is a very important part of the infrastructure for Chester County.

##### **b. 3<sup>rd</sup> Reading of Ordinance 2020-1 An Ordinance to Renew the Chester Communications /dba/ as Truvista Franchise. No one signed up to speak.**

##### **c. 3<sup>rd</sup> Reading of Ordinance 2020-2 An Ordinance to Authorize the County of Chester, By Chester County Council, To Sell the Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein By Reference to Mr. F.G. Delleney, Jr. Upon Such Terms and Conditions As Described In The Agreement Of Sale That Is Exhibit B. No one signed up to speak.**

## 6. Ordinances/Resolutions/Proclamations

### a. Needs and Assessment Hearing-Grazier Rhea, Catawba Regional Council of Government.

Grazier Rhea stated in order to apply for the Community Development Block grant a needs assessment must be completed by Chester County. All applications must be submitted by March 16, 2020. The Community Enrichment and Neighborhood Revitalization applications must be submitted by September 18<sup>th</sup>, 2020.

### b. 3<sup>rd</sup> Reading of Ordinance 2020-1 An Ordinance to Renew the Chester Communications /dba/ as Truvista Franchise. Vice Chairman Branham motioned to approve, second by Councilman Jordan Vote 5-0 to approve.

### c. 3<sup>rd</sup> Reading of Ordinance 2020-2 An Ordinance to Authorize the County of Chester, By Chester County Council, To Sell the Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein By Reference to Mr. F.G. Delleney, Jr. Upon Such Terms and Conditions As Described In The Agreement Of Sale That Is Exhibit B. Councilman Oliphant motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

### d. 2<sup>nd</sup> Reading of Ordinance 2020-3- An Ordinance to Amend Chester County Land Development Regulations, Article 5 Minimum Design Standards. Councilman Jordan motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

### e. 2<sup>nd</sup> Reading of Ordinance 2020-5- An Ordinance To Authorize The County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Spratt Savings Bank Upon Such Terms And Conditions As Described In The Agreement Of Sale That Is Exhibit B. Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 4-0 to approve. Councilman Wilson recused himself, his brother serves on Spratt's Savings & Loan Board.

### f. 1<sup>st</sup> Reading of Ordinance 2020-4- An Ordinance to Prohibit Truck Traffic on Village Drive Councilman Oliphant stated Chester Freedom Ministries requested the signs to prohibit truck traffic since the church, school and senior housing were the only structures on Village Drive. Councilman Oliphant motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

### g. 1<sup>st</sup> Reading of Ordinance 2020-6- An Ordinance to Dissolve the Lando Rural Fire District; To Create the Lando Fire Protection District; To Provide for The Governance; To Create The Boundaries; To Provide for The Levy of Ad Valorem Taxes; To Provide for the Imposition of Fees; To Provide for The Issuance of Bonds; And Other Related Matters. Councilman Jordan stated the millage rate was insufficient to cover the needs of the district. Bond Attorney Michael Kozlerek stated Council's intent was not to change the boundaries but to address the millage to accommodate a real budget that currently does not permit the current growth in the area. He stated Council's intent was to have this in effect by July 1<sup>st</sup>, 2020 thru June 30<sup>th</sup>, 2021 in order to set the millage in the fall. Councilman Jordan motioned to approve, second by Councilman Oliphant. Vote 5-0 to approve.

## 7. Old Business

### a. Banners on Commerce Drive-Councilman Wilson

Councilman Wilson stated this was an opportunity to make improvements as far as the banners and how its handled. County Attorney Winters stated the proposed draft regarding the banners restricts to existing or building commercial/industrial establishments along Commerce Drive and the new proposed roadway. Councilman Wilson stated he would like to see other businesses be able to put up banners instead of select businesses. We have had someone complain about not being able to add their banner and wanted it to be fair for everyone. Attorney Winters stated the current flags were not governed by any other policy to the best of her knowledge and the current policy they have is proposed. The County Zoning Ordinance prohibits off premises advertising, the current banners are on County property therefore violating the Zoning Ordinance.

Councilman Wilson motioned to remove banners for private and nonprofit enterprises other than Chester County banners, second by Councilman Oliphant. Vote 5-0 to approve.

**b. Discussion Regarding the Mutual Aid Agreement between Richburg Fire Protection District and EMS-Attorney Winters.**

Attorney Winters stated she was waiting on EMS and Richburg Fire Protection District for any comments they may have regarding the agreement. Councilman Jordan asked if the requirements of half million dollars for the insurance was enough and would need to be addressed. Taken as information only until agreement was complete.

**c. Authorize the Appointment of Grievance Committee Members-Vice Chairman Branham**

Vice Chairman Branham motioned to appoint Nicole Hutchins, second by Councilman Oliphant. Vote 5-0 to approve.

**8. New Business**

**a. 1<sup>st</sup> Reading of CCMA20-01: Donovan M. Steltzner, ESQ request Tax Map # 107-00-00-001-000 located at 1704 Old Richburg Rd be rezoned from R2 (Rural Two) to LC (Limited Commercial).**

Vice Chairman Branham motioned to approve with the reverter clause, second by Councilman Vaughn. Vote was 3-2 to approve. Councilman Jordan and Councilman Oliphant opposed.

**b. Approval of Janitorial Bid to CleanNet of Charlotte in the amount of \$7,357.81 per month. – Susan Cok**

Councilman Wilson motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

**c. Actions Taken by the Chester County Transportation Committee Meeting Jan. 21<sup>st</sup>, 2020**

**1. Action taken regarding update on Baseball Alley.** Taken as information only

**2. Action taken regarding update on Ashford Street Sidewalk.** Taken as information only

**3. Action taken regarding update on Murdock Road Right of Way.** Taken as information only

**4. Action taken regarding Request to Reimburse the County Roads Department for Road Maintenance from August 23<sup>rd</sup>, 2019 to December 20<sup>th</sup>, 2019 in the Amount of \$22,676.93 dollars.**

Vice Chairman Branham motioned to approve, second by Councilman Oliphant. Vote 5-0 to approve.

**5. Action taken regarding Request to Reimburse the County Recycling Department for Sign Material from May 2019 to December 2019 in the Amount of \$2973.16 dollars.**

Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

**d. Discuss Changes in Voting Methods-Attorney Winters**

Attorney Winters stated the reason they had been asked to verbalize their votes because the meetings are broadcast live. People who have disabilities such as being blind cannot see when Council raises their hand to vote. Under the American Disability Act the County has an obligation to make reasonable accommodations to everyone. Chairman Stuart had reached out to TruVista to add closed captions to the meetings also.

**e. Discussion about PCASA Grant-Sheriff Dorsey**

Sheriff Dorsey stated he had met with Charlene McGriff, Executive Director of Palmetto Citizens Against Sexual Assault who provides counseling services and a huge asset to the Sheriff's Office.

Mrs. McGriff reached out to him to let him know they wanted to apply for a three-year grant to provide a sexual assault investigator for the Sheriff's Office and would be paid from the grant. If the grant money is approved the position would go into effect October 1<sup>st</sup>, 2020. Councilman Wilson motioned for Sheriff Dorsey to pursue the grant, second by Councilman Vaughn. Vote 5-0 to approve.

**f. Discussion about Federal Grant Opportunities-Sheriff Dorsey**

**1. COPS Micro-Grants**

Sheriff Dorsey stated this was for information only, the grant was a non-match grant, the deadline to apply March 11,2020.

**2. COPS Hiring Program**

Sheriff Dorsey stated the grant was designed to hire police officers, the federal government would fund 75% of the police salary and benefits. The County would be responsible for the vehicles, equipment and guns. This also would be a three-year grant with a match of 25%, he stated there was a twelve-month retention requirement. In July there were four frozen spots on the Sheriff's org chart, these positions will be open. He proposed to apply for six positions under this grant, the four frozen spots would come from the grant, this would allow them time to see how they can fund the frozen spots more appropriately.

Vice Chairman Branham motioned to give Sheriff Dorsey the approval to move forward with the COPS Hiring Grant Program, second by Councilman Jordan. Vote 5-0 to approve.

**3. Byrne Justice Assistance Grant**

Sheriff Dorsey stated this was a 10% match grant and plans to bring this back at a later date. This was taken as information only.

**g. Discussion about vehicle needs for the Sheriff's Office-Sheriff Dorsey**

Sheriff Dorsey stated he would like Council's approval to purchase 10 new vehicles for the sheriff's office not to exceed \$490,000 dollars. Currently there are open slots but plans to fill them with the funding they have but they don't have the vehicles to put them in. If approved he would purchase two narcotics vehicles, four detective vehicles, three patrol vehicles and an admin SUV vehicle. If this is approved this would leave them with four vehicles as spares and he realizes the money would have to come out of the County's savings. He stated he could not think of a more important matter as putting police officers on the street to protect our citizens.

Councilman Jordan asked if Council took from the general fund to pay for this could they do an allocation on the rolling stock bond to reimburse. Treasurer Tommy Darby stated that was one of the options discussed, the issue with that would be the other needs of the County. If Council decides to approve this using the fund balance it wouldn't negatively have an impact from a cash flow standpoint. Councilman Oliphant motioned to approve, second by Vice Chairman Branham. Treasurer Darby stated this would require three readings since the budget would be amended, County Attorney Winters stated that was correct. Vice Chairman Branham withdrew his second, Councilman Oliphant withdrew his motion. Sheriff Dorsey stated they would purchase new cars and follow the procurement process with Procurement Director Susan Cok. Councilman Oliphant motioned to approve first reading in title only to amend the budget for the purchase of ten new fully equipped police cars along with following the Counties procurement process, second by Vice Chairman Branham. Vote 5-0 to approve.

**9. Executive Session-Councilman Jordan motioned to go to Executive Session, second by Councilman Wilson. Vote 5-0 to approve.**

- a. Receive Legal Advice Regarding Economic Development Matter.
- b. Discuss Economic Development Project 1964.
- c. Discuss Contractual Matter with AACE.
- d. Discuss Sharp Printing Service Contract.
- e. Receive Legal Advice on Tax Reassessment.

- 10. Council Actions Following Executive Session-** Councilman Jordan motioned to go back to Regular Session, second by Councilman Wilson. Vote 5-0 to approve.
- a. Action Taken Regarding Legal Advice on Economic Development Matter.** Taken as information only.
  - b. Action Taken Regarding Economic Development Project 1964**  
Chairman Stuart motioned to allow Jeff Burgess to continue to negotiate with Project 1964, second by Vice Chairman Branham. Vote 5-0 to approve.
  - c. Action Taken Regarding Contractual Matter with AACE.** Taken as information only
  - d. Action Taken Regarding Sharp Printing Service Contract.**  
Chairman Stuart motioned to renew the contract with Sharp for the leased equipment in the amount of \$ 5554.56 dollars, second by Vice Chairman Branham. Vote 5-0 to approve.
  - e. Action Taken Regarding Legal Advice on Tax Reassessment.** Taken as information only
- 11. Council Comments**  
Chairman Stuart reminded everyone to go out to vote tomorrow.  
Vice Chairman Branham asked to include on the next agenda parking on the right of way.
- 12. Adjourn-**Councilman Jordan motioned to adjourn, second by Councilman Oliphant. Vote 5-0 to adjourn.

**Time:** 9:45 PM.

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K. Shane Stuart, County Supervisor & Chairman

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Karen Lee, Clerk to County 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