

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

February 4th, 2019 at 6:00 PM

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

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 opened with the invocation.
3. **Approval of Minutes-**January 22nd, 2019- Councilwoman Guy motioned to approve as written, second by Councilman Jordan. Vote 6-0 to approve.
 - a. **Amend the Approval of the December 3rd, 2018 minutes-** Clerk to Council Lee stated the minutes would need amended due to the fact Councilman Vaughn was not on Council December 3rd, 2018 and could not vote to approve them. Chairman Stuart motioned to approve to amend the minutes, second by Councilwoman Guy. Vote 5-0 to approve. Councilman Vaughn did not vote.

4. Citizen Comments

Joe Hall, 1012 Shoreview Drive, Chester, SC stated he had lived at this residence for eleven years. Currently works with the Charlotte Fire Department and a member of the national guard. Mr. Hall stated his neighbors has a right of way for land to be used for livestock and horses, the property is not being used for what the easement states. The property now is being used for hunting, dirt bike riding and atv's and shooting. He stated a DNR representative looked at the property and confirmed it was a civil matter not a criminal matter, they could not be charged for anything since they have permission to be on the land. Mr. Hall's problem is they are not using the land for what they were given permission to use it for. Since the lease will go on forever if the County was ever interested in selling the land they own around it buyers would have to go through the owners of the easement to get to their property.

Chris Collinge, 529 Pall Mall Rd, Chester, SC stated the animal shelter needs to establish a licensing system in the County to keep the animals where they are supposed to be if they get lost. This would also keep records of animals that have been neutered or have had shots. Ms. Collinge stated since July of last year workers at the shelter does not answer questions and some transparency needs to be established.

Tina Watson, 507 Bernice Lane, Richburg, SC stated she was the operator of My Dog House Rescue, she had spoken to Shane Stuart in November concerning things happening at the shelter. She stated she has been volunteering and pulling dogs there for twelve years and supplying the shelter for the last two years with dog food. In the past year she has not felt appreciated and had only pulled four dogs. After her discussion with Mr. Stuart of her concerns she received a certified letter from him stating following up on the meeting we had indicated you no longer wanted to volunteer or contribute free dog food to the animal shelter. Ms. Watson said she never said she did not want to volunteer again, she stated in their discussion she was stepping away for a while, the letter also stated since she was no longer volunteering her volunteer waiver agreement she had signed was terminated and the animal shelter would no longer use My House Rescue for adoption considerations. Mr. Stuart done this all on his own by terminating her pulling privileges. By him doing this she will not be able to help the animals. She stated she felt like when she voiced her concerns of what was going on at the animal shelter her volunteering and pulling

privileges were taken away. She stated other rescue groups are leaving because of the way they are being treated at the animal shelter as well.

5. Ordinances/Resolutions/Proclamations

a. Resolution # No. 2019-4 Resolution Amending (A) Resolution No. 2017-5, Adopted by County Council on May 1, 2017, As Amended by Resolution No. 2017-7, Adopted by County Council on May 15, 2017, And (B) Resolution No. 2018-10, Adopted by County Council on August 20, 2018, Regarding the Expenditure of Funds Under A Program of General Obligation Borrowing For Rolling Stock and Other Capital Items; And Other Related Matters.

Chairman Stuart stated they found several items from the last two years from the annual bond where funds had been met but also had funds left over. He proposed the resolution to reallocate the funds to the animal shelter for more improvements. He stated this would cover improvements for more kennels and office space.

Councilman Oliphant stated they have all talked about the long run of the animal shelter, most would affirm a new animal shelter should be built. Also, the shelter should be built at a different location, currently that's a few years off but will try to do it on the one cent sales tax. He stated he does not mind spending money on the shelter to help animals but also doesn't want to waste it. The improvements right now are necessary to protect the animals and help adopt them out.

Chairman Stuart stated to meet the improvements in the back of the shelter would include office space, more kennels along with the purchase of a couple of shipping containers to store food. A shipping container has already been purchased for cats and would like to purchase cat condo's which is stainless steel pins for cats. These items are movable so when the new shelter is built they can be transported there. Vice Chairman Branham stated the total fund for the left-over projects was \$127,117.18 and asked if this would cover the cost of what needs to be done.

Chairman Stuart stated currently the bid from the Dennis Corporation for improvements for the rear shelter were around \$88,000 to \$90,000 dollars, once the bids go out the price could too but should be covered under improvement fund if approved.

Councilman Wilson asked how much money is set aside from the current one cents sales tax for the office space. Chairman Stuart stated around \$44, 000 to \$55,000 dollars was left and must be spent toward the office space. Councilman Wilson stated he hears a lot of talk of when the new animal shelter would be built, and asked Chairman Stuart did he have a realistic time line. Chairman Stuart stated if voters in 2020 agree to a one cents sales tax it would be around seven years. Vice Chairman Branham stated its according how the list is prioritized, if the shelter is at the top of the list it can be done in the first year.

Councilman Wilson asked if the lower shelter would be demolished. Chairman Stuart stated yes, he plans to bring it back to Council for approval to demolish it, the new shelter would be around the same square footage as the lower shelter and be climate controlled. Chairman Stuart motioned to approve, second by Councilman Oliphant. Vote 5-1 to approve. Councilman Wilson opposed.

b. Resolution # 2019-5 A Resolution to Transfer Funds from The Grant Matching Account into The Contingency Fund.

Chairman Stuart stated this money would be used for the radio study Don Woods spoke of at the last council meeting. Councilman Oliphant stated it should address all radio concerns ems, fire and the sheriff. Chairman Stuart stated the study would be an independent professional that doesn't have any money tied to the radios. The report will be given to Doug McMurray, Director of 911 along with Don Wood. Vice Chairman Branham stated if Don is involved in this it would be handled right. Councilman Wilson stated during Mr. Wood's presentation the study showed how other counties improved their existing radios for the time being. And hope this would be the case for Chester. Chairman Stuart motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

6. Old Business

a. 2nd Reading of CCMA19-01: Allen Douglas Josey request Tax Map # 106-00-00-095 000 located at 2605 Kee Moore Drive, Chester SC, be rezoned from GC (General Commercial) to ID-1 (Restricted Industrial) Planning Commission voted 4-0 to approve. Councilman Oliphant motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

b. 2nd Reading of CCMA19-02: Mahendra Patel request Tax Map # 124-00-00-013-000 located on Lancaster Highway in Richburg SC, be rezoned from R2 (Rural Two) to RS-1 (Single-Family) Planning Commission voted 4-0 to approve. Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

c. 2nd Reading of CCMA19-03: Mahendra Patel request Tax Map # 124-00-00-052-000 located on Lancaster Highway in Richburg SC, be rezoned from R2 (Rural Two) to RS-1 (Single-Family) Planning Commission voted 4-0 to approve. Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

d. Atax Breakdown Commitments- Chairman Stuart.

Chairman Stuart stated currently the available balance is \$133,138.05 dollars, the total amount in the Atax is \$ 283,138.05 with a commitment of \$ 150, 000 for the district tract that had been discussed. Averaging approximately \$8000 dollars per revenue per month from the accommodation tax. Councilman Oliphant stated \$75,000 could go toward Carolina Thread Trail to purchase the rail. If CSX would be a good corporate citizen maybe they would give the property to them or give them a better deal. Councilman Vaughn motioned to allocate \$75,000 dollars for the use of the thread trail purchase should it be needed in contingency, second by Councilman Oliphant. Vote 6-0 to approve.

e. Update regarding the Gateway expansion and the spec building. - Karlisa Parker-Dean

Mrs. Dean stated in 2018 Chester finished with 62 project opportunities with 32 being active. 17 opportunities were declined because the County did not have a building to offer. She stated Southside Constructors started on November 8th, 2018 mobilizing and commencing renovations in the Economic Development offices and the Gateway Conference Center and changes outside and should be finished in August. The Gateway Spec building markup was sent to GITI tire's attorneys who are finalizing but will be reviewed by County Attorney Winters. Hopefully GITI will turn in the ground lease to the County to get started on the spec building. Council had already approved 100,000 square foot expandable building. Chairman Stuart stated the voters approved the spec building in 2014. Mrs. Dean stated the building would be located next door on a twenty-two-acre parcel beside Sun Fiber.

Chairman Stuart stated he would like for Mrs. Dean to clarify why no businesses had moved into the old Katherine Plant or Hwy 321 Industrial Park. Mrs. Dean stated she had shown the Katherine plant to around

twenty potential clients in the past few years with none of them being interested. The major problem is the height of the ceilings at 17 feet, most clients prefer a minimum of 34 feet to a 40-foot roof. There had been talk about raising the roof, a company out of Georgia who specializes in this had stated tear it down. Many old textile mills have tunnels running underneath the plant that would create a liability that companies are not interested in taking on. The Springs Close plant has received a lot of interest but the hang up there is Springs Close plant will only do lease agreements only until 2030. Clients have asked them if they would do a right of refusal deal only to be told no. The industrial park on Hwy 321 is the location, clients want everything to be within a six-mile radius of I-77, every mile is money to them.

Councilman Wilson stated GITI owns the property where the spec building will be located, and the County will be leasing the land. Mrs. Dean stated yes until 2020, GITI had done a 1031 exchange. Councilman Wilson stated until 2020 we will still have the rights to build on the property. He also asked when the bidding process would start. Mrs. Dean stated as soon as the land lease is signed, she did not want to spend any money on the property until she knew the lease could be signed. Councilman Wilson stated Carlisle and Associates are designing the building and requested to see the bid document before it was released to bid on. He also asked if there would be multiple bids. Mrs. Dean stated there would be. Councilman Wilson stated he recalled only three bids from the last project which made the cost go up. He stated again he would like Council to see the bid document before it was released. Council accepted this as information.

7. Boards and Commissions

Councilman Brad Jordan-Consent Agenda

- a. Reappoint M.S. Patel to the Accommodation Tax Commission
- b. Reappoint Wayne Goodyear to the Airport Commission
- c. Reappoint David Wayne Loftis to the Tax Assessment Commission
- d. Reappoint Vern Terry to the Lando Rural Fire Commission
- e. Reappoint Jamie Bowman to the Lando Rural Fire Commission
- f. Reappoint Catherine Gaston to the Lando Rural Fire Commission
- g. Reappoint Richard Miller to the Lando Rural Fire Commission
- h. Reappoint Shirley B. Brice to the Lando Rural Fire Commission
- i. Reappoint Roseann Hicklin to the Library Board
- j. Reappoint Nathan Smith to the Planning Commission
- k. Reappoint Jerry W. Thomas to the Parks and Recreation Commission
- l. Reappoint William Beard to the Chester Rural Fire Commission
- m. Reappoint William C. Gladden III to the Richburg Fire Protection District.
Councilman Jordan motioned to reappoint a thru m, second by Vice Chairman Branham. Vote 6-0 to reappoint and approve.

Councilwoman Mary Guy-Consent Agenda

- a. Appoint Robert L. Edwards to the Rural Fire Commission
Councilwoman Guy motioned to appoint Robert L. Edwards, second by Councilman Wilson. Vote 6-0 to appoint Mr. Edwards to the Rural Fire Commission.
- b. Reappoint Cheryl Addison to the Accommodation Tax Commission
- c. Reappoint Henry Sanders, Jr to the Tax Assessment Appeal Board
- d. Reappoint Marlyne Walker to the Chester County Library Board
- e. Reappoint James R. McNeil to the Parks and Recreation Commission
- f. Reappoint Lawrence Brown to the Hazel Pittman Board
- g. Reappoint Willie J. McCree to the Construction Board of Appeals Board
- h. Reappoint Carolyn Williams to the Planning Commission
- i. Reappoint Wallace Hayes to the Zoning Board of Appeals Board

Councilwoman Guy motioned to reappoint b thru i, second by Councilman Oliphant. Vote 6-0 to reappoint b thru i. Vote 6-0 to reappoint and approve.

Vice Chairman Branham

a. Reappoint Odell Steele to the Richburg Fire Protection District.

Vice Chairman Branham motioned to reappoint Odell Steele to the Richburg Fire District, second by Councilwoman Guy. Vote 6-0 to reappoint and approve.

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

a. Receive Legal Advice Concerning County Owned Property

b. Receive Legal Advice Concerning Lawsuits Against the County

**9. Council Actions Following Executive Session- Councilman Jordan motioned to go back to Regular Session,
second by Councilwoman Guy. Vote 6-0 to approve.**

a. Action taken Regarding Legal Advice for County Owned Property. Taken as information only.

b. Action taken Regarding Legal Advice on Law Suits Against the County. Taken as information only.

10. Council Comments-No comments from Council

11. Adjourn-Councilwoman Guy motioned to adjourn, second by Councilman Jordan. Vote 6-0 to adjourn.

Time 7:40 pm.

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.