



## **CHESTER COUNTY COUNCIL MINUTES**

Held at Fort Lawn Community Center  
Monday, March 20, 2017-6:00 P.M.

### **Members Present**

Chairman Shane Stuart  
Council Member Brad Jordan  
Council Member Archie Lucas  
Council Member Alex Oliphant  
Council Member Pete Wilson  
Council Member Mary Guy (arrived at 6:12 pm)  
County Attorney Joan Winters  
Clerk to Council Karen Lee

**I. Call to Order**-Called to Order by Chairman Stuart at 6:00 pm.

**II. Pledge of Allegiance & Invocation**-Invocation and Pledge was recited in unison.

### **III. Approval of Minutes**

1. March 6, 2017 – Regular Chester County Council Minutes

Council Member Lucas motioned to approve as written, seconded by Council Member Wilson.  
Vote was 4-0 to approve as written.

### **IV. Citizen Comments**

Jackie Kyle thanked Council Member Oliphant for the information he presented at the March 6, 2017 Council meeting concerning Solid Waste. She stated Council had made her aware of donations to the Animal Shelter that were put into the General Fund and asked if a policy change could be implemented to change this so the donations could go to the actual use for what they were intended for. Mrs. Kyle suggested adding to the County website where the donations are going and what they are being used for. She went on to say that court-held dogs generate fees per day and some of the donations being sent in should be used for that. The dogs are held in small spaces for years and reiterated to Council how much a new facility for the animals is needed.

**V. Public Hearing**-None

**VI. Ordinances/Resolutions/Proclamations**-None

**VII. New Business**

1. Special Recognition of heroic actions made by a citizen and members of the Chester County Fire Service. Firefighter Carl Paquin, Firefighter Lewis Loftin and Firefighter Perry Clanton from Lancaster County and Leon Hernandez.

Chairman Stuart read aloud a letter sent to him from Richburg Fire Chief John Agee.

On 10 February 2017 Chester County 911 dispatched as the first alarm the Lando, Fort Lawn & Richburg Fire Departments to 5054 Harmony Church Road. The dispatch was for a working structure fire with confirmed entrapments.

The structure fire location was in the Lando coverage area with Fort Lawn and Richburg arriving as mutual aid departments. The first due in engine was Lando Engine 410 and Lando establish the Incident Command. The IC requested a 2<sup>nd</sup> alarm for the Lesslie Fire Department from York County. The initial search and rescue were made by 2 firefighters entering the side doorway where Mr. Foster had been rescued by Mr. Hernandez a next door neighbor. This search by these 2 firefighters were unable to locate Ms. Foster.

The IC directed these same Firefighters to reenter the home through the front door and attempt another search for Ms. Foster. As the 2 Firefighters were preparing to enter the IC assigned a 3<sup>rd</sup> Firefighter to the search team with an attack line to try and knock the fire down so a search could be conducted. The area they were to search was on fire and extremely hot and dangerous.

Firefighters Paquin, Loftin and Clanton entered the structure without hesitation and knocked the fire down. They were then able to locate and bring Ms. Foster to a window and pass her out to safety. The action of these men reflects great credit upon themselves and the Fire Services of Lancaster County, Chester County and of The Firefighters of South Carolina.

Chairman Stuart and Council presented to Leon Hernandez a Citizenship Award plaque for the bravery he showed in his efforts in rescuing Mr. Foster. Emergency Management Director Eddie Murphy accepted the award on behalf on Mr. Enandez who could not attend the meeting.

Firefighter Carl Paquin, Firefighter Lewis Loftin, Firefighter Perry Clanton were also presented with plaques for their heroic actions, dedication and service to our grateful community Chester County. Chairman Stuart said what makes this unique is these are volunteers and when we dial 911 they are leaving their family to answer the calls for service.

2. Report on Parks & Recreation Committee Meeting- Council Member Jordan

Council Member Jordan stated an organizational meeting was held March 13, 2017 at 6:00 pm on Parks and Recreations. He and County Supervisor Shane Stuart, Robert Hall, Building Maintenance was present along with Jamie Wooten, Wade Young, James P. McNeil and Jerry Thomas. Dr. Angela Bain from the School District and County Attorney Joan Winters was also present. Council Member Jordan stated Dr. Bain reported on the new district tract

proposal Council heard last week. Robert Hall reported on where all the parks were located in the County. He stated issues were discussed on leasing parks in Great Falls and the maintenance for other parks. Jamie Wooten was nominated and elected Chairman, Jerry Thomas was elected as Vice-Chairman along with Wade Young as Secretary. The next meeting will be held April 24, at 6:00 pm, he stated the Recreation Committee has been formed, one or two appointments were not at this meeting but hope they will be able to attend the upcoming meeting.

## **VII. Old Business**

### **1. Trash on County Roads**

Chairman Stuart stated the roads belong to the State, and the County supplements by paying detention officers to go out with work crews to pick up trash on the roads two or three times a week depending on the budget. The vehicle still belongs to the County but, the ownership has never been transferred over to the Sheriff, but he still represents the County as well. He also stated Karlisa Dean, Chester County Economic Director avoids certain areas in the County when driving potential clients to sites. Tickets are not written for a number reasons, first the officer has to actually see someone littering. He also stated Code Enforcement Officer T. J. Martin has assessed fines up to \$5000 dollars recently, currently there about \$10,000 dollars in active tax liens for nuisance and abatement.

Council Member Oliphant stated under the organization charts there are two litter control positions, he asked if they go out and pick up litter. Chairman Stuart stated there are two positions in litter control but their jobs have evolved over time, they handle recyclables, they also work with the recycling centers to make sure they are flowing. They pick up big items such as mattresses and chairs among other things and put up street signs. Council Member Jordan asked what areas were being targeted for trash pickup. Chairman Stuart stated they had had request for McCandless Road, and they already picked up thirty bags on Moffitt Creek Road. He stated they try not to put them out on busy roads since it would a danger to the officer and the work crews. Council Member Jordan asked if a road was requested to be picked up who would be the contact person if a citizen was requesting this. Chairman Stuart stated they can contact Sharon Bickett, Recycling Coordinator, he also stated you can load the County app on your cellphone which will have all the contact information. In addition, if a house or yard has garbage, trash or overgrown grass you can also call TJ Martin, who would go out and address the situation.

**IX. Boards and Commissions**

**1. Appointment- Council Member Oliphant**

**a. Appoint Nettie Archie to the Catawba Regional Council of Governments**

Council Member Oliphant motioned to appoint Nettie Archie to the Catawba Regional Council of Governments in the minority position, seconded by Council Member Guy.

Council Member Guy stated she wanted it noted that Mrs. Archie was in District five, and the person before her was from district five as well. Council Member Lucas stated he had nothing against Mrs. Archie personally but, he thought she does not have the experience to serve on this board. That was his personal opinion and thought a lot about Mrs. Archie, that they went back a lot of years from his time on council. He went on to say the other nominee for this position was very well trained with experience in governmental decisions concerning this county. Vote was 4-1 to approve. Council Member voted against.

**b. Re-appoint Karen Whitesides to the Tax Assessment Appeals Board.**

Council Member Oliphant motioned to re-appoint Karen Whitesides to the Tax Assessment Appeals Board, seconded by Council Member Wilson. Vote was unanimous.

**2. Appointment- Council Member Wilson**

**a. Appoint Les Shugart to the Airport Commission**

Council Member Wilson motioned to approve Les Shugart to the Airport Commission, seconded by Council Member Oliphant. Council Member Wilson stated Mr. Shugart had been attending meetings for a while but hasn't been made official by an appointment. He stated Bobby Holcombe has previously served but overtime Mr. Holcombe retired from his position. Council Member Wilson also stated Mr. Shugart is qualified and has interest in the Airport Commission, this is something (appointments) we do as a group not by district. Vote was unanimous.

**3. Appointment- Vice-Chairman Branham**

**a. Appoint Jim Fuller to the Catawba Regional Council of Governments**

Chairman Stuart motioned to appoint Jim Fuller to the Catawba Regional Council of Governments, seconded by Council Member Jordan. Council Member Lucas stated he wanted to make a point and follow up on what he had previously said. Jim Fuller has been with the Chamber of Commerce for ten years and has experience of what goes on in the County. Vote was unanimous.

**X. Executive Session- Council Member Guy motioned to go into Executive Session, seconded by Council Member Jordan. Vote was 5-0 to approve. Time was 6:30 pm.**

1. To Receive Legal Advice Concerning RICOH Copy Machines
2. To receive legal advice for Southeastern Petroleum
3. To Receive Legal Advice Concerning Solid Waste Bid Proposals

**XI. Councils Action Following Executive Session- Council Member Lucas motioned to go back to regular session, seconded by Council Member Guy. Vote was 5-0 to approve. Time was 8:20 pm.**

**1. Action Taken on Legal Advice for RICOH Copy Machines**

Council Member Jordan motioned to pay off the judgment of the old lease of the copy machines and take care of it as soon as possible, seconded by Council Member Oliphant. Chairman Stuart stated this was a judgement from 2011 for over \$64,000 dollars from RICOH Copy Machines (CIT Vendor) since they have not been paid it is now \$94,994.08. He asked Council Member Jordan if that is what he meant in his motion. Council Member Jordan stated yes. Council Member Oliphant asked when was the contract originally signed. County Attorney Winters stated she was not sure but thought it was around 2007 or 2008. There was a quote sent out by the County for copiers, it asked for new equipment, not used. The purchasing director at the time accepted the bid from RICOH copiers which was the lowest bid. The contract presented stated the equipment would be used and refurbished. When the copiers were delivered many of them had high copy counts on them. Some worked and some didn't and the ones that did work did not work all the time. The County purchased new ones and placed the RICOH copiers first in the hallways and then in a back room. The County was found to be in breach of contract because CIT was not the manufacturer nor seller of the copiers. She stated Chester County does not dispute that the lease is a non-revocable financing lease, but does admit they stopped making payments on the lease. Chester County simply indicates that the copiers it purchased were defective, which was the reason for withholding payment. The County did reach out to legal counsel for CIT to see if they could settle for a lesser amount, but did not get a response. Council Member Oliphant stated he was not aware that there was a judgment that had to be paid and was not paid, and thought no one else on Council knew either. Vote was unanimous to pay \$94,994.08 to RICOH Copy Machines.

**2. Action Taken on Legal Advice for Southeastern Petroleum**

No action was taken, information only.

**3. Action Taken on Legal Advice Concerning Solid Waste Bid Proposals**

No action was taken, information only.

**XII. Council Comments**

**XIII. Adjourn**

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**K. Shane Stuart, County Supervisor  
and 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**