



CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, April 17, 2023 at 6:00 PM

MINUTES

Present: Chairman Branham, Vice Chairman Wilson, Councilman Vaughn, Councilman Guy was on zoom, Councilwoman Mosley, Councilman Agee, Councilman Killian, County Administrator Hester, County Attorney Winters and Clerk to Council Lee.

1. **Call to Order**-Chairman Branham called the meeting to order.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison; Councilman Vaughn gave the invocation.

Chairman Branham called for a motion to remove agenda item 8.c to the May 1st meeting. Councilman Vaughn motioned to move 8.c from the agenda to May 1st meeting, second by Councilman Wilson. Unanimous vote.

3. **Approval of Minutes**
 - a. **April 3rd, 2023 Minutes.** Councilman Agee motioned to approve, second by Councilman Vaughn. Unanimous Vote.
4. **Citizen's Comments**
5. **Public Hearing**-Chairman Branham opened the public hearing.

a. **3rd Reading of 2023-6** An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County, South Carolina And Albemarle U.S., Inc. Previously Identified As Project Raven With Respect To Certain Economic Development Property In The County, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes, Including The Provision Of Payments For Certain Investments In Infrastructure And Providing For The Inclusion Of The Company Or Companies Property In A Multi-County Industrial And Business Park; And Other Matters Related Thereto.

Scott Rice of 4627 Betty Dixon Rd, Richburg, SC reminded Council to include the wooded setback they approved from a few meetings back.

Chairman Branham closed the public hearing.

6. Ordinances/Resolutions/Proclamations

a. **3rd Reading of 2023-6 An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Chester County, South Carolina And Albemarle U.S., Inc. Previously Identified As Project Raven With Respect To Certain Economic Development Property In The County, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes, Including The Provision Of Payments For Certain Investments In Infrastructure And Providing For The Inclusion Of The Company Or Companies Property In A Multi-County Industrial And Business Park; And Other Matters Related Thereto.** Councilman Vaughn motioned to approve, second by Vice Chairman Wilson.

Bond Attorney Kozlarek stated this was approximately \$1.2 billion investment from Albemarle corporation of US Inc. Approximately 307 jobs he gave more specifics about the project information itself. There are other questions, but I believe Mr. Agee has questions about the annual fee payment that's estimated come from a company although that amount is we've talked about with other projects before other than solar which is a little bit different. ramps up over time, with the estimated initial payment being approximately \$300,000. The average payment over the 40-year period is much longer than that but effectively over the 40-year period is about \$3.7 million a year. There are years where it is much higher than that there are years obviously where it is much lower than that so please understand that is truly just a mathematical average in the middle third of the projected as a middle third about year 10 through about years 30 or so that number is about \$2.2 million per year. So, the earlier portion is going to be lower tracking upward to about \$2.2 million, which will then remain more or less level for a large portion of the agreement. And then at the end of the agreement as the special source revenue credit begins to track downward that number from the company would go upward. And also, as assets begin to become subject to ad valorem tax again instead of the fee in lieu of tax agreement. But again, the very rough overall average is about \$3.7 \$3.8 million based on the current investment estimates that we have. Vice Chairman Wilson stated they had initially discussed having a berm instead of keeping the woods that are currently there. He stated after listening to public input they had at previous meetings, Council decided to ask the company to keep the wooded area along Bryant Corner Road. Vice Chairman Wilson withdrew his second, Councilman Vaughn withdrew his motion. Councilman Vaughn motioned to approve third reading with the addition the company would leave the trees versus a berm for noise mitigation, second by Vice Chairman Wilson. Unanimous vote.

b. **2023-10 A Resolution Authorizing An Amendment To The Master Agreement Governing The York-Chester Industrial Park ("Park") To Increase The Park's Boundaries To Include Certain Real Property Located In Chester County; And Other Related Matters (Project Raven).** Vice Chairman Wilson motioned to approve, second by Councilman Vaughn. Unanimous vote.

c. **2023-11 A Resolution to Approve Settlement and Allocation Agreements in the South Carolina Opioid Litigation Matter.** Attorney Winters stated this was the second settlement, the first one was approved last year. She said she was not sure if Chester had received any money yet, but they were starting with larger counties first. The same would happen with this settlement, this one was with pharmacy chains and was around \$17 billion dollars and paid out over a period of years and not a lump sum. It had not been decided how much each county would get because it depended upon how many counties' political subdivisions enter into the agreement. She gave a rough percentage at 0.394796211% of the total settlement amount that would be given to all the counties that entered into the settlement agreement. Rough estimate if it's 100 million Chester County would receive around \$395,000 dollars. The money must be spent on certain things. A lot of this money goes to education assistance like first responders. She stated the sheriff had been part of the committee working with Hazel Pittman on how to disperse this money. Councilman Agee motioned to approve, second by Councilwoman Mosley. Unanimous vote.

7. Administrator’s Report- Administrator Hester

Administrator Hester stated he would sign the documents needed to put Chester County into the opioid settlement agreement after the meeting. The meeting was being streamed on the county website along with Facebook and YouTube. The meetings on the county website would be archived, you would go to the council page, you should see another button that says “archive”. The meetings would be listed in order starting with tonight’s which would take you directly to YouTube. He stated there was another community app, which a lot of people don’t use, he plans to let that contract expire due to the fact the cost of it went up by 300%. He gave an update on the Gateway Steering Committee, he met with them April 5 and April 14 to clarify questions he had with the priorities that were presented to Council. Both meetings were productive, they are putting together some revisions to their Enabling Act that he thought would suit their members as well as County Council and County Administration. He planned to hold another meeting with them to finalize the revised priorities at the May 15 meeting and to see if Council wanted to move forward. He also stated one of the A/C units went down at the Gateway, EDD Director Long was looking to secure other funds to have it fixed. The initial budget meetings ended Friday, he and Treasurer Darby would be going over all the proposals and requests in the next couple of weeks to prepare for upcoming budget workshops.

8. New Business

a. Approval to use Blue Avenue as a vendor for a new Chester County Tourism Website using Economic Development FILOT funds. - Kris Phillips. Mr. Phillips stated they had been working with a Tourism Committee along with other leaders in the area. It was pointed out to them the County needs a catch all website. Several bids were solicited, Blue Avenue was also doing the rebranding for Economic Development and design work for the website. Their cost was \$20,000 dollars to design the website, the funds would come from economic development FILOT funds. He stated some of the other vendors were a little cheaper upfront but had monthly maintenance fees that ranged between \$500 to \$2000+ dollars. Once the website was running the economic team would maintain it. If other issues came up they couldn’t fix they would reach out to Blue Avenue, instead of having monthly maintenance fee, they would charge by the hour at \$150 dollars. Kimberly Starnes, Gateway Event Coordinator stated Representative Randy Ligon had purchased a URL and was giving it to Chester County. The website was www.DiscoverChesterSC.org, she thought he had also bought .com also. Councilman Vaughn motioned to approve, second by Councilwoman Mosley. Unanimous vote.

b. Lando Fire Department is requesting permission to use left over monies in the amount of \$ 9792.00 dollars to paint the interior of the fire department. - Jamie Bowman. Councilman Agee motioned to approve, second by Vice Chairman Wilson. Unanimous vote.

c. REMOVED Rural Fire is requesting to transfer remaining grant match funds in the amount of \$42,824.12 dollars to purchase rechargeable batteries for Self-Contained Breathing Airpack’s within the county. - Meghan Brewer.

9. Boards and Commissions

a. Appointment to Assessment of Appeals Board. - Councilwoman Mosley. Councilwoman Mosley motioned to appoint Chriss Flynn, second by Councilman Killian. Unanimous vote.

10. Executive Session

Councilwoman Mosley motioned to go into executive session second by Councilman Killian. Unanimous vote.

a. To discuss Project 2247. Administrator Hester.

b. To receive legal advice regarding potential litigation. Attorney Winters.

- c. To receive legal advice regarding potential litigation. Attorney Winters
- d. To discuss a contractual matter regarding the County Administrator. Administrator Hester.

11. Council Actions Following Executive Session

Councilwoman Mosley motioned to go back to regular session second by Councilman Killian. Unanimous vote. Councilman Guy was not present for votes on action items.

a. Action taken regarding Project 2247.

Chairman Branham motioned to move forward with Mr. Hester and economic development with project 2247 to pursue looking into the SSRC agreement, second by Councilman Vaughn. Unanimous vote.

b. Action taken regarding potential litigation. Taken as information.

c. Action taken regarding potential litigation. Taken as information.

d. Action taken regarding a contractual matter.

Councilman Killian motioned to give Administrator Hester \$649 a month for car allowance, second by Councilman Agee. Unanimous vote.

12. Council Comments

Councilman Vaughn stated the Fort Lawn Community Center was asking for volunteers on Thursday to help unload two truckloads of food along with some clerical work. He stated if anyone was interested in helping to be there at 10am it should be done by 2pm.

Councilman Agee stated Easter weekend was very busy and he thanked the fire and emergency services for all they did.

Vice Chairman Wilson stated Jimmy Starnes and Ronnie Stephenson passed away. They were both a big part of Chester County and asked to keep their families in their prayers.

13. Adjourn

Councilwoman Mosley motioned to adjourn, second by Councilman Vaughn. Unanimous vote.

Time: 9:45 PM

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.