

SPECIAL CALLED
CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, June 13th, 2022 at 9:00 AM

Agenda

1. **Call to Order**
2. **Approval of Minutes**
 - a. June 2, 2022 Special Called Council Minutes.
 - b. June 6, 2022 Council Minutes.
3. **Ordinances/ Resolutions/Proclamations**
 - a. **2nd Reading of 2022-10** Amending Ordinance No. 2021-16, which provides for the use of ARPA funds, to include funding premium pay for county employees: and other related matters.
4. **Adjourn**

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.

SPECIAL CALLED

CHESTER COUNTY COUNCIL MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Thursday, June 2nd, 2022 at 11:00 AM

MINUTES

Present: Interim Chairman Dr. Frederick, Councilman Jordan, Councilwoman Guy, Councilman Vaughn, Councilman Wilson, County Attorney Winters, and Clerk to Council Lee. **Absent:** Vice Chairman Branham and Councilman Killian.

1. **Call to Order- Interim Chairman Dr. Frederick called the meeting to order.**
2. **Discussion regarding Great Falls EPA Assessment.**

Councilman Vaughn stated he had received a call from Gail Jeter of Cardno Environmental Consultant who was working on the number three mill property in Great Falls. The town of Great Falls had accepted the property assuming the environmental assessments had been completed but hadn't. They are ineligible to apply for an EPA assessment. They have asked the County to be the agent to apply or the assessment. To his understanding this is a formality and asked Gail Jeters to answer any questions Council should have.

Mrs. Jeters stated they have developer interest in Great Falls mill sites. To move forward the assessment for number 2 and 3 would have to be completed. The assessment for number one mill had been completed with the town taken title under the voluntary cleanup contract with DHEC. Great Falls had applied for a brownfield assessment from EPA for mill number two since they were the sponsoring agent for that request. Since they owned number three without liability protection, they couldn't apply for mill number three. They requested the County to sponsor the application for environmental assessment and would be phase one with no cost to the county.

Councilman Vaughn stated this would be huge for Great Falls and the County getting interest from developers regarding the mill sites. Councilman Vaughn motioned to authorize Ms. Jeter to complete the application for the EPA assessment, second by Councilman Jordan. Vote 4-0 to approve.

3. **Adjourn-Councilman Wilson motioned to adjourn, second by Councilman Vaughn. Vote 4-0 to adjourn.**

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.

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, June 6th, 2022 at 6:00 PM

Present: Interim Chairman Dr. Frederick, Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Killian, Councilman Vaughn, County Attorney Winters, and Clerk to Council Lee. **Absent:** Councilman Wilson with prior notification.

1. **Call to Order-** Interim Chairman Dr. Frederick called the meeting to order.
2. **Pledge of Allegiance and Invocation**
Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes**
 - a. **May 16th, 2022 Council Minutes.**
Vice Chairman Branham motioned to approve, second by Councilman Killian. Vote 5-0 to approve.
4. **Citizen Comments**
John Massey of 171 East Lacey Street, Chester, SC stated he was against allowing prisoners to use tablets for entertainment purposes.
5. **Ordinances/Resolutions/Proclamations**
 - a. **2nd Reading of Ordinance 2022-7 Chester County Fiscal Year 2022/2023 Budget to Establish Operating And Capital Budgets For The Operation Of The County Government Of Chester County, South Carolina For The Fiscal Year Commencing July 1, 2022; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2022; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Authorize The County To Borrow Money In Anticipation Of Taxes And To Provide For The Repayment Of Sums Borrowed By The County Governing Body; To Provide For The Payment Of Tort Claims And Worker's Compensation Claims Against Chester County; To Provide For Certain Fiscal And Other Matters Relating To County Government.** Treasurer Tommy Darby stated the general fund recommendation total for fiscal year 2023 was \$ 28,490,717 dollars, the total budget for all funds was \$47,817,352 which was shown in the ordinance. The county had a one percent increase in retirement rates which was \$120,000 in the general budget fund. Employee health insurance adjustment of \$178,000, property and liability insurance increases along with \$233,000 increase in fuel. The effect to the county for next year was around \$200,000 increase.

Four part time fire fighters were recommended from the Fire Coordinators office for next year at roughly \$121,000 increase, along with four new EMT AMT positions, one per shift, kind of termed a floater as a roughly \$171,000 increase. A cost of living of 3% to all county employees that's about a \$424,000 increase. Some decreases in workers comp that was roughly a \$36,000 decrease. Also, some decreases in the utility cost roughly \$50,000 decrease those are some decreases that we saw on the general funds.

Councilman Jordan asked if two more fire fighters could be added to the budget to be assigned to district one, since rooftops are going up and more industry coming and be assigned to other side of I-77.

Treasurer Darby stated the pay rate with benefits was roughly \$50,000 per employee and thought the County could absorb some of that cost. There could be a way to fund two people in the Fire Coordinators office.

Councilwoman Guy stated when Mr. Jay Williams was at the budget meeting, he had stated they owed \$100,000 on one of the fire pumpers and asked if that could be paid for with money from the budget.

Treasurer Darby stated he thought it could be funded, but Council would need to be considerate since adding \$100,000 for two paid fireman and to pay off the debt of the fire pumper. He thought the numbers could be absorbed but wanted to look at the revenue to make sure the numbers fit.

Councilman Jordan also asked if EMS supplied all the medical supplies to the fire departments and if there had been an increase for funding the supplies.

Treasurer Darby stated yes, EMS budget was increased by \$30,000 for medical supplies for this fiscal year.

EMS Director Britt Lineberger stated the prices change every time they order supplies.

Treasurer Darby stated they spent \$95,000 last year on medical supplies. He told Council he would send the detail sheet to them. Councilman Vaughn motioned to approve 2nd reading, second by Vice Chairman Branham. Vote 5-0 to approve.

b. 2nd Reading of Ordinance 2022-8 An Ordinance to Authorize the County Of Chester, By Chester County Council, To Purchase The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference Upon Such Terms And Conditions As Described In Exhibit A. Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

c. Resolution 2022-6 Identifying the Capital Projects as Part of A Program Of General Obligation Borrowing; And Other Related Matters. Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Treasurer Darby stated a washer/dryer and dishwasher was donated to Animal Control, he suggested adding the \$6000 that would had been used for those purchases to go into the truck that's recommended for animal control to allow them to purchase equipment for that truck.

Attorney Winters stated so the truck would be \$26,000.

Treasurer Darby stated yes.

Vice Chairman Branham withdrew his second, Councilman Vaughn withdrew his motion. Councilman Vaughn motioned to approve 2022-6 with changes of taking the money that was to be used on a washer/dryer and dishwasher to be used for the truck, second by Vice Chairman Branham. Vote 5-0 to approve.

d. Proclamation Recognizing James "Hawkeye" Weston of EMS.

County Council honored Mr. Weston of being the 2022 Advanced EMT of the Year by the South

Carolina EMS Association. Mr. Weston also is a certified Firefighter II in Great Falls and definitely called to serve.

6. Old Business

a. 3rd Reading of CCMA22-02: Applicant: Timothy D. Fudge request Tax Map #: 122-00-00-190-000 located at 2206 Fudge Guinn Rd. Edgemoor SC to be rezoned from Rural Two (R2) to Rural One (R1). Planning Commission voted 6-0 to approve. Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

7. New Business

a. Council to approve a five-year agreement with Avenue Enterprise Solutions, LLC in the amount of \$3675 monthly for the Clerk of Courts Office. Clerk of Court Sue Carpenter and Josh LaRussa, Register of Deeds. No one was there to speak on behalf of the request. Attorney Winters stated she had reviewed the contract for legal purposes and had asked the company to make changes before it was adopted but the changes had not been made. One of the changes was in section 21 “indemnification” which the county cannot indemnify because the county does not have the authority to indemnify. When you indemnify someone, you pledge your assets, and Council does not own the assets the taxpayer does so the Council cannot pledge what they don’t own therefore that section must come out.

Vice Chairman Branham asked what the program would be used for.

Attorney Winters stated it was an IT program for citizens to access public documents in the courthouse from their home, office, etc. This was a continuation of the contract they already use but this was the first time she has seen the contract. The other issue in the contract she had asked to be removed was “early termination”. After much discussion, Councilwoman Guy motioned to table until June 20th, second by Councilman Jordan. Vote 5-0 to table.

b. Council to approve RFP 2122-08 bid for the Courthouse waterproofing to the lowest bidder Strickland Waterproofing out of Charlotte, NC in the amount of \$67,000 dollars. Building Maintenance Director Joe Roberts. Clerk to Council Lee stated a scrivener error for the money amount had been made and should be \$67,300 dollars. Councilman Vaughn motioned to approve \$ 67,300 dollars, second by Councilman Jordan. Vote 5-0 to approve.

c. Council to approve transferring \$30,000 dollars in left over grant match funds to the Fire Coordinator budget line item 100-345-5202 Operating Supplies. Deputy Fire Coordinator Meghan Brewer. Councilman Vaughn motioned to approve, second by Councilwoman Guy. Vote 5-0 to approve.

8. Boards and Commissions

a. Appointment to the Radio Users Advisory Committee. County Council.

Councilman Vaughn motioned to appoint Jeremy Vinson, second by Vice Chairman Branham. Vote 5-0 to approve.

9. Executive Session

Vice Chairman Branham motioned to into executive session, second by Councilwoman Guy. Vote 5-0 to approve.

- a. To receive legal advice regarding amendment of an ordinance. Attorney Winters.
- b. To receive legal advice regarding Gateway Steering Committee, Enable Act. Attorney Winters.
- c. To receive legal advice regarding Boral Stone. Attorney Winters.
- d. To receive legal advice regarding project 2234. Attorney Winters.
- e. To receive legal advice regarding project 2213. Attorney Winters.

10. Council Actions Following Executive Session

Councilwoman Guy motioned to come back to regular session, second by Councilman Killian. Vote 5-0 to approve.

a. Action taken regarding legal advice for the amendment of an ordinance.

Councilman Jordan motioned to repeal a portion of ordinance 2-266 Subsection B which reads a member of a county board or commission appointed to serve from a council district must be a resident of that district during the entire term of service a member who moves residents from the district from which appointed or from the county automatically vacates position, to replace that language with a member of the board or commission appointed by the county council may be removed by majority vote of the council. A vacancy shall be filled for the unexpired term in the same manner as the original appointment, second by Councilman Vaughn. Vote 5-0 to approve.

b. Action taken regarding legal advice of the Gateway Steering Committee Enabling Act.

Taken as information.

c. Action taken regarding legal advice of Boral Stone.

Vice Chairman Branham motioned to approve a resolution to recognize Boral Stone had rebranded with the name of Westlake Royal Stone and will follow through with the commitments made by Boral Stone, second by Councilman Killian. Vote 5-0 to approve.

d. Action taken regarding legal advice of Project 2234. Taken as information.

e. Action taken regarding legal advice of Project 2213. Taken as information.

11. Council Comments

Councilman Jordan asked Interim Chairman Dr. Frederick about a PARD grant and asked if there had been extensions to apply.

Interim Chairman Dr. Frederick stated yes, the extension deadline was June 15th.

12. Adjourn

Vice Chairman Branham motioned to adjourn, second by Councilwoman Guy. Vote 5-0 to adjourn.

Karen Lee, Clerk to Council

Time: 7:50 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.

CHESTER COUNTY ORDINANCE NO. 2022-10

AMENDING ORDINANCE NO. 2021-16, WHICH PROVIDES FOR THE USE OF ARPA FUNDS, TO INCLUDE FUNDING PREMIUM PAY FOR COUNTY EMPLOYEES; AND OTHER RELATED MATTERS.

WHEREAS, Chester County has been allocated \$6,253,525.00 according to the American Recovery Plan Act of 2021 (“ARPA Funds”);

WHEREAS, the County Council enacted Ordinance No. 2021-16, which provided for the expenditure of the ARPA Funds;

WHEREAS, the County Council desires, by this Ordinance, to amend the list of projects funded with the ARPA Funds;

WHEREAS, the County intends to expend the ARPA Funds for three County projects in particular amounts and in particular priorities as set out in this Ordinance; and

WHEREAS, by this Ordinance, the County intends to authorize such expenditures.

NOW, THEREFORE Chester County, South Carolina, ordains as follows:

Section 1. Authorization. In the following priority, the County authorizes the expenditure of (a) not to exceed \$4,000,000 for the Fort Lawn Sewer project to support (i) Project Magma, as contemplated by the Memorandum of Understanding, between Chester County and the Town of Fort Lawn, which is dated on or about November 1, 2021, and (ii) other development in that region of the County, (b) not to exceed \$600,000 for premium pay for County employees; and (c) all remaining ARPA Funds (until completion of the project) to support the 16th project on the County’s 2020 capital project sales and use tax referendum: Countywide Emergency Communications Project.

If any ARPA Funds remain following the expenditures as outlined above, then those funds shall be used to offset additional projects as the County may approve by subsequent ordinance.

Section 2. General Repealer. Any prior ordinance, resolution, or order, the terms of which conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 3. Effective Date. This Ordinance is effective after its public hearing and third reading.

CHESTER COUNTY, SOUTH CAROLINA

Interim Supervisor/Chairman, Chester County Council

[SEAL]
ATTEST:

Clerk to Council, Chester County Council

First Reading:	June 9, 2022
Second Reading:	June 13, 2022
Public Hearing:	June 27, 2022
Third Reading:	June 27, 2022