

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

Monday, June 18th, 2018 at 6:00 PM

MINUTES

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

1. Call to Order-Meeting was called to order at 6:00 pm by Chairman Stuart.

2. Pledge of Allegiance and Invocation-Pledge was recited in unison, Council Member Lucas led the invocation.

3. Approval of Minutes

a. June 4th, 2018 Council Minutes

Council Member Guy motioned to approve, second by Council Member Lucas. Vote was unanimous.

b. May 31st, 2018 Budget Workshop Minutes

Vice Chairman Branham motioned to approve, second by Council Member Jordan. Vote 5-0 to approve. Council Member Lucas was not present at this meeting and did not vote.

c. May 29th, 2018 Budget Workshop Minutes

Council Member Wilson motioned to approve, second by Council Member Lucas. Vote was unanimous

4. Citizens Comments

Cheryl Addison, 878 Elks Drive, Chester stated the community is still opposed to the mobile home park in their neighborhood and asked Council to deny the third reading of the request.

Raymond Carter, 881 Yarbrough Rd, Chester stated there are still problems with the county and city police departments.

5. Public Hearing- Chairman Stuart opened the public hearing

a. Third Reading 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, 2018; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2018; 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. No one signed up to speak, therefore Chairman Stuart closed the public hearing.

6. Ordinances/Resolutions/Proclamations

a. Proclamation to Honor Robin Currence for Contributions to 4-H and Chester County

Council Member Wilson read the proclamation aloud and thanked Robin for her dedication to Chester County and her contributions to 4-H, along with the rest of Council.

b. Proclamation to Honor the 2018 Lewisville Girls Softball Class 1A State Champions

Council Member Jordan read the proclamation aloud and presented each proclamation to the following: Megan Flynn, Ashley Flynn, Jada Fossett, Jordan Fossett, Alaysia Gaston Jayla Wade, Lauren King, Ken'Jerica Cloud, Taylor Strong, Kaleigh Gregory, Faith Simpson and Coaches Matthew Owings (head coach), Dewayne Strong, Stacey Rubin and Stan Rogers. Chester County and Council are very proud of their accomplishments.

c. Proclamation to Honor the 2018 Lewisville Girls Track & Field Class 1A State Champions.

Council Member Jordan read the proclamation aloud and presented each proclamation to the following: Chloe Thomas, Alexis Odom, Lauren Crocker, Hannah McCallister, Codi Horne, Amber Bass, Payton Wishert, Skylar Bogan, Abby Thomas, Paige Williamson, Ivy McCall and Coaches Jerry Thomas (head coach), Tommy Bailey, Jason Martin and Douglas Josey. Chester County and Council are very proud of their accomplishments.

d. Third Reading 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, 2018; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2018; 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. Council Member Jordan motioned to put on the table to discuss, second by Council Member Guy. Council Member Jordan asked if the impact fee money along with the solicitor and public defender's office request was allocated to increase salaries as to retain employees. Chairman Stuart stated yes, they were included. Council Member Guy inquired about the dollar amount for tax increase would be on a \$100,000-dollar house. Treasurer Tommy Darby the increase built into the budget was 3.1 mill so there would be a \$12.00 increase on a \$100,000-dollar home. Council Member Wilson stated for the benefit of the public he would like to discuss the funding of new positions.

Mr. Darby stated there was a one percent mandatory increase in retirement from last year, an increase in building inspections around \$80,000 dollars, the 911 lease at a \$47,000-dollar increase, a mandatory increase in health insurance at \$100,000-dollar increase, increase in allocations to the airport at \$20,000 dollars. The recreational director along with operation cost increase of \$50,000 dollars, fuel increases are around \$45,000 dollars, a salary study is also included which would run at \$25,000 dollars. Also adding the delegation's office at \$34,000 dollars. Adding a full time from part time administrative assistant to the County Supervisor's office increasing by \$27,000 dollars, the solicitor and public defender career ladder adjustments, demolition costs at the Councils request at \$50,000 dollars and the impact fee study at \$40,000 dollars. Council Member Lucas stated one man would not be able to run the recreation department alone. He will need help in the future.

Vice Chairman Branham stated he had expressed his concerns at previous meetings where the sheriff department did not follow county procurement procedures. He purchased body cameras and a new truck, the cameras he did not have a problem with since they are necessary and prevents a safety issue, but the truck was extravagant. The sheriff department purchased a new pickup truck last year costing \$64,000, the total jumped by \$20,000 when all the bells and whistles were added, without following procedure. He stated if this amount cannot be taken off the top of his budget, I cannot support the new budget.

Council Member Oliphant stated no department should make unauthorized purchases, he was not in favor of taking the total for the truck purchase out of the sheriff's budget. Starting from now on the finance director, treasurer and supervisor should catch these things. When a department spends money without consent it should not be signed off, we all should work together.

Vice Chairman Branham motioned to amend the motion to subtract \$84,000 from the sheriff's budget. A motion was already on the floor, Council Member Guy withdrew her second, Council Member Jordan withdrew his proposal, but also seconded Vice Chairman Branham's motion with discussion.

Council Member Oliphant stated he doesn't want to start a war, he would prefer starting from now the finance director, treasurer and supervisor should catch these things.

Mr. Darby stated once the invoice gets to his office it's his job to communicate that to the Supervisor which he did. Council Member Jordan asked Mr. Darby to give more information regarding the purchase of the truck. Mr. Darby stated the sheriff purchased the truck funded through a bond the county authorized (rolling stock bond), he had an allotment of money to use to purchase vehicles. The proper protocol in procurement was not done correctly, but was paid through authorized funds.

Vice Chairman Branham stated we did not start a war, just addressing the issue, this has been done twice in one year.

Council Member Lucas stated elected officials has a budget and he guessed Mr. Darby thought the sheriff went through the procurement process. Mr. Darby stated there was an allotment for funding from the rolling stock bond that he had. The issue goes back to the timing of the procurement, that why we need an updated procurement manual that is clear to all departments to the procedure they must follow.

Chairman Stuart stated as a way forward as bonds come back on, the list must be more specific and itemized. Mr. Darby stated finance and procurement works very hard to make sure everyone is following the procedures. Council Member Oliphant stated he appreciated everything the finance and treasurer office does. Council Member Wilson stated the other issue related to this the body cameras were a multiyear contract, will this money be coming from his budget this year. Mr. Darby stated that was correct they have, or to his knowledge in the process of applying for an annual grant, there would be other potential funding sources to pay for the body cameras. Council Member Wilson, so the current year we pay, but next year it will come out of his budget. Mr. Darby, yes.

Council Member Wilson, last year the county allocated \$3,231,185 dollars, this year is 3.3 million with an increase of \$70,000 dollars. Mr. Darby, there was over time and fuel increase as well as mandatory increases in retirement. Council Member Lucas, he recalls under the rolling stock fund the sheriff was allowed to purchase two vehicles a year. Chairman Stuart, did not think there was a limit. Council Member Lucas, being an elected official does not give the sheriff the right to spend as he wants, seemingly this is what's happening. As purchases comes to the Treasurer's department you should be on top of it. Vice Chairman Branham, when it gets to the Treasure the water is already over the damn, the

Treasurer is satisfying a bill that is owed. Mr. Darby, the process should start at procurement first, if the budget money is not there it should not go any further. The sheriff used the allotment funds to purchase the truck, when something is given to me and does not look right I go to Mr. Stuart.

Chairman Stuart called for the question, all in favor to approve the amended budget 2018-2019, Vote was 4-2 to approve. Council Member Wilson and Oliphant opposed.

e. Resolution to Adopt the 2018/2019 Organizational Chart

Chairman Stuart motioned to approve the 2018/2019 Organization Chart, second by Council Member Oliphant. Discussion: Chairman Stuart, the changes to the organizational chart under the supervisor includes a Parks and Recreation Director, he asked County Attorney Winters to do a job description for this position. Executive Administrative Assistant from part time to full time, title change from IT coordinator to IT Director. Assessor Office: Secretary to Administrative Assistant. Public Works: Code enforcement to Litter Enforcement Officer. Building & Zoning: Chief Building Inspector to Code Enforcement Officer. Magistrate: Great Falls magistrate and clerk moved to centralized magistrate and clerk. Clerk of Court: new deputy which will be funded through her funds. New org charts for the Delegate office and Airport. Vote was 6-0 to approve.

f. Second Reading of An Ordinance Allocating Fee In Lieu Of Tax Collections for Some Property Located in The County; And Other Related Matters

Chairman Stuart asked if Council was ok with four percent to the fire districts and five percent to economic development. Council Member Oliphant stated it should say "up to".

Council Member Jordan stated the way it reads the lessor of four percent; how will Council know what the percentage will be for the fire districts since it could be substantially less than four percent which was not the intent for his proposal of this ordinance. He stated he does not like the way its set up and would like more information. Council Member Oliphant motioned to approve, second by Council Member Jordan with discussion. Michael Kozlarek stated its currently drafted if a fire district was not going to receive four percent to start with, this would give them a windfall if it was just set at four percent. The idea was its whatever it is up to a cap of four percent, currently to his understanding none of the fire districts in the county get four percent based on their millage except for the Chester Fire district which is higher. As far as he knows everyone else is less than four percent.

Council Member Jordan stated he would like to know what the percentages are since it does not state it in the ordinance, the five percent is straight out for economic development and that's great but the purpose for this is to fund some of the fire districts. With more industries coming in comes more calls so the need is greater. If it diminishes the four percent we may need to put a flat rate in. Council Member Oliphant stated just take the calculation out and leave it up to four percent since each fee in lieu varies. Council Member Jordan stated it needs to be consistent with each fire district, right now it can be voted on the way it is, maybe before the third reading council could have workshop to iron this out. Vote was 5-1 to approve. Council Member Lucas opposed.

g. Resolution to Adopt the 2018/2019 Lease with Res Care to Rent a Portion of the Library Building.

Council Member Oliphant motioned to approve, second by Council Member Guy. Vote 6-0 to approve.

7. Old Business

- a. **2nd Reading of CCMA18-12** – Ronald Clark request Tax Map # 101-00-00-001-000, located at 1635 Great Falls Hwy, Blackstock, SC be rezoned from R2 (Rural Two) to GC (General Commercial) Planning Commission voted 7-0 to Deny. Council Member Jordan motioned to uphold, second by Council Member Lucas. Vote 5-1 to approve. Vice Chairman Branham opposed.
- b. **2nd Reading of CCMA18-13** - Ronald C. Bowden request Tax Map # 160-02-00-032-000, located on Bowden Drive, Great Falls, SC be rezoned from RG1 (Multi-Family Residential) to RG2 (General Residential). Planning Commission voted 7-0 to Approve. Council Member Lucas motioned to approve, second by Council Member Oliphant. Vote 6-0 to approve.
- c. **2nd Reading of CCMA18-14** – David J. Wilson request Tax Map # 154-00-00-007-000, located at 3534 Catawba River Rd, Fort Lawn, SC be rezoned from R2 (Rural Two) to AG (Agricultural) Planning Commission voted 7-0 to Approve. Council Member Lucas motioned to approve, second by Council Member Jordan. Vote 6-0 to approve. Council Member Wilson stated for the record he's not related to the applicant
- d. **2nd Reading of CCMA18-15** – Juliette Dutton request Tax Map # 161-04-05-008-000, located on Scott Rd, Great Falls, SC be rezoned from RG1 (Multi-Family Residential) to R2 (Rural Two). Planning Commission voted 7-0 to Approve. Council Member Lucas motioned to approve, second by Council Member Guy. Vote 6-0 to approve.
- e. **2nd Reading of CCCLTA18-16** - Article 13 § 13-5: Legal Status Provisions Change: Council to Planning Commission, thirty-~~(30)~~ days to fifteen (15) days and delete **and not more than forty-five (45) days.** Planning Commission voted 7-0 to Approve. Council Member Lucas motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.
- f. **3rd Reading CCMA18-09**: Perry Isenberg, authorized agent for Harry J. Callahan Jr, request Tax Map #079-01-17-013-000, located on York Rd, Chester, SC; be rezoned from RG-1 (Multi-Family Residential) R2 (Rural Two) to RG-2 (General Residential) Planning Commission voted 3-2 to approve. Council Member Guy stated the residents does not want their property values going down, extra traffic in the area. The county does need housing, I don't have anything against manufactured homes a lot of them very nice. We don't need two manufactured home parks since the other one is almost two hundred feet down the road. Council Member Guy motioned to deny, second by Vice Chairman Branham. Vote 5-0 to deny. Council Member Lucas recuse stating he had a conflict of interest since he was related to the applicant.
- g. **3rd Reading CCMA18-10**: Perry Isenberg, authorized agent for Harry J. Callahan Jr, request Tax Map #078-01-01-034-000, located on York Rd, Chester, SC; be rezoned from RG-1 (Multi-Family Residential) to RG-2 (General Residential) Planning Commission voted 3-2 to approve. Council Member Guy motioned to deny, second by Vice Chairman Branham. Vote 5-0 to deny. Council Member Lucas recuse stating he had a conflict of interest since he was related to the applicant.

8. New Business

a. 2017 Audit report - Bob Faulkner with Faulkner & Thompson P.A.

Bob Faulkner, of Faulkner and Thompson, PA went over the annual audit for the fiscal year ending June 30, 2017 and gave the County an “unmodified opinion” (Clean Audit). He stated the County does a good job controlling the budget. Council Member Oliphant asked if there were any improvements from last year. Mr. Faulkner stated the magistrate’s office were slow in getting monies to the Treasurer but has improved. Council Member Oliphant motioned to accept the 2017 audit as information, second by Council Member Lucas. Vote 6-0 to approve.

b. Approval of bid - Flooring Replacement for the Library in the amount of \$96,768.73-Susan Cok

Procurement Director Susan Cok stated the Library has money in their current budget to have this completed. Council Member Lucas motioned to approve, second by Council Member Guy. Vote 6-0 to approve.

c. Approval of bid – Dance Floor for the Gateway Conference Center in the amount of \$27,737.00.

Procurement Director Susan Cok stated economic development has money in their current budget, but is asking another source to pay for the dance floor. Vice Chairman Branham motioned to approve, second by Council Member Guy. Vote 6-0 to approve.

d. Grant match consideration for North Chester Fire –Council Member Pete Wilson

Council Member Wilson stated North Chester Fire needs this tanker truck, currently there is one. Money from Creighton Coleman, the V-Safe grant was awarded to North Chester along with money from the department has went into purchasing the truck. The grant from V-Safe totaled to \$22,300 funds received from Senator Creighton Coleman’s office in 2016 totaled \$7500, the Rural Fire Commission met two weeks ago and are on board to purchase the tanker. Martha Hatcher, Board Chair for the North Chester Volunteer Fire Department stated some of the funds from the department would be used to finish out the truck. They need \$22,000 for piping, fitting the tank to the truck to meet NFPA standards. Council Member Wilson motioned to approve \$22,000 grant match, second by Council Member Lucas. Vote 6-0 to approve.

e. Battered but Not Broken- Tammy Williams

Tammy Williams stated June 25th, 2019 will mark ten years Battered But Not Broken has been established, the ministry has serviced over seven hundred people. She wants to use the war memorial building for a free event to thank all who have helped Battered But Not Broken. Council Member Oliphant motioned to allow Battered But Not Broken to use the Chester County War Memorial Building in 2019, second by Council Member Brad Jordan. Vote 6-0 to approve.

9. Executive Session-Council Member Oliphant motioned to go to Executive Session, second by Vice Chairman Branham. Vote 6-0 to approve

a. To Receive Legal Advice Regarding Southeastern Petroleum.

10. Council Actions Following Executive Session- Council Member Lucas motioned to go back to Regular Session, second by Council Member Guy. Vote 6-0 to approve.

a. Action Taken on Legal Advice Regarding Southeastern Petroleum.

Chairman Stuart motioned to allow County Attorney Joanie Winters to proceed with negotiations with Southeastern Petroleum, second by Council Member Oliphant. Vote was 6-0 to approve.

11. Council Comments

Council Member Lucas stated he everyone was aware of how the election went, and blamed himself. He loved the competition when he was a younger man, wanted each council member and attorney know how much he loved and respected them and hope he had gained respect from them. He stated he has been doing this for thirty years and appreciates the time he has served.

Council Member Guy thanked the citizens in district five for their support, prayers and votes.

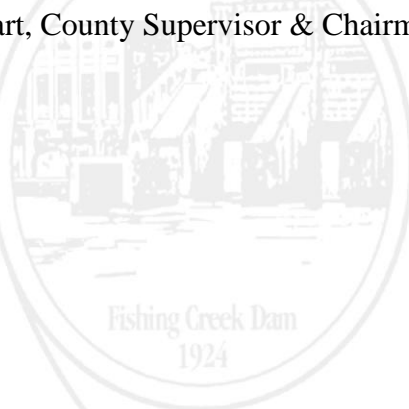
12. Adjourn-Council Member Oliphant motioned to adjourn, second by Council Member Lucas. Vote 6-0 to adjourn.

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

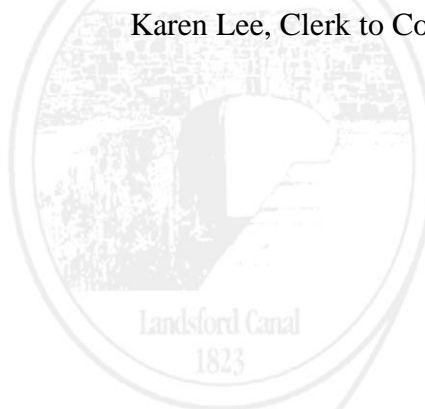
K. Shane Stuart, County Supervisor & Chairman

County Courthouse
1852-1855

Karen Lee, Clerk to Council



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SOUTH CAROLINA