

CHESTER COUNTY COUNCIL MEETING MINUTES

Great Falls War Memorial Building

401 Dearborn Street, Great Falls, SC

June 3rd, 2019 Monday at 6:00 PM

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

1. Call to Order- Meeting called to order at 6:00 PM. Chairman Stuart stated item 8.a. under Executive Session was dropped from the agenda. He stated former Councilman John Wayne Holcombe passed yesterday and thoughts and prayers were with his family.

2. Pledge of Allegiance and Invocation- Pledge was recited in unison, Councilwoman Guy gave the invocation.

3. Citizen Comments

Paul Hicklin, Jr - 17042 Loma Vista Court, Fontana California asked Council to reconsider and vote to have his property rezoned to R2.

James Barber – 2560 Georgetown Rd, Great Falls stated he did not have a problem with rezoning both the properties to R2, since farm animals has been in the neighborhood all of his life.

Willie Frank Howze-2663 Georgetown Rd, Great Falls stated he too has lived there all his life and did not see the problem with having farm animals on the properties in question.

Delores Cureton-2644 Georgetown Rd, Great Falls stated she has never had a problem with Mr. Hicklin or his animals. The land has been there for years with no complaints until someone bought it to use for farm use. If the people opposed did not want it used for that they should have bought it.

John F. Boulware-5279 George Beard Ave, Great Falls signed up to speak but chose not to.

Kathy Cortopass-2617 McDaniel Rd, Chester stated she would like to get the word out about Discover Steno, where you learn how to be a court reporter, stenographer, captioner, speed texter, real time communication specialist and IVT technicians.

John Hayes-5263 George Beard Ave, Great Falls stated he was also in favor of the rezoning for the Hicklin's. He was the second family in Georgetown and farm use has always been there.

George McElveen-2229 Bull Street, Columbia stated he was there on behalf of the Hicklin's, he stated family farms are disappearing mostly in black communities. He does not see how having these properties zoned for farm use would drop property values.

Cassandra Hobson-2660 Georgetown Rd, Great Falls stated Mr. Hicklin, Sr takes her two boys with him every day to work the farm. She stated this keeps them out of trouble and has never had any problems with the cows.

Mary G. Beaty-5214 George Beard Rd, Great Falls stated she was against these properties being rezoned from RG1 to R2, if this is allowed then more livestock will be added to the new piece of land which would be inappropriate for the community.

George Wilmore-2624 Georgetown Rd, Great Falls stated he was against the rezoning, that the community was a subdivision and farm use does not fit.

Octavia Wilmore-2624 Georgetown Rd, Great Falls stated she and her husband lives next door to Mr. Hicklin, they don't have anything against the farm he has, they don't want the expansion of the property his son bought to be rezoned to be used for farm use.

4. Public Hearing-No one signed up to speak.

Chairman Stuart opened the public hearing--No one signed up to speak.

- a. 3rd Reading of Ordinance No. 2019-4** An Ordinance To Authorize The Postponement Until Property Tax Year 2021 Of Reassessment And Revised Property Values Resulting From The Equalization Program As Provided Pursuant To Section 12-43-217 Of The Code Of Laws Of South Carolina, 1976, As Amended.

Chairman Stuart closed the public hearing.

5. Ordinances/Resolutions/Proclamations

- a. 3rd Reading of Ordinance No. 2019-4** **An Ordinance To Authorize The Postponement Until Property Tax Year 2021 Of Reassessment And Revised Property Values Resulting From The Equalization Program As Provided Pursuant To Section 12-43-217 Of The Code Of Laws Of South Carolina, 1976, As Amended.** Councilwoman Guy motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

- b. 2nd Reading of Ordinance No. 2019-7** **Authorizing And Ratifying The Execution And Delivery Of An Agreement Among Chester County, PPG Industries, Inc., PPG Industries Securities, LLC, PPG Industries Fiber Glass Products, Inc. And Nipon Electric Glass Co., Ltd, And Authorizing Other Matters Relating To Such Agreement.**

Councilman Oliphant recused from voting since he does business with the company.

Council Member Vaughn motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

- c. Resolution No. 2019-11** **A Resolution Identifying The Capital Projects As Part Of A Program Of General Obligation Borrowing; And Other Related Matters.** Councilman Oliphant asked if there was an ordinance that went along with the resolution that allows Council to renew it every year. Attorney Michael Kozlarek stated yes, an ordinance was created a few years ago that limits the perimeters of what can be borrowed for each calendar year. The ordinance states a resolution must be approved for each calendar year for the projects. Councilman Oliphant stated he wants to be sure any spending on the list must be presented and comes back to Council for their final approval. Councilman Wilson stated in the past money was spent on items that did not come before Council such as the used police cars instead of purchasing new ones. County Attorney Winters stated it could be worded to state it must come before Council and work with the Treasurer's Office to make sure checks are not cut unless the item is on the list, and it was not his job to police it either.

Treasurer Tommy Darby stated from an external auditor's perspective looking at the Counties procedures he wouldn't want the treasurer approving transactions. He stated the process would go through procurement and signed off by the County Supervisor, his job is to segregate himself from the approval since he signs off on the checks. He stated Council needs to be careful putting him in that position as an auditor's perspective.

County Attorney Winters stated there is a process that should be followed according to this ordinance.

Treasurer Darby stated if something does not look right it's his job to inform Council. Procurement Director Susan Cok stated in the past items did not come before Council due to the price of the items, once they are approved by Council she does her process but if its under a certain dollar amount its not required to come back before Council. Anything over \$20,000 dollars she is required to come before Council for their

approval, but if Council wants her to bring everything on the list that is under \$20,000 she would do that also. Councilman Oliphant stated that is what Council wants, if any money is leftover in the capital project general obligation bond list that will come back to Council also to decide what it can be used for. Chairman Stuart read the list of items from exhibit A from the resolution:

Fire tanker overall-\$246,000
Firefighter turnout gear-\$90,000
Sheriff's vehicles-\$137,200
911 CAD system-\$58,200
911 Phone System-\$59,600
E911 UPS Batteries- \$9500
800mhz radios (15)- \$91,500
CCDC Locking System- \$9000
Desktop PC's (30) \$30,000
HVAC system for EMA- \$12,000
Litter Enforcement Vehicle-\$25,000
Building/Zoning Vehicle- \$25,000
Motor Grader- \$207,000

Councilman Oliphant motioned to approve with all items coming back before Council, second by Vice Chairman Branham. Vote 6-0 to approve.

d. 2nd Reading of Ordinance No. 2019-6 Chester County Fiscal Year 2019/2020 Budget.

Councilman Jordan motioned to approve the budget with amendments, he stated the school district has approved payment for half for a new SRO, the Sheriff's department has asked to approve the other half for the new SRO. The Sheriff department requested a 911 CAD manager and to increase the overtime budget for the Sheriff, 911 and the detention center and also an increase in fuel cost. The second item was to move a line item from the local ATAX of \$75,000 dollars over to the Gateway fund since its under construction now and is not being rented out as much. The third item was for a one-time funding for \$18,500 dollars that would pay for one half for a firefighter in Lando Fire Department and they would pay for the other half for this year only. He stated as subdivisions and industries move to that area currently during the daytime its an issue for coverage. Vice Chairman Branham stated the org chart would have to be changed for the 911 CAD manager. Chairman Stuart stated some of the org charts would be presented at the next Council meeting. Councilman Vaughn second the motion. Vote 6-0 to approve.

e. Resolution No. 2019-10 A Resolution To Authorize The County Of Chester, By Chester County Council To Sell The Sheriff's Office Patrol Vehicles Identified On Attached Exhibit "A" Which Is Incorporated Herein By Reference Upon Such Terms And Conditions As Described In Exhibit A.
Sheriff Dorsey stated he was asking for approval to sell the vehicles in question that did not serve law enforcement purposes. The first was 2008 Ford Mustang with 157,000 miles, 2017 Ford Mustang 41,357 miles and the 2017 Ford King Ranch with 73,293 miles. They will certainly follow the rules to sell the vehicles, the current vehicles they have are not in the best of shape. He also requested when the vehicles are sold the money would be used to purchase vehicles and not go back into the general fund.

Procurement Director Cok stated a reserve would be placed on all three vehicles, advertised in the local papers and online and the SKBO which is South Carolina Business Opportunities along with placing it on the County Website. They plan to contact people who may be interested and accept the highest bid with the approval of Council. Councilman Wilson motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.

f. Resolution No. 2019-12 A Resolution to Approve and Adopt the Vendor Service Agreement Between Chester County and American Financial Credit Services Inc.

Councilman Oliphant motioned to approve, second by Councilman Jordan. Treasurer Darby stated the company would be a third-party collection to look at the Counties delinquent personal property he asked if he could make one amendment to the resolution and have mobile homes added. He stated currently the County has \$400,000 dollars in unpaid taxes, this could also be looked at by the third party. They would

go back ten years to look at anything that has not been paid. The main goal is to get the properties off of the Counties books, this would also give a more accurate assessed value for the budget process. The company works with twenty-one other counties including Lancaster County. They get paid by adding an additional twenty percent, where the County would collect hundred percent of the tax owed. Councilman Jordan withdrew his second, Councilman Oliphant withdrew his motion. Councilman Oliphant then motioned to add mobile homes to the resolution, second by Councilman Jordan. Vote 6-0 to approve. County Attorney Winters stated she and the Treasurer had discussed if this works out this could also be used for private companies who use the Landfill and doesn't pay.

6. Old Business

- a. **3rd Reading CCMA19-07: Paul and Virginia Hicklin request Tax Map # 160-03-04-039-000 located on Georgetown Road, Great Falls, SC be rezoned from (RG-1) Multi-Family to (R2) Rural Two. Planning Commission voted 5-1 to Deny.** Councilman Vaughn motioned to uphold the Planning Commission's vote to deny, second by Councilman Jordan. Vice Chairman Branham stated he had mixed emotions he had lived around animals all of his life but could see both sides. Councilwoman Guy stated the property has been used for farm use for over thirty years and continue since it's grandfathered in by zoning. Councilman Wilson stated that was correct, but if the farm ceases to have livestock on the property for more than six months they would lose the grandfathered rights. Vote 4-3 to deny. Councilman Oliphant voted to deny. Councilman Wilson, Councilwoman Guy and Vice Chairman Branham opposed. Chairman Stuart broke the tie to uphold the Planning Commission's recommendation to Deny.
- b. **3rd Reading CCMA19-08: Paul and Margaret Hicklin Jr. request Tax Map # 160-03-04-017-000 located on Hoke Drive, off of Georgetown Road, Great Falls, SC be rezoned from (RG-1) Multi-Family to (R2) Rural Two. Planning Commission voted 5-1 to Deny.** Councilman Vaughn motioned to uphold the Planning Commission recommendation to deny, second by Councilman Jordan. Vote 5-1 to deny. Vice Chairman Branham opposed.
- c. **1st Reading CCMA19-09: Lin Yun Guanhg request Tax Map # 145-00-00-009-000 located on Lancaster Hwy, Chester, SC be rezoned from (R2) Rural Two to (RG-1) Multi Family Residential. Planning Commission voted 6-0 to approve.** Councilwoman Guy motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

7. New Business

- a. **Approval to Move the Magistrates Office Phones from the Sheriff's Network to the Counties Network.** IT Director David Schuelke stated they were in the process of migrating all the magistrate's phones emails and computer systems to the County network. The contract is for 60 months at \$429.78 a month. Sheriff Dorsey stated two weeks ago he found out the magistrate's email was the same as the sheriff's email and on the same network as the sheriff which he found to be inappropriate, the sheriff's and magistrate should not be on the same network. Mr. Schuelke stated he had spoken with Judge Underwood and she had a line item in communications that was partially funded out of her communications but towards the sheriff's office since they were on a system separate from TruVista. Chairman Stuart asked how much more would this cost.

Mr. Schuelke stated he didn't know. Treasurer Darby stated the magistrate's communication line item could be adjusted, Mr. Schuelke stated he thought her line item for communications was \$1000. Chairman Stuart stated that would be \$5157.36 yearly but would be \$4157.36 since she has \$1000 in her line item budget. Treasurer Darby stated the main thing was to obtain the approval to move the magistrate's network off of the sheriff's network, this is a security issue. Councilman Oliphant motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve. It was also stated to add this to the June 6th Budget meeting.

- b. **Update on the Thread Trail Acquisitions-Glinda Coleman**

Mrs. Coleman stated a few months ago, Brett Baronak and Matt Covington came before Council and presented a presentation concerning the Thread Trail and asked for \$75,000 to purchase 3.5 miles section of the CSX railway that goes through Great Falls to use for the thread trail. They are in negotiation with CSX currently concerning the rail bed, there are no absolute numbers now but hope to have it soon.

c. Fort Lawn Community/Heart and Soul- Robin Currence

Robin Currence stated Fort Lawn plans to hold a Legislative Town Hall Meeting June 25th, 2019 at 6:00 PM at the Fort Lawn Community Center for a public Q&A forum. She has been working with Wanda Thompson to have Federal, state and local elected officials on stage. Congressman Ralph Norman, Senator Lindsey Graham, Senator Tim Scott, Senator Mike Fanning and Representative Randy Ligon will be in attendance. She invited Council to be there as well. All participants will know what the questions will be before they are asked.

d. Discuss Uploading all Authorization Documents by the Supervisor to Council's IPAD's.

Councilman Wilson. Councilman Wilson stated this should be simple to load all documents authorized and signed off by the County Supervisor on to our IPAD's. This would keep Council informed so we would know what they are and not be surprised and it's also important that all are included not just some so Council can see where the tax dollars are going. Councilman Wilson motioned to have all documents authorized by the County Supervisor be uploaded to the Council IPAD'S, second by Councilman Oliphant. Vote 6-0 to approve.

e. Discuss Trip to White House and Charleston. -Vice Chairman Branham

Vice Chairman Branham stated he had been asked about the trips but did not have answers to give. He stated to his understanding two people from the County was invited to the White House and Chairman Stuart was the only one who chose to go. Chairman Stuart stated that was correct, he and another employee went, and it was on the front page of the September 14, 2018 News & Reporter edition. Vice Chairman Branham asked what the trip was about. Chairman Stuart stated President Trump sent out 140 requests to elected officials across the State of South Carolina along with other officials from other states. They requested officials to come hear firsthand of what was happening with the Trump administration. They also gave a brief of the Department of Justice, Transportation, Education a lot of the information was detailed in the News & Reporter.

Vice Chairman Branham asked who the other employee was, Chairman Stuart stated one of the Animal Control employees who had a criminal background, he stated Ralph Norman's office had asked if he could be provided with specific details concerning government. One of Mr. Norman's issues was people who have convictions that were non-violent such as issues of obtaining jobs. Chairman Stuart stated they discussed that issue with Ralph Norman's team. Chairman Stuart stated he chose not to go to the South Carolina Associations of Counties in Hilton Head but instead went to the White House. Vice Chairman Branham thanked the Chairman for bringing Council up to date. He also asked about the Charleston trip, Chairman Stuart stated he and the same employee of the Animal Control were invited to the South Carolina "No Kill" that was held in Charleston. Vice Chairman Branham stated both of the trips were less than a thousand dollars and again appreciated the update.

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

- a.** Economic Development Matter – Start-up / Existing Industry-Taken off agenda at the beginning of the meeting.
- b.** Personnel Issue Regarding an Accident with an Animal Control Vehicle and the Hiring Process of the Employee.
- c.** Receive Legal Advice on a Piece of County Property.
- d.** Employment Matters Concerning Animal Control Salary Adjustments
- e.** Employment Matters Concerning Changes to the Animal Control Organization Chart

- 9. Council Actions Following Executive Session-Councilwoman Guy motioned to go back to Regular Session, second by Councilman Jordan. Vote 6-0 to approve.**
- a. Action Taken Regarding Economic Development Matter Concerning Start Up/Existing Industry.**
This was not discussed taken off at the beginning of the meeting.
 - b. Action Taken Regarding Personnel Issue Regarding an Accident with an Animal Control Vehicle and the Hiring Process of the Employee.** Council received information the employee no longer works for Chester County.
 - c. Action Taken Concerning Legal Advice on a Piece of County Property.**
Chairman Stuart motioned to allow Winters Law Firm to pursue with due diligence, second by Vice Chairman Branham. Vote 5-0 to approve. Councilman Wilson recused himself and left Executive Session while this item was being discussed stated his brother is on the board at Spratt's.
 - d. Action Taken Regarding Employment Matters Concerning Animal Control Salary Adjustments.**
This was taken as information only.
 - e. Action Taken Regarding Employment Matters Concerning Changes to the Animal Control Organization Chart.** This was taken as information only.
- 10. Council Comments**
Vice Chairman Branham asked to add the next agenda discussion to add two appointments to the Chester Metropolitan District Board and discuss the grievance committee.
- 11. Adjourn-Councilman Jordan motioned to adjourn, second by Councilwoman Guy. 6-0 to adjourn. Time was 8:55 PM.**

K. Shane Stuart, Chairman & County Supervisor

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