



CHESTER COUNTY COUNCIL MINUTES

Great Falls War Memorial Building

401 Dearborn Street, Great Falls, SC

Monday June 5th, 2017 at 6:00 PM

Minutes

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

1. **Call to Order**-Meeting called to order by Chairman Stuart at 6:00 p.m.
2. **Pledge of Allegiance and Invocation**- Pledge was recited in unison. Council Member Archie Lucas led the invocation.
3. **Approval of Minutes**
 - a. **May 11th, 2017 Chester County Council Special Called and Budget Work Session Minutes**
Council Member Lucas motioned to approve as written, seconded by Council Member Guy.
Vote was 5-0 to approve. Council Member Wilson was not present at this meeting.
 - b. **May 15th, 2017 Chester County Council Minutes**
Council Member Guy motioned to approve as written, seconded by Council Member Jordan.
Vote was 6-0 to approve.
4. **Citizens Comments**

John Agee, Richburg Fire Department stated a question came up at the Chief's Association meeting asking if they were volunteers or employees of the County. The County is gracious in giving them an incentive check every year but, the documents states they are employees and he would like to have this cleared up by the end of the month if possible.
5. **Public Hearing**-No One Signed Up

Third Reading of the 2017/2018 budget
6. **Ordinances/Resolutions/Proclamations**
 - a. **Third Reading** of the 2017/2018 budget

Chairman Stuart stated there were several items mixed in on the agenda, number 6 c. and 8a. and would like to discuss. He asked Council if they would like to add anything to the budget. Vice Chairman Branham stated he would like to add two-part time employees for litter pickup, and change his decision to let the County Coroner purchase a new vehicle as this will aid the people of Chester County especially on the interstate for the deputy coroner to access for the Richburg area when fatalities occur.

Council Member Jordan stated he had asked County Treasurer Tommy Darby to recalculate the millage for the Lando Fire District and this has been done, the increase is the maximum done by law. The organizational chart there was three SOR's that were increased for the Sheriff and wanted to make sure all the agreements was in place for the School District. Chairman Stuart stated he was working on this.

Council Member Guy did not have anything to add to the budget.

Council Member Lucas stated he didn't see where a secretary would be provided for the magistrate for Rossville. Chairman Stuart stated it is in the budget for a secretary.

Council Member Wilson asked how many inmates would be with the part time litter pickup employees and if training would be required from the State. Chairman Stuart stated two inmates would be with one-part time employee. The South Carolina Association of Counties would provide the training to show how to properly handle inmates. Council Member Wilson also wanted more information on the coroner's vehicle. County Coroner Terry Tinker stated currently they use a 2007 Yukon for all of the traffic fatalities occurring on I-77. Deputy Coroner Lyle Dickerson who lives in Victorian Hills drives twelve miles to Chester to pick up a vehicle and drives twelve miles back to the interstate. We would like to keep a vehicle in the Richburg area, and had asked Chief John Agee if he could keep the vehicle in his old fire department. The car (Tinker) currently drives will be kept in the bay at the Coroner's office for weekend and after hour calls.

Council Member Oliphant asked Chairman Stuart how many inmates can one person supervise, and asked Chairman Stuart to have information concerning this at the next meeting. Council Member Guy asked if part time litter pickup employees would carry a gun. Chairman Stuart stated no. Council Member Jordan inquired how much would each part time litter pickup employee would make. County Treasurer Tommy Darby stated for 40 hours a week it would be \$24,960 a year with no benefits.

Chairman Stuart stated in 6. c of the agenda under Tab 4 the current rate for charges for a pretrial inmate is \$ 4.65 cents, this includes room and board along with the overhead. Twenty-seven percent of inmates coming in are from municipalities. The proposal is to increase the cost to \$52.50 cent per day for each pre-trial inmate, currently it's costing the County an additional \$17, 282 dollars to house each inmate.

Chairman Stuart stated under 8.a, of the agenda "amend the budget ordinance to allow the Chester County Coroner to collect Revenue". This would allow the Coroner to rollover fees collected into a special revenue fund. County Treasurer Tommy Darby stated he is requesting from Council to rollover around \$2000 to a special revenue fund and use the money for his office. The money is collected through funds obtained from coroner's reports, autopsy reports, photos etc.

Chairman Stuart stated to Council in the budget the salary adjustment has been included for the recycling center employees from \$7.50 to \$9.00 an hour, reclassify the accountant to senior accountant which is a \$4000 impact, and move the Tax Collector under the Treasurer Offices. He stated he was contacted by Senator Fanning asking what the County funds for the County delegation. Attorney Winters stated a bill

was introduced by the House that requires County Council's to provide office space and monies to the operation of local delegate offices in the County if asked to do so. Currently the bill is stuck in the Ways and Means Committee. Chairman Stuart stated other Counties give monies for the secretary, Council Member Oliphant stated he would be in favor of giving office space with no money for a part time secretary unless it was mandated. Vice Chairman Branham motioned to amend the budget by adding two-part time employees for litter pickup, seconded by Council Member Oliphant. Vote was 6-0 to approve. Vice Chairman Branham motioned to amend the budget by adding Coroner's vehicle for the cost of \$46,000 dollars, seconded by Council Member Guy. Vote was 6-0 to approve. Chairman Stuart motioned to amend the budget by adding the Coroner's Revenue to create a special line item to carry over, seconded by Council Member Oliphant.

Chairman Stuart motioned to approve the third reading of the 2017-2018 Budget with amendments, seconded by Council Member Lucas. Vote was 6-0 to approve.

b. Third Reading-An Ordinance Authorizing (1) The Conversion and Re-Documentation of That Certain Third Amendment to and Restatement of Lease Purchase Agreement Dated as of December 1, 2002 Between Chester County, South Carolina (The "County") And TDY Industries, LLC (Formerly Known as TDY Industries, Inc. And, Prior Thereto, Teledyne Industries, Inc.) (The "Company"), Including All Incentive Arrangements Set Forth Therein, Pertaining to Certain Existing Facilities Located Within The County; (2) The Execution And Delivery Of One Or More Agreements, Instruments, And Other Documents In Connection With Such Conversion And Re-Documentation; And (3) Other Matters Relating Thereto. Attorney Winters stated the title will be transferred back to TDY. Chairman Stuart motioned to approve, seconded by Council Member Wilson. Vote was 6-0 approve.

c. First Reading-An Ordinance to Standardize Charges for Pretrial Inmates
Chairman Stuart motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

d. Resolution to Adopt the 2017/2018 Organization Chart
Chairman Stuart stated changes made was removing the Delinquent Tax Collector from the Supervisor's department to the Treasurer department, Planning & Zoning changes were made May 1st, 2017 by Council to reclassify to Permit/Zoning Specialists. Under EMS the Operations Manager position was frozen February 21, 2017 in order to add a 5th EMS unit on shift during the daytime. The Finance Department changes was to reclassify the Accountant to Senior Accountant, the Veteran Affairs Organizational Chart add a part time driver that would be funded through a special veteran affairs account. Under the Fire Coordinator the Fire Technician was left off but, the position has existed and has been budgeted for a part time position. Since the two new part time positions for litter pickup have been approved, this will be added to the Public Works Organizational chart for 2017/2018.

Council Member Jordan stated under the new organizational chart will there be new software that will lock in positions. Chairman Stuart stated that was correct, currently the Human Resource Director Hyatt Kelsey is pursuing a program that will classify each position with a number. HR and Finance will be the only ones who has access and no one can go in and change anything without Council's approval. Chairman Stuart motioned to approve the 2017/2018 Organizational Chart, seconded by Council Member Oliphant. Motion was 6-0 to approve.

e. Resolution to Adopt the 2017-2018 Lease with ResCare for a Portion of the Library Building
Council Member Wilson motioned to approve, seconded by Council Member Jordan. Vote was 6-0 to approve.

f. Resolution to Amend to the Chester County Employee Handbook, Policy 5-3 Termination of Employment to add Section (5) Retirement under Teacher and Employee Retention Incentive Program and Section (6) Retirement

County Attorney Winters stated the TERI (Teacher and Employee Retention Incentive Program) will end June 2018, when the TERI program was created if you TERI for five years it was automatic re-employment by the County that was a misconception and not how the program works. The TERI programs reads the employer has the option to re-employ the TERI employee. Human Resource Director Hyatt Kelsey asked Attorney Winters to create a policy where an employee must re-apply for employment, the County has the option to hire or not hire an employee back.

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

7. Old Business -None

8. New Business

a. Amend the Budget Ordinance to allow the Chester County Coroner to collect Revenue-Terry Tinker
Chairman Stuart motioned to approve, seconded by Council Member Oliphant. Vote was 6-0 to approve.

b. Consideration to Use Accommodation Tax in Partnership with The School District and the City of Chester.

Chairman Stuart stated they were in the process of getting funds for the district track and would like County Council to allocate local A-Tax money to help. Chairman Stuart stated they were requesting \$150,000 and currently there is over \$200, 000 dollars in the ATAX funds. He went on to say this could make the county a partner in the project and allow the county use of the facility.

Council Member Lucas stated it was not fair to Great Falls or Lewisville to drive all the way to Chester for a home track meet. He stated Chester County is rural unlike nearby cities like Rock Hill, home to Cherry Park who has amenities. Proposals like this always seem to benefit the City of Chester at the expense of the county's other communities.

Council Member Oliphant stated they were not trying to compete with Cherry Park, but wanted to build a facility that would benefit schools here and the community. This is not about favoring the City; it's about having it where its economical. Currently Chester County does not have a regulation track, this would give us one.

Council Member Jordan stated he was not opposed to the track and was not present at the last Recreation Committee meeting but, one of the issues that came up was the location of the district track. Originally when the funds were allocated the recommendation for the track was to be in a central location, the School

District has taken it in another direction. Chairman Stuart stated that was correct, at the last Recreation Committee meeting the motion failed 2-2, they would like to have a letter of support, statistics on the crime in the area and a traffic study.

Council Member Wilson stated the cost of the field turf by the information provided to Council would be at a cost of \$525,000 dollars, the natural grass would have a cost, but not be nearly this much.

Council Member Jordan and Wilson stated they were not opposed to the track but would like to see the information requested by the Recreation Committee before making a decision.

Council Member Oliphant motioned to allocate \$150, 000 pending a MOU with the City of Chester and the School District for a district tract. Vote was 3-3 with Council Member Oliphant, Council Member Guy and Vice Chairman Branham voted in favor, Council Member Lucas, Council Member Wilson and Council Member Jordan voted against. Chairman Stuart broke the tie by voting in favor. Vote was 4-3 to approve.

c. Update on the Connor Road Flooding Issue

Chairman Stuart stated Connor Road washed out and as an emergency we put out bids and received two proposals back, the lowest bid was \$60,300 this was done under an emergency action to resolve. The other bid was \$98,200 the low bid was accepted.

d. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of James H McCormick's, Jr. Request: Tax Map # 069-07-01-002-00: One lot located at 892 J. A. Cochran By-Pass, Chester, SC, Rezone from RG-1 (Multi-Family Residential) to GC (General Commercial) The Planning Commission voted 5-0 to approve.

Council Member Oliphant motioned to approve, seconded by Council Member Wilson. Vote was 6-0 to approve.

e. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Claude E. Melton's Request: Tax Map # 077-00-00-082-000: 9.00 acres located at 1430 Aaron Burr Rd, Chester, SC Rezone from RS-1 (Single Family Residential) to R-2 (Rural Two). The Planning Commission voted 5-0 to approve.

Council Member Guy motioned to approve, seconded by Vice Chairman Branham. Vote was 6-0 to approve.

f. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Claude E. Melton's Request: Tax Map # 077-00-00-121-000: 9.00 acres located at 1430 Aaron Burr Rd, Chester, SC Rezone from RS-1 (Single Family Residential) to R-2 (Rural Two) The Planning Commission voted 5-0 to approve.

Council Member Wilson motioned to approve, seconded by Council Member Guy. Vote was 6-0 to approve.

g. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Darrell Walters, representing Springsteen-Frances LLC Request: Tax Map # 165-00-00-066-000: 31.00 acres located at 5840 Lancaster Hwy., Fort Lawn, SC Rezone from GC (General Commercial) to ID-2 (Limited Industrial) The Planning Commission voted 5-0 to approve.

Council Member Oliphant motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

h. First Reading to Adopt the Planning Commission's Recommendation to Approve the Rezoning of Darrell Walters, representing Springsteen-Elliott LLC Request: Tax Map # 165-00-00-065-000: 26.284 acres located at 5780 Lancaster Hwy., Fort Lawn, SC Rezone from GC (General Commercial) to ID-2 (Limited Industrial) The Planning Commission voted 5-0 to approve.
Vice Chairman Branham motioned to approve, seconded by Council Member Lucas. Vote was 6-0 to approve.

9. Boards and Commissions

a. Appoint Ruthanne Levister to the Board of Assessment of Appeals- Council Member Pete Wilson
Council Member Wilson stated the appointee had written in the wrong district and asked if this could be corrected. Council Member Wilson motioned to approve Ruthanne Levister to the Board of Assessment of Appeals seconded by Council Member Oliphant. Vote was 6-0 to approve.

10. Executive Session-Council Member Jordan motioned to go into Executive Session, seconded by Council Member Wilson. Vote was 6-0 to approve at 8:05 PM.

a. To Receive Legal Advice Regarding Chester Technology Park-Contractual Matter

b. Economic Development Matter Project 1641

c. To Receive Legal Advice Regarding a Contractual Matter for Property

d. To receive legal advice regarding 1980 lease agreement between Chester County and Morrison Textile Machinery Company. (Action Item)

11. Councils Actions Following Executive Session-Council Member Wilson motioned to go back to Regular Session, seconded by Council Member Jordan. Vote was 6-0 to approve.

a. Action Taken On Chester Technology Park- Contractual Matter

This was taken as information only.

b. Action Taken Regarding Economic Development Project 1641

Council Member Oliphant recused from Project 1641. Vice Chairman Branham motioned to allow allow Karlisa Dean to proceed with Project 1641, seconded by Council Member Guy. Vote was 5-0 to approve.

c. Action Taken Regarding Contractual Matter for Property.

This was taken as information only.

d. Action Taken On Legal Advice Regarding 1980 Lease Agreement Between Chester County and Morrison Textile Machinery Company. (Action Item)

County Attorney Winters stated the lease was old and had been around since 1980 between the County and Morrison's Textile, the lease would be in place until Morrison built and operated their facility. This was in exchange of Chester County taken a loan of million dollars to make that happen. At the end of the loan the County was supposed to deed the property back to Morrison in change for \$1.00 consideration but this did not happen. Chairman Stuart motioned to authorize County Attorney Winters to create a deed for Morrison Textile Company, seconded by Council Member Jordan. Vote was 6-0 to approve.

12. Council Comments

Chairman Stuart reminded everyone about the Ag Art Tour this weekend.

Council Member Guy invited everyone to the cookout being sponsored by Mt. Hebron AME Zion Church that will be held June 10, 2017.

Vice Chairman Branham stated he was asked by Judge Roddey to invite Council to the unveiling of Carlisle's portrait which will be Thursday, June 8, 2017

13. Adjourn

The meeting was adjourned at 8:50 pm.

K. Shane Stuart, County Supervisor & Chairman

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