

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Government Complex

1476 J A Cochran Bypass, Chester, SC

July 15th, 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, County Attorney Winters and Clerk to Council Karen Lee.

1. **Call to Order** -Chairman Stuart called the meeting order at 6:00 pm.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison, Councilwoman Guy gave the invocation.
3. **Approval of Minutes- July 1st, 2019 Council Minutes.**
Clerk to Council stated the wording on 7.e (Chester Downtown Development) should be *Chester Development Association*). Vice Chairman Branham motioned to amend, second by Councilwoman Guy. Vote 6-0 to approve.
4. **Citizen Comments-**No one signed up to speak.
5. **Public Hearing-**Chairman Stuart opened the public hearing. No one signed up to speak.
3rd Reading of Ordinance No. 2019-8 An Ordinance to Authorize the County of Chester, By Chester County Council, To Accept A Donation of The Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein by Reference.
Chairman Stuart closed the public hearing.
6. **Ordinances/Resolutions/Proclamations**
 - a. **3rd Reading of Ordinance No. 2019-8** **An Ordinance to Authorize the County of Chester, By Chester County Council, To Accept A Donation of The Real Estate Described on Attached Exhibit "A" Which Is Incorporated Herein by Reference.** Chairman Stuart stated they had not received the Phase one document and suggested putting the third reading off. Councilman Oliphant motioned to put the third reading off until the next meeting, second by Councilman Jordan. Vote was 6-0 to approve.
 - b. **2nd Reading of Ordinance 2019-9** **Authorizing The Execution And Delivery Of A Fee In Lieu Of Ad Valorem Taxes Or Infrastructure Credit Agreement By And Between Chester County And Project 1860; The Inclusion Of The Project Site (Located In Chester County) In A Multi-County Industrial Park; The Provision Of Credits Against Fee In Lieu Of Tax Payments; The Execution And Delivery Of Other Documents As May Be Necessary To Effect This Ordinance's Intent; And Other Related Matters.** Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.
 - c. **2nd Reading of Ordinance 2019-10** **An Ordinance To Amend Chester County Ordinance No: 2019-6 The 2019-2020 Chester County Budget Ordinance, In Certain Limited Particulars Only.** Councilwoman Guy motioned to approve to move \$38,712.60 dollars from the 2018-2019 budget to the 2019-2020 budget to use for demolition projects, second by Councilman Wilson. Vote 6-0 to approve.

- d. **Resolution# 2019-15 to Adopt the Second Amendment to Lease Medical University of South Carolina Hospital.** Councilman Wilson motioned to approve, second by Councilman Jordan.
Vote 6-0 to approve.

7. Old Business

a. **Discuss Meeting with all Municipalities Concerning Inmate Charges. -Councilman Oliphant**

Councilman Oliphant stated through his research the only charge for municipalities would be food and medicine. If a price is determined to charge all the municipalities the use of the jail, all the towns along with some members of Council should be there when this is discussed. Chairman Stuart stated he would reach out Detention Center Director Wayne Alley to compare what other counties charge. Councilman Jordan asked if the Chairman would research how to house federal inmates and be compliant to create revenue for the County.

b. **Legal Opinion for Time Frame to add a Referendum to Move from County Supervisor Form of Government to County Administrator Form of Government- County Attorney Winters.**

After much discussion Council asked County Attorney Winters to send Council a copy of the wording that was on the ballot the last time. This will be added to August 19, 2019.

c. **County Seal on Vehicles- Vice Chairman Branham**

Vice Chairman Branham asked Chairman Stuart how many county vehicles did not have the seal. Chairman Stuart stated 43 vehicles, 4 in the coroner's office, 1 in County Supervisors office, 34 in the Sheriff's office, 1 in Economic Development, 1 in Animal Control office and 2 in the motor pool. Vice Chairman Branham motioned to amend the County Policy Manual in a Resolution to include County Seals on all County vehicles except for Economic Development and the Sheriff's office investigative vehicles, second by Councilman Wilson. Councilman Jordan asked if this would require the Sheriff's department to have the seal since they have identifying markings on their vehicles now on all patrol cars. County Attorney Winters stated the language could state law enforcement vehicles that are marked with Sheriff markings would not fall under the policy.

Vice Chairman Branham asked Councilman Wilson to withdraw his second, and Vice Chairman Branham withdrew his motion. Vice Chairman Branham then motioned to amend the County Policy Manual in a Resolution to include County Seals on all County vehicles except for Economic Development and the Sheriff's office investigative vehicles and anything from the Sheriff's department that are currently marked and identified as a Sheriff's vehicle will not be required to have a County seal, second by Councilman Wilson. Vote 5-1 to approve. Councilwoman Guy opposed.

d. **June Litter Pickup Report/May and June Litter Enforcement Report- Chairman Stuart**

Councilman Vaughn stated there were 467 bags of trash picked up in May, they are still in the progress of working on the litter ordinance.

8. New Business

a. **Permission to Purchase Vehicle for Litter Enforcement \$24,740.00 – Bond Monies**

Procurement Director Susan Cok stated the \$24,740.00 dollars would not cover \$500.00 dollars sales taxes and the \$17.00 tag and title fee. Councilman Vaughn motioned to approve and to include the \$517 dollars for fees, second by Vice Chairman Branham. Vote 6-0 to approve.

b. **Permission to Trade Sheriff's Vehicles for New Vehicles.**

Procurement Director Susan Cok stated a bid was put out to sell three vehicles from the Sheriff's department, but not a good turnout. The bids did not come back high, Chief Tate reached out to Santee Automotive who has agreed to buy the 2017 Ford F-350 Truck for \$42,000 dollars and the 2017 Ford Mustang for \$21,000 dollars and in return they would purchase two new vehicles on a State contract. The vehicles they want to purchase cost \$24,717 dollars.

Chief Tate stated they plan to use material they have to upfit the cars and would save \$14,000 by doing it themselves. They plan to sell the 2008 mustang at the state auction. He also requested any money left over would go back to the Sheriff's fund. Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

c. Animal Care Cleaning – Approve Change in Cleaning Company.

Procurement Director Susan Cok stated the price Office Pride gave was for one employee only, but the bid was for two employees, he would have to double his fees for two employees but did give a discount of the fee. The other bidder was TLC and now had the low bid of \$3225.00 dollars and would still be on a month to month basis. Councilman Wilson stated they should consider hiring someone to do the job in house at future budget workshops. Chairman Stuart motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.

d. Approval to Add Blackstock Lighting Cost for Existing Poles to the Contingency Line Item Fund.

Moral Wellness Recreation Director Anthony Worthy stated he could not get a certain dollar amount from Fairfield Electric only verbal for the street lights and was told the cost would run around \$100 to \$105 dollars a month. The cost could be monitored for six months. Vice Chairman Branham motioned to approve the funding of four street lights not to exceed \$115.00 a month, second by Councilman Jordan. Vote 6-0 to approve.

e. Approval to Add John Keziah Park Lighting Cost for Existing Poles to the Contingency Line Item Fund.

Moral Wellness Recreation Director Anthony Worthy stated he could not get a dollar amount for this also. Chairman Stuart stated he and Mr. Worthy would ride down to speak with them in person, Vice Chairman Branham stated this was not a priority like the street lights in Blackstock were and asked for this to be added to the next agenda with additional information.

f. Discuss the County Social Media Policy-Councilman Oliphant

Councilman Oliphant stated he had issues on the comment part for the Facebook live Council Meetings, viewers adding derogatory remarks, some true some not. He would like for the comment part to go away until they have another solution. Not trying to limit anyone's freedom of speech but make the meetings more professional. Chairman Stuart stated he gets most of the criticism but would not be in favor of limiting the comments. David Schuelke, Chester County IT Director stated he was not a social media expert but had done research and found is there is not a way to do that, Facebooks goal is to have the comment section. Councilman Jordan stated he would need more information, but also stated the County is the government and is a little bit different.

County Attorney Winters agreed, everyone has the right to freedom of speech but there is an abridgement, we can't allow people to make comments on the Counties Facebook that are discriminating, criminal in nature or threats that's not protected speech. They can comment about rulings the Council has done and are not happy with. Councilwoman Guy stated Council could not control what the public says in their comments but as Council members they should not make derogatory remarks about each other as officials.

g. Discuss Articles in the News & Reporter-Vice Chairman Branham.

Vice Chairman Branham stated he would like to put a lot of statements to rest concerning things going on with the County of what has been stated and not said. He had a copy of what was sent to the Attorney Generals office and no one will need to FOIA the information. He contacted several attorneys regarding as to what Council should do since they have no legal authority to bring charges. He has never gone to the Ethics Commission of what took place, he would be agreeable of anything that the Attorney General recommends.

This is nothing personal and would like to leave all the personalities out of this, everything that has been brought out has affected a county tax payer. The job of Council is to monitor and make sure all County policies and procedures are being followed. He was accused of not following the policy and that was not true, at the last meeting he was accused by the Chairman of costing the tax payers of eight million dollars in tax millage. He then read from previous Council minutes concerning statements Councilman Oliphant made "they were 17 mills decrease" at the time the taxpayers benefited from this since it lowered the taxes. The County did lose money

concerning this, but it was due to a calculation error made by a previous employee who worked in the Finance Department, he stated he did make the motion to reduce the county millage, but it was based on the information they were given. What his issue was being called out as if he had done this all by himself when in fact the whole council voted 6-0 to approve it. County Council resolved the issue, the Treasure sent the Department of Revenue a letter showing where the miscalculation occurred. In the letter from DOR he read “they *have reviewed the calculation made by the prior finance director and noted an error was made and confirmed the finding.*” Anyone that stated he was responsible for this was mistaken.

9. **Council Comments-** None

10. **Adjourn-** Councilman Oliphant motioned to adjourn, second by Councilman Vaughn. Vote 6-0 to adjourn.

Time: 7:40 pm

K. Shane Stuart
County Supervisor & Chairman

Karen Lee
Clerk to County 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