

CHESTER COUNTY COUNCIL MEETING MINUTES

August 17, 2020 at 6:00PM

Zoom Meeting

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

Absent: Councilwoman Guy with prior notification.

1. **Call to Order**-Chairman Stuart called the meeting to order.

2. **Invocation** -Vice Chairman Branham gave the invocation.

3. **Approval of Minutes**

a. **July 20th, 2020 Council Minutes.**

Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

4. **Citizen Comments**

Melba Carter had signed up but was not in the waiting room when her name was called.

5. **Public Hearing**-Chairman Stuart opened the public hearing and stated no one had signed up to speak.

a. **3rd Reading 2020-22** An Ordinance to Authorize the County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Mr. F.G. Dellaney, Jr. Upon Such Terms and Conditions as Described In The Request For Bid.

Chairman Stuart closed the public hearing.

6. **Ordinances/Resolutions/Proclamations**

a. **3rd Reading 2020-22** An Ordinance to Authorize the County Of Chester, By Chester County Council, To Sell The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference To Mr. F.G. Dellaney, Jr. Upon Such Terms and Conditions as Described In The Request For Bid. Councilman Oliphant motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

b. **2nd Reading of 2020-23** An Ordinance To Amend Chester County Code Chapter 2, Administration, Section 761et Seq., Fort Lawn Fire Protection District And Lewis Fire Protection District. Councilman Jordan motioned to approve, second by Councilman Wilson. Vote 5-0 to approve.

c. **2nd Reading of 2020-24** An Ordinance To Amend Chester County Code Chapter 2, Administration, To Create Division 19, Section 2-767 To Include Lewis Fire Protection District. Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

7. **Old Business**

a. **3rd Reading CCMA20-02:** Patton Development SC, LLC Request 2.95 acres of Tax Map # 079-01-17-013-000 (survey provided) located on JA Cochran By-Pass be rezoned from R2 (Rural Two) to GC (General Commercial) *Planning Commission Voted 6-0 to Approve.* Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 5-0 to approve.

b. 3rd Reading CCMA20-06: Gary Howell, with Howell Homes of the Carolinas, Request Tax Map # 123-00-00-090- 000 located on Hamilton Rd, Edgemoor, SC be rezoned from R2 (Rural Two) to R1 (Rural One) *Planning Commission Voted 4-1 to Deny.* Councilman Jordan motioned to deny, second by Councilman Vaughn. Vote 3-2 to deny. Councilman Wilson and Oliphant opposed.

c. Update on Great Fall Projects Regarding the Thread Trail, Rail Bed Trail and the White-Water Center. Councilman Vaughn. Glinda Coleman with the Great Falls Hometown Association gave an update regarding projects in Great Falls. They were excited about the Great Falls Visitor Center that was included on the one cents sales tax referendum. The center would make up all the parts that make up the nature base tourism and be important for the Carolina Thread Trail, whitewater area, kayaking and the future state park. Trails were being used more since COVID-19 and the purchase of the 3.5-mile rail bed from last year.

d. Update on County Bonding for New Animal Shelter-Councilman Oliphant. Councilman Oliphant gave an update regarding the new animal shelter. Procurement Director Susan Cok had been in contact with Keck and Wood, they do have experience in building animal shelters. They have sent the information for the square foot and the location as to where it would be built. They were waiting for them to verify how much could be done for one million dollars and their fee cost. Councilman Wilson asked to have this back on the September 8th meeting and if County Bonding Attorney Michael Kozlarek could be in attendance to fill them in on the details.

e. Discussion Regarding Property on Dawson Drive- Vice Chairman Branham Vice Chairman Branham, Mrs. Anderson had approached him again about purchasing the property on Dawson Drive. He asked if the property was contiguous to owned County property on Dawson Drive. Chairman Stuart, no there were a few residences in between but could possibly be used for storing heavy machinery for the Roads Department. He would speak with the Public Works Director and see what the property could be used for. Vice Chairman Branham asked to have this back on the next agenda to decide if the County is interested or not.

f. Details Regarding how the Cleaning and Sanitization has been done in County Government Buildings. Councilman Vaughn. Councilman Vaughn, wanted to give county employees assurance the buildings are being cleaned and sanitized and if they are trained and qualified people since there has been exposure of the coronavirus. Chairman Stuart, he would reach out to the Public Works Director for the exact details but does have a company that comes in and cleans and sanitizes once a week. After an event where an employee has tested positive that office is sanitized immediately after the employee has left. Councilman Vaughn, bring this back to the next meeting of who the company is and what their process is and what is required.

g. Litter Report for July and Litter Ticket Enforcement Report for August- Chairman Stuart Chairman Stuart, 633 bags of trash were picked up in July. The litter enforcement report showed how the cases were progressing, guilty, not guilty, voided and warnings.

8. New Business

a. Discuss equipment Needs for New Hires. -Sheriff Max Dorsey Sheriff Dorsey, talked about the equipment needs related to the COPS hiring grant, he had already received approval from Council to hire six deputies, but they would still need funding to pay for necessary vehicles and equipment. He requested approval from Council to purchase six (6) vehicles and equipment for six law enforcement officers. The equipment would include but not limited to handheld radios, firearms, uniforms, body armor, tasers and other necessary items. He requested funds in the amount of \$480,000 dollars, he would buy fully equipped vehicles not to exceed the total cost of \$402,000 dollars, the amount is higher than past request due to the inability to purchase Dodge Chargers because of the pandemic limiting supplies. The vehicle's to be purchased would be either Dodge Durango's or Ford Explorer/Interceptor. The purchase of the equipment

is to provide for six new deputies would not exceed a total of \$78,000 dollars. If the equipment is not bought, they will lose the million-dollar grant money they received.

Treasurer Tommy Darby, currently the fund balance is around \$9.1 million dollars ended this year better than what he anticipated but doesn't include the funds from the sale of Southeastern Petroleum that was around \$600,000 dollars but could be used toward the capital purchase for what the Sheriff is requesting. Sheriff Dorsey applied for the JAG grant back in February and the potential is still there to receive the grant but wouldn't know if they will be awarded until around the first part of October. Councilman Oliphant, if the JAG money is awarded could that be used to reimburse the County for the cars and equipment. Mr. Darby stated he would have to look at the grant. Sheriff Dorsey, when the cost of the salaries, benefits the equipment he was asking for the four frozen positions amortized over a three year period, and if they did not receive the million dollar grant and had to unfreeze the four positions the County would have to pay \$222,000 dollars to fund four positions. Because of the grant they are able to hire six deputies costing the County \$109,000 dollars. Think about the impact this will have on our community and how much money it is saving. Vice Chairman Branham motioned by title only to move forward in the amount of \$480,000 dollars to purchase six vehicles and equipment for the Sheriff's office, second by Councilman Oliphant. Vote 5-0 to approve.

b. ATAX Recommendations- Treasurer Tommy Darby.

Councilman Oliphant motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

c. The Pinckney Road & Eureka Community Project-Councilman Oliphant.

Councilman Oliphant, around seven properties to demolish went out for bids this week. There are so many abandoned derelict houses in the County that needs to be torn down. So many bad things hide in these structures which is not safe for people who lives around them. Most of the houses are owned by people who live in Chester and some who live out of town. This hurts future prospects for change in Chester County, funds are available to tear them down the ordinance needs to be enforced. We don't want the children who live in these neighborhoods to think it's ok to see derelict houses when they come in and out of their houses.

He would like to see community officers be able to write tickets for this. Sheriff Dorsey introduced Deputy Boyd and Deputy Seat stating both deputies were serving various roles at the Sheriffs Office. He along with the deputies have partnered with churches in the neighborhoods and have had several meetings regarding not only derelict houses but high crime there. They are building a relationship with the residents living there. Deputy Boyd, the churches are wanting to do food banks along with other help. Due to the problems of the derelict houses the residents see people going in them at night. He himself had identified ten houses that needed to be torn down.

Deputy Seat, at Eureka the residents there also talk about how bad the houses look, animals go in the houses as well. When you have derelict houses, people throw their trash on the site. The community needs to be built up to show the children a different mindset. Sheriff Dorsey, lets help restore pride in these communities, it's not just about being a cop, it's about helping our fellowman. Councilman Oliphant asked to have this back on September 8th, agenda to discuss funding.

d. Discuss the Use of County Buildings for Functions-Councilman Oliphant.

Councilman Oliphant, last year it was requested to see the usage for the War Memorial Building, but Council never received anything. He thinks for this Council and future Council they need to know the actual usage for all county properties. He would like for it to be added to Council's packages showing who used the properties by putting a spreadsheet together and adding it each month. Someone like the Solicitor who has used the Memorial building and doesn't have to pay to use it. Chairman Stuart, they do keep a hard copy for each event and place that is rented, Karen asked for them Friday, but they are getting them together. Councilman Wilson asked if the buildings were rented at no cost, and if there was a policy in place that qualifies a person to rent at no cost. Chairman Stuart stated a policy does need to be put in place to address that but now they take it by event to event through the guidelines from the rental agreement. Councilman Wilson, a policy does need to be in

place to show transparency and needs to be drafted immediately to be approved by Council. He asked for the new policy to be added to September 8th agenda.

e. Discuss Code Enforcement Officer Position in Building & Zoning-Councilman Oliphant.

Councilman Oliphant, the position needed to be unfrozen, the County needs someone out there writing tickets and letters to get structures cleaned up. It was brought to his attention the company that currently does all the inspections can also do code enforcement. Councilman Oliphant motioned to unfreeze the position, second by Councilman Vaughn. Discussion: Councilman Jordan, this would be a budget amendment but would like more information of what the salary would be. Vice Chairman Branham, a job description would also be required. Councilman Vaughn withdrew his second, Councilman Oliphant withdrew his motion and requested for the next meeting Council would like information if there would be a benefit of letting the company do the code enforcement or Council unfreezing the position and hiring someone.

f. Discuss the Burnt Meeting House Cemetery- Councilman Oliphant.

Councilman Oliphant, the County owns this property and it should be maintained by the County. It needs to be more accessible, once it's maintained it should not go back to the way it looks now. He asked to have this back on September 8th Council meeting and maybe to have Public Works Director Robert Hall there to provide a plan of what needs to be done to get this cleaned up.

g. Consideration for a County Wide Mask Ordinance. Chairman Stuart.

Councilman Jordan, the Governor has encouraged all cities and counties to implement a mask ordinance. Chester County is still ranked high. Nine more cases were added today making the total 746 cases, he understood the mask are not very favorable, but they do work. Municipalities that have mask ordinances the rate was down by 15 %, the areas that doesn't have a mask ordinance went up by 30%.

Chairman Stuart, the numbers are dropping but it doesn't mean they are going away. They're not testing as much as they were. Vice Chairman Branham, he was not in favor since businesses will not let you in if you don't have a mask on. Some people can't wear mask due to breathing problems, on oxygen, claustrophobia along with other reasons. Also, it would be hard to enforce, but does recommend them to be worn and continue to social distance. People he spoke with who wears mask religiously are not in favor of an ordinance. Councilman Jordan, other counties have passed resolutions to support wearing mask Councilman Jordan motioned to approve a resolution to encourage all Chester County citizens to wear a mask and to social distance, second by Councilman Vaughn. Vote 5-0 to approve.

h. Discuss the Recreation Agreement between Great Falls and Chester County-Councilman

Vaughn. Councilman Vaughn, in September of 1995 Chester County and Great Falls agreed that Chester County would take over all the recreation fields for a dollar a year for twenty-five years, this will expire at the end of this month. The Town of Great Falls would like to continue the agreement with a revised agreement. Councilman Vaughn motioned to renew the agreement after County Attorney Winters has reviewed the document and brought up to today's terms and bring the document back to Council before the expiration to get it passed, second by Councilman Oliphant with discussion.

Councilman Oliphant, he did not see how this could be voted on when no information was provided. Councilman Jordan, it had been to the Parks and Recreation Commission but was given the old lease, they did not like some of the language in the lease but needs to see the lease revised. They did not take any action at that time. Wellness & Recreation Director Anthony Williams, they did have a meeting regarding the lease, but the language from twenty-five years ago was unacceptable by him and the commission. It seemed to them Chester County owns the property but was taken care of it for Great Falls. There were a lot of liability issues in the agreement such as Republic park, the seats have been taking off the stands with other issues as drainage problems. It would also have to brought up to ADA requirements as well. To his understanding in 2017 a walk through was done to see how much it would cost to bring the park into compliance which was around \$200,000 dollars.

Councilman Wilson, so if this is done for Great Falls would we do it countywide also, he does not see doing it for one town and not do it for the others. Chairman Stuart stated on the grass alone it was around \$25,000 dollars a year in Great Falls. No one else uses the fields except for the school district, he thought the school district should work directly with the town of Great Falls. Joey Williams, the county cuts the grass at the Republic park along with the outfield. He and the high school baseball coach cuts the infield, the rest of the fields is cut by Jays Lawn service who is contracted by the County. Mr. Williams, the drainage problem had been fixed, the county supplied them with rock. He had received quotes to install wood planks for the stadium seats like the ones High School's uses for around \$40,000 dollars. This request was supposed to make it on the one cents sales tax but didn't.

Councilman Vaughn asked to see how much money is spent on the upkeep on Dawson Drive to make a comparison. Councilman Wilson asked to see for the next meeting an updated list of all services the County does. Councilman Oliphant withdrew his second and Councilman Vaughn withdrew his motion. Councilman Vaughn motioned to authorize County Attorney Winters and Chairman Stuart to negotiate with Great Falls on recreation and the Advisory of Parks & Recreation Commission, second by Councilman Oliphant. Vote 5-0 to approve

i. Discussion of The Adjudication (Processing) Of Tickets for Litter Though the Magistrates

Court's. Councilman Vaughn. Councilman Vaughn, the litter ordinance was revised last year to put more teeth in it by bringing it up the level of state ordinances. He wanted to review the affectedness of it and improvements that need to be made. Five tickets were dropped by the officer, the way the ordinance is written it is up to the court to drop. On the report it stated by the officer "corrections made" but the ordinance states "the court may permit and recognize a roadside bond offered by the litter enforcement officer to the violator. A roadside bond will include a fine and a requirement for community service". He did not see community service for the tickets that were dropped. If the person goes back and corrects the violation, he should still get a fine along with community service which by ordinance the court assigns not the litter enforcement officer.

Councilman Jordan, on the litter enforcement report the magistrate had requested to make deals due to COVID-19 to minimize the exposure to the court. Councilman Vaughn asked if the sheriff office made deals like that for misdemeanors and if they reduced fines. Seems to him the county litter officer is at more risk than the court. Chairman Stuart, an officer can state at court not guilty and enter that plea on their side since it is magistrate court. Attorney Winters, that was correct the officer can recommend what he would like to see as a resolution. When you're in court it is the judges call.

Councilman Vaughn, the judge is following the litter ordinance, when the ticket is dropped by the litter enforcement officer it is telling the offender you're good. This should not happen the ordinance needs to be done the way it is written. Attorney Winters, so our employee is dropping the fine. Councilman Vaughn, did changing the ordinance have a positive impact on improving and reducing litter in Chester County. This dropping of tickets needs to be improved. Councilman Oliphant, the employee does a great job for the county and did not want the employee to do anything that is a liability to the county. Chairman Stuart, he would check with the magistrate to see if tickets can be dropped.

9. Boards and Commissions

a. Reappointments to Catawba Regional Council of Government-County Council.

Vice Chairman Branham motioned to reappoint Jim Fuller, second by Councilman Oliphant. Vote 5-0 to approve. Vice Chairman Branham motioned to reappoint Nettie Archie, second by Councilman Vaughn. Vote 5-0 to approve.

b. Reappointments to Catawba Mental Health Board- County Council.

Councilman Oliphant motioned to reappoint Bennie Thompson, second by Vice Chairman Branham. Vote 4-0 to approve. Vice Chairman Branham lost connection and did not vote.

Councilman Vaughn motioned to reappoint Melanie Saxon, second by Councilman Jordan. Vote 4-0 to approve. Vice Chairman Branham lost connection and did not vote.

Councilman Jordan motioned to reappoint Susan K. Helms, second by Councilman Wilson. Vote 4-0 to approve. Vice Chairman Branham lost connection and did not vote.

- 10. Executive Session-**Councilman Oliphant motioned to go to Executive Session, second by Councilman Vaughn. Vote 3-0 to approve. Vice Chairman Branham lost connection and did not vote. *Councilman Jordan, he had recused himself in the past regarding this issue and would continue to do.*

a. Personnel Issue Regarding the Fort Lawn Fire Protection District-Councilman Wilson.

11. Council Actions Following Executive Session

Councilman Oliphant motioned to go back to Regular Session, second by Vice Chairman Branham. Vote 5-0 to approve.

a. Action Taken Regarding Personnel Issue with the Fort Lawn Fire Protection District.

Chairman Stuart motioned to remove Chief Allen Culp as the Fire Chief of Fort Lawn Fire District, second by Councilman Wilson. Vote 4-0 to approve.

Councilman Wilson motioned to name David Dutton as the Fire Chief of Fort Lawn Fire District, second by Councilman Vaughn. Vote 4-0 to approve.

12. Council Comments

Councilman Oliphant, Branham and Vaughn all stated the next regular meeting should be held in the Council Chambers.

Councilman Jordan asked the Clerk to add the Rodman Sports Complex to the next agenda.

Councilman Wilson, he received an email from Supervisor Stuart that stated an item outside of his district should not be added to future agendas. Councilman Wilson disagreed with that, if the Supervisor had evidence showing that he cannot add items to the council agenda that relates to things outside of his district he asked if that can be provided to him.

- 13. Adjourn-**Councilman Oliphant motioned to adjourn, second by Vice Chairman Branham. Vote 5-0 to adjourn.

Time: 9:35 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.