

# **CHESTER COUNTY COUNCIL MEETING MINUTES**

## **R. Carlisle Roddey Government Complex**

1476 J A Cochran Bypass, Chester, SC

September 3rd, 2019 Tuesday at 6:00 PM

### **MINUTES**

**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 Joanie Winters and Clerk to Council Karen Lee.

1. **Call to Order**-Chairman Stuart called the meeting to order.
2. **Pledge of Allegiance and Invocation**-Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes** - August 19, 2019 Council Minutes.  
Councilwoman Guy motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.
4. **Citizen Comments**-No one signed up to speak.
5. **Public Hearing**-There was no public hearing for this meeting.
6. **Ordinances/Resolutions/Proclamations**
  - a. **3<sup>rd</sup> 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.
  - b. **3<sup>rd</sup> Reading of Ordinance 2018-15 “An Ordinance (1) Ratifying And Approving The Transfer And Assignment Of PPG Industries, Inc.’s Right Title And Interest Into Certain Fee In Lieu Of Taxes Arrangements With Chester County, South Carolina (The “County”); (2) Authorizing The Conversion And Transfer Of Property Subject To An Existing Lease Agreement Between The County And Electric Glass Fiber America, LLC To A Fee-In-Lieu Of Property Taxes Arrangement Under Title 12, Chapter 44 Of The South Carolina Code, As Amended; (3) Authorizing The Execution And Delivery Of Such Documents As May Be Necessary To Effect The Intent Of This Ordinance; And (4) Authorizing Other Matters Relating Thereto.”**  
Councilman Oliphant recused from voting stating he does business with the company. Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.
  - c. **2<sup>nd</sup> Reading of Ordinance 2019-12 An Ordinance to Amend Chester County Code Section 46-93 Littering.**  
Councilwoman Guy motioned to discuss, second by Councilman Vaughn. Councilman Vaughn stated under section i, he wanted to keep the word “shall” and delete “may”. County Attorney Winters stated may is discretionary and shall is mandatory, she stated all the other changes from the last meeting had been changed. Councilwoman Guy asked if it stated may if that conflicted with the state law. County Attorney Winters stated no, it would give discretion to the judge. Councilwoman Guy withdrew her motion, Councilman Vaughn withdrew his second. Councilman Vaughn motioned to approve all changes and under section “i” remove the word may and add shall, second by Councilman Oliphant. Vote 5-1 to approve. Councilwoman Guy opposed.

**d. Resolution 2019-21 Amend the Chester County Employee Handbook Policy 2-3 New Employee Processing, Orientation and Introductory Period, Section 3 (c) Administrative Requirements.**

Chairman Stuart stated under the policy manual it requires the economic director to live in the County, it would be easier if this was removed so we would have the option to hire from outside of the County and wanted Council's opinion. Councilman Jordan motioned to approve with discussion, second by Councilwoman Guy. Vice Chairman Branham asked who would be writing the requirements for the job. Chairman Stuart stated Karlisa Parker Dean had been working with HR Director Hyatte Kelsey and has also had input from the CDA. He would be happy to send Council a copy of the job description they have.

Councilman Oliphant stated he would want the new person to live here but the County does need to keep the door open and the salary would need to be discussed. Chairman Stuart stated the job description and salary could be on the next agenda, they plan to put the job out for thirty days and he will be meeting with the CDA to work on a hiring committee. Once the applications are received, they can go through them and make selections. Vote 6-0 to approve to remove the requirement for the economic director to live in the County.

**7. Old Business**

**a. Christmas in Chester- Brenda McBrayer**

Treasurer Tommy Darby stated if you stay within the percentage of tourist the event brings in it should be ok to use ATAX money to fund this. After much discussion Councilman Wilson motioned to allocate 25% of the Christmas in Chester budget of \$33,098.43 dollars and use the local ATAX money to support the event in the amount of \$8247.60, second by Councilman Jordan. Councilman Jordan asked if he could add to his motion to notify the other municipalities of the availability of the ATAX funds. Councilman Jordan withdrew his second, Councilman Wilson withdrew his motion and motioned to allocate 25% of the Christmas in Chester budget of \$33,980.43 dollars and use the local ATAX money to support the event in the amount of \$8247.60 and to notify the other municipalities of the availability ATAX funds, second by Councilman Jordan. Vote 6-0 to approve.

**b. Discuss Giltner Property also known as Tax Map Number 201-12-01-005-000. Councilman Oliphant**

Councilman Oliphant stated the third and final reading for this property was at the last meeting, he received a call from Mr. Giltner telling him no one got back in touch with him about the property and thought the County was not interested since no one reached out to him and made other commitments. He stated he didn't know if anyone had contacted Mr. Giltner after the third reading, and asked what procedure needs to be done now since the third reading was approved to accept the property.

County Attorney Winters stated she had left a voice mail letting him know the County would be doing a phase one on the property and would contact him when it was completed so he would know if there would be a delay. Chairman Stuart stated he had reached out to him when he was first approached to let him know Council would have to approve it and have the phase one completed.

Councilman Oliphant stated we have passed third reading on this property we will not get, so what action needs to be done. Someone from management should call him to see if may still want to gift the County with the property first. Councilman Jordan stated before the ordinance is revoked the County needs confirmation from the owner. Vice Chairman Branham asked how much did phase one cost, Procurement Director Cok stated \$1800.00. Councilman Wilson suggested going forward so this does not happen again to have an agreement with the owner. County Attorney Winters agreed, stating a letter of intent that would layout the process, and she would contact Mr. Giltner concerning the property before the ordinance is revoked.

**c. From CCTC:**

**Action Taken on Murdock Road- Taken as information only.**

**Action Taken on Two Sidewalk Projects-Councilman Oliphant motioned to proceed with SCDOT permitting for Ashford and JA Cochran sidewalk projects, second by Councilwoman Guy. Vote 6-0 to approve.**

**Action Taken on Baseball Alley Project- Taken as information only.**

**d. From CCTC b. Request to Reimburse the County Roads Department for Road Maintenance from May 6<sup>th</sup>, 2019 to August 19<sup>th</sup>, 2019 in the amount of \$ 12,660.72 dollars.**

Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

**8. New Business**

**a. 2019-2020 Tax Millage Rate-Auditor Donnie Wade.**

Chairman Stuart motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

**b. Approval of bid for Maintenance Facility at CCDC in the amount of \$37,600.00. Susan Cok.**

Chairman Stuart motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

**c. Approval of multi-year contract with TruVista for Richburg EMS. Susan Cok**

Chairman Stuart motioned to approve a multiyear contract for \$125.98 a month, second by Councilwoman Guy. Vote 6-0 to approve.

**d. Approval of Bid for 51 sets of Turnout Gear in the amount of \$89,505.00. Susan Cok**

Chairman Stuart motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.

**e. ATAX Recommendations-Cheryl Addison**

Councilwoman Guy motioned to accept the ATAX recommendations, second by Councilman Jordan. Vote 6-0 to approve.

**f. Discuss County Gravel Pit- Councilman Oliphant**

Councilman Oliphant stated this had been discussed previously but was not sure if it was in open session or in executive session. The property has twenty-one acres and landlocked, but has access to it, used as the County gravel pit but was closed. Basically, a rough piece of land that does not benefit the County, the Tax Assessor has it valued at \$1500 dollars an acre which comes to \$31,500 dollars. Councilman Oliphant motioned to put the property up for auction known as Tax Map Number 050-00-00-057-000 with the minimum sealed bid of \$31,500 dollars, second by Vice Chairman Branham. Vote 6-0 to approve.

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

**a. Receive Legal Advice Regarding the ATAX Commission.**

**b. Receive Legal Advice Regarding an Assignment Agreement for County Property**

**10. Council Actions Following Executive Session-Councilman Jordan motioned to go back to Regular Session, second by Councilwoman Guy. Vote 6-0 to approve.**

**a. Action Taken Regarding Legal Advice on the ATAX Commission. Taken as information only.**

**b. Action Taken Regarding Legal Advice on an Assignment Agreement for County Property.**

Taken as information only.

**11. Council Comments-No comments from Council**

**12. Adjourn-Councilman Oliphant motioned to adjourn, second by Councilwoman Guy. Vote 6-0 to adjourn.**

Time: 8:05 PM

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**K. Shane Stuart, Chairman & County Supervisor**

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**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.