

# CHESTER COUNTY COUNCIL MEETING MINUTES

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

1476 J.A. Cochran Bypass Chester, SC 29706

**Tuesday, September 7th, 2021 at 6:00 PM**

**Present:** Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Brad Jordan, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman William Killian, Councilman Pete Wilson, Clerk to Council Karen Lee and County Attorney Joanie Winters.

1. **Call to Order-** Interim Chairman Dr. Frederick called the meeting to order at 6:23pm. (CTC meeting ran late).
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes-August 16<sup>th</sup>, 2021 Council Minutes.**  
Councilman Vaughn motioned to approve, second by Councilman Killian. Vote 6-0 to approve.
4. **Citizen Comments**  
Mark Wyatt spoke and was in favor of the rezoning requests on Village Drive.
5. **Public Hearing -None**
6. **Ordinances/Resolutions/Proclamations**
  - a. **2<sup>nd</sup> Reading of 2021-10 An Ordinance to establish distribution of the Local Option Sales Tax.**  
Treasurer Tommy Darby stated the county revenue fund for 2021 brought in \$940,000 dollars and represented around 28% of the total received from the fund. The property tax credit fund represented around 72%. The ordinance would give some direction as to how the funds would be allocated.  
Vice Chairman Branham motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.
  - b. **1<sup>st</sup> Reading of 2021-11 An Ordinance to amend the master agreement governing the York-Chester Industrial Park between Chester County, South Carolina And York County, South Carolina so as to enlarge the park.** Vice Chairman Branham asked which park was this. Attorney Winters stated this was for Gallo and would be included in the York and Chester industrial park. Vice Chairman Branham stated he thought Gallo would be going with Lancaster, Attorney Winters stated Gallo had given it to York County early on. Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote was 5-1 to approve. Vice Chairman Branham opposed.
  - c. **Resolution 2021-15 A Resolution to authorize the County of Chester, by Chester County Council to sell certain vehicles of the Sheriff's Office Identified herein upon such terms and conditions as described.** Councilman Jordan motioned to approve along with funds from the sell be put back into the Sheriff's vehicle fund, second by Councilwoman Guy. Vote 6-0 to approve.
7. **Old Business**
  - a. **Discussion regarding the disposition of the Animal Shelter- Procurement Director Susan Cok.**  
Dr. Frederick stated there had been a lot of discussion concerning the animal shelter and which plan to go with, renovate the old building or build a new one. Looking at and identifying the funding sources, to add on to the old shelter would cost 1.4 million dollars which would consist of renovating by adding a new roof, new HVAC units, replace old wiring and other cosmetic purposes. The current building would also need to be brought up to current building codes as well. Building a new shelter would cost around 3.3 million dollars and would be the better option since all the above issues would be eliminated, a new location would provide future expansion opportunities such as veterinarian's office space and areas for large animals, etc. A new shelter would also provide space for an adoption side where people interested in adopting could see the animals. He stated a new facility would change the perception of the old shelter.

Councilwoman Guy stated the square footage for a new building would be about the same size and the same amount of room as the old one. She did not see building a new one the same size as the old one, she knows \$250,000 dollars was spent a few years ago on the old one and thinks more renovations to it would be better than building a new shelter.

Councilman Wilson stated seeing the 3.3-million-dollar price tag to build a new shelter was hard to wrap his mind around that but seeing the 1.4-million-dollar price tag to renovate the old shelter to him it would be hard to spend that kind of money. He toured the shelter a while back and the condition of the animals were not bad, but you could tell the shelter was dated. The shelter doesn't have insulation, it has old equipment and a lot of inefficiencies. To his understanding the new building would be on Armory Road, the older parts of the shelter would have to be demolished. We don't need to have two animal shelters. He asked if this was approved to build a new shelter, he would like for Council to see the plans as they are being developed, Council wants to make sure that if they go that route and spend that much money, they do a good job. The funding has been identified.

Treasurer Darby stated the county was working on multiple projects, three sources had been identified for all the projects and working through some of the red tape of those funding sources. The animal shelter fits within one of the pots of money and the funds are available and he was comfortable with the project.

Vice Chairman Branham stated he agreed with building a new shelter instead of renovating the old one. If you look at the jail where the new part was added on to the old part, there were a lot of deficiencies there. The square footage for the new building would be the same as the old one but would be designed to where additions could be added with no problem.

Councilman Vaughn stated he had gone back and forth whether to renovate or build a new shelter but now agrees this would be a real step forward for Chester County and a better option for county taxpayers. He stated not only will we have a new shelter, but also looking at changing the way the shelter is operated.

Councilman Jordan stated he couldn't see putting 1.4 million dollars into the old shelter, the future area for the new building would also give better options to house larger animals as well.

Attorney Winters asked if the cost to build the new shelter included demolishing the old shelter.

Procurement Director Susan Cok stated no.

Interim Chairman Dr. Frederick asked Public Works Director Robert Hall if his staff could do the job. Mr. Hall stated yes. Vote was 4-2 to approve. Councilman Killian and Councilwoman Guy opposed.

- b. **2<sup>nd</sup> Reading of CCMA21:20: Todd Marion Love request Tax Map # 115-00-00-023-000 located on Lancaster Highway, Chester, SC be rezoned from GC (General Commercial) and R2 (Rural Two) to ID-2 (Limited Industrial). Planning Commission voted 7-0 to approve. Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.**
- c. **2<sup>nd</sup> Reading of CCMA21-21: HLC Holdings, LLC request Tax Map # 115-00-00-144-000 located on Lancaster Highway, Chester, SC be rezoned from GC (General Commercial) to ID2 (Limited Industrial). Planning Commission voted 7-0 to approve. Councilwoman Guy motioned to approve second by Councilman Killian. Vote 6-0 to approve.**
- d. **2<sup>nd</sup> Reading of CCMA21-22: Earl L. Evans request Tap Map # 069-07-01-026-000 located at 528 West End Road, Chester, SC be rezoned from RG-2 (General Residential) to GC (General Commercial). Planning Commission voted 7-0 to approve. Councilwoman Guy motioned to approve second by Councilman Killian. Vote 6-0 to approve.**
- e. **2<sup>nd</sup> Reading of CCMA21-24: US Developments request Tax Map # 079-04-02-020-000 located on Village Drive, Chester, SC be rezoned from LC (Limited Commercial) to PD (Planned**

**Development).** Planning Commission voted 5-2 to approve. Councilwoman Guy motioned to approve with a reverter clause and a 12-month time frame, second by Vice Chairman Branham. Vote 4-2 to approve. Councilman Jordan and Vaughn opposed.

f. **2<sup>nd</sup> Reading of CCMA21-25: US Developments request Tax Map # 079-04-02-088-000 located on Village Drive, Chester, SC be rezoned from RG-1 (Multi Family) to PD (Planned Development). Planning Commission voted 5-2 to approve. Councilwoman Guy motioned to approve with a reverter clause and a 12-month time frame, second by Vice Chairman Branham. Vote 4-2 to approve. Councilman Jordan and Vaughn opposed.**

g. **2<sup>nd</sup> Reading of CCMA21-26: US Developments request a 28-acre portion of Tax Map # 079-00-00- 032-000 located on Village Drive, Chester, SC be rezoned from RG-1 (Multi Family) to PD (Planned Development). Planning Commission voted 5-2 to approve. Councilwoman Guy motioned to approve with a reverter clause and a 12-month time frame, second by Vice Chairman Branham. Vote 4-2 to approve. Councilman Jordan and Vaughn opposed.**

h. **Update regarding a multi-year lease for servers and licensing agreement in the amount of \$ 77,354.27 dollars. - IT Director David Schuelke**

Mr. Schuelke stated he visited council last time regarding this, and it was approved with the contingent on the lease contract being changed? The issue with that is the lease contract cannot be changed because it references state contract. And when state contracts are put into place that can't be changed until the period of that date.

Attorney Winters stated there was a dichotomy between the actual purchase agreement and then the lease document, the lease document used the language of as is, the purchase agreement says new. She and David went back and forth with the lease people and the Dell folks. Ultimately, she was comfortable with the fact the County would be getting new equipment. The only reason she had that concern was because of an issue years ago with copiers with a similar situation. The document had we are leasing the products to you as is but that is the leasing company. They are not supplying the equipment and we got assurances in writing from Dell that this would not be as is but new equipment. She asked counsel, if they would re approve without the caveat that number four in the lease agreement needed to be changed. Because they won't change it. Vice Chairman Branham motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

i. **From CCTC: 9-7-2021**

1. **Action taken on Baseball Alley.** Councilwoman Guy motioned to approve \$23,500 for parking and drainage, second by Councilman Killian. Vote 6-0 to approve.

2. **Action taken for the CTC 2022 Road Paving List for each district.** Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

3. **Action taken for the surface prep and painting for Exit 65 Bridge.** Taken as information.

4. **Action taken to reimburse the Recycling Department for sign material in the amount of \$ 3422.03.** Councilwoman Guy motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

5. **Action taken to reimburse the Road Department for road maintenance in the amount of \$ 19,652.96.** Councilman Wilson motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

## 8. New Business

- a. **Council to consider the approval of Autoagent iPayment Proposal Agreement to process all online tax payments.- Treasurer Tommy Darby.**

Mr. Darby stated he found a solution that would be no cost to the County and would be a little cheaper for taxpayers. He asked Council if they would take this as information for now since he was in talks with the current company who came back with a proposal.

- b. **Council to consider the acceptance of a FEMA Fire Act Grant for \$207,797.00 dollars to purchase a new EMS unit with a match of \$9,895.10 dollars.- T. Melton. Richburg Assistant Fire Chief.**

T. Melton stated with Council's approval they would use the money to purchase a new EMS unit, and use the old one for a spare. Vice Chairman Branham motioned to approve \$9895.10 to purchase the new unit, second by Councilman Killian. Vote 6-0 to approve.

- c. **Council to consider adding current staff for EMS 6 and EMS 7. - EMS Director Britt Lineberger.**

Mr. Lineberger stated since the COVID virus had spiked over the last three weeks 100% of every hospital in five counties had been on diversion. They cannot honor that request, but it did mean when they transported a patient to a hospital they would have to wait. The average wait time was around an hour and half. He had checked with Mr. Darby. And they have determined that COVID money from the federal government, the reimbursable money is still available, they need to put two more trucks on to backfill. If given permission to put the trucks back on it's already within the schedule and payroll for COVID and coded that way for that purpose.

Treasurer Darby stated originally, they weren't positive, how the federal funds would flow. Basically, they were going to fund those trucks and set aside 250,000, whether it was going to be reimbursed or not, I think right now we're positive and certain that those monies are reimbursable. He doesn't think the County would have to appropriate any level, if it came to a point where we didn't get reimbursed, we could put a number on it. Councilman Vaughn motioned to approve, second by Councilwoman Guy. Vote 6-0 to approve.

- d. **Council to consider the approval for the Sheriff's Office to apply a grant from the Chester Healthcare Foundation to purchase a medium sized drone for use by the Sheriff's Office and other County offices. -Captain David Peeples. Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.**

- e. **Council to consider the approval for the Sheriff's Office to apply for a grant from the Lutz Foundation to purchase a large sized drone for use by the Sheriff's Office and other county offices.- Captain David Peeples. Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.**

- f. **1<sup>st</sup> Reading of CCMA21-27 Chris and Alma Hoskins request Tax Map # 122-01-03-010- 000 located at 4431 Edgeland Road, Edgemoor SC be rezoned from R2 (Rural Two) to GC (General Commercial). Planning Commission voted 4-0 to approve. Councilman Jordan motioned to approve with a reverter clause if the business ceases operations the property would revert back to R2 zoning, second by Councilman Wilson. Vote 6-0 to approve.**

## 9. Boards and Commissions

- a. **Appointment to the Parks & Recreation Board.- Interim Chairman Dr. Frederick.**

Interim Chairman Dr. Frederick motioned to appoint Forest Baker, second by Vice Chairman Branham. Vote 6-0 to approve.

- b. **Resignation from the Chester Metropolitan District Commission- County Council.**

Councilman Jordan motioned to approve Chris Winters resignation, second by Vice Chairman Branham. Vote 6-0 to approve.

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

- a. To receive legal advice regarding Project 2024. Attorney Winters.
- b. To receive legal advice regarding Project 2043. Attorney Winters.
- c. To receive legal advice regarding Project 2106. Attorney Winters.
- d. To receive legal advice regarding development agreements. Attorney Winters.
- e. To receive legal advice regarding a contractual matter for Gallo Wine. Attorney Winters.
- f. To receive legal advice regarding pandemic procedures. Attorney Winters.

**11. Council Actions Following Executive Session-**Councilwoman Guy motioned to go back to regular session, second by Councilman Killian. Vote 6-0 to approve.

- a. **Action taken regarding legal advice for Project 2024.** Taken as information only.
- b. **Action taken regarding legal advice for Project 2043.** Taken as information only.
- c. **Action taken regarding legal advice for Project 2106.** Taken as information only.
- d. **Action taken regarding legal advice for development agreements.**

Councilman Jordan motioned to approve in title only an ordinance adopting the requirements of the South Carolina local government Development Act, creating uniform requirements for the counties executing and delivering development agreements and other related matters, second by Councilman Killian. Vote 6-0 to approve.

Councilman Jordan motioned to approve in title only an ordinance to approve the execution and delivery of a project agreement between the County and Project Village Drive and other related matters, second by Vice Chairman Branham. Vote 6-0 to approve.

Councilman Wilson motioned to approve in title only an ordinance to approve the execution and delivery of a development agreement between the County and Project Winchester and other related matters, second by Councilman Killian. Vote 6-0 to approve.

Councilman Wilson motioned to approve in title only an ordinance to approve the execution and delivery of a development agreement between the County and Project Cheswick and other related matters, second by Vice Chairman Branham. Vote 6-0 to approve.

- e. **Action taken regarding a contractual matter for Gallo Wine.** Taken as information only.
- f. **Action taken regarding pandemic procedures.**

Council encouraged all employees to become vaccinated if they have not done so, with possible incentives for those who have been. And for those to become vaccinated by giving them a day off. They must show proof that they have been fully vaccinated. Council encouraged county employees to wear masks, and to socially distance themselves.

**12. Council Comments-**None

**13. Adjourn-** Vice Chairman Branham motioned to adjourn, second by Councilwoman Guy. Vote 6-0 to adjourn. Time 9:45 PM.