

CHESTER COUNTY COUNCIL MEETING MINUTES

ZOOM MEETING

Tuesday, September 8th, 2020 at 6:00 PM

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

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

2. Invocation-Councilwoman Guy gave the invocation.

a. Official Recognition of the Retirement of our Veterans Service Officer.

HR Director Hyatte Kelsey thanked Judy McWaters for forty years of service in the Veterans Affairs office. Chairman Stuart presented her with a gift card and a Chester County challenge coin along with a plaque thanking her for her service. Major General Will Grimsley, Secretary of Veterans Affairs presented her with a hand signed certificate of appreciation from the Governor of South Carolina Henry McMaster's. He also gave her a newly minted coin in the shape of a dog tag for her forty years of service helping veterans in Chester County. All of County Council wished her a happy retirement and thanked her for her years of service.

3. Approval of Minutes

a. August 17th, 2020 Council Minutes

Councilwoman Guy motioned to approve, second by Councilman Vaughn. Attorney Winters asked if Councilwoman Guy was present for that meeting. Councilwoman Guy said she was not; Councilman Vaughn withdrew his second and Councilwoman Guy withdrew her motion. Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

b. August 24th, 2020 Special Called Minutes.

Vice Chairman Branham motioned to approve, second by Councilman Jordan. 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 for any of the hearings.

a. 3rd 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.

b. 3rd 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.

c. 3rd Reading of 2020-26 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 Known As Tax Map Number 147-00-00-004 To Chart Inc. Upon Such Terms and Conditions Described in The Agreement of Sale That Is Exhibit B.

d. 3rd Reading 2020-27 An Ordinance to Amend Chester County Ordinance No. 2020-16 the 2020-2021 Chester County Budget Ordinance in Certain Limited Particulars Only.

6. Ordinances/Resolutions/Proclamations-Chairman Stuart closed the public hearing.

a. 3rd 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 Oliphant motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

b. 3rd 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 Jordan. Vote 6-0 to approve.

c. Resolution 2020-23 Providing For The Enlargement Of The Joint Industrial And Business Park Of Chester And York Counties To Include A Portion Of Those Certain Pieces, Parcels, Or Tracts Of Land, With All Improvements Thereon, Situate Lying Or Being In Chester County, Bearing Tax Map Number: 147-00-00-004; And Other Related Matters. Councilman Vaughn motioned to approve, second by Councilman Oliphant. Vote 6-0 to approve.

d. 3rd Reading of 2020-26 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 Known As Tax Map Number 147-00-00-004 To Chart Inc. Upon Such Terms and Conditions Described in The Agreement of Sale That Is Exhibit B. Vice Chairman Branham motioned to approve, second by Councilman Oliphant. Vote 6-0 to approve.

e. 3rd Reading 2020-27 An Ordinance to Amend Chester County Ordinance No. 2020-16 the 2020-2021 Chester County Budget Ordinance in Certain Limited Particulars Only. *Sheriff cars and equipment.* Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

f. Resolution 2020-24 To Authorize the County of Chester, By Chester County Council, To Sell Certain Vehicles of The County and The Sheriff's Office Identified Herein Upon Such Terms and Conditions as Described. Councilwoman Guy motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

g. 2nd Reading 2020-28 An Ordinance to Amend Chester County Ordinance No. 2020-16 the 2020-2021 Chester County Budget Ordinance in Certain Limited Particulars Only. *Part time position in the Assessor's Office.* Councilman Jordan motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

h. 2nd Reading 2020-29 An Ordinance to Amend Chester County Ordinance No. 2020-16 the 2020-2021 Chester County Budget Ordinance in Certain Limited Particulars Only. *Solicitor's Office and Public Defender.* Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 6-0 to approve.

7. Old Business

a. CCTC approvals

1. Approval of bid for \$271,892.40 for JA Cochran Bypass and Ashford Street Sidewalk Installation. Councilman Oliphant motion to accept the bid from Little Mountain Builders of Catawba, SC, second by Councilwoman Guy. Vote 6-0 to approve.

2. Emergency Roadway Repairs on Bobcat Drive. Taken as information

3. Approval to Reimburse the County Roads Department for Road Maintenance from May 1st, 2020 to August 17th, 2020 and two purchases from April 1st, 2020 in the amount of \$19,026.58 dollars. Councilman Wilson motioned to approve, second by Vice Chairman Branham. Vote 6-0 to approve.

4. Approval to Pave Dearborn Street in Great Falls. Councilman Vaughn motioned to allow Infrastructure Consulting & Engineering to get a cost estimate to pave Dearborn Street, second by Vice Chairman Branham. Vote 6-0 to approve.

5. Approval to add Sidewalks on Washington Street in Great Falls. Councilman Vaughn motioned to allow Infrastructure Consulting & Engineering to get a cost estimate to add sidewalks to Washington Street, second by Councilwoman Guy. Vote 6-0 to approve.

b. 1st Reading of CCMA20-08: Daisy Rollings request Tax Map # 159-01-01-044-000 located off Looper Road, Great Falls, SC be rezoned from RG-1 (Multi Family) to R2 (Rural Two). Planning Commission voted 5-0 to approve. Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 6-0 to approve.

c. Consideration for Funding an Additional Amount for South Chester Grant To Repair Fire Truck. Chairman Stuart, South Chester was awarded \$30,000 for a VSAFE (Volunteer Strategic Assistance Fire Equipment) grant in late 2019. This money will help in the purchase of a replacement tank on one of their older trucks. They were asking for \$54,416.83 the remaining funds from Council to replace the tank. Vice Chairman Branham motioned to approve, second by Councilman Vaughn. Vote 6-0 to approve.

d. Update on the County Revenue Fund.

Councilman Jordan asked Treasurer Tommy Darby to give an update of where the County currently stands. Mr. Darby, the spread sheet shows the differences between 2019 and 2020, for fiscal year 2020 the revenue exceeded the expenditures by \$189,000 which was good. The expenditure total for the year was \$22,367,875 dollars which was good also, better than what he anticipated. By freezing spending and some positions earlier due to the uncertainties of COVID-19 that helped. It was still early in the current year to see how the revenue would look since the County is two months in the new budget year.

e. Update on County Bonding for the New Animal Shelter.

Councilman Oliphant asked County Bonding Attorney Michael Kozlerek for an update. Mr. Kozlerek stated to his understanding there was some additional funds from the 2018 bond to be used not only for the animal shelter but also for other projects. To his understanding Council was to hold special called meetings to discuss if there would be any other projects to use the funds on, doing it that way Council would decide which project to approve. It would be best to go before the Chester Facility Corporation with one approval. County Attorney Winters said she would reach out to them to see when they could meet and bring it back to Council.

f. The Pinckney Road & Eureka Community Project and Derelict Houses in Chester County.

Councilman Oliphant, he wants people to want to live at the Eureka not because they have to. He wants all of Chester to be a beautiful community, he has stated that a lot over the years. The four percent of FILOT money from economic development could be used which is currently around \$204,000 dollars, earmark money from economic development general fund for \$119,000, the Eureka performance bond money of \$49,000 dollars and the demolition fund of \$86,000 dollars that will be used on houses to be torn down.

Councilman Oliphant, the company that is contracted by the Building & Zoning department RCI can provide an inspector to identify the houses. Letters could be sent out to the owners to comply with the ordinance to abate the problem. He liked hiring RCI better than hiring someone full time since the full-time person would have to be trained and certified to do the job. By hiring RCI it would take some of the politics out of it. The money is in the Building and Zoning budget to hire RCI to start this, if the owner does not comply a ticket must be written to get the problem corrected. If the problem is not corrected the county would step in and tear the structure down and place liens on the property. Councilman Oliphant motioned to allow Building & Zoning Director Mike Levister to contract with RCI to hire a code enforcement officer to abate derelict houses, second by Vice Chairman Branham. Councilman Oliphant, the funding would come from the money in Mr. Levister's budget to fund it, any additional money would come from items he spoke of at the beginning of the conversation. Vote 6-0 to approve.

g. Update on the Use of County Buildings for Functions and New Renting Policy.

Councilman Oliphant asked to see a spreadsheet in October of last year of who is paying to rent county facilities and who wasn't. A spreadsheet would be better to read and be more proficient and make the supervisor's job easier as well. This would also show the usage of the facilities and show what kind of revenue the County is getting. To his knowledge there are policy's for renting the Chester and Great Falls War Memorial buildings and the Gateway but was not sure if there was one for others. He would like to see how the buildings are being rented. Chairman Stuart, currently there is not a spread sheet, but documents were provided to the Clerk today. Clerk to Council Karen Lee, there was a lot of documents and she was still in the process of sorting and scanning them in. Councilman Wilson, he had asked at the last meeting to have this and was told Council would be provided the information. Councilman Oliphant asked to have it back on the September 21st, Council meeting.

h. Update on Code Enforcement Officer Position in Building & Zoning

Councilman Oliphant, he did not have anything to discuss sense they plan to proceed to hire RCI.

i. Update on the Burnt Meeting House Cemetery

Public Works Director Robert Hall walked the property a few weeks ago, it would take a lot of work to clear the access road and doesn't have the manpower to go in and do the work himself. Councilman Oliphant would like to have the underbrush cleaned out and the road opened and asked if this could be contracted out. Councilman Oliphant asked Mr. Hall and Chairman Stuart to provide estimates to clean up the road and the underbrush and bring that back to Council at the September 21st Council meeting.

j. Update Regarding Property on Dawson Drive

Mr. Hall stated he did not see a benefit to the County by buying this property. Vice Chairman Branham said he would let the owner know.

k. Update on Rodman Sports Complex

Councilman Jordan stated there had been work on field number one and wanted an update. Mr. Hall, the 2014 sales tax project for the baseball and soccer field bids were put out twice and both times they came in over the funds that were available. A few months ago, he and one of his employees went out to move some dirt and possibly get the field built in house instead of putting it out for bid. They still need to go over it and level it out, but they are limited sense they don't have enough employees. He plans to go back and put up a back stop and has explained this to Roxanne James and David Loftin.

Roxanne James would like a legal opinion on the use of the remaining 2014 Capital Project sales tax funds of over \$5 million dollars, how must it be applied to the remaining 2014 CPST projects list that were approved by the voters in the 2014 voter referendum. They would also want legal opinion for South Carolina Code 4-10-340 [a] [b] and [c]. Attorney Winters would provide a legal opinion to Council since Mrs. James was not a client, the money was not allocated to one project. Mrs. James, there are ten that are under budget and with the 5 million a lot of the projects could be completed. Councilman Jordan, the funds are supposed to be used by next year and asked if Attorney Winters would she give council an opinion of what the funds could be used for along with both legal opinions and asked to add this to the first council meeting in October and do a workshop to discuss the projects.

l. Update Regarding how the Cleaning and Sanitization has been done in County Government Buildings.

Mr. Hall, whenever he was contacted about an office being affected by Covid he contacted Interstate Solutions out of Rock Hill. They came in and sanitized every office in the building. Councilman Vaughn asked if this was done in every instance a county employee was known to be infected. Mr. Hall, every time he was contacted it was taken care of. Councilman Vaughn asked if there were any instances where it was not reported. Chairman Stuart there probably had been, but when he is made of aware of it, he contacts the Public Work Director Mr. Hall. Councilman Vaughn sounds like some have fallen through the cracks and he wanted to make sure the county employees felt safe coming to work.

m. Update on the Negotiations between Great Falls and Chester County Regarding the Recreation Agreement.

Councilman Vaughn, to his understanding Great Falls Council had reviewed the 1995 recreation agreement between Great Falls and Chester County and expired September 1st of this month. Chairman Stuart had spoken with the Mayor and it had not been requested by Great Falls. The mayor wanted the same agreement, they have not taken legislative action to make the

recommendation to County Council. Councilman Vaughn, the County spends a lot on Dawson Drive baseball and softball facility along with money spent at the Rodman Complex.

Brenda Fort, Councilman Vaughn's appointee to the Parks and Recreation Commission said she had tried to get the contract up for discussion several times at recreation commission meetings but due to not having a quorum they could not hold the meeting. If the agreement is not renewed this would be a negative impact for recreation in Great Falls. Attorney Winters said there were some wording of the old agreement would need to come out and changed for legal reasons, the attorney for Great Falls would need to clean the new document up also. Mr. Hall said even though the agreement has expired the county continues to cut the grass and do other maintenance on the fields. Councilman Wilson and Oliphant asked for an updated list of properties maintained by the County and all services provided.

8. New Business

a. Permission to Purchase a Fire Truck for West Chester Fire Department with Bond Money.

Vice Chairman Branham motioned to approve \$537,000 dollars to purchase a new fire truck, second by Councilman Wilson. Vote 6-0 to approve.

b. Consideration for Funding for Equipment for West Chester Fire Department.

Vice Chairman Branham motioned to approve \$26,797.39 from the contingency fund to purchase equipment, second by Councilman Wilson. Vote 6-0 to approve.

c. Local Option Sales Tax

Treasurer Tommy Darby, the County has a local option sales tax that was put in place in 1994, the County uses 100% of the proceeds from the sales tax. This provides a credit against the county tax bills. During the budget process for this year there were concerns of how COVID-19 would impact the revenue stream. It was also discussed the two funds in the local options sales tax, a property tax credit and a portion of the money considered as county revenue, as he stated earlier the county gives back 100 % to the taxpayers. The revenue the county could obtain is given back to the taxpayers. It was discussed if the money could be used to offset any loss from COVID-19 but felt since the program had built in protections it should ease any impact. Right now, he did not see an impact that would be significant, currently he would keep things they the way they are now. This was taken as information.

d. Setting the County Millage for the Upcoming Year-Auditor Donnie Wade

Chairman Stuart motioned to adopt the 2020 proposed millage, second by Councilman Wilson. Vote 6-0 to approve.

e. Request to Accept Coronavirus Emergency Supplemental Funding – Sheriff Max Dorsey

Chairman Oliphant motioned to approve the funding grant for \$40,509 dollars for LE Center HVAC Disinfection System and deputy PPE, second by Councilman Vaughn. Vote 6-0 to approve.

f. A Proposal to Change the Organizational Chart for The Animal Care & Enforcement

Department. -ACE Supervisor Jeanna Laws. Councilman Wilson motioned to change one full time Animal Care Specialist position and create Two Part Time Animal Care Specialist, second by Councilman Oliphant. Vote 6-0 to approve.

g. Discuss Zoom Meetings-Councilman Oliphant.

Councilman Oliphant along with other Councilmembers said they were ready to return to in person meetings. He felt like they are more effective when they are in a room together and go back to conventional meetings. Chairman Stuart, the county government building will open Monday, September 21st and will also be a council meeting. Councilwoman Guy disagreed, the virus was not getting better, it could spread and felt more comfortable staying with the zoom meetings. Attorney Winters said the normal procedures had been suspended and it was strictly up to Council to decide to stay virtual or go back to live meetings. Councilman Wilson, he was sensitive to those issues but felt if employees were going to be asked to work in the building the Council should lead by example and do the same.

IT Director David Schuelke was asked if Councilwoman Guy could meet virtually while the rest of Council would be in council chambers. Mr. Schuelke said he thought he could make it work but may not have it ready for the next council meeting.

9. Boards and Commissions

a. Appointments to the Fort Lawn Fire Protection District-County Council.

After much discussion it was decided to maybe interview each applicant to find out why they would like to be on this board. Then hold a special called meeting for each applicant to attend.

10. Executive Session

Councilman Oliphant motioned to go into Executive Session, second by Councilman Jordan. Vote 6-0 to approve.

a. Receive Legal Advice Regarding the Airport

b. Receive Legal Advice Regarding Southeastern Petroleum

c. Receive Legal Advice Regarding the Selection of a Suitable Site for the Hazmat Building-

11. Council Actions Following Executive Session

Councilman Wilson motioned to go back to Regular Session, second by Councilwoman Guy. Vote 6-0 to approve.

a. Action Taken Regarding Legal Advice for the Airport-Taken as information only.

b. Action Taken Regarding Legal Advice for Southeastern Petroleum. Taken as information only.

c. Action Taken Regarding Legal Advice of the Selection for a Suitable Site for the Hazmat Building. Taken as information only.

12. Council Comments

Chairman Stuart, the County has seven or eight candidates for the Economic Development position, the CDA is helping with a hiring committee.

Vice Chairman Branham, all of Council should be promoting the one cents sales tax, some people are concerned it want to get passed. He said to let people know there may be one project they don't like but could be five or six that they do want to get passed. The one cents sales tax helps the County to progress by being able to do things the county can't afford to do. The vote by Council was 6-0 to approve to add it to November's referendum and it would be a great thing for Chester County.

- 13. Adjourn**-Councilman Oliphant motioned to adjourn, second by Councilman Wilson.
Vote 6-0 to adjourn.

Time: 10:22 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