



CHESTER COUNTY COUNCIL MEETING

**R. Carlisle Roddey Government Complex
1476 J.A. Cochran By-Pass**

**August 18, 2008
6:00 p.m.**

Carlisle Roddey, Chairman – Presiding

Minutes

In Attendance:

**Chairman Roddey
Vice Chairman Lucas
Council Member Oliphant
Council Member Guy
Council Member Jordan
Council Member Branham
County Attorney Winters**

Absent:

Council Member Martin

I. Call to Order

II. Pledge of Allegiance & Invocation

III. Approval of Minutes

Vice Chairman Lucas made a Motion to approve the minutes of the July 21, 2008 Chester County Council Meeting, 2nd by Councilman Branham, Council vote was 4-0 to approve. Councilwoman Guy had not arrived.

IV. Citizens Comments

Grace Love – representing Clemson Extension agency came before Council to thank them for their continued support and gave some literature to them.

Mr. Richard Baker – Thrailkill Rd., spoke, at length, against the proposed Thread Trail. He said the public should be informed of any meetings and that the proposal for the trail would cross public properties, over 30 roads and some highways that were extremely dangerous. He went on to say that the Project Coordinator at Fort Lawn for the Carolina Thread Trail said she was not aware of all of the road crossings and would vote no on it. Mr. Baker also said the County would ultimately be responsible for upkeep and

he and his supporters felt those monies could be better spent on schools and other very much needed necessities for the County and with the County not having any industry the citizens could not afford to spend this type of money for the rest of their lives on a project that would cost, by the supporters of the Thread Trail estimate, more than \$150,000.

V. Ordinances & Resolutions

1. 2nd Reading of an Ordinance to Amend the Chester County Budget Ordinance Number 06-16-08 for Fiscal Year 2008-2009, in Certain Limited Particulars Only

Councilman Oliphant made a Motion to approve 2nd Reading of an Ordinance to Amend the Chester County Budget Ordinance Number 06-16-08 for Fiscal Year 2008-2009, in Certain Limited Particulars Only, 2nd by Councilman Branham, Council vote was unanimous.

2. 2nd Reading of an Ordinance to Provide for the Transferring of Authority for Conducting Municipal Elections in the Town of Fort Lawn, Town of Great Falls, the Town of Richburg, and the City of Chester, South Carolina to the Chester County Election Commission

Councilman Lucas made a Motion to approve 2nd Reading of an Ordinance to Provide for the Transferring of Authority for Conducting Municipal Elections in the Town of Fort Lawn, Town of Great Falls, the Town of Richburg, and the City of Chester, South Carolina to the Chester County Election Commission, 2nd by Councilwoman Guy.

Discussion: **Councilman Oliphant** asked had Council not already approved the election for the City and **County Attorney Winters** stated they had but it was a one time election.

Council then voted and the vote was unanimous.

3. 1st Reading of an Ordinance to Provide for the Issuance and Sale of a Not Exceeding Nine Hundred Forty Thousand Dollars (\$940,000) General Obligation Refunding Bond, Series 2008, of Chester County, South Carolina, to Prescribe the Purposes for Which the Proceeds shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto (Refinancing at lower rate)

Mr. Ben Zeigler, Attorney with Haynsworth Sinkler Boyd, P.A. explained to Council Members the savings on refinancing the 1996 GO Bond. His firm had locked in a lower rate at 3.16% and at a savings of approximately \$20,000.

Councilman Oliphant made a Motion to approve 1st Reading of an Ordinance to Provide for the Issuance and Sale of a Not Exceeding Nine Hundred Forty Thousand Dollars (\$940,000) General Obligation Refunding Bond, Series 2008, of Chester County, South Carolina, to Prescribe the Purposes for Which the Proceeds shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto

2nd by Councilman Branham, Discussion: **Councilman Jordan** asked Mr. Zeigler if he was sure the rate was locked in at 3.16% and Mr. Zeigler assured him it was. **Vice Chairman Lucas** asked if this was a flexible rate and Mr. Zeigler stated it a fixed rate and **Councilwoman Guy** asked if this was just refinancing and Mr. Zeigler stated it was. **Council then voted and the vote was unanimous.**

4. A Resolution to Add the Positions of Three Kitchen Supervisors to the Chester County Detention Center Organizational Chart

Councilman Branham made a Motion to approve a Resolution to Add the Positions of Three Kitchen Supervisors to the Chester County Detention center Organizational

Chart, 2nd by Councilman Oliphant. **Chairman Roddey** stated the money was already in the budget, they had changed providers and **Councilman Oliphant** asked what was the proposed savings overall by switching to U.S. Food Service and **Chairman Roddey** stated about \$50,000 over a period of three years. **Councilman Oliphant** asked who would supervise the kitchen supervisors and **Chairman Roddey** said **Major Wayne Alley** who is over the Detention Center. **Vice Chairman Lucas** asked how many meals a day and would three people be enough seven days a week and **Chairman Roddey** stated they serve three meals a day, seven days a week and that they would have two full time during the week and one for the weekend.

Councilwoman Guy asked if this company would be better than the previous one and **Chairman Roddey** stated it was U.S. Food Service and that they would be better. **Vice Chairman Lucas** asked if the present Sheriff and future Sheriff knew about the change and **Chairman Roddey** stated they did and did not have a problem with the change. **Council then voted and the vote was unanimous.**

5. 1st Reading of an Ordinance to Amend the County-Wide Smoking Policy

Councilman Oliphant made a Motion to approve 1st Reading of an Ordinance to Amend the County-Wide Smoking Policy, 2nd by Councilman Branham. Discussion:

Councilman Oliphant asked what would happen if an employee violated the policy and **County Attorney Winters** stated they would be fined \$250. **Vice Chairman Lucas** said he could not understand the section that stated a person had to be 50 feet from a ball field and sometime the County didn't even own that property plus it would be hard for someone to quit that was addicted to nicotine and **Councilman Oliphant** said the problem was that if the County didn't own the field Council had no say so but he also said a smoker loses his right to smoke when it interferes with those that don't. **Vice Chairman Lucas** stated he supported a designated smoking area but not this and **Councilwoman Guy** said she was not a smoker but that if people were far enough away from her it didn't bother her. **Vice Chairman Lucas** then said you tell people they can't smoke but they can drink at a County owned building which was the Memorial Building and he didn't think that was right. **Council then voted and the vote was 3-2 in favor of the Ordinance with Vice Chairman Lucas and Councilwoman Guy opposing.**

I. Old Business

1. Carolina Thread Trail

Councilman Jordan wanted to give some clarification to what was taking place with the proposed Carolina Thread Trail. **Councilman Jordan** said he had been appointed to a Steering Committee and said that absolutely nothing was settled. No community meeting had been held, but he had tentative dates for October that he would share with everyone. He further stated that the County would not use Eminent Domain to take properties and that had been a rumor that was not true. Also, if landowners did not wish to participate they most definitely did not have to. He had attended two Steering Committee meetings where presentations had been made to representatives from Great Falls, Lowry's, City of Chester, Richburg, Chester and Fort Lawn. The tentative dates set are: October 13th, Richburg/Fort Lawn, October 14, Blackstock/Great Falls and October 16, City of Chester and Lowry's.

Councilman Jordan stated he would know in the next few weeks if these were good dates and that dates, times and place would be published in the local newspapers to give everyone ample notice. In closing, **Councilman Jordan** said that he hopes that Trust Republic Land who will assist in areas concerning the Thread Trial will be at the meetings to address any concerns residents may have.

VII. New Business

1. A-Tax Update

Mrs. Midge Cornwell, Chairman of the A-Tax Committee came before Council with their A-Tax recommendations. **Councilwoman Guy** asked Mrs. Cornwell after her presentation how amounts were recommended. Mrs. Cornwell stated that recommendations came from a committee that oversees these grants and an amount is approved by the percentage of tourism in the County. **Vice Chairman Lucas** then said if anyone had not been to the Lando History Center they should see how history was preserved in that area and **Councilman Branham** thanked Mrs. Cornwell and the committee for their hard work. **Councilman Branham then made a motion to accept the recommendations of the A-Tax Committee, 2nd by Councilman Oliphant, Council vote was unanimous.**

2. Update on County Investments

Jack Kindle, Treasurer gave Council an update on investments saying everything we had was secure and all of our investments were 24 and 36 month investments. Mr. Kindle again said everything was fully secure and that a broker would be at this complex on Tuesday if any member of Council would like to talk to him. **Councilman Oliphant** asked if there was anything in writing saying that we were secure and Mr. Kindle said there was. **Councilman Oliphant** then asked if a certain amount of dollars was all under his control and Mr. Kindle said they were. **Councilman Oliphant** then said a few years ago he thought there had been a committee formed to discuss investments and asked how that was going. Mr. Kindle said he had met with the

Finance Director several times. **Vice Chairman Lucas** thanked Mr. Kindle for his informative update.

3. Cancer Assessment Update

Mr. Tom Hamilton, former Council Member and Cancer survivor introduced **Ms. Catishia Mosley-Broughton** from the DHEC office in Columbia to Council and thanked the other ladies that had also accompanied Ms. Mosley-Broughton from Columbia. Mr. Hamilton also mentioned the Mercy Flights that were available to cancer patients that would fly them free of charge to their designated treatment site. Ms. Mosley-Broughton then gave a very informative overview of the cancer assessment in Chester County (included in minutes)

4. 1Cent Sales Tax Community Meetings

Councilman Jordan said at a previous meeting Council had passed an Ordinance in support of the One Cent Sales Tax and that a referendum would be on the November ballot. He further stated that the Chairman of the One Cent Sales Tax Committee came before Council in full support of the tax to pay for a new jail. **Councilman Jordan** then said he would suggest community meetings to let people know about this subject. **Councilman Oliphant** then said he thought it was absolutely critical that the correct facts got out to everyone. **Chairman Roddey** then said if Council would allow him, he would set up meetings and bring back dates of the meetings to Council at the first meeting in September. **Vice Chairman Lucas** said he would like to go to all surrounding towns, Edgemoor, Lowry's, Blackstock, Great Falls, Lando, Richburg, Fort Lawn, etc. and let people know all of the facts. **Councilman Jordan then made a Motion to allow the Chairman to set up meetings for the communities and bring the dates back to Council, 2nd by Councilman Branham, Council vote was unanimous.**

VIII. Executive Session

Chairman Roddey stated two Economic Development Projects needed to be added to the Executive Session Agenda, Project 0831 and Project 0834. **Councilwoman Guy made a Motion to add Project 0831 and Project 0834 to the Executive Session Agenda, 2nd by Councilman Oliphant, Council vote was unanimous.**

Chairman Roddey then made a Motion to go into Executive Session to Discuss the following:

- 1. Economic Development – Project 0822**
- 2. Personnel Matter – Job Description**
- 3. Legal Matter - Update on Republic Mill #2**
- 4. Items added to Agenda – Economic Development Projects 0831 & 0834**

2nd by Councilman Oliphant, Council vote was unanimous. Time was approximately 7:20

Council returned from Executive Session at approximately 8:35 pm and **Vice Chairman Lucas made a Motion to go back into Regular Session, 2nd by Councilman Branham, Council**

vote was unanimous.

Chairman Roddey stated an Economic Development Matter regarding Project 0822 was discussed in Executive Session and asked the Economic Development Director to speak on this subject. **Karlisa Parker, Economic Development Director**, asked that Council allow her to make an offer to sell certain parcels of property at \$4,000 an acre and to offer the proposed clients a tax break of 98% for the first two years and 85% the third year.

Vice Chairman Lucas made a Motion to allow the Economic Development Director to accept and pursue this action, 2nd by Councilman Branham, Council vote was unanimous.

Chairman Roddey stated an Economic Development Matter regarding job descriptions were discussed in Executive Session and **Councilwoman Guy made a Motion to accept the job descriptions for the Fire Coordinator and Deputy Fire Coordinator as written, 2nd by Vice Chairman Lucas, Council vote was unanimous.**

Chairman Roddey stated a Legal Matter regarding an Update on Republic Mill #2 was discussed in Executive Session and **Chairman Roddey** stated he would recuse himself in this matter. **County Attorney Winters** stated that since **Chairman Roddey** sits on the Forfeited Land Commission Committee it is a conflict and that is why he is recusing himself.

Vice Chairman Lucas then made a Motion to join the Town of Great Falls in their lawsuit against the Forfeited Land Commission, 2nd by Councilman Branham.

Discussion: **Councilman Oliphant** said the whole thing “made him sick” and it was a shame it had gotten this far. He went on to say if you look at the track record of the Forfeited Land Commission, the land they had purchased, i.e., Springsteen Plant, Thomas & Howard, Republic Mill # 1 & 3, etc and what it would cost to tear them down was bad and the sooner this was over the better. **Councilman Jordan** asked the County Attorney if she agreed with this and **County Attorney Winters** replied that she merely gave advice and that Council has to make the decision, she also said she didn’t like “suing family either”. **Councilman Branham** said he felt this should have been handled differently. **Vice Chairman Lucas** stated he was hoping the Court Civil Rule Act 190 was still in effect. **Councilman Oliphant** then said the Court would still have to rule if this was in the best interest of Chester County but the lawyers (out of Columbia) would be very expensive. **Councilwoman Guy** said it concerned her having to pay attorneys when there were other things we needed to spend that money on. **Councilman Oliphant** then made one final statement, if the Forfeited Land Commission had the right to sell that building why hadn’t they sold it before now. **Council then voted on this matter and the vote was 4 to 1 to approve joining the Town of Great Falls in their lawsuit against the Forfeited Land Commission with Councilwoman Guy opposing.**

Chairman Roddey stated Economic Development Matters regarding Project 0831 & 0834 was discussed in Executive Session and taken as information only.

IX. Council Members Comments

Councilman Branham said he appreciated Council allowing him to be absent at the last meeting to do mission work.

X. Adjournment

Vice Chairman Lucas made a Motion to adjourn, 2nd by Councilwoman Guy, Council vote was unanimous. Time was approximately 8:55 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 R. Carlisle Roddey Government Complex 24 hours prior to the meeting

R. Carlisle Roddey
Chester County Supervisor

Carolyn S. Clayton-Snipes, CCC
Clerk to Chester County Council

Chester County Council Meeting of 8-18-2008