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## **CHESTER COUNTY COUNCIL MEETING**

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

**September 2, 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  
Council Member Martin  
County Attorney Winters**

**I. Call to Order**

**II. Pledge of Allegiance & Invocation**

**III. Approval of Minutes**

1. Chester County Council Meeting Minutes of August 18, 2008

**Councilwoman Guy made a Motion to approve the minutes of the August 18, 2008**

**Chester County Council Meeting, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was**

**5-0 to approve with Councilman Martin abstaining.**

**IV. Citizens Comments**

**Jimmy Bruce** spoke on the smoking ordinance. He stated he felt there may be repercussions from citizens being told they could not smoke at ballgames.

**V. Public Hearing**

**Chairman Roddey** opened the Public Hearing on:

1. Final 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

There were no speakers on the above Ordinance, therefore, **Chairman Roddey** closed the Public Hearing.

1 **Chairman Roddey** then opened the Public Hearing on:

- 2 2. Final Reading of an Ordinance to Provide for the Transferring of Authority for Conducting  
3 Municipal Elections in the Town of Fort Lawn, Town of Great Falls, the Town of Richburg,  
4 and the City of Chester, South Carolina to the Chester County Election Commission  
5 There were no speakers, therefore, **Chairman Roddey** closed the Public Hearing.

6 **VI. Ordinances & Resolutions**

- 7 1. 3<sup>rd</sup> Reading of an Ordinance to Amend the Chester County Budget Ordinance Number  
8 06-16-08 for Fiscal Year 2008-2009, in Certain Limited Particulars Only

9 **Councilwoman Guy made a Motion to approve 3<sup>rd</sup> Reading and final Reading of an**  
10 **Ordinance to Amend the Chester County Budget Ordinance Number 06-16-08 for**  
11 **Fiscal Year 2008-2009, in Certain Limited Particulars Only , 2<sup>nd</sup> by Vice Chairman**  
12 **Lucas, Council vote was 6-0 to approve.**

- 13 2. 3<sup>rd</sup> Reading of an Ordinance to Provide for the Transferring of Authority for Conducting  
14 Municipal Elections in the Town of Fort Lawn, Town of Great Falls, the Town of Richburg,  
15 and the City of Chester, South Carolina to the Chester County Election Commission

16 **Councilman Martin made a Motion to approve 3<sup>rd</sup> Reading and final Reading of an**  
17 **Ordinance to Provide for the Transferring of Authority for Conducting Municipal**  
18 **Elections in the Town of Fort Lawn, Town of Great Falls, the Town of Richburg, and**  
19 **the City of Chester, South Carolina to the Chester County Election Commission 2<sup>nd</sup>**  
20 **by Vice Chairman Lucas, Council vote was 6-0 to approve.**

- 21 3. 2<sup>nd</sup> Reading of an Ordinance to Provide for the Issuance and Sale of a Not Exceeding Nine  
22 Hundred Forty Thousand Dollars (\$940,000) General Obligation Refunding Bond, Series  
23 2008, of Chester County, South Carolina, to Prescribe the Purposes for Which the  
24 Proceeds shall be Expended, to Provide for the Payment Thereof, and Other Matters  
25 Relating Thereto (Refinancing at lower rate)

26 **Vice Chairman Lucas made a Motion to approve 2<sup>nd</sup> Reading of an Ordinance to**  
27 **Provide for the Issuance and Sale of a Not Exceeding Nine Hundred Forty Thousand**  
28 **Dollars (\$940,000) General Obligation Refunding Bond, Series 2008, of Chester**  
29 **County, South Carolina, to Prescribe the Purposes for Which the Proceeds shall be**  
30 **Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto**  
31 **(Refinancing at lower rate), 2<sup>nd</sup> by Councilman Oliphant, Council vote was**  
32 **6-0 to approve**

- 33 4. 2<sup>nd</sup> Reading of an Ordinance to Amend the County-Wide Smoking Policy

34 **Councilman Oliphant made a Motion to approve 2<sup>nd</sup> Reading of an Ordinance to**  
35 **Amend the County-Wide Smoking Policy, 2<sup>nd</sup> by Councilman Martin.** Discussion:

36 **Councilman Oliphant** told the County Attorney he would like to see the entire Smoking  
37 Ordinance with the amendment inserted. **County Attorney Winters** replied that this was  
38 the entire Ordinance. **Councilman Branham** asked if this was a change because he

1 thought it was 50 feet from County Property. **County Attorney Winters** stated that prior  
2 to this it was in designated areas. **Councilwoman Guy** said she thought it was obsessive  
3 and **County Attorney Winters** said the first draft had 25 ft. **Councilwoman Guy** then  
4 acknowledged she had received e-mails speaking against this ordinance. **Councilman**  
5 **Branham** asked if the County was helping the employees to quit and **Chairman Roddey**  
6 stated yes. **Vice Chairman Lucas** said he could understand the employees but not  
7 John Q Public and stated that it could not possibly be enforced. **Council then voted**  
8 **and the vote was 4-2 to approve with Vice Chairman Lucas and Councilwoman**  
9 **Guy voting against.**

- 10 5. A Resolution to Authorize the Conduct of the Bid Process to Engage the Services  
11 of a Billing, Collection and Data Management Support Organization for Motor Vehicle  
12 Incidents Occurring within the Richburg Fire District.
- 13 **Councilman Oliphant** and **Councilwoman Guy** stated that they were not familiar enough  
14 with this resolution to vote and asked for clarification. **County Attorney Winters** then  
15 asked **Chief John Agee, Richburg Fire Dept.** to explain. Mr. Agee stated that the  
16 Richburg Fire Department responded to an assortment of calls to I77 and it cost a lot of  
17 money to the taxpayers. He stated this was a way to recoup some of the money by billing  
18 the insurance company of the people they respond to and there is a company that will do  
19 this service for a small percentage. **Councilman Oliphant** asked how many calls are from  
20 out of the County and Mr. Agee stated 35-40%. **Councilwoman Guy** asked if the other fire  
21 departments were going to do the same thing and Mr. Agee said it was up to Council and  
22 this was strictly for the Richburg Fire District and that all insurance policies have a clause  
23 that has \$400-\$500 that can be gotten. **Vice Chairman Lucas** then asked, if he had a  
24 wreck on I77 his insurance would have to pay and he paid taxes in this County, other fire  
25 districts have never asked for this. John Agee said Richburg had not either and all he  
26 was trying to do was capture money from citizens that didn't pay taxes in this County.  
27 **Councilman Oliphant** then said he thought this should be County wide and that no other  
28 fire department should be excluded and that he felt the Resolution needed to be tweaked.  
29 Mr. Agee then said he would ask that they let it go out and see what the bid process would  
30 bring. **Councilman Oliphant** then said he thought Council needed to think it over some  
31 more. **Councilman Branham** then asked if they would establish a fee and Mr. Agee said  
32 they would. **Councilman Branham** then asked how many County residents did they  
33 repond to and Mr. Agee said less than 10 a year. **Councilman Jordan** asked approximately  
34 how many calls did they respond to a year and Mr. Agee said about 300. **Councilman**  
35 **Jordan** asked about other fire departments and Mr. Agee said about 100. **Councilman**  
36 **Jordan** asked if the funds would go back into the fire district and Mr. Agee said they  
37 would and hoped they would offset some of their expenses. **Councilman Jordan** asked  
38 how many other counties were doing this and Mr. Agee replied several as well as other

1 states. **Vice Chairman Lucas** then said the ambulance agency has had a collection  
2 agency for years and it's never worked out. **County Attorney Winters** then stated this  
3 was not imposing a fee, it was just getting a bid process started. **Councilwoman Guy**  
4 then said she agreed with **Councilman Oliphant**, it should be countywide. **Councilman**  
5 **Oliphant** then suggested that Mr. Agee proceed to get the bid process started but  
6 it would be for all first responders and **County Attorney Winters** said this particular  
7 Resolution was specific to this fire district. **Councilman Jordan** then said the people  
8 in the Richburg Fire District was paying for fire service and **Councilman Oliphant** said  
9 that wasn't entirely true. **Councilman Oliphant** then made a Motion to take out the  
10 section of the Resolution that referred to the Richburg Fire District. There was no second  
11 to his motion, therefore, it died. **Councilman Martin** said he would like to see it re-written  
12 and if you do it for one you should do it for all. **Chairman Roddey** then said, so Council  
13 is recommending the County Attorney re-write the resolution after she has discussed it  
14 with Mr. Agee. **Vice Chairman Lucas** then suggested that Mr. Agee get some numbers  
15 in the meantime and **Chairman Roddey** told him that we couldn't because that was part  
16 of the Resolution. **Councilwoman Guy then made a Motion to table the Resolution until**  
17 **it has been re-written, 2<sup>nd</sup> by Vice Chairman Lucas, Council vote was unanimous.**

- 18 6. A Resolution to Eliminate the Position of Administrative Assistant from the Organizational  
19 Chart of the Chester County Fire Department and create the Position of Deputy Fire  
20 Coordinator  
21 **Vice Chairman Lucas made a Motion to approve the Resolution to Eliminate the**  
22 **Position of Administrative Assistant from the Organizational Chart of the Chester**  
23 **County Fire Department and create the Position of Deputy Fire Coordinator**  
24 **2<sup>nd</sup> by Councilwoman Guy, Council vote was 5-0 to approve with Councilman**  
25 **Martin abstaining.**

## 26 VII. Old Business

- 27 1. Reimbursement from C-Funds for sign material in the amount of \$3,973.98 and any  
28 items voted on in CCTC Meeting  
29 **Councilman Branham made a Motion to reimburse from C-Funds for sign**  
30 **material in the amount of \$3,973.98, 2<sup>nd</sup> by Councilman Martin, Council vote was**  
31 **6-0 to approve**  
32 **Councilman Branham made a Motion to allow C-Funds to be used for the 5 roads**  
33 **to have the Solv Polymer put on at a cost of \$24,045, 2<sup>nd</sup> by Councilwoman Guy,**  
34 **Council vote was unanimous.**  
35  
36 2. One Cent Sales Tax Forum:  
37 **Chairman Roddey** reported back to Council, the dates and times of community meetings  
38 to inform the citizens of Chester County about the one cent sales tax and to answer any

1 questions or concerns they may have. The schedule is as follows:

- 2 a) Chester, Blackstock & Cornwell at Government Complex – September 9<sup>th</sup> at 6:00pm
- 3 b) Fort Lawn @ Community Center – September 16<sup>th</sup> at 6:00pm
- 4 c) Great Falls @ Rossville Community Center – September 23<sup>rd</sup> at 6:00pm
- 5 d) Richburg, Rodman & Lewis Community @ Rodman Community Center - September 30<sup>th</sup>
- 6 at 6:00pm
- 7 e) Lowry's @ Lowry's Community Center – October 7<sup>th</sup> at 6:00pm
- 8 f) West Chester, Baton Rouge & Wilksburg @ West Chester Fire Dept. – October 14<sup>th</sup> at
- 9 6:00pm

10 This was given to Council as information only.

11 3. Old Foote Street School

12 **Councilman Oliphant** updated Council on the property formerly known as the old Foote  
13 Street School. The new owners acquired the property for about \$37,361 and also put up  
14 a performance bond for \$25,000 to demolish the building. This has been done and the  
15 \$25,000 refunded to the owners. **Councilman Oliphant** stated this was a really good deal  
16 for the county as it took a liability out of the County and the property owners are pleased  
17 as well. **Councilman Oliphant** thanked the County Attorney and Council for making this  
18 happen.

19 **VIII. New Business**

20 1. 2006-2007 Audit

21 **Bob Faulkner, Faulkner Thompson, CPA** came before Council and basically went through  
22 each section of the Audit. Mr. Faulkner said his firm had worked three years to get all of the  
23 information in order to have an “unqualified opinion”. **Chairman Roddey** said this was the  
24 first time since he had been in office that the County had received an unqualified audit.  
25 **Chairman Roddey** asked Mr. Faulkner when he thought the 2007-2008 audit would be  
26 completed and Mr. Faulkner replied barring any personnel changes he hoped by the end of  
27 this year. **Councilman Oliphant** and **Councilman Branham** thanked everyone responsible  
28 for the unqualified audit.

29 2. Assumptions of Conducting Municipality Elections

30 **Earl Moore & Bill Marion** basically came before Council to ask that another person be  
31 hired for the office. **Councilman Oliphant** asked if funds were coming in from the  
32 municipalities that they had taken over elections for that could be allocated for another  
33 employee and Mr. Marion said there were. **Councilwoman Guy** asked if they were asking  
34 for a full time or part time person and Mr. Marion said full time. **Councilman Oliphant** then  
35 said you presently have 2 full time employees and Mr. Moore said and 2 part time.  
36 **Chairman Roddey** then suggested that Mr. Moore and Mr. Marion get some numbers  
37 together for Council to justify another full time person.

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1 3. 1<sup>st</sup> Reading – From Meeting of 8-19-08 Planning Commission Recommendations

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|                   |                |
|-------------------|----------------|
| <u>Commission</u> | <u>Council</u> |
| <u>Vote</u>       | <u>Vote</u>    |
| 6-0 to approve    | 6-0 to approve |

7

**Tax Map – 069-04-02-027-000**

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9

**From RG1 to RG2**

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11

**Name: .....Konika Wright**

12

**Tax Map..... 069-04-02-027-000**

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**Location.....One lot located at 752 Pinckney Rd, Chester, SC**

14

**Map Amendment # CCMA08-0010**

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**Vice Chairman Lucas made a Motion to approve 1<sup>st</sup> Reading on Planning Commissions**

17

**recommendations on Tax Map #069-04-02-027, 2<sup>nd</sup> by Councilwoman Guy, Council vote**

18

**was 6-0 to approve**

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**IX. Executive Session**

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**Chairman Roddey** stated Council needed to go into Executive Session to discuss:

22

1. Economic Development Matter: Re: Project 0719

23

**Vice Chairman Lucas made a Motion to go into Executive Session, 2<sup>nd</sup> by**

24

**Councilwoman Guy, Council vote was 6-0 to approve.** Time was approximately 7:20pm.

25

Council returned from Executive Session at approximately 8:25 pm and **Vice Chairman**

26

**Lucas made a Motion to go back into Regular Session, 2<sup>nd</sup> by Councilman Oliphant,**

27

**Council vote was 6-0 to approve.**

28

**Chairman Roddey** stated that an economic Development Matter regarding Project

29

0719 had been discussed in Executive Session at this time **Councilman Oliphant made**

30

**a Motion to allow the Economic Development Director, Ms. Parker, to negotiate with**

31

**the client on incentives, 2<sup>nd</sup> by Councilman Martin, Council vote was unanimous.**

32

33

**X. Council Members Comments**

34

**Councilwoman Guy** said she had been invited to a supper at the Uriel Church by

35

Mrs. Gloria Kellerhals and thanked Mrs. Kellerhals for all of the good work she and the

36

Fire Board was doing in the Lewis Turn out area. **(At the September 15, 2008 Chester**

37

**County Council Meeting, Councilwoman Guy stated she had said she wanted to**

38

**thank the Lewis Fire Department, the Fire Board and Mrs. Kellerhals and was**

39

**impressed with the work they were doing. After reviewing the Council tape again,**

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**Councilwoman Guy thanked Mrs. Kellerhals and the Lewis Fire District, no other**

1           **entity was mentioned)**  
2           **Chairman Roddey** said he and **Councilman Jordan** were to attend a Carolina Thread  
3           Trail meeting in the Fort Lawn area on Thursday but he would not be able to make  
4           the meeting so **Councilman Jordan** would take over. **Chairman Roddey** also said  
5           he would appreciate participation at the One Cent Sales Tax Forums.

6           **XI. Adjournment**

7           **Vice Chairman Lucas made a Motion to adjourn, 2<sup>nd</sup> by Councilman Oliphant, Council**  
8           **vote was unanimous.** Time was approximately 8:35 pm

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11           Pursuant to the Freedom of Information Act, the **Chester News & Reporter,**  
12           **The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing**  
13           **Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants**  
14           **were notified and a notice was posted on the bulletin board at the R. Carlisle Roddey**  
15           **Government Complex 24 hours prior to the meeting**

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23           **R. Carlisle Roddey**  
24           **Chester County Supervisor**

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22           \_\_\_\_\_  
23           **Carolyn S. Clayton-Snipes, CCC**  
24           **Clerk to Chester County Council**

25           Chester County Council Meeting of 9-2-2008