



CHESTER COUNTY COUNCIL SPECIAL CALLED MEETING

R. Carlisle Roddey Chester County Government Building

1476 J A Cochran Bypass- Council Chambers

Tuesday, March 30th, 2021 at 12:30 PM

Minutes

Present: Interim Chairman Dr. Wylie Frederick, Vice Chairman Joe Branham, Councilman Mike Vaughn, Councilwoman Mary Guy, Councilman William Killian, Councilman Pete Wilson, Clerk to Council Karen Lee and County Attorney Joanie Winters. Councilman Brad Jordan was absent with prior notification. Rules of Procedure Section 2-59 and 60 were suspended.

1. **Call to Order**-Interim Chairman Dr. Frederick called the meeting to order at 12:36 pm.

2. **Ordinance & Resolution**

a. **2021-7 (a) Resolution declaring project status under the 2014 capital project sales and use tax referendum and the county's intention to allocate the remaining funds: and other related matters.**

Bond Attorney Michael Kozlarek stated at the prior meetings, there was a form of the resolution disseminated to Council in the packets before the meeting. That draft resolution provided for a differentiation between two classes of projects, those projects that would be incompletable by June 18 deadline and those projects that could still be in theory completed by June 18 deadline. He thought council seemed to understand that through the discussion, however, there may have been some potential misunderstanding, because that resolution was set up to provide for incompletable projects at the adoption of the resolution, the funds would immediately transfer from those projects to the 2020 capital project sales tax project list, whereas the projects that could potentially be completed by June 18, the funds would be held out until the end of June 18, basically the beginning of June 19. At that point, the funds be rolled over to the 2020 list. However, when Council was, I think, at the end, Council made the motion and there was a vote, it appeared to us at the end of the meeting, that it might have been counsels understanding that all the funds would be held over until June 18, for all the projects rather than sort of in this split fashion. So, the resolution in front of council today would clarify that even though there are still these two separate lists of projects that all the funds would be held until a particular deadline. The proposal from staff is that deadline be extended until June 30, which would almost account for the full change between the prior load, and today's meeting. And would coincide nicely with the year end for both the county fiscal year end for both the county and most of the governmental. And so, the proposal would be that all funds, despite the differentiation between the projects would be left outstanding until June 30, then any funds that were remitted by June 30. And that essentially means anything the treasurer had received a request for and a check was cut basically, by June 30 would still be spent. And then as of July 1, any remaining funds for any of the projects would then roll forward to the 2020 capital project list.

Councilman Wilson stated his question to Dr. Frederick, is June 30th the deadline we want to have, as far as I know, there has been some discussion, maybe about some of these projects, we want to get a few things done before this deadline gets here and since we've got a lot of rain it has slowed things down. And I guess I am certainly thinking about Rodman and thinking about few things that might can be done out at North Chester substation. I am just wondering if June 30 is the day we need to have as the deadline.

Dr. Frederick stated he and staff had some discussions on that as well in determining what we can do to obtain an engineering cost and that kind of thing prior to that deadline now. Everyone seemed to be comfortable with the first date, which was June 18, based on passes of that resolution, but had not heard anything else to the contrary saying that their need's to be more time than the proposed June 30. deadline. So, in essence, from what I am gathering from everybody, that should be sufficient.

Councilwoman Guy asked Mr. Darby if anybody had complained.

Treasurer Tommy Darby stated based on our understanding from all other entities that the 90-day window, which would put us through June 30, was sufficient to meet the needs of the other entities. He has not heard anything otherwise. This project has been six years in the works and six years to complete and thought the 90-day window wrapped it up nicely.

Councilman Vaughn motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

3. Executive Session-Vice Chairman Branham motioned to go into Executive Session, second by Councilman Killian. Vote 5-0 to approve.

a. To receive legal advice regarding Project Magma.

4. Council Action Following Executive Session-Councilwoman Guy motioned to go back to Regular Session, second by Councilman Killian. Vote 5-0 to approve.

a. Action taken regarding legal advice for Project Magma.

No action was taken, taken as information only.

5. Adjourn-Councilman Vaughn motioned to adjourn, second by Vice Chairman Branham. Vote 5-0 to adjourn.

Karen Lee, Clerk to County Council