



CHESTER COUNTY COUNCIL MINUTES

R. Carlisle Roddey Government Building

Council Chambers

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, December 5, 2016 at 6:00 P.M.

Members Present

Chairman Shane Stuart, Chairman
Council Member Joe Branham, Vice Chairman
Council Member Brad Jordan
Council Member Archie Lucas
Council Member Alex Oliphant
Council Member Mary Guy
County Attorney Joan Winters
Clerk to Council Karen Lee

Members Absent

Council Member John Wayne Holcombe was absent.

I. Call to Order-Called to order by Chairman Stuart at 6:00 p.m.

II. Approval of Minutes

1. November 21, 2016 – Regular Chester County Council Meeting

Council Member Guy motioned to approve, seconded by Council Member Lucas. Vote was 4-0 to approve. Council Member Branham was not present for the November 21st, 2016 Chester County Council Meeting and did not vote.

III. Citizen Comments

Jackie Kyles signed up to speak and was informed she was on the agenda.

IV. Ordinances/Resolutions/Proclamations

1. **Resolution to adopt the Chester County Multi-Jurisdictional Hazard Mitigation Plan.**
Chairman Stuart motioned to approve, seconded by Council Member Oliphant. Vote was 5-0 to approve.
2. **1st Reading of an Ordinance to Authorize the County of Chester, By Chester County Council, To Sell the Real Estate Known as Tax Map Number 070-00-00-054 To The Highest Bidder Upon Such Terms and Conditions as Described in The Request for Bid Proposals.**
Council Member Oliphant motioned to approve, seconded by Council Member Jordan. Vote was 5-0 to approve.
3. **1st Reading of an Ordinance Authorizing (1) The Conversion and Re-Documentation of That Certain Third Amendment to and Restatement of Lease Purchase Agreement Dated as of December 1, 2002 Between Chester County, South Carolina (The “County”) And TDY Industries, LLC (Formerly Known as Allvac, A Division of TDY Industries, Inc.) (The “Company”), Including All Incentive Arrangements Set Forth Therein, pertaining to Certain Existing Facilities Located Within the County; (2) The Execution and Delivery of One Or More Agreements, Instruments, And Other Documents in Connection with Such Conversion and Re-Documentation; And (3) Other Matters Relating Thereto. (By Title Only)**
Council Member Branham motioned to approve by Title Only, seconded by Council Member Oliphant. Vote was 5-0 to approve by Title Only.

V. Old Business

1. **Opinion from South Carolina Attorney General Regarding Using C-Funds to Pave Fire Department Ingress and Egress and Parking Areas. -County Attorney Joanie Winters**
Attorney Winters stated she argued the County’s case against the ruling of the Attorney General opinions against Marlboro County for using C-funds for parking lot resurfacing. Attorney Winters stated the County has several fire departments with crumbling ingress and egress along with the parking areas. The Attorney General stated in the letter “if the ingress and egress of the fire department parking lots connect to roads included within a countywide transportation plan, we believe a court would likely approve the use of “C” funds to the extent the repairs would benefit such roads.” Attorney Winters stated Marlboro County did not own the property where as Chester County does, they agree that paving fire department parking lots would serve a public purpose and could be a permissible use of C-funds but that was an opinion only. Attorney Winters stated the letter basically is a non answer, stating they agree that it’s for a public purpose and Chester County owns the property, but they’re not going to weigh in.

2. Update on Animal Shelter- Jackie Kyles

Mrs. Kyles stated at the last meeting one of the Council members said they would keep in touch to see what repairs needed to be done, but no one had been there. Chairman Stuart stated that was incorrect, he was the member who had been in touch with the shelter. Chairman Stuart stated fencing had been donated and hopefully installed soon. Mrs. Kyle stated at the last meeting she asked for a new shelter and understood the \$75,000-dollar budget would not cover building a new shelter.

Chairman Stuart stated that was correct, the \$75,000 dollars came from the Capital Budget one cent sales tax approved by the voters in 2014 for office space only for the Chester County Animal Control. Mrs. Kyles stated a new shelter would be a positive impact for children and knows this cannot happen overnight but some type of planning process needs to start. Looking into the future of the community and making all parts attractive and inviting is what's needed if we want our area to compete with York and Lancaster communities in economic growth. Council Member Lucas stated York and Lancaster Counties has more people and a better economy, it will take some good ideas unless it carries over to next year's budget. Chairman Stuart stated at the last two budget meetings Sheriff Underwood had ask for another administrator assistant but Council always said no, the times he has been to the shelter it has always been busy.

Council Member Oliphant stated we need a long term plan for a facility itself. Mrs. Kyles stated at the November 7th, meeting Council stated they would take care of the immediate needs. Chairman Stuart stated the immediate needs had not been brought to Council by the management of Animal Control, we cannot fix something we don't know about. Council Member Branham stated the Sheriff is totally in control of the Animal Shelter, he has to come up with the plan and let us know what is needed before we can give any money.

Mrs. Kyles mentioned creating a task force with the help of the Sheriff, Council Member Oliphant and Chairman Stuart stated they would be a part of it. Council Member Branham suggested to Mrs. Kyles to talk to the Sheriff to see what the immediate needs are so Council can help.

VI. New Business

1. Update on USC Lancaster Students from Chester County- Dr. Walt Collins. Mr. Collins rescheduled to a later meeting.

2. Discuss the Worker's Compensation Recognition and Incentive That Was Received from SCAC.

Chairman Stuart stated Workers Compensation has an audit every year and Chester was ranked number one in reporting workers comp claims which is a good thing. As the result Chester County received a rebate of \$45,737 dollars. He would like to use the money as a Christmas gift for full and part time employees. Attorney Winters stated there was statue that would prohibit the County from doing so and would prefer to discuss the matter with him offline. Chairman Stuart stated great.

VII. Executive Session

Council Member Oliphant motioned to go into Executive Session, seconded by Council Member Branham. Vote was 5-0 to approve. Time was 6:45 pm

1. Economic Development Matter on Project 1631

VIII. Council Actions after Executive Session

Council Member Guy motioned to come back into Regular Session, seconded by Council Member Branham. Vote was 5-0 to approve. Time was 7:00 p.m.

1. Action taken regarding Project 1631

Council Member Oliphant motioned to allow Economic Director Karlisa Dean to proceed with negotiations with project 1631, seconded by Council Member Branham. Vote was 5-0 to approve.

IX. Council Comments

Chairman Stuart told Council there would be two ribbon cuttings on December 12th, KJ's grocery will be at 9:00 a.m. and Carolina Heart Specialist will have there's at 5:00 p.m. He also stated John Wayne Holcombe will be given a plaque for his services as Council Member from 2009 to 2016 along with his nameplate.

X. Adjourn

Council Member Oliphant motioned to adjourn, seconded by Council Member Branham. Vote was 5-0 to adjourn. Time was 7:10 p.m.

K. Shane Stuart, County Chairman
& County Supervisor

Karen Lee, Clerk to Council

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