



CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, November 21, 2022 at 6:00 PM

Agenda

- 1. Call to Order**
- 2. Pledge of Allegiance and Invocation**
- 3. Approval of Minutes**
 - a. November 7th, 2022 Council minutes.
- 4. Citizens' Comments**
- 5. Ordinances/Resolutions/Proclamations**
 - a. **2022-15** Resolution to Gift Service Weapon to John Thomas Kelly.
- 6. New Business**
 - a. Approval of Bid # RFP 2223-05 Furnace & Air Conditioners to Gateway Supply in the amount of \$46,097.72 – Joe Roberts.
 - b. Approval of Bid # RFP 2223-06 Soccer Field Fencing to A-1 Fence Company in the amount of \$24,477.00 – Joe Roberts.
 - c. Approval to apply for a Pard Grant for the Chester Baseball Complex. Joe Roberts.
 - d. Discussion regarding Charter School Initiatives- Councilwoman Guy.
- 7. Boards and Commissions**
 - a. Resignation from Lando Fire Protection District. County Council.
 - b. Resignation from Lando Fire Protection District. County Council.
 - c. Resignation from Lando Fire Protection District. County Council.
 - d. Resignation from Hazel Pittman Board. Mike Vaughn. (District 2).

- 8. **Executive Session**
 - a. To receive legal advice regarding opioid litigation. Attorney Winters.
 - b. To receive legal advice regarding the hiring of the County Administrator. Attorney Winters.
- 9. **Council Actions Following Executive Session**
 - a. Action taken regarding opioid litigation.
 - b. Action taken regarding the hiring of the County Administrator.
- 10. **Council Comments**
- 11. **Adjourn**

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.

↓ ***PUBLIC NOTICE*** ↓

Chester County Council has relaxed some of the COVID measures put into place for personal appearances at County Council meetings but continues to encourage social distancing while in County facilities.

Guidelines for Addressing Council

Citizens Comments:

- Each citizen will be limited to three minutes.

Public Hearings:

- Each speaker will be limited to three minutes.

When introduced:

- Approach the podium, state your name and address.
- Speak loudly and clearly making sure that the microphone is not obstructed.
- Do not address the audience – direct all comments to Council.
- Do not approach the Council table unless directed.

Anyone addressing Council will be called out of order if you:

- Use profanity
- Stray from the subject
- Make comments personally attacking an individual member of Council



CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, November 7, 2022 at 6:00 PM

Present: Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Wilson, Councilman Vaughn, Councilman Killian, County Attorney Winters, and Clerk to Council Lee.

Absent: Interim Chairman Dr. Frederick

1. **Call to Order-** Vice Chairman Branham called the meeting to order.
2. **Pledge of Allegiance and Invocation-** Pledge was recited in unison; Councilwoman Guy gave the invocation.
3. **Approval of Minutes**
 - a. **October 17th, 2022 Council minutes.**
Councilwoman Guy motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.
Councilman Killian was not present for the 10/17/2022 meeting and did not vote.
 - b. **October 20th, 2022 Special Called minutes.**
Councilman Vaughn motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.
Councilman Killian was not present for the 10/20/2022 meeting and did not vote.
4. **Citizen's Comments**

Roxanne James of 3007 Steele Village Road, Rock Hill addressed Council regarding being opposed to rezoning CCMA22-17 and CCMA22-18.

Ron Thompson of 2615 Steele Village Road, Rock Hill addressed Council regarding being opposed to rezoning CCMA22-17 and CCMA22-18.

Susan and Grant Kovas of 116 Academy St, Chester addressed Council regarding their support of the Bailey Bill.

Troy Karski of 8025 Arrowbridge Blvd, Charlotte NC addressed Council regarding his support for rezoning CCMA22-19 thru CCMA22-22.

Allen Dickard of 10601 Agnes Douglas Rd, Fort Mill addressed Council regarding being opposed to rezoning CCMA22-17 and CCMA22-18.

Laurie Fowler of 2094 Millen Road, Chester, SC addressed Council regarding being opposed to rezoning CCMA22-17 and CCMA22-18.

Joe Ligon of 2655 Knox Station Road, Chester, SC addressed Council regarding being opposed to rezoning CCMA22-17 and CCMA22-18.

Benji Layman of 517 Sutton Road, Fort Mill, SC addressed Council regarding his support for rezoning CCMA22-17 and CCMA22-18.
5. **Public Hearing-** None

6. Ordinances/Resolutions/Proclamations

a. 2022-14 Resolution to approve the location for the animal shelter.

Councilman Wilson motioned to approve Industrial Boulevard for the site of the new animal shelter, second by Councilman Vaughn. Vote 5-1 to approve. Councilman Killian opposed.

7. Old Business

a. 1st Reading of CCMA22-17 Fielding Homes LLC C/O Isaacs Group request 160.33 acres of Tax Map # 114-00-00-015-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). *Planning Commission voted 5-1 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

b. 1st Reading of CCMA22-18 Fielding Homes LLC C/O Isaacs Group request 19.27 acres of Tax Map # 114-00-00-059-000 on Gaston Farm Road to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). *The Planning Commission voted 5-1 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

c. 1st Reading of CCMA22-19 D.R. Horton Inc request Tax Map # 135-00-00-019-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). *Planning Commission voted 6-0 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

d. 1st Reading of CCMA22-20 D.R. Horton Inc request Tax Map # 135-00-00-020-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). *Planning Commission voted 6-0 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

e. 1st Reading of CCMA22-21 D.R. Horton Inc request Tax Map # 135-00-00-032-000 on Lancaster Hwy to be rezoned from Limited Industrial District (ID-2) to Planned Development District (PD). *Planning Commission voted 6-0 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

f. 1st Reading of CCMA22-22 D.R. Horton Inc request 9.45 acres of Tax Map # 136-00-00-042-000 on Lancaster Hwy to be rezoned from Restricted Industrial District (ID-1) to Planned Development District (PD). *Planning Commission voted 6-0 to approve.* Councilman Vaughn motioned to delay the first reading until Council has received all information, they had previously set out to receive, second by Councilman Jordan. Vote 6-0 to delay.

g. From CTC:

1. Approval of bid RFB 20-46.17 Chester CTC One-Time Money State Roads 2022-23 to LCI-Lineberger Construction in the amount of \$2,037,469.39. Councilman Wilson motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

2. Approval of bid RFB 22-54.03 Chester CTC 2023 Paving Program 21 Roads to Lynches River Contracting in the amount of \$2,113,054.50. Councilwoman Guy motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

8. New Business

a. Council to authorize the approval of a \$1000 grant match from The Hoof & Paw Benevolent Society. Kelli Simoneau. Councilman Vaughn motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

b. Council to authorize the approval of DHEC Internet and VoIP three-year contract renewal- David Schuelke. Councilman Vaughn motioned to approve, second by Councilman Killian. Vote 6-0 to approve.

c. Council to authorize the approval of Chester County Bizness APP one year contract. David Schuelke.

Mr. Schuelke stated this was for information, six years ago he found this company and built the county application the IOS and an Android app off of it. Chester County has been using this company for six years as our Hosting provider. Since then, they were bought out by a larger company, the subscription model changed and had turned into a contract. Joanie has reviewed the contract, but it has an indemnification clause that they were not willing to take out. Essentially, the County will lose the app tomorrow which means it will not be accessible to the public. Ninety days all of the data that has been compiled on this app will be gone. People use this app daily for looking up directories to call county offices, it's used for push notifications for closures as well as filling out county forms and accessing job applications.

Attorney Winters stated the Attorney General had been steadfast that the Council doesn't have the authority to indemnify. David had been working with their sales representative who kept coming back saying the County could do a subscription without a contract.

Mr. Schuelke stated that was correct they could enter the same subscription model but at the modified rate. The price went from \$500 a year to \$ 1000 a year, he stated he would continue to work with Attorney Winters and their legal counsel to see if they can continue the subscription model.

9. Boards and Commissions

a. Resignation from the Lewis Fire Protection District Commission. Councilwoman Guy. (District 5)

Councilwoman Guy motioned to accept Sarah Collins resignation, second by Councilman Killian. Vote 6-0 to approve.

b. Appointment to the Lewis Fire Protection District Commission. Councilwoman Guy. (District 5)

Councilwoman Guy motioned to appoint William Dowd, second by Councilman Killian. Vote 6-0 to approve.

c. Resignation from Hazel Pittman Board. Councilman Wilson. (District 4)

Councilman Wilson motioned to accept Tommy Martin's resignation, second by Councilman Killian. Vote 6-0 to approve.

10. Executive Session

Councilwoman Guy motioned to go to executive session, second by Councilman Jordan. Vote 6-0 to approve.

- a. To receive legal advice regarding Economic Development. Attorney Winters.
- b. To receive legal advice regarding Project 2247. Attorney Winters.
- c. Update on Economic Development- Robert Long.
- d. To receive legal advice regarding Project 2234. Attorney Winters.
- e. To receive legal advice regarding CPST project. Attorney Winters.
- f. To receive legal advice regarding Project 2187. Attorney Winters.
- g. To receive legal advice regarding the hiring of the County Administrator. Attorney Winters.

11. Council Actions Following Executive Session

Councilwoman Guy motioned to go back to regular session, second by Councilman Killian. Vote was 6-0 to approve.

a. Action taken regarding Economic Development. Taken as information.

b. Action taken regarding Project 2247. Taken as information.

c. Action taken regarding update on Economic Development.

Councilman Jordan motioned to approve the new logo “Choose Chester” and allow Economic Development to begin using it and allow them to start the trademark process second by Councilman Killian. Vote 6-0 to approve.

d. Action taken regarding Project 2234. Taken as information.

e. Action taken regarding CPST project. Taken as information.

f. Action taken regarding Project 2187. Taken as information.

g. Action taken regarding the hiring of the County Administrator. Taken as information.

12. Council Comments

Councilman Vaughn reminded everyone the river sweep would take place Saturday, November 12th.

Councilwoman Guy reminded everyone to go out and vote.

13. Adjourn

Vice Chairman Branham motioned to adjourn, second by Councilman Wilson. Vote 6-0 to adjourn.

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.



Resolution 2022-15

A RESOLUTION TO GIFT THE SERVICE WEAPON TO JOHN THOMAS KELLY

WHEREAS, Chester County is grateful for the service given by Lieutenant John Thomas Kelly for more than twenty five years to the Chester County Sheriff's Office; and

WHEREAS, in accordance with South Carolina Code of Laws §23-1-255, Chester County Ordinance 11-16-098 and the Sheriff's Office General Order #311, upon retirement, state law enforcement officers may retain their commissions in retired status with all rights and privileges, including the right to retain their service weapons issued while serving in active-duty status provided certain requirements are met; and

WHEREAS, the service weapon used by Lieutenant John Thomas Kelly during his career with the Chester County Sheriff's Office was a Glock 22, .40 caliber, Serial number WXV540.

THEREFORE, the Chester County Council does hereby resolve to allow Lieutenant John Thomas Kelly to retain the weapon used by Lieutenant John Thomas Kelly during his career with the Chester County Sheriff's Office, provided he completes the requisite documentation for the transfer of this weapon.

This County Council thanks John Thomas Kelly for his dedicated service to Chester County and wishes him well in his retirement.

DONE IN MEETING DULY ASSEMBLED, this ____ day of November 21, 2022.

COUNTY COUNCIL OF CHESTER COUNTY

Wylie Frederick
Interim County Supervisor

ATTEST:

Karen Lee
Clerk to County Council of Chester County



Chester County, South Carolina

Office of Purchasing
1476 J.A. Cochran Bypass
Chester, SC 29706

Date: November 21, 2022
To: County Council
From: Susan M. Cok
Subject: Approval of Bid – Furnaces & Air Conditioners

Chester County Council Members,

On September 13, 2022, the Purchasing Office and the Maintenance Department issued RFP 2223-05 Furnaces & Air Conditioners for the Chester County Health Department. The bids were opened on November 15, 2022. We would like to award the bid to the lowest bidder Gateway Supply Company out of Columbia, SC in the amount of \$46,097.72.

Respectfully,

Susan M. Cok

Susan M. Cok,
Director of Contracts and Procurement



Bid Tabulation

RFP 2223-05 Furnaces & Air Conditioners

November 15, 2022 @ 2:00 pm

Bidder	Agreement Form	Non-Collusion Affidavit	Certificate of Familiarity	Bid Form	Bid Total
Clemons Business Group – W. Columbia, SC	√	√	√	√	\$57,349.06
Clemons Business Group – W. Columbia, SC	√	√	√	√	\$91,706.21
Gateway Supply Company – Columbia, SC	√	√	√	√	\$46,097.72

I certify that the above bid tabulation is an accurate representation of the information set forth on the bid proposals received.

Susan M. Cok 11/15/2022
Purchasing Official **Date**

Joe Roberts 11/15/2022
Witness **Date**



Chester County, South Carolina

Office of Purchasing
1476 J.A. Cochran Bypass
Chester, SC 29706

Date: November 21, 2022
To: County Council
From: Susan M. Cok
Subject: Approval of Bid – Soccer Field Fencing

Chester County Council Members,

On September 13, 2022, the Purchasing Office and the Maintenance Department issued RFP 2223-06 Soccer Field Fencing for Rodman Soccer Fields. The bids were opened on November 15, 2022. We would like to award the bid to the only bidder A-1 Fence Company out of Rock Hill, SC in the amount of \$24,477.00.

Respectfully,

Susan M. Cok

Susan M. Cok,
Director of Contracts and Procurement



Bid Tabulation

RFP 2223-06 Soccer Field Fencing
November 15, 2022 @ 2:30 pm

Bidder	Agreement Form	Non-Collusion Affidavit	Certificate of Familiarity	Bid Form	Bid Total
A-1 Fence Company – Rock Hill, SC	√	√	√	√	\$24,477.00

I certify that the above bid tabulation is an accurate representation of the information set forth on the bid proposals received.

Susan M. Cok 11/15/2022
Purchasing Official Date

Joe Roberts 11/15/2022
Witness Date

Catherine C. Gaston,
Lando Fire Protection District
3120 Gaston Farm Road
Richburg, SC 29729
November 12, 2022

Karen Lee
Clerk to Council
Chester County
PO Box 580
Chester, SC 29706

Dear Councilman Jordan:

It is with regret that I tender my resignation, effective December 31, 2022, from the Lando Fire Protection District Board of Directors.

Thank you for allowing me the opportunity to serve for many years on this great board. It is my hope that someone with the same passion will assume the responsibility of serving in this wonderful community.

Sincerely,

Catherine C. Gaston

Lando Fire Protection District

Richard Miller, Lando Fire Protection District
1756 Hawks Nest Lane
Edgemoor, SC 29712
November 8, 2022

Karen Lee
Clerk to Council
Chester County
PO Box 580
Chester, SC 29706


Dear Ms. Lee:

It is with regret that I tender my resignation from the Lando Fire Protection District board if directors, effective December 31, 2022.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past 22 years, and it is my sincere

hope for continued success in providing fire protection to the communities they serve.

Sincerely,

A handwritten signature in cursive script that reads "Richard F. Miller". The signature is written in black ink and is positioned above the printed name.

Richard F Miller

, Lando Fire Protection District

Karen Lee

From: [REDACTED]
Sent: Friday, November 18, 2022 9:40 AM
To: Brad Jordan
Cc: Karen Lee
Subject: Board Resignation

Dear Mr. Jordan:

Please accept this message as my resignation from the Lando Fire Board, effective December 31, 2022.

It has been a privilege to serve my community in this way and I appreciate the County Council's faith in my service.

I wish nothing but continued success for the Lando Fire Department and its many volunteers and staff.

Sincerely,
Vernon W. Terry, chairman
Lando Fire Board

Karen Lee

From: Marty Roberts [REDACTED]
Sent: Tuesday, November 15, 2022 9:19 AM
To: Karen Lee
Subject: Hazel Pitman

To whom it may concern,

It is to my regret that I will have to resign from the Hazel Pitman Board. With my time constraint, I was not able to give this project the attention that it deserves. I am sorry if I caused any problems.

Thank you,

Marty Roberts