

**CHESTERFIELD COUNTY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS**

**May 2, 2018 ..... 9:00 A.M.**

**PRESENT:** Chairman Al Johnson, Vice-Chair Douglas A. Curtis, Council Members: Hattie Burns, Bruce E. Rivers, Gerald L. Miller, Ralph E. Watson, William R. Butler, Mary D. Anderson and Ben Teal.

**OTHERS PRESENT:** Tim Eubanks – Interim Administrator/Public Works Director, Betty M. Boswell – Clerk to Council/Office Manager, Michelle Stanley – Finance Director, Lisa Gainey – Human Resource Director, C. Heath Ruffner – County Attorney/Interim Assistant Administrator, Kim Burch – Economic Development Board Director, Cherry McCoy – Senior Project Manager, Kappie Griggs – Economic Development Board, Adam Foard – Economic Development Board, Honorable Jay Brooks – Sheriff, Michael Kaltwang – Director, Chesterfield County Library System, Charity Harvey – Chesterfield County Library System, Hester Ellerbe, Harold Hainey – Emergency Management Director, Dana Tarlton – E-911 Administrator, Tommy Sellers – Economic Development Board, Amber Starnes – Clemson Extension and Robert Monnie – The Link. There were others attending the meeting who did not sign the sign-in-sheet.

**PRESS:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 178 Mill Street, Chesterfield, SC, and the County Website ([www.chesterfieldcountysc.com](http://www.chesterfieldcountysc.com)). In addition it was made available to the newspapers and concerned citizens (*upon request*). Members of the press present: Robert Monnie – The Link.

**CALL TO ORDER AND PRAYER**

Chairman Johnson welcomed everyone and Council Member Ralph Watson opened the meeting with prayer.

**ADOPTION OF AGENDA**

Council Member Rivers made a motion to amend the Agenda to move Agenda Item 19 Budget Retreat to before Executive Session, and to add to the Agenda that action may be taken by Council on Agenda Item 18(a)(i) after Executive Session upon a finding of exigent circumstances, the same being that the County’s time in which to file responsive pleadings in the matter to be discussed will expire before the next scheduled meeting. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

Council Member Rivers made a motion to adopt the May 2, 2018 meeting agenda, with amendments. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**APPROVAL OF MINUTES**

**a. April 4, 2018 – Regular Meeting**

Council Member Butler made a motion to approve the May 2, 2018 Regular Meeting Minutes. Council Member Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **APPOINTMENTS**

#### **a. Brian Broughton, President/CEO – Lynch River Electric Cooperative**

Appeared before Council to present a check in the amount of \$220,000 which will complete the funding necessary to permit the County to exercise the option to purchase the Belk property located in the Pageland area for the purpose of future economic development.

### **PUBLIC HEARINGS**

#### **a. Wal-Mart FILOT Ordinance – Public Hearing**

Council Member Rivers made a motion to open the Public Hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

There were no oral comments from the public made nor were any written comments received.

Council Member Rivers made a motion to close the public hearing. Council Member Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **ORDINANCE READINGS AND RESOLUTIONS**

#### **a. Wal-Mart FILOT Ordinance – 3<sup>rd</sup> Reading**

Council Member Miller made a motion to pass 3<sup>rd</sup> Reading. Council Member Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

#### **b. \$625,000 GO Bond Ordinance – 2<sup>nd</sup> Reading**

Council Member Butler made a motion to pass 2<sup>nd</sup> Reading. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

#### **c. 2018 Tax Anticipation Note (TAN) Ordinance – 1<sup>st</sup> Reading, *by title only***

Council Member Watson made a motion to pass 1<sup>st</sup> Reading, *by title only*. Council Member Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

#### **d. Mental Health Month - Proclamation**

Council Member Curtis made a motion to declare the month of May as Mental Health Month. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **STANDING COMMITTEE REPORTS**

#### **a. Building Committee – Committee Chair Rivers**

##### **1) Driveway Entrance for Property designated as TMS #171-4-7-21 – Bid Award**

Staff issued an Invitation for Bids (IFB) for the driveway entrance to the property designated as TMS #171-4-7-21. Staff received the following three bids: 1) Henley Construction in the amount of \$7,740.00 2) Bullock in the amount of \$19,008.00 and 3) Armstrong in the

amount of \$24,300.00. It is the recommendation of the Building Committee that the bid be awarded to Henley Construction in the amount of \$7,740.00.

Council Member Rivers made a motion to award the bid to Henley Construction in the amount of \$7,740.00. Council Member Watson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **ADMINISTRATOR'S REPORT**

Mr. Eubanks gave an update on the Judicial Center Project.

### **BUDGET RETREAT**

**Chairman Johnson:** Advised that the Budget Retreat would now begin.

**Adam Foard, Economic Development Board:** Advised that they are asking for a part-time Existing Industry Coordinator and a salary increase for employees and in the event the new position and salary increases are not approved or are only partially approved, CCEDB requests a restoration of funds to the deducted line items, resulting in a net zero increase or decrease from FY 2017-2018.

**Michael Kaltwang, Director, Chesterfield County Library System:** Advised that he is requesting five new part-time positions (20 hours per week each) for a total increase in salaries of \$52,000.00 and an increase in the travel/training in the amount of \$1,000.00 for a total increase of \$53,000.00.

**Charity Harvey, Youth Services Manager:** Advised Council of the many different children's programs that the Library has to offer and how these new part-time positions would benefit the citizens of Chesterfield County and the Library staff.

**Harold Hainey, Emergency Management Director:**

Advised that they were in the need of two more employees due to the McBee police and the number of calls coming. Advised there had been 1520 stops made by the police in the McBee area. Also asked that they be allowed to get pre-rabies vaccinations for employees that are at risk of getting bit by a rabid animal.

**Dana Tarlton, E-911 Administrator:** Advised that if they were allowed to hire two more employees, this would help with the overflow from McBee.

**Jay Brooks, Sheriff:** Introduced the new Chief Deputy, Cambo Streater. Sheriff Brooks advised that his department had been cut over the last three years. He advised that he would like to keep the salary structure going as was done in the past and is asking for a \$23,000.00 increase in salaries. He advised that it was time for them to purchase vehicles. He is asking for an increase of 2.5%, which is \$67,969.00.

### **EXECUTIVE SESSION**

Chairman Johnson announced that Council needed to enter into executive session and asked Attorney Ruffner to explain the need to enter into session.

**Attorney Ruffner:** Pursuant to S.C. Code § 30-4-70(a)(2), there is a need to enter into executive session for discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in the other adversary situations involving the assertion against the County of a claim regarding the following:

- i. Property Clean Up
- ii. Flynn Brothers, LLC vs. County, et al – Road Closing
- iii. Economic Development Office

Council Member Watson made a motion to enter executive session. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

Council Member Butler made a motion to exit executive session. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **REGULAR SESSION**

Chairman Johnson reported Council is back in regular session. No motions were made and no action was taken in Executive Session.

**C. Heath Ruffner, County Attorney/Interim Assistant Administrator:** In executive session, I discussed with Council the matter of Flynn Brothers, LLC versus Chesterfield County, SCDOT and the Town of Cheraw that concerns closing a portion of Stokes Road in Cheraw near the old yarn mill and as has been County's policy for a number of years, it is my understanding that the County will not take a position one way or the other as to the closing of that road, and that you authorize me to file an Answer and return to that Petition stating that the County does not take a position and consents to the Court doing whatever it determines to be proper.

Council Member Butler made a motion that Council authorize Attorney Ruffner to file an Answer and Return as above described. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **ADJOURN**

Council Member Burns made a motion to adjourn. Council Member Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**APPROVED:**



Al Johnson, Chairman  
Date: June 6, 2018

**ATTEST:**



Betty M. Boswell, Clerk to Council