

**CHESTERFIELD COUNTY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
April 5, 20239:00 A.M.**

PRESENT: Chairman Rhett Butler, Vice-Chair Mary Anderson, Council Members: Bruce E. Rivers, Douglas Curtis, Gerald L. Miller, Todd Smallwood, Hattie Burns and Ethan Foard.

ABSENT: Council Member Ben Conklin.

OTHERS PRESENT: Tim Eubanks – Administrator, Betty M. Boswell – Clerk to Council/Administration Office Manager, Michelle Stanley – Finance Director, Cherry McCoy – Economic Development, Libby Lear – Economic Development Director, Dee Yow-Dixon, E-911, Chad Arant – Emergency Management, Cambo Streater – Sheriff, C. Heath Ruffner – County Attorney/Assistant Administrator, Ken Riley, Loni Riley, Betty Garret – Pee Dee Coalition, Dusty Kertis – Pee Dee COG, Stacey Short – Pee Dee Coalition, Joseph Lewis, Pee Dee COG, Ethel Moore – Pee Dee Coalition, John Bittle – Mayor, Town of Chesterfield and Robert Monnie – The Link. There were others 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). In addition it was made available to the newspapers and concerned citizens (*upon request*).

CALL TO ORDER AND PRAYER

Chairman Rhett Butler welcomed everyone and Council Member Bruce E. Rivers opened the meeting with prayer.

ADOPTION OF AGENDA

Chairman Butler advised there was a need to amend the agenda to strike Agenda item 10.a.

Council Member Miller made a motion to adopt the April 5, 2023 meeting agenda. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

SPECIAL RECOGNITION

a. Employees Years-Of-Service Recognition

Staff has implemented a Service Recognition Program that is designed to honor the County's Employees. The program will recognize years of service beginning at five years and following in five year increments. The following employees were recognized and presented with their Certificates:

<u>Employee</u>	<u>Department</u>	<u>Date of Hire</u>	<u># of Years</u>
Donald Pulice	Public Works	1/22/2018	5 Years
Jerry Steen	Convenience Center	3/10/2018	5 Years
Chad Arant	Emergency Management	3/11/2013	10 Years
Ernest Ishmell	Public Buildings	1/7/2013	10 Years
Caroline Tyler	Sheriff's Department	1/08/2008	15 Years
Becky Harris	Register of Deeds	2/25/2008	15 Years
Joseph Carnes	Sheriff's Department	3/28/2008	15 Years
Vanessa Brewer	Probate Court	3/31/2003	20 Years
Troy Ellerbe	Detention Center	3/3/2003	20 Years
Anthony W. Jordan	Sheriff's Department	1/8/2003	20 years
Mary F. Watson	Sheriff's Department	3/6/2003	20 years

APPROVAL OF MINUTES

a. March 1, 2023 - Regular Meeting

Council Member Foard made a motion to approve the March 1, 2023 Regular Meeting Minutes. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

APPOINTMENTS

a. Joseph Lewis, Pee Dee Council of Governments

Appeared before Council regarding the rail bed in Cheraw and the possibility of the County purchasing the rail bed for the development of a trail.

b. Reverend Johnnie McLendon

Did not attend the meeting.

c. Ms. Stacey Short, Pee Dee Coalition – Declaring April Sexual Assault Awareness and Child Abuse Prevention Month – Proclamation

Appeared before Council and advised of upcoming events pertaining to Sexual Assault Awareness and Child Abuse Prevention.

Council Member Curtis made a motion to adopt the Proclamation. Council Member Foard seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

PUBLIC COMMENTS

SIGNING OF BONDS, PAYROLL, AND AUTHORIZATIONS

Bonds, payroll and authorizations were distributed to Council for approval by signatures.

PUBLIC HEARINGS

None

ORDINANCE READINGS AND RESOLUTIONS

- a. **Project Pack Special Source Credit Agreement Ordinance – 3rd Reading**
Struck from Agenda.

- b. **Wal-Mart FILOT Ordinance Amendment – 1st Reading**

Council Member Rivers made a motion to pass 1st Reading. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- c. **Road Maintenance Fee Ordinance – 1st Reading**

Council Member Rivers made a motion to pass 1st Reading. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- d. **2022-2023 Cash RFD Budget Ordinance – 1st Reading, by title only**

Council Member Burns made a motion to pass 1st Reading, *by title only*. Vice-Chair Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- e. **2022-2023 Harris Creek RFD Budget Ordinance – 1st Reading, by title only**

Council Member Curtis made a motion to pass 1st Reading, *by title only*. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- f. **2022-2023 Alligator RFD Budget Ordinance – 1st Reading, by title only**

Council Member Burns made a motion to pass 1st Reading, *by title only*. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- g. **2022-2023 General Fund Budget Ordinance – 1st Reading, by title only**

Council Member Burns made a motion to pass 1st Reading, *by title only*. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- h. **\$620,000 Bond Ordinance – 1st Reading, by title only**

Vice-Chair Anderson made a motion to pass 1st Reading, *by title only*. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- i. **Statewide Mutual Aid Agreement – Resolution**

Council Member Rivers made a motion to adopt the Resolution. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

- j. **Fair Housing – Resolution**

Council Member Curtis made a motion to adopt the Resolution. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

k. Community Block Grant Programs of the South Carolina Department of Commerce – Resolution

Council Member Smallwood made a motion to adopt the Resolution. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

STANDING COMMITTEE REPORTS

a. Finance Committee – Committee Chair Burns

Committee Chair Burns advised the Finance Committee met on March 13, 2023 and discussed the commissioning of a portrait of former Resident Judge C. Anthony “Tony” Harris. The Committee voted unanimously to present to full council their recommendation to have a portrait of former Resident Circuit Judge C. Anthony “Tony” Harris painted and placed in the Main Court Room of the Chesterfield County Judicial Center.

Council Member Curtis made a motion to allow staff to move forward with obtaining quotes to bring back to Council. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. Road Committee – Committee Chair Miller

Administrator Eubanks advised the Road Committee met on March 1, 2023 to discuss the right of way requirements for the paving of a subdivision road to be located off of White Plains Church Road. The Community voted unanimously to recommend approval of the right-of-way.

Council Member Miller made a motion to approve the right-of-way and that the engineer work with Ms. Sandy Watford, Pee Dee Council of Governments. Council Member Foard seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

ITEMS SUBMITTED BY COUNCIL

a. Video Recording of Committee Meeting – Council Member Foard

Council Member Foard advised that he would like for Council to start video recording all committee meeting and that the meeting be placed on the County website.

Council Member Foard made a motion to start video recording all committee meetings and post in the same manner as council meetings. Vice-Chair Anderson seconded the motion. Council Member Foard then amended the motion to post audio recordings of the committee meetings and Vice-Chair Anderson concurred in the amendment. Voting in favor of the amended motion were Council Members Foard, Smallwood and Vice-Chair Anderson. Voting in opposition of the motion were Council Members Miller, Curtis, Rivers and Burns. Motion failed 4-3.

ITEMS SUBMITTED BY STAFF

a. Bid Award – Taylor Loop Road – Stanley

Ms. Stanley advised that an Invitation for Bids (IFB) was issued for the Taylor Loop Road Paving Project. Staff received the two following bids:

- | | |
|--------------------------------------|----------------|
| 1) Cherokee, Inc. | \$781,910.00 |
| 2) LCI-Lineberger Construction, Inc. | \$1,188,388.65 |

It was staff's recommendation that the bid be awarded to Cherokee, Inc. in the amount of \$781,910.00, which is the lowest bid.

Council Member Curtis made a motion to award the bid to Cherokee, Inc. in the amount of \$781,910.00. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. Bid Award – Thistledown Lane – Stanley

Ms. Stanley advised that an Invitation for Bids (IFB) was issued for the Thistledown Lane Paving Project. Staff received the two following bids:

- | | |
|--|--------------|
| 1) Furr Grading and Paving, Inc. | \$259,662.50 |
| 2) C. Ray Miles Construction Company, Inc. | \$482,420.00 |

It is staff's recommendation that the bid be awarded to Furr Grading and Paving, Inc. in the amount of \$259,662.50, which is the lowest bid.

Council Member Smallwood made a motion to award the bid to Furr Grading and Paving, Inc. in the amount of \$259,662.50. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

c. Surplus Property (Sheriff's Department) – Stanley

Ms. Stanley advised that the Sheriff's Department has requested that Council declare the following as surplus property so that it may be removed from inventory:

- 2009 Dodge Charger 23BKA43T29H638974
- 2010 Dodge Charger 2B3AA4C10AH161557
- 2014 Dodge Charger 2C3CDXAT1EH348237

Council Member Burns made a motion to declare the above listed property as surplus property. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

d. Lynches River Industrial Park – Protective Covenants Variance – Ruffner

Council was presented with a Grant of Variances to the Declaration of Protective Covenants for the Lynches River Industrial Park. Attorney Ruffner advised these are minor changes that Council is permitted to make per the terms of the Covenants to accommodate the industry that will be located on the subject parcel.

Council Member Rivers made a motion to pass this proposed Grant of Variances. Council Member Miller seconded the motion. Voting in favor of the motion were unanimous. Motion passed.

e. Mil Value Data – McCoy

Ms. Cherry McCoy appeared before Council and presented data concerning the growth of the mil value in Chesterfield County.

UNFINISHED BUSINESS

None

NEW BUSINESS

a. Local Workforce Development Area Subsequent Designation Petition – Ruffner

Attorney Ruffner advised these documents permit the Pee Dee Regional Council of Governments to continue to administer Workforce Investment and Opportunity Act (WIOA) grant funds.

Vice-Chair Anderson made a motion that Council approve and authorize the execution of these documents by the Chairman. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. Windsor Park Sewer Service - Ruffner

Council was presented with a copy of Ordinance No. 78-79-04 establishing the Windsor Park Sewer Service. Based on the language of the Ordinance, it appears clear that the fees for this service were intended to be included on the ad valorem tax bills and collected in the same manner as taxes (i.e., through the delinquent tax process). These fees are currently paid directly to the County although the total cost of operation of the system must be paid by the County to the Town of Cheraw. That is, if some homeowners do not pay, the funding shortage is covered from the General Fund.

It is proposed that, beginning with 2023 tax bill, these charges be included on the tax bill. This would be prospective only; that is the County could only use the tax collection process for amounts unpaid going forward.

Vice-Chair Anderson made a motion to include the Windsor Park Sewer Service fees on the ad valorem tax bills and collected in the same manner as taxes as stated in Ordinance No. 78-79-04. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

BOARD APPOINTMENTS

a. Alligator Fire District Board Appointment – Ruffner

A copy of Board meeting minutes from Alligator Fire District was presented to Council with a recommendation to Council that Mike Tiller be appointed to fill an opening on the Board.

Council Member Smallwood made a motion to approve the appointment of Mike Tiller to the Alligator Fire District Board. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. Planning Commissioners – Chesterfield County Joint Comprehensive Plan – Eubanks

Council discussed the appointment of four members to the Joint Planning Commission. Administrator Eubanks stated his recommendation would be to appoint Lee Wallace, Jermaine Johnson, John Martin and Dennis Rivers.

Vice-Chair Anderson made a motion to accept the recommendation of Administrator Eubanks in appointing Lee Wallace, Jermaine Johnson, John Martin and Dennis Rivers to the Joint Planning Commission. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

c. Accommodations Tax Committee – Stanley

Ms. Stanley advised two positions needed to be filled on the Accommodations Tax Committee. It is requested that Ms. Leah Raja be appointed to replace Mr. Seth Morris representing the hotel industry and Ms. Libby Lear be appointed to replace Ms. Cherry McCoy.

Council Member Burns made a motion to appoint Ms. Leah Raja and Ms. Libby Lear to the Accommodations Tax Committee. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

ADMINISTRATOR'S REPORT

Recognized Council Members Burns for being named Board Member (Rural) of the year for the Pee Dee Regional Transportation Authority.

COUNCIL MEMBERS' COMMENTS

Vice-Chair Anderson:

- Thanked Economic Development for having the Round Table Discussion Event.
- The reason some ordinances are by "title only" is because we have to have three readings and we may not have all of the information to get three readings in on time, that's why we do "title only".

Council Member Burns:

- Recognized Cheraw Fire Department and Cash Rural Fire Department for being recognized as a Fire Safe SC Community for 2022.

Council Member Foard:

- Stated he appreciated and thanked people who are willing to serve on committees.
- Pledged that he would be attending all committee meetings and videoing the meetings and putting them on a platform for people to see.

EXECUTIVE SESSION

a. Pursuant to S.C. Code § 30-4-70(a)(5), Council entered into executive session for the discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county regarding the following:

- i. Carolinas Centre Industrial Park – HS Growers
- ii. Lynches River Industrial Park – Infrastructure

b. Pursuant to S.C. Code § 30-4-70(a)(2), Council entered into executive session for the discussion of negotiations incident to proposed contractual arrangements, and 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, regarding the following:

- i. Contractual negotiations with Town of McBee concerning National Crime Information Center (NCIC) checks and warrant services
- ii. Contractual negotiations with Town of McBee concerning building codes enforcement services
- iii. Contractual negotiations with the Town of McBee concerning a pilot feline spay/neuter program
- iv. Sale of Leppard Building
- v. Sale of Property to High Point Fire Department

Vice-Chair Anderson made a motion to enter into executive session. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

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

REGULAR SESSION

Chairman Butler reported Council is back in regular session and that no action was taken and no motions were made in executive session other than to exit executive session.

Agenda Item: 19a.ii

Vice-Chair Anderson made a motion to move forward with Phase 2 of infrastructure development at the Lynches River Industrial Park. Council Member Burns seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

Agenda Item: 19b.i

Michelle Stanley, Finance Director is to work with E-911 regarding the cost estimate and bring back to Finance Committee.

Agenda Item: 19b.ii

Council Member Curtis made a motion to approve the County entering into an agreement with the Town of McBee regarding building codes enforcement services, as they already do with other municipalities. Council Member Foard seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

Agenda Item: 19b.iii

Vice-Chair Anderson made a motion to authorize staff to develop an agreement with the Town of McBee for a Pilot Spay and Neuter Feline Program. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

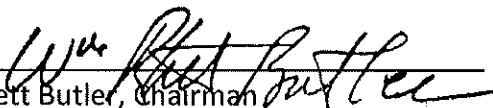
Agenda Item: 19b.iv

Council Member Foard made a motion to authorize the Administrator to enter into discussions with the Town of Chesterfield as discussed in executive session and have the town come back with a proposal to be brought back to Council. Council Member Smallwood seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

ADJOURN

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

APPROVED:


Rhett Butler, Chairman
Date: May 3, 2023

ATTEST:


Betty M. Boswell, Clerk to Council