

**CHESTERFIELD COUNTY COUNCIL  
SPECIAL MEETING  
COUNTY COUNCIL MULTI-PURPOSE BUILDING  
October 26, 2011 ..... 9:00 A.M.**

**MEMBERS PRESENT:**

Chairman J. Matthew Rivers, Vice-Chair Lenora V. Powe, Gerald L. Miller, G. Franklin Plyler, Bruce E. Rivers, Douglas A. Curtis, Robert G. Cole, Crawford Moore and Kenneth A. Johnson.

**OTHERS PRESENT:** Susie Boswell – Clerk to Council, Michelle Stanley - Finance Director, Denise R. Douglass - Administrator, C. Heath Ruffner – County Attorney, Leighton Bell – The Link, Brenda Workman – Chesterfield County Economic Development, F. Louise Howle, Wade Huggins, Harold Wayne, Wade A. Huggins, Leland Huggins, Glynn Huggins, Bobby Bowers – SC Budget and Control Board, Christine Huggins, Charles Griggs and Kevin Thurman. There were others attending the meeting who did not sign the sign-in sheet.

**CALL TO ORDER AND PRAYER**

Chairman J. Matthew Rivers welcomed everyone and asked Council Member Plyler to open the meeting with a prayer.

**ADOPTION OF AGENDA**

Council Member Plyler made a motion to adopt the October 26, 2011 meeting agenda with the amendment of adding to # 4 Bobby Bowers with the SC Budget and Control Board and also a legal matter in Executive Session. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**PUBLIC HEARINGS**

**a. Redistricting Plan Ordinance – Public Hearing**

Council Member Curtis made a motion to open the public hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. There were no written comments received.

**Bobby Bowers, SC Budget and Control Board**

Advised Council that the criteria had already been adopted by council and that the plan before them had dropped the deviation from well way over 10% to 4.51%. He stated that the highest district is District 5 with 2.20% and then District 2 with 2.31% is the lowest so we have got a 4.51% deviation which is well below the 10% and the minority districts there is no retrogression. All three of the minority districts are at better than what they were in the bench mark plan.

**Louise Howle** – Stated that she lives on Brown Springs Church Road and that she is concerned about the redistricting because of the school area. She stated that she had a five year old that attends Plainview Elementary and that her mother passed away last September and her mother had always been on the advisory council for as long as she could remember and that she would like to follow in those foots steps but with the redistricting she had been pushed out of that area.

**Chairman J. Matthew Rivers:** Stated that he thought that had been changed as of yesterday. Stated that he thought the best plan was to take this out of order and leave the Redistricting Ordinance Public Hearing open and continue with the next item to give people time to go over the map and then come back to the Public Hearing that is held in abeyance.

**b. Home Detention Plan Ordinance – Public Hearing**

Council Member Bruce E. Rivers made a motion to open the public hearing. Council Member Johnson Seconded the motion. Voting in favor of the motion was unanimous. There were no oral comments from the public made nor were there any written comments made.

Council Member Johnson made a motion to close the public hearing. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous.

**c. Bath Salts/Synthetic Marijuana Ordinance Public Hearing**

Council Member Bruce E. Rivers made a motion to open the public hearing. Council Member Johnson seconded the motion. Voting in favor of the motion was unanimous.

Council Member Moore made a motion to close the public hearing. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous.

**ORDINANCE READINGS AND RESOLUTIONS**

**b. Home Detention Program Ordinance – 3<sup>rd</sup> Reading**

Council Member Miller made a motion to pass 3rd reading. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**Chairman Rivers** Stated that he had asked the Sheriff to attend the Council meeting and that he had been talking back and forth with Heath Ruffner, Attorney. Stated that basically we need to table the Ban of “Bath Salts/Synthetic Marijuana” Ordinance and that the Sheriff would give us an update on why we don’t need to go forward with this Ordinance.

**Sheriff Sam Parker**

Stated that he was proud of the people of Chesterfield County and of Council passing the Ban of “Bath Salts/Synthetic Marijuana” Ordinance. He stated that he had talked with Heath Ruffner, Attorney about the Ordinance that Council passed about a month and a half ago. Stated that our Sheriff’s Department was the first Sheriff’s Department and our Council was the first Council to pass this Ordinance in the State of South Carolina and that we have got much publicity from the media and other interests in the state regarding this Ordinance and that with this Ordinance they were able to get this thing rolling and that the DEA came aboard along with the SC Department of Health and Environmental Control and that as of October 24, 2011, it became a law and that Chesterfield County was the lead agency in doing this. Stated that we still have the Ordinance but have talked about tabling it until something may arise in the future and that hopefully nothing will arise.

**c. Ban of “Bath Salts/Synthetic Marijuana” Ordinance – 3<sup>rd</sup> Reading**

Council Member Miller made a motion to table the matter. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**d. Solid Waste Plan Ordinance Amendment – 2<sup>nd</sup> Reading**

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

**e. G/O Construction Bond Ordinance Amendment – 2<sup>nd</sup> Reading**

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

**f. Lease Purchase Ordinance (Dumpsters/Compactors) - 1<sup>st</sup> Reading – *title***

***only***

Council Member Powe made a motion to pass first reading by title only. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**ITEMS SUBMITTED BY STAFF**

**a. Financing Award for Dumpsters/Compactors – Denise Douglass, Administrator**

Staff received bids for the financing of the (22) dumpsters and (7) compactors from Kansas State Bank at the rate of 4.69%; BB&T at the rate of 2.42% and First Citizens – no bid. It is the recommendation of our bond attorneys and our staff to go with the low bid received from BB&T at a rate of 2.42% for a period of five years.

Council Member Plyler made a motion to award bid to BB&T at a rate of 2.42% for a period of five years. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**EXECUTIVE SESSION**

Chairman J. Matthew Rivers recommended Council enter into Executive Session in accordance with S.C. Law, Section 30-40-70 of the S.C. Code of Laws, to discuss two Economic Development issues and a legal matter.

Council Member Johnson made a motion to enter Executive Session. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous.

Council Member Bruce E. Rivers made a motion to exit Executive Session. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous.

**REGULAR SESSION**

Chairman J. Matthew Rivers reported Council is back in regular session.

**Redistricting Plan Ordinance - Public Hearing**

Council Member Johnson made a motion to close public hearing, leaving in abeyance the motion on 3<sup>rd</sup> reading for the Redistricting Plan Ordinance. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

**Chairman J. Matthew Rivers:**

Mr. Bowers, I understand you have made some changes.

**Bobby Bowers, SC Budget and Control Board:**

Stated some minor changes had been made in a few blocks in between the two districts, Districts 4 and 5. Stated that it does not affect the minority districts and that the minority districts are the same as they were in the previous plan. It raised the deviation to 6.01 % which is still 4% less than the 10%. Stated that he would go with this plan.

**a. Redistricting Plan Ordinance – 3<sup>rd</sup> Reading**

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

**ADJOURN**

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

**APPROVED:**

**ATTEST:**

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J. MATTHEW RIVERS, CHAIRMAN  
DATE: November 2, 2011

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SUSIE BOSWELL  
CLERK TO COUNCIL