

**CHESTERFIELD COUNTY COUNCIL  
REGULAR MEETING  
COUNTY COUNCIL MULTI-PURPOSE BUILDING  
July 1, 2015 .....9:00 A.M.**

**PRESENT:** Chairman J. Matthew Rivers, Vice-Chair Lenora V. Powe, Council Members: Kenneth A. Johnson, Bruce E. Rivers, Robert G. Cole, Gerald L. Miller, Douglas A. Curtis and Mary Anderson.

**ABSENT:** Council Member G. Franklin Plyler.

**OTHERS PRESENT:** Denise Douglass – Administrator; Susie Boswell – Clerk to Council; Michelle Stanley – Finance Director; C. Heath Ruffner – County Attorney; Lisa Gainey – Human Resource Director; Tim Eubanks – Public Works; Tierra Cash – Pee Dee Coalition; Kim Burch – Chesterfield County Economic Development Director; Jayne Scarborough – Olde English District Tourism Commission, Rachel Canipe, Kenny Ammons, Christopher Ralph; Jane Pigg – The Link and Robert Monnie –The Link. 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 Council Member Bruce E. Rivers opened the meeting with prayer.

**CHAIRMAN RIVERS:** Advised that Council Members Curtis and Miller are in route to the meeting, and that some items on the Agenda will be taken out of order to permit those Council members to participate in the deliberations regarding those items.

**SPECIAL 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:

<b><u>Employee</u></b>	<b><u>Department</u></b>	<b><u>Number of Years</u></b>
Rachel Canipe	Auditor	10 Years
Kenny Ammons	Sheriff	10 Years
Christopher Ralph	Detention Center	15 Years

**ADOPTION OF AGENDA**

Council Member Johnson made a motion to adopt the July 1, 2015 meeting agenda. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

## **APPROVAL OF MINUTES**

### **a. June 3, 2015 – Regular Meeting**

Council Member Bruce E. Rivers made a motion to approve the June 3, 2015 Regular Meeting Minutes. Council Member Johnson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **b. June 15, 2015 - Special Meeting**

Council Member Bruce E. Rivers made a motion to approve the June 15, 2015 Special Meeting Minutes. Council Member Johnson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

## **SIGNING OF BONDS, PAYROLL, AND AUTHORIZATIONS**

None

## **APPOINTMENTS**

None

## **PUBLIC COMMENTS**

None

## **PUBLIC HEARINGS**

### **a. 2015 Tax Anticipation Note Ordinance - Public Hearing**

Council Member Bruce E. Rivers made a motion to open public hearing. Vice-Chair Powe 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 Johnson made a motion to close public hearing. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **b. Duke Energy Progress Easement Ordinance – Public Hearing**

Council Member Bruce E. Rivers made a motion to open public hearing. Vice-Chair Powe 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 Johnson made a motion to close public hearing. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **c. Project Pellet Ordinance – Public Hearing**

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

**d. Multi-Jurisdictional Agreement Ordinance – Public Hearing**

Vice-Chair Powe made a motion to open public hearing. Council Member Bruce E. Rivers 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 Johnson made a motion to close public hearing. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**e. Lease Purchase (E911 Upgrades) Ordinance – Public Hearing**

Council Member Cole made a motion to open public hearing. Vice-Chair Powe 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 Anderson made a motion to close public hearing. Council Member Johnson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**ORDINANCE READINGS AND RESOLUTIONS**

**a. 2015 Tax Anticipation Note Ordinance – 3<sup>rd</sup> Reading**

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

**b. Duke Energy Progress Easement Ordinance – 3<sup>rd</sup> Reading**

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

**Chairman Rivers advised that he was going to skip item 10 (c) and return to it due to Council Members Curtis and Miller not being present at this time.**

**d. Multi-Jurisdictional Agreement Ordinance – 3<sup>rd</sup> Reading**

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

**e. Lease Purchase (E911 Upgrades) – 3<sup>rd</sup> Reading**

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

**Council Members Curtis and Miller arrived at meeting.**

**Chairman Rivers advised Council Members Curtis and Miller that, since Council was aware that they were going to arrive late, Council had delayed taking action on certain items to permit Council Members Curtis and Miller to participate in the deliberation and vote on those items, and that Council was currently on Item 10 (f). He advised that, as a result, Item 10(c), Project Pellet, had been passed over and that Council would now return to that item.**

**c. Project Pellet Ordinance – 3<sup>rd</sup> Reading**

Council Member Johnson made a motion to pass 3rd Reading. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**f. Town of Pageland Lift Station/Utility Easement Ordinance (Project Kitchen) – 2<sup>nd</sup> Reading**

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

**g. Ordinance Suspending Blue Laws – 1<sup>st</sup> Reading**

Vice-Chair Powe made a motion to pass 1st Reading. Council Member Curtis seconded the motion.

There was discussion regarding this Ordinance, including that this Ordinance would have no effect on the sale of alcohol on Sundays.

Voting in favor of the motion were Council Members Anderson, Cole, Bruce E. Rivers, Curtis, Miller and Vice-Chair Powe. Voting in opposition of the motion were Chairman J. Matthew Rivers and Council Member Johnson. Motion passed.

**STANDING COMMITTEE REPORTS**

**a. Croft-Jones Road Condemnation – Committee Chair Powe**

Vice-Chair Powe updated Council on the paving of Croft-Jones Road and the need for condemnation, and that she had been advised that the road could only be condemned by the County upon Council's recommendation and authorization.

**Council Member Curtis:** Asked Sammy Copeland to explain the condemnation process to Council.

**Sammy Copeland:** Advised Council that what has transpired is there is one, possibly more, property owners that have not signed the right-of-way necessary to construct this road and it's been going on for quite some time. He stated that there is not much property so the CTC, County Transportation Committee has asked that Council take condemnation because they do not have the ability to do so. The road that is done, primarily up front, because it is an economic viability project for Chesterfield County and it has great potential so they are asking condemnation take place. There are some property owners out there who would like to be paid and he advised they have never done that and it's not their intent to do so but this is a legal process by which if there is compensation to be gained by the property owner, this is the route that it will follow. He advised that condemnation will take place and if they protest the condemnation, don't sign, then there is a legal process by which they can have a representative represent them and the county will have a representative to represent them. They would come to some sort of agreement and if there was compensation to be made, then they would do that and CTC would possibly pick up that tab but that's the way it would go. It's a legal process by which they have a means to be heard. Normally that's not the process, usually the project offsets

the value of any loss that they might incur and we just move forward but it is a legal process by which everybody has a place at the table so to speak and the project to move forward.

**Council Member Curtis:** Stated that he had no issue with it but would like for them to go back to these land owners one last time and that it was his understanding that the CTC does not pay for right-of-way.

**Sammy Copeland:** Correct.

**Council Member Curtis:** Alright, through this process if there is any compensation to be done, then that arbitration will take care of that as it stands. Now there is no compensation but going through the condemnation there is.

**Heath Ruffner, County Attorney:** Stated that if there is any loss, most of the time, we have situations such as this where you have a dirt road that needs paving, any loss to the property owner is more than offset by the increase in property value due to now having a paved road in front of their house. So, each one would have to be done on a case by case basis but I'm suspecting it would be a situation where you know that value would offset such that there would not be any compensation owed to the property owner.

**Council Member Curtis:** With that having been said, I have no problem moving forward and that's another tool that the CTC can use in the future.

**Chairman Rivers:** Well, just speaking for Council, I think most of us feel if it's not in our district, that we have always had this policy that if the Committee, Committee Chair or CTC makes the recommendation we usually go with the recommendation.

Council Member Johnson made a motion to authorize the County to undertake the necessary action to condemn property for the Croft-Jones Road paving project. Vice-Chair Powe seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

#### **ITEMS SUBMITTED BY COUNCIL**

None

#### **ITEMS SUBMITTED BY STAFF**

**a. Surplus Property – Douglass**

Requested that Council declare the following as surplus property to be sold at auction.

03 Ford Explorer	1FMZU72K84UA29985
02 Ford F-150	2FTRX18L32CA53326
03 Ford Crown	2FAFP71WX4X110861
96 Ford F-250	1FDHF25H9TEB17235
95 GMC Lowboy	1GDT7H4J2SJ506660
Lowboy Trailer	713245
04 Dodge Magnum	2D8FV48V15H155762

6 Door Dog Box  
1990 Chevy 3500

Will fit any Ford F-250  
1GBHK34J8LE232066

Vice-Chair Powe made a motion to declare the above listed property as surplus and to authorize the property to be sold at auction. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**b. Animal Services – Douglass**

Advised that Staff would like to request that Council approve allotting \$261,000 from the General Obligation Construction Bond funds for the interior furnishing of the new Animal Shelter. This will include kennels and other various items of equipment.

Administrator Douglass advised the actual bid for the building was \$739,000, by adding the \$261,000 you will end up with a budget of \$1,000,000, which will be paid from the General Obligation Construction Bond.

Motion was made by Council Member Johnson to allot \$261,000 for the interior furnishing of the new Animal Shelter which will include the kennels and other various items of equipment. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**c. Direct Deposit – Douglass**

Advised Council that during the Budget Retreat, Mrs. Lisa Gainey, Human Resource Director, discussed a proposal for making Direct Deposit mandatory. Staff has calculated the savings from this proposal at a little over \$2,500 a year.

Council Member Bruce E. Rivers made a motion to make Direct Deposit mandatory. Council Member Cole seconded the motion.

There was discussion regarding Direct Deposit.

Voting in favor of the motion were Council Members Anderson, Cole, Bruce E. Rivers, Miller and Vice-Chair Powe. Voting in opposition of the motion were Council Members Curtis and Johnson. Motion passed.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**a. Olde English District Commission Appointment - Douglass**

Advised that Staff had received a letter in regards to an appointment to the Olde English District Commission. The Commission recommended Economic Development Director Kim Burch as Chesterfield County's appointment.

Council Member Bruce E. Rivers made a motion to appoint Mrs. Burch to the Olde English Tourism Commission Board. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

## **ANNOUNCEMENTS**

### **Council Member Johnson**

None

### **Council Member Anderson**

The hospital has officially been taken over by McLeod and will have open house in September or October.

### **Council Member Cole**

None

### **Council Member Bruce E. Rivers**

Would like to know the status of the road situation with the State concerning giving the properties back to the County.

**Sammy Copeland:** Stated that all he had was second hand information but the way he understood it right now is that there is going to be very little done. He advised that there has been action that's going to give the CTC some money to work with but as far as the question of the County taking the roads back, he felt that was just a shot in the dark to begin with and that this was his opinion. He stated that he had been advised within the last week that with the funds that were left over after the budget, the State level, there was enough money left so that there would be allocations for each county and our amount was supposed to be \$4.5 million plus. He advised this is not concrete but that's what he has verbally been told and the \$4.5 million will be directed strictly toward secondary roads and he doesn't know how they are supposed to disburse it yet but he hoped they would have enough freedom to have the input that they would like to have rather than it be mandated.

**Council Member Bruce E. Rivers:** Thanked fellow Council members for being at the unveiling of our distinguished Resident Judge Paul Burch's portrait and that he would like to commend staff for putting this together and he felt it went off really well.

### **Council Member Douglas Curtis**

None

### **Council Member Miller**

None

### **Council Vice-Chair Powe**

Advised that COG is working on some roads and that Croft-Jones is one of them. Cane Mill is completed and there are a couple in Pageland. Nestlé Way is almost completed. Advised that there are about eight roads that the COG is working on throughout the County.

**Council Chair J. Matthew Rivers**

Stated that he would like to echo what Council Member Bruce E. Rivers stated regarding the portrait unveiling ceremony and commending staff for a job well done.

**Administrator Denise Douglass**

Reminded everyone of the Employee Appreciation Luncheon at the Sheriff's Department.

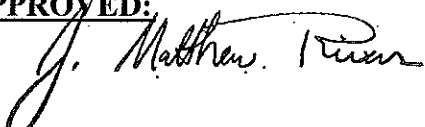
**EXECUTIVE SESSION**

Council did not enter Executive Session.

**ADJOURN**

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

**APPROVED:**

  
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J. Matthew Rivers, Chairman  
Date: August 12, 2015

**ATTEST:**

  
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Susie Boswell, Clerk to Council