



**MINUTES
NEW GOVERNMENT COMPLEX INAUGURAL/REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JUNE 27, 2022**

Present: Moses Bell, Shirley Greene, Cornelius Robinson, Timothy Roseborough, Clarence Gilbert, Doug Pauley (Council Members); Malik Whitaker (County Administrator), Charles Boykin (County Attorney); Dr. Kimberly Roberts, Clerk to Council)

Absent: Mikel Trapp

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80 (e), as amended, the following persons and/or organizations have been notified of the time, date and location of this meeting: The Independent Voice of Blythewood and Fairfield, The Country Chronicle and one hundred forty two other individuals.

Due to COVID-19 (Coronavirus), the meeting is being live-streamed through the County's YouTube page in order to keep citizens informed.

1. CALL TO ORDER/OPENING REMARKS

Chairman Bell called the Inaugural/Regular Meeting to order at 6:00 p.m. He said the leadership of Fairfield County was pleased to welcome all of them to the first meeting at the new Fairfield County Government Complex. As a County, they were getting better every day and sought to provide quality services to make Fairfield County a great place to work, play and stay. Their presence there that day in that building at that location was a story of County leadership – turning a very difficult reality into a workable solution. Taking big problems and coming up with solutions to make things better. Taking symbols of division and turning them into locations of unity. Their story was a uniquely Fairfield County story. As leaders, they were faced with two significant problems. First, how to turn a location that for many years to some represented history and tradition but to others it supported oppression and exclusion, and turning it into a working space to conduct local government business and services. Secondly, they faced a bigger problem of how to be wise stewards to government funding on a big, complex project that was ill conceived and ill managed from the start. There were no small challenges but they managed through them and as a testament, they were here on that day. Here was what they did. They created an inclusive government campus. Outside of the doors as they walked down monument row besides Hudson Street, they were greeted with a line of monuments and statues that represented the history of this Country and this County. They had within their view of the Fairfield County Government Complex, monuments that acknowledged their best efforts to grow democracy and a monument that stood as the greatest challenge to that democracy. A challenge that they overcame but continued to deal with as the remnants of the old way

continued to haunt them. Conversely, as a representation of their bright and brave future, they were constructing the Martin Luther King, Jr. Plaza at this site – the former Mt. Zion Institute, which was built at a time when separate but equal was the law of the land – with funding from Dominion Energy. They had come far. They believed that the monument supported their values as a community that cared and respected everyone. As former President Ronald Reagan stated at the signing of the King holiday, “In his own life’s example, he symbolized what was right about America, what was noblest and best, what human beings had pursued since the beginning of history”. As a visionary, Dr. King inspired and continued to inspire them to believe that they could build a community of care, justice, equality and unity as would be represented by a one-stop government complex located there that included administration, planning, zoning, recreation, a children’s center, 911 and the Sheriff’s office. To address their second challenge (to turn a very difficult reality into a workable solution), they recruited, supported and empowered good leadership to get the project done. They were able to bring in a new leadership team and excellent project managers that had the savvy, expertise and skills to turn what was shaping up to be a failed project into what they saw that day. Although they had difficult conversations, he wanted to thank First Main and Development for the work they did (he acknowledged Rory Dowling). He thanked Jason Taylor, former County Administrator, and his team for beginning the work but their work was not over. Fairfield County – getting better every day, a great place to work, play and stay meant their work was ongoing and the focus was anchor industries for the employment of their citizens, housing for which to stay, and a quality of life that was unique to Fairfield County. Yes, the County’s start was late to that vision, however, this Council was working extremely hard to build out the long awaited and forgotten infrastructure needs such as wastewater capacity, water, broadband so that their long-term progress was sustainable and more importantly to have the ability to grow and prosper. His mother had a saying and it was quoted by many still – “Plant the trees regardless of who enjoyed the shade from those trees”. Fairfield County’s future was bright. He thanked everyone for being there and he welcomed them to their Fairfield County Government Complex. He hoped they took advantage of the reception and tour. He said the facility was theirs.

2. INVOCATION

Prior to the invocation, Mr. Bell said Pastor Ted Belton was not able to attend due to health reasons. Pastor Marcello Wheeler (Mt. Olive Baptist Church - Ridgeway, SC) led the invocation.

3. PLEDGE OF ALLEGIANCE

Ms. Albertha Woodard, Fairfield County’s Veteran’s Affairs Director, led the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Motion made by Councilwoman Greene, seconded by Councilman Roseborough to approve the agenda. Mr. Bell stated Mr. Trapp was unable to attend the meeting to due illness. ***The motion carried 6-0.***

5. APPROVAL OF MINUTES

Motion made by Councilman Roseborough, seconded by Councilwoman Greene to approve the minutes from Budget Work Session I April 18, 2022 and Regular Meeting May 23, 2022. ***The motion carried 6-0.***

6. PUBLIC PRESENTATIONS

None.

7. 1ST PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.

Dr. Roberts read the following statement:

Fairfield County Government welcomes public input during appropriate times at County Council meetings. Such input will be allowed in the time, place and manner determined by the Chair of the County Council as the presiding officer. Persons wishing to speak must conduct themselves in the following manner:

Sign up at the appropriate time to speak, refrain from engaging in conduct or speech that seeks to disrupt or disturb the meeting, respect the time limit for the public comment, and refrain from personal attacks or personal statements about any individual(s). Such statements are disruptive because this part of our meeting is not conducive for such exchanges between individuals.

As stated, speakers were expected to express themselves within the time, place and manner previously described. Any violation will result in a warning from the Chair of County Council or the presiding officer. Any failure to heed the warning of the Chair or presiding officer will result in the violating speaker forfeiting their opportunity to finish speaking or to speak during the remainder of the meeting. Council welcomes the comments from members of the public and ask for the cooperation of everyone to allow for the orderly conduct of the people's business.

Dr. Roberts asked the citizens to be mindful of the three-minute timer displayed on the screens to the right and left of the dias.

- Michael Branham - Rezoning
- Pelham Lyles - Rezoning

- Peter Gainey - Rezoning
- Donita Harris - Rezoning
- Samira Yaghi – Animal Shelter
- Kathy Faulk – Animal Shelter
- Yvette Howard - Rezoning
- Randy Bright – Rezoning

Mr. Bell reminded the audience that due to their passion surrounding the rezoning, clapping was allowed for this meeting, but typically, it was not.

8. PUBLIC HEARINGS

None.

9. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Second Reading Ordinance No. 795: An Ordinance to Consider the Request to Amend the Fairfield County Land Management Ordinance No. 599 and the Related Zoning Map, to Provide for the Zoning Reclassification From RD-1 (Rural Residential District) to I-1 (Industrial District), For 392.49 Acres of Undeveloped Property Indicated as TMS# 165-00-01-016-000, Owned by Gum Springs, LLC. Motion made by Councilman Roseborough, seconded by Councilwoman Greene. Mr. Whitaker said before he shared his analysis of the two zoning districts in question, he wanted to thank the members of the Fairfield County Planning Commission for their service to their local government and community. In his engagement with the Commission, they listened, were open-minded and had great knowledge of community issues. He pledged to them that they would improve the quality of the information, analysis and preparation that they provided to them in support of the work. He wanted to publicly thank the Planning Commission. He said this was a landowner request from Gum Springs LLC and he referred to a packet in the staff report prepared by Mr. Stines. In order to help support Council in their analysis of the zoning reclassification, he created a one-page document, which included the land uses that were currently permissible under the rural residential district and what land uses were currently permissible under the industrial district. Based on the Land Use/Management Ordinance, Fairfield County used the North American Industry classification to determine the use of property permitted by the various zoning districts. He referred to the sheet, which showed 19 non-residential sectors – agriculture, forestry, fishing, mining, construction, utilities and so forth – 19 sectors that were non-residential. Of those 19 sectors, nine sectors were out-right permitted and eight of the 19 sectors had conditional uses (the items in yellow). For example, on the property

in question, with the current rural residential zoning, a mine could be built (with conditions), manufacture wood products, gas stations, hog and pig farms, supply stores, waste management services, landscape services, rail transportation and correctional institutions to name a few. The information could be found in their land-zoning ordinance in Table 1 Section 2.3. He said the items in red were not permissible in a rural residential district, which were construction, wholesale trade, finance and insurance, real estate, rental and leasing and educational services. Schools could not be built in rural residential districts. In industrial zoning districts, 13 of the 19 non-residential sectors were permissible (in black). If the rezoning was granted, the land could be used for colleges, libraries, banks, pawn shops, hardware stores, gas stations, farming, nursing homes, movie theaters, farming (but not hog or pig farms), mining and construction with mining having conditions. There were buffers and setback restrictions in industrial districts. He introduced Zachariah Willoughby (Program Manager of Economic Services) to give further input and Mr. Stines (Zoning Administrator) if needed.

Mr. Willoughby said the 392.49 acres of land currently owned by Gum Springs, LLC was a key piece of property in the Fairfield County's Economic Development Strategic Plan. During a time where they were seeing unprecedented economic development growth and interest in Fairfield County, it was vital to have the resources needed to succeed. That was why it was the opinion of the Fairfield County Economic Development Department that the proposed rezoning from RD-1 to I-1, be granted to that property. They supported the rezoning based on the following attributes that the site possessed: proximity, existing infrastructure and utilities, ease of development and site size. Located inside the Fairfield County Industrial Corridor and only 2.47 miles from Exit 34 and four miles from Exit 32, the property was uniquely positioned to be a large economic driver in Fairfield County. In this period of unprecedented economic development, speed to market could be the deciding factor for many companies on where to locate their operations. With existing rail across the street, should a future company need it, and all utilities run to the site, the Gum Springs property was able to significantly decrease the time needed for an industry to develop the property at a much lower cost. Pairing that with its proximity to I-77 and the existing entrance and exit points throughout the site, a future company could provide employees with ease of access to work. Additionally, throughout the past few years, the owner of the property commissioned a Phase One Environmental Site Assessment study. The development of the site posed no environmental concern to the surrounding area and there were no hazards on the property. Finally, the

Gum Springs site filled a gap in Fairfield County's inventory of sites available for economic development purposes. Unlike their other industrial properties (the Walter B. Brown Industrial Park, the Fairfield Commerce Center and the I-77 International Mega site), the Gum Springs property was uniquely positioned to be occupied by one single user who needed more land than the 50-80 acre lots available in the Fairfield Commerce Center but less than the 1000+ acre single user spot available at the I-77 International Mega site. By having a site of that size available and ready for development, Fairfield County could attract a wider variety of prospective companies. This piece of property could help Fairfield County get one-step closer to millions and potentially billions of dollars in new investments and hundreds of new, well-paying jobs for the citizens of Fairfield County. Over the last two months alone, their office saw potential projects that could be handled at that site that ranged from \$100 million to \$2 billion dollars. Not only would these projects bring major investments that would completely change the county's tax base, but many represented a new era of economic development focused on renewable energy and sustainable activities that created jobs that pay well. For many of these projects, the Gum Springs property was one of the only tracts of land in the county that could even accommodate them but only if the site was zoned industrial could they be considered for them. He stated for the record that their office did not have a pending project looking at that site. He only mentioned those projects to show the need to have a large, single-user site that was ready for development. They knew those projects were out there and to be a competitive player they must be ready – that was why their office was recommending the rezoning to I-1.

Mr. Pauley asked if the Planning Commission voted unanimously not to rezone the property and Mr. Willoughby said that was correct. Mr. Pauley asked if anyone had reached out to him currently that was interested in the property. Mr. Willoughby said no sir. There were no further questions. Mr. Bell asked for further discussion. Mr. Pauley said thank you to the residents of Syrup Mill, Devil's Racetrack and Gum Springs for coming to speak. He said to the Council that they needed to make sure that residential communities were not destroyed by commercial or industrial properties. The citizens living in that area were living there for peace and not being commercial. At that present time there was no one interested in that property. The Planning Commission voted unanimously not to rezone the property and Council should do the same. They had plenty of other areas designated for commercial and industrial use. The plan being considered was outdated and he thought this year was the year for a new one. In the last ten years, Fairfield County lost over 3,000 residents. They

could not afford to lose anymore due to them not considering their feelings when it came to their residential communities.

Mr. Bell said he wrestled with a decision as to whether his vote should be to rezone or not. He saw the property and listened to their economic development staff (had several meetings). He thought they lost 12.56% population from 2010-2020 – mainly because there were no jobs or housing or utilities. Mr. Willoughby said this project could bring forth prospects that were out in the area looking. They made sure they framed their words correctly. There were over \$100 million to \$2 billion dollar investments for this property. It would almost change the tax base immediately. He always fought to protect residential areas but he had to decide on what he believed to be best for the County to grow and to prosper. They had been struggling to get anchored industries in Fairfield County for quite some time. They had a piece of property that fit the bill- a 400-acre tract proposed to be used by a single user (a mid- to large industry). The industry to come would be determined by Council based on the fee in lieu of taxes agreement. He wrote a note to Council about that night's meeting and asked them to go look at the property as he had already done. He did not want to hurt any citizen but he must think of the larger whole.

Mrs. Greene said she had the opportunity to meet with residents and certainly heard their stories and definitely knew how difficult it was to maintain a farm – growing up a farm girl herself. She thought what she expressed was how they could work together to reach a compromise and see how the tract was developed so it would not infringe on the character of the community. She drove through the community and there were some houses that were right up to the back of the property and there would have to be buffers and other kinds of things that would have to go in to ensure the character of the community was not lost. She wanted the citizens to know that they had heard and listened to them. They had also heard how difficult it was for them to attract industry in Fairfield County. Balancing the industry part and the livability and maintaining character was always very difficult. At that particular point and time, losing citizens and not having housing and other kinds of things they needed, they really needed development. She would have to go in the way of looking at development. There was no other discussion. ***The motion carried 4-2 with Councilmen Pauley and Gilbert voting nay (by show of hands).***

10. BOARD AND COMMISSION MINUTES

None.

11. BOARD AND COMMISSION APPOINTMENTS

Disabilities & Special Needs – Mary Lynn Kinley, District 6. Motion made by Councilwoman Greene, seconded by Councilman Robinson. ***The motion carried 6-0.***

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COUNTY ADMINISTRATOR'S REPORT

A. Mega Site Mass Grading – Mrs. Williams said they would begin to see grading at the I-77 mega site shortly. The County's Economic Development office worked with their consultant, Thomas and Hutton, to solicit bids to conduct the mass grading. The property was the County's 1,500-acre industrial site along I-77. She said Contour Mining and Construction was the lowest responsible bidder and they came in under budget of the account set aside for the project. They started mobilizing their equipment the week before and according to their schedule, clearing should start either that week or early next week. The site work was expected to be completed by mid-October. Mr. Pauley asked her what was the lowest bid for the project and she said they budgeted \$6.5 million from the Dominion funds and the lowest responsible bid was \$3.6 million. They asked the consultants to review the bid because it was so far under to make sure everything was covered and that they remained under budget. Mr. Pauley asked if those were Dominion funds and they went with \$3.6 million and \$6.5 million was allocated would the remaining funds have to be used at the mega site or could it be used for something else. Mr. Bell said his understanding was it could be used for any of the projects identified within the agreement from Dominion. They wrote several letters about how the monies were being spent with every project to ensure they were in line with the agreement. It was those projects that were identified. The discussion was how to use the money and he thought they would be able to use it on the wastewater treatment facility. That was where the efforts would be to make sure they had all the funding needed to build the wastewater treatment facility to establish growth for the county.

B. Animal Control Update – Mr. Bob Innis, Director, said he had a number of things to present to Council. He said they obviously knew how overcrowded they were and how desperate they were for a new facility. He took Chairman Bell and Mrs. Greene around their facilities. He said he had been there six years and as far as he was aware, the County had not spent a dime on animal control apart from the yearly budget. He wanted to go

through the figures of what animal control generated this fiscal year ending June 31st - \$215,642 (\$58,615 of that went to the government in County fees). \$157,027 came in through donations from organizations and good members of the public that believed in their cause for the animals of Fairfield County. \$48,000 of that was money to go towards a new facility that they raised since they started fund raising in November. They had a considerable problem that was getting worse with overcrowding. The majority of the dogs were pit bulls or pit mixes. They had over 500 dogs that financial year that were pit or pit mixes. He proposed having a hearing with them from the Public Services and Development Committee regarding changing some animal ordinance laws and bringing in some extra ones. They really needed to start doing something for the pit bulls in the County. They were neglected, thrown out and disregarded. For some reason, people did not treat them as living animals – it needed to stop. The County needed to be leaders and move forward doing the right thing. He spoke that day with Sheriff Montgomery about certain animal controls and its laws that he felt needed to be changed and he was fully on board and would back any decision to change them. He understood that they had a big problem of poor animals not being cared for and being disregarded and thrown out on the streets. They ended up at the shelter and the taxpayers were paying for it. He said make no mistake, people were paying for that in taxpayer money. He would like to have an opening with that committee so they could put forward some changes, if it was possible. They needed a pit bull registration in the County so they knew where the animals were and they all needed to be fixed, spade or neutered. Every animal in the County needed to have a microchip and they needed to make sure that anyone who bred animals, even if they only had one female, had a breeder's license. He said it needed to stop and they needed to make sure that the animals, not just the residents, got a fair shake. He and his staff saw it daily – there were seven animal control employees that worked for the County, plus their volunteers and they saw what went on daily. It was exceedingly sad – he had members of his staff in tears at some of the things they saw. The County had to do something about it, move forward and be a strong County to make changes to the laws that matter. He said this past financial year, there had been 53 DHEC reported animal incidents of dog bites – 37 of them were by pit bulls or pit mixes. They could not blame the breed because it was the owner's. They needed to get everything under control to reduce that number from people getting bit by stray dogs that were constantly roaming around the County. Blair and Ridgeway had far more than Blackstock or Winnsboro. He really needed to meet with the committee to talk about changing some items in the ordinance. He wanted Fairfield County to be the strongest County in South Carolina with animal

laws – where people knew that a person's animals were vaccinated and fixed but they needed to make changes to be like that. He thanked them for their time and he hoped they understood where he was coming from and would grant him time with the committee. Mr. Bell said he and Mrs. Greene met with Mr. Whitaker, Mrs. Williams, Mr. Innis, and Ms. Faulk to talk about the serious issue they were having. They committed themselves to writing a new ordinance – to have the standing committee review the ordinance to do some of the things that Mr. Innis suggested. They wanted to hear from him that day before the committee began its work so they could understand the impact of what was happening at the animal shelter and the impact of breeding. Mr. Whitaker said it was a very fruitful meeting and they were learning the committee structures. Mr. Innis said it was the Public Services and Development Committee with Tim Roseborough, Doug Pauley and Cornelius Robinson. Mr. Whitaker said they were committed to getting that on the agenda. Mr. Robinson thanked Mr. Innis for his work. He was an animal lover himself. He asked if that strict ordinance they wrote was effective. Mr. Innis said the situation changed dramatically with the amount of animals that were not being moved and the amount of animals they had picked up that were thrown out and disregarded. They posted all of their pictures daily but people did not come to collect their animals. He said the County, since October 2016, had not euthanized a dog for space. They had been pushed into a position where he believed it would have to happen because they did not have a facility that was adequate for what they did. They generated a lot of money. In 2016, animal control brought in \$7,000 – it was \$216-\$218 thousand at present. They built a business that was making money for the County but they needed money put back into it and it would prosper even more. If it was done correctly, it would pay for itself – a new shelter would pay for itself (with a clinic, a service for the public). They spent so much money on vets they could employ one. It was not the first time he talked about it and the County really needed to move forward and be the first. Do not worry about what other counties were doing – they needed to be the best and to be the best they needed to push in the same direction.

Mr. Bell said they appreciated the work of Mr. Innis and to all that came to the Council meetings they normally do not allow clapping because it could get out of hand, so they did not allow such after someone speaks. He wanted to mention it because if it was allowed when something was good then something would come along that was bad so they eliminated it all together. He said the ordinance they developed was a very good ordinance and did a lot of good for the County but as Mr. Innis said they moved beyond what that ordinance could provide so they needed to do something else.

Mr. Gilbert asked Mr. Whitaker the progress on the employee survey. Mr. Bell said they learned based on the bylaws that if it was not in his (Administrator) report, he could not be questioned about it. Mr. Bell suggested he get with him offline and he would get that information to him.

15. CLERK TO COUNCIL'S REPORT

None.

16. COUNTY COUNCIL TIME

Mr. Pauley asked for a reconsideration at the next Council meeting be placed on the agenda for a previous vote at the last Council meeting. He sent him an email – Chairman Bell and fellow Council members, he stated at the last Council meeting that they needed to look at giving the animal control some funds to help them with all of their needs. Other organizations came to Fairfield's rescue to help the shelter and Fairfield County Council needed to do their part as well. He thanked Mrs. Williams, Deputy Administrator. He said there had not been a time when he contacted her and needed something and she was not responsive and courteous. He appreciated the job she was doing. Mr. Bell thanked everyone for attending the first meeting. He said they were trying out a theme and they wanted to see if it "caught" – "Fairfield County – Getting Better Every Day. A Great Place to Work, Play and Stay". He wanted everyone to think about it as they moved forward.

17. EXECUTIVE SESSION: (The following statement is provided in compliance with the South Carolina Freedom of Information Act: Subsequent to Executive Session, Council may take action on matters discussed in Executive Session.)

At 7:13pm, motion made by Councilman Roseborough, seconded by Councilwoman Greene, to go into executive session concerning the below listed items. Attorney Boykin asked to add a legal update based on information he just recently received and Mr. Bell agreed. ***The motion carried unanimously 6-0.***

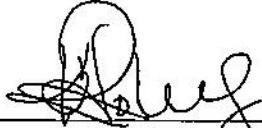
A. Legal Update – Regarding Pending Employment Matter Pursuant to S.C. Code Ann. §30-4-70(a)(1).

B. Legal Update – Litigation Involving Road Construction at Mega Site Pursuant to S.C. Code Ann. §30-4-70(a)(2).

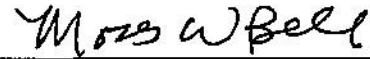
At 7:32pm, motion made by Councilman Roseborough, seconded by Councilwoman Greene to come out of executive session and return to regular session. Mr. Bell said there was no action taken in executive session. ***The motion carried unanimously 6-0.***

ADJOURN

At 7:33 p.m., motion made by Councilwoman Greene, seconded by Councilman Roseborough, to adjourn. ***The motion carried 6-0.***



KIM W. ROBERTS, Ed. D.
CLERK TO COUNCIL



MOSES BELL
CHAIRMAN