

**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
OCTOBER 11, 2010**

Present: R. David Brown, David L. Ferguson, Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; Philip L. Hinely, County Administrator; Shryll M. Brown, Clerk to Council

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 Herald-Independent, The State, and Winnsboro Cablevision, and forty-nine individuals.

1. CALL TO ORDER

Chairman Brown called the meeting to order at 6:05 P.M.

2. INVOCATION

Council Member Kinley led in the invocation.

3. APPROVAL OF MINUTES

It was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to approve the minutes of the regular meeting of September 27, 2010. The motion carried unanimously.

PRESENTATION

The Animal Mission presented a check to the county in the amount of \$5,000.00 toward the cat shelter and asked for permission to proceed forward.

4. PUBLIC COMMENT

None.

5. COMMITTEE REPORTS

None.

6. OLD BUSINESS

A. Third and Final Reading: Ordinance No. 571 - An Ordinance To Amend The Fairfield County Zoning Ordinance (No. 498) To Provide For The Zoning Reclassification From R-D (Rural Development) To B-2 (General Business) Of One And Twelve Hundredths (1.12) Acres, Owned By Jack Robertson, Tax Map No. 162-00-03-004. Property Is Located At 2810 Reservoir Road, Winnsboro, SC, 29180. *It was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to approve Second Reading of Ordinance No. 571.* Council Member Marcharia set forth that he does not recall if he has read any documents from anyone in this community or how many members in the community actually signed on to this. Mr. Marcharia then requested the

Clerk to ask any applicant who makes a B2 rezoning request which occurs in his district to contact him to discuss the matter.

B. Road Maintenance Updates:

1. Paradise Drive

Mr. Davis Anderson reported that all the agreements have been completed with Paradise Drive. Currently, the public utilities (water lines, phones lines, etc.) are being marked. The Public Works Department will then be able to go in and improve the road. The legal due diligence has been performed and the county will be moving forward with this project as soon as the utilities are moved.

Questions:

- How many public water lines are in the center of that road?
- Do these water lines belong to Jenkinsville Water Company or to individuals? Are they in front of the meter or behind the meter?
- Are there some guidelines that require companies to mark their territories in the county?
- Are the homeowners responsible for this or is the county contemplating installing these lines? Have they legally agreed to that? Has there been conversation to that from a legal perspective?

2. Cedar Rock Road

The Homeowners Association has asked the county to take over maintenance of that road. Public Works Department confirms that the road meets subdivision specifications and Planning and Zoning Department confirms it meets subdivision standards. The County Attorney has looked at the road and deems the county should get an agreement or deed from the Homeowners Association. As of tonight, the deed has been received and if Council agrees, the county can move forward in maintaining the road.

7. NEW BUSINESS:

A. Resolution: Establishing The Millage For Fairfield County For The Fiscal Year 2010-2011. Prior to bringing the adoption of the Millage Resolution to the floor for a vote, Chairman Brown made the following statement: **"Tonight Council sets the millage rate for fiscal year 2010-2011. Last year's County millage rate was 184.13. This year's rate is 181.70 for a reduction in the millage rate of 2.43 mills. This year is a revaluation year; and under State law, the County must remain revenue neutral. That is to say the County cannot receive a windfall from reevaluating property and keeping the tax rate the same. The tax rate must be adjusted to reflect the increase in values to insure the County does not benefit from reevaluating property. Most people think their home is the only property the County taxes; however, the County also taxes personal property, vehicles, mobile homes, boats, business machinery and equipment. And while some property has gone up in the revaluation process some has remained the same or decreased. Vehicles are down as is business machinery and equipment. The new tax rate for 2010-2011 reflects the law regarding no windfall gains by the County and the state law which limits the local governments to a cost-of-living adjustment, established annually by the State. This year the State cost-of-living adjustment was 0%. This millage rate complies with all laws governing the tax rate. Fairfield County can rest assured that County Council is doing everything it can to keep a reasonable tax rate while providing for the needs of our citizens."** *It was moved by Council Member Ferguson; seconded by Council Member Kinley, to approve the Resolution: Establishing The Millage For Fairfield County For The Fiscal Year 2010-2011.* Council Member Marcharia commented that by voting on this, he wants to make it clear that if he votes negatively and does not want to approve it, parliamentary procedure stipulates that if this issue comes up {on this particular matter}, that he cannot raise it; and if he does vote for it, even if he does not approve of it, it gives him the latitude to come back and raise this issue with the Council, if he had an issue. *The motion carried unanimously.* Mr. Hinely asked to make clear that this is the county's budget; not the school's {that because of the new millage cap, the school sets their own}.

8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

a. Deputy Administrator's Report:

1. Recognition Mr. Marvin Allen for having received certification as Governmental Chief Information Officer through the University of North Carolina, Chapel Hill.
2. Dust Control Update.

9. CLERK TO COUNCIL'S REPORT AND CORRESPONDENCE

- a. Gave Council a report of events and invitations for the month of October.
- b. Mrs. Tiffany Harrison gave an update of the Industry Appreciation event.

10. BOARD AND COMMISSION MINUTES

Provided as information.

11. INFORMATIONAL ITEMS

Provided as information.

12. COUNTY COUNCIL TIME

Kinley: Thanked Chairman Brown and his family for allowing the county to use Mt. Hope for the Industry Appreciation event. Commented on the email received from Mrs. Sandow relating to the convenience of the recycling centers.

Perry: *Asked if Council needed a motion to receive the updates and recommendations on maintenance of Paradise Drive and Cedar Rock Road, and so moved; with a second from Council Member Kinley and unanimous approval of the Council.*

Robinson: Inquired of the status of Rochelle Creek Road.

Marcharia: Commented on the issue to increase social security to seventy years old.

13. EXECUTIVE SESSION

At 6:33 p.m., it was moved by Council Member Ferguson; seconded by Council Member Robinson to go in executive session to discuss an economic development matter. The motion carried unanimously.

At 7:52 p.m., it was moved by Council Member Robinson; seconded by Council Member Ferguson to come out of executive session and return to regular session. The motion carried unanimously.

In regular session, it was moved by Council Member Perry; seconded by Council Member Robinson to give Mr. Hinely the authorization to move forward on the economic development matter. The motion carried unanimously.

14. ADJOURN

The meeting was adjourned at 7:53 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

RUSSELL DAVID BROWN
CHAIRMAN