



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
OCTOBER 12, 2015**

Present: Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia, Marion B. Robinson, Dan W. Ruff, Billy Smith, Walter Larry Stewart, Council Members; J. Milton Pope, County Administrator; Davis Anderson, Deputy County Administrator; Shryll M. Brown, Clerk to Council; Jack James, County Attorney

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 one hundred four other individuals.

1. CALL TO ORDER

Chairman Robinson called the meeting to order at 6:03 P.M; after which, she spoke about the flood that occurred last week and expressed how blessed Fairfield County citizens were. She asked that the following departments be thanked for giving of their time and service: Emergency Management Department, Law Enforcement, EMS, Public Works, County Maintenance, Volunteer Firemen, Rescue Squad and First Responders and Animal Control, as well as other agencies, organizations and churches that also rendered assistance during this time.

2. APPROVAL OF AGENDA

*It was moved by Council Member Robinson; seconded by Council Member Ruff to approve the agenda. **The motion carried unanimously.***

3. INVOCATION

Council Member Smith led in the Invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Smith; seconded by Council Member Robinson Ruff to approve the minutes of the Regular Meeting of September 14, 2015. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

None.

6. 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.

- Ms. Beth Jenkins - Purchases/Executive Session
- Ms. Wanda Carnes - Economic Development

7. PUBLIC HEARING

Notice Is Hereby Given That A Public Hearing Will Be Held By The South Carolina Jobs-Economic Development Authority (The "Authority") And The County Council Of Fairfield County, South Carolina (The "County"), On Monday, October 12, 2015 At 6:00 P.M., On The Second Floor Of The Fairfield County Government Complex Located At 350 Columbia Road, Winnsboro, Sc, 29180 In Connection With The Re-Issuance By The Authority Of Its \$5,940,000 Original Principal Amount Variable Rate Demand Healthcare Facilities Revenue Bonds (Eau Claire Cooperative Health Center Project), Series 2006a (The "Bonds"). The Proceeds Of The Bonds Were Made Available To Eau Claire Cooperative Health Center, Inc., A South Carolina Nonprofit Corporation And An Organization Described In Section 501(C)(3) Of The Internal Revenue Code Of 1986, As Amended (The "Corporation"). *Chairman Robinson opened public hearing at 6:11 P.M.* She set forth that this a formality that has to be done in order for Eau Claire Cooperative to apply, and there is no financial obligation to the citizens of Fairfield County and that the County is only involved because Eau Claire Cooperative has a center located in the County. *No one signed to speak; therefore, the Chairman closed Public Hearing at 6:14 P.M.*

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third and Final Reading: Ordinance No. 653 - Ordinance To Amend The Fairfield County Land Management Ordinance, Ordinance No. 599, To Provide For The Zoning Reclassification From RD-1 (Rural Residential District) To RC (Rural Community District) Of Three (3) Acres Owned By Ann F. Melton. Applicant Is D. Melton. Tax Map No. 223-00-01-050-000. Property Is Located At 16842 State Hwy 215 South, Winnsboro, SC, 29180. *It was moved by Vice Chairman Marcharia; seconded by Council Member Smith to approve Third and Final Reading of Ordinance No. 653.* Vice Chairman Marcharia set forth that he voted for this, and under parliamentary procedure, if he needed to ever bring the motion back up again, he can do so. He expressed there is a lot of opposition to this in his district, as well as some support. ***The motion carried unanimously.***

B. Third and Final Reading: Ordinance No. 654 - Ordinance To Amend The Fairfield County Land Management Ordinance, Ordinance No. 599, To Provide For The Zoning Reclassification From RD-1 (Rural Residential District) To RC (Rural Community District) Of Three (3) Acres Owned By Tom Brice Hall. Applicant Is Tom Brice Hall. Tax Map No. 168-03-02-017-000. Property Is Located At 631 Longtown Road, Ridgeway, SC, 29130. *It was moved by Council Member Ruff; seconded by Council Member Smith to approve Third and Final Reading of Ordinance No. 654.* ***The motion carried unanimously.***

C. Second Reading: Ordinance No. 655 - {Council Member Kinley noted that the words "By Title Only" should be removed from the Second Reading notation on the agenda}. An Ordinance To Regulate Excessive Noise In the Unincorporated Areas Of Fairfield County, To Provide For Penalties Thereof, And To Repeal Ordinance No. 520. *It was moved by Council Member Kinley; seconded by Council Member Smith to approve Second Reading of Ordinance No. 655. It was moved by Council Member Kinley; seconded by Council Member Smith to approve Second Reading Of Ordinance No. 655.* During discussion, *Council Member Smith offered a motion to amend.* He cited under Section (C)4, under Exemptions, that that exception reads: noise created by any mobile source while in operation on or in any public road, water, air space or public or private railway. *The motion is to add to the end of that the following verbiage: "so long as the exhaust creating the noise is properly vented through a muffler or other device which will effectively prevent loud or explosive noises therefrom", and to also strike Section (D)(4).*

The amendment was seconded by Council Member Robinson. During discussion of the amendment, Council Member Kinley asked that Council postpone this until the next meeting in order to give Council time to review the proposed changes, and inquired if Council Member Smith has addressed this change with Mr. Pope and with the Sheriff.

The second to the amendment was withdrawn by Council Member Robinson. The motion to amend was withdrawn by Council Member Smith.

It was moved by Council Member Kinley; seconded by Vice Chairman Marcharia to withdraw Second Reading, and to place it on the agenda for the next Council meeting, pending receiving the information for review and discussion with the Sheriff's Office.

*It was moved by Council Member Smith; seconded by Council Member Robinson to postpone Second Reading of Ordinance No. 655 until the next regular scheduled meeting. **The motion carried unanimously.***

D. First Reading (By Title Only): Ordinance No. 656 - Ordinance To Amend The Fairfield County Land Management Ordinance, No. 599, To Provide For The Zoning Reclassification From RD (Rural Resource District) To I-1 (Industrial District) For Two Parcels: (1) Two And One Hundredth (2.01) Acres Owned By Rosezenna Cason White. Applicant Is AEC Pellet 1 USA, Tax Map No. 071-00-00-029-000. Property Is Located At 137 Cason Road, Winnsboro, SC, 29180; And (2) One Hundred And Eighty (180) Acres Owned By Wateree Holdings Llc % Forest Investment Associates. Applicant Is AEC Pellet 1 USA, Tax Map No. 071-04-02-016-000. Property Is Located At Cason Road, Winnsboro, SC, 29180. *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve First Reading (By Title Only) of Ordinance No. 656. **The motion carried unanimously.***

E. Resolution No. 2015-11: In Support Of The Re-Issuance By The South Carolina Job-Economic Development Authority Of Its Variable Rate Demand Healthcare Facilities Revenue Bonds (Eau Claire Cooperative Health Center Project), Series 2006A, Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Original Principal Amount Of Approximately \$4,262,536.00. *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve Resolution No. 2015-11 as referenced above. **The motion carried unanimously.***

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS

*It was moved by Council Member Kinley; seconded by Council Member Robinson to approve the Appointment Ratification as presented for the Fairfield County Library Commission. **The motion carried unanimously.*** The Clerk announced the following appointment: Mr. Robert Drake (representing District 7).

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

A. Fairfield Behavioral Health Services Facility Statement Of Need. Council Member Smith had sent Council some information previously. The Board is seeking funding for a new facility. They have asked for County Council's support of its endeavors in grant or loan opportunities, which has no fiscal or financial impact on the County; however, because this organization is such an important component in the community and this agency is funded by the County, Council should consider endorsing the letter of support. Council Member Smith stated he had intended to make a motion on this matter, and asked if anyone had any questions about this matter. Mr. Kennedy was asked to come forward to speak about the agency's need for a new facility. *It was moved by Council Member Smith; seconded by Council Member Kinley that Council instruct staff to draft a letter of County support for Fairfield Behavioral Health Services to include in their October 26 grant submission to the University of South Carolina School of Social Work. The letter shall be drafted, executed and delivered to Fairfield Behavioral Health Services prior to October 26, and be supportive of Fairfield Behavioral Health Services' pursuit of a new facility while also being non-bonding and non-obligatory in regard to future and further County involvement. **The motion carried unanimously.***

B. Flood Assessment Report. Mr. Pope reported that Chairman Robinson had already addressed this matter in her opening statement. Chairman Robinson added a report from Governor Haley that is asking for volunteers to help with neighborhood debris removal and survivors to register.

C. Request Of Action: EMS - 2015 Dodge Ambulance Package. This is a recommendation forwarded to full Council from the Administration and Finance Committee. The request is an EMS purchase of a 2015 Dodge Ambulance Package from Road Rescue/Precision Rescue Products. Council approved the purchase of a new ambulance in the 2015-2016 budget for EMS. Upon talking with Precision Rescue (last vendor the County ordered from), the purchase of an International TerraStar package would be delayed at least a year and a half due to engine changeover issues with the manufacturer. An alternative international unit (DuraStar), which has been purchased in the past, also has delays of over a year. A 2015 Dodge 4500 ambulance ready chassis is on the vendor's lot and available for purchase immediately. This ambulance replaces a unit that is 10 years old that has a blown engine and is dead lined at this time. This request was approved unanimously by the committee. Purchase price for the ambulance is \$180,364.00. \$190,000.00 was budgeted. *It was moved by Council Member Kinley; seconded by Vice Chairman Marcharia to approve the Request of Action for the EMS 2015 Dodge Ambulance Package. During discussion, Council Member Smith had the following inquiries: Was this going to be under State contract or was this bid out? How were the solicitations sent out? Is there any way that this deviates from our Procurement Manual? Is that permissible under State Contract law, or what is that permissible under to be able to switch it out like that? **The motion carried unanimously.***

D. Request Of Action: Fire Service - Brush And Service Trucks. The original request was for more equipment, and staff decided to split the request in two different fiscal years. These trucks are going to the Greenbrier location, Lebanon and Ridgeway. There was an error made on one of the purchases; specifically, the length of the truck. Mr. Hill brought this to the attention of the committee. The budget approval was for \$157,296.00, and the price exceeded that amount by \$10,266.00. Staff recommended to go in the Fire Service budget and reduce and transfer operational dollars to cover the difference to meet the budgetary amount for these purchases. Will try to fund the additional stations in the FY 2016-2017 budget. *It was moved by Council Member Kinley;*

seconded by Council Member Robinson to approve the Request of Action for the Fire Service Brush and Service Trucks. During discussion, Chairman Robinson expounded on the necessity of the fire service trucks. **The motion carried unanimously.**

E. Request Of Action: Public Works - Case Backhoe. Staff is requesting to purchase a case backhoe off State Contract. Requesting the new backhoe to add to Public Works' fleet to be used for many different jobs. The current backhoe is a 2006 model and is in decent condition, but not suitable for everyday use. Staff would like to keep this piece of equipment as a backup piece of equipment. There was a unanimous vote of approval from the committee to forward this request on to full Council. The financial impact is \$68,706.58. \$80,000.00 was budgeted. *It was moved by Council Member Robinson; seconded by Council Member Kinley to approve the Request of Action for the Public Works Case Backhoe. The motion carried unanimously.*

F. Request Of Action: Tax Assessor - Replace Ford Taurus Wagon With Truck. This matter came to the Administration and Finance Committee, where there was a change at that level and looking at some of the pricing. \$26,000.00 was budgeted for the replacement of the Assessor's vehicle. Thought a four-wheel drive was going to be needed to do the type of assessments they needed; however, between the time of the last committee meeting and this being forwarded to Council, staff was able to find a better price on a Colorado 4 x 4, with taxes, for \$24,033.00. Will see if there is a use for the other vehicle in the County fleet, or it will go to County auction with the opportunity to replenish County revenue. *It was moved by Council Member Kinley; seconded by Council Member Ruff to approve the Request of Action to Replace the Ford Taurus Wagon with Truck. The motion carried unanimously.*

G. Recreation Procurement Contract Update. Council may decide to report something out this evening, based upon your review of that information. Staff needs to provide one last status update and defer to Council.

Council Member Ruff asked Mr. Pope if he could give the citizens an update on the question that was asked about the County Administrator and Economic Development Director. Mr. Pope responded that he would prefer to do that after he provided Council with information first, and then report it out after executive session.

Council Member Stewart voiced that, considering that probably most everyone would have gone home, if Mr. Pope could update the citizens next week.

14. CLERK TO COUNCIL'S REPORT

The Clerk was asked to report on the Board and Commission Training Session, which is scheduled for Thursday, October 22, 2015, 6:00 P.M. - 8:30 P.M., Midlands Technical College/Fairfield Campus.

15. 2ND PUBLIC COMMENT (3 MINUTES): INPUT CAN BE TO INTRODUCE AN ITEM NOT CURRENTLY UNDER COUNCIL'S CONSIDERATION OR BRING A CONCERN TO COUNCIL'S ATTENTION. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.

The following individuals signed to speak:

- Mr. Virgil Porter - Response To Mr. Pope's Answers To His Questions/Economic Development
- Mrs. Terry Schaeffer - EMS
- Mr. Randy Bright - Whatever Happened To?

16. COUNTY COUNCIL TIME

- Stewart: Commented on the problem with the GPS system being accurate in the Mitford/Highway 901 area. Suggested that this area be looked at, as well as the Dawkins area.
- Smith: Stated he has a vacancy in District 7 that will be opening up shortly; however, term is up after the board and commission training. Announced that the board appointment on the Behavioral Health Services Board is about to be up in November, and if anyone is interested in that to let him know. Expressed thanks to all who were involved in the recovery and donation efforts and assisting the flood victims.
- Marcharia: Inquired if FEMA or the State have addressed the needs in Fairfield County, and stated he directed citizens to contact Mrs. Watkins, Emergency Preparedness Director.
- C. Robinson: Stated that FEMA was in town Friday morning viewing the one collapsed bridge and they were also available in giving helpful information to the Emergency Department as it relates to claims, etc.

17. EXECUTIVE SESSION

*At 7:08 P.M., it was moved by Council Member Kinley; seconded by Council Member Ruff to go in executive session to discuss a legal update; receive information in regard to a contractual matter; discuss an economic development matter and to discuss a personnel matter relating to the County Administrator and Economic Development Director. **The motion carried unanimously.***

*At 8:30 P.M., it was moved by Council Member Robinson; seconded by Council Member Kinley to come out of executive session and return to open session. **The motion carried unanimously.***

*It was moved by Council Member Smith; seconded by Council Member Kinley to select Waters and Company Administrator Search Firm to assist Fairfield County in finding and hiring a new County Administrator. **The motion carried unanimously.***

*It was moved by Council Member Robinson; seconded by Council Member Kinley that Council proceed on the Recreation, Fire and EMS by building a community building in Districts 2 and 3, to be contingent upon purchase of land; in District 4 will be a community building with outdoor basketball court and walking trail; District 6 will be ball field lights (6 lights), including a walking trail, for a total of \$1,719,954.00. Also, in that motion will be to proceed with the Jenkinsville Fire and EMS Station and Ridgeway Fire Station, for a total of \$2,196,722.00, for a grand total of \$3,916,676.00. *{A \$20,000.00 signage allowance is included, for a total lump sum of \$3,936,676.00}. Also in this motion is to allow Mr. Pope and Mr. James to proceed with getting the verbiage corrected in the Notice to Proceed Contract.*

*It was moved by Council Member Kinley; seconded by Council Member Robinson to amend the motion to allow staff to have an appropriate contingency amount for the projects to be reported back to the Council. **The amendment to the motion carried unanimously. The main motion, with the amendment, carried unanimously.***

Council Member Ruff commented for the record that, since Council is not doing all recreation projects at one time, he has talked with Superintendent J. R. Green, the Principal at Geiger School, Ms. Bramlett, and with our County Recreation Director, Lori Schaeffer, about providing some recreation at Geiger School, and all have approved doing is at some point in time, as the plans are just being started about what will be there in the future to accommodate more for the District 1 area.

18. ADJOURN

The meeting was adjourned at 8:30 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN