



**MINUTES
WORK SESSION
FAIRFIELD COUNTY COUNCIL
OCTOBER 30, 2013**

Present: David L. Ferguson, R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; J. Milton Pope, County Administrator; Davis Anderson, Deputy County Administrator; Jack James, County Attorney; 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 ninety-five other individuals.

1. CALL TO ORDER

At 6:03 P.M., Chairman Ferguson called the County Council meeting to order.

Chairman Ferguson asked that Council consider adding an executive session to the agenda for the purpose of discussing a contractual matter. ***It was moved by Council Member Kinley; seconded by Council Member Robinson to add an executive session on the agenda to discuss a contractual matter. The motion carried unanimously.***

2. INVOCATION

Council Member Kinley led in the invocation.

3. ITEMS FOR DISCUSSION

A. 2013 Industry Appreciation.

Mr. Pope brought to the Council's attention that Industry Appreciation was initially scheduled earlier; however, due to other scheduling conflicts, it had to be delayed. The question before the Council would be whether or not to move forward with Industry Appreciation at this time this calendar year or delay it until the spring. *After hearing each Council Member's view on this matter, it was consensus of Council to postpone the event until the Spring.*

B. Expense Reimbursement Policy

Mr. Pope set forth that this item was taken up by Council several weeks back dealing with the method of how reimbursements were processed. At that time, Council voted unanimously to end the practice that it currently had. Subsequently, staff came up with some recommendations and that information is before the Council tonight. Mr. Pope delineated that staff is recommending a traditional reimbursement policy for Council as follows:

- Communications (Internet Connectivity and Phone): Up to \$175.00 per month
- Business Miles In Personal Automobile: 56.5 cents per mile. Mileage log must be presented.
- Office Supplies (Ink, Paper, Envelopes, Stationery, Constituent Non-Political Postage, Other Office Supplies): Up To \$75.00. Receipts must accompany the requests.

Chairman Ferguson pointed out that this recommendation is up for discussion tonight, and will be brought forward at the November 11, 2013 regular meeting for a vote.

C. County Council Bylaws

Mr. Pope set forth that staff has been asked to look at the existing bylaws and suggest enhancements that would help facilitate more productive public meetings. Further, he stated staff would like to review with the Council its existing bylaws and do some of the following: point out certain existing provisions in the bylaws; make some recommendations to enhance public dialogue and discussion; listen and gather Council input. As a guide for this discussion, Mr. Pope pointed out that staff had used SCAC information, as well as contiguous County rules of procedure for this discussion. Lastly, the Administrator and the Clerk desire to have this discussion and then produce a draft document for everyone's purview, including the public, at a prospective meeting. At the prospective meeting, staff would have the existing document, strikethroughs and new information where everyone could see exactly the recommended changes.

Recommended Changes/Comments to 2013 Bylaws:

- Pg. 1: No changes
- Pg. 2: No changes
- Pg. 3: Section 7(b)(2), Economic Development Committee is duly constituted. 7(b)(5), at anytime the Council feels as though there needs to be an Adhoc Committee created, the bylaws gives the flexibility to do that.
- Pg. 4: Section 8. Recommend enhancements. Liked the nomenclature of the verbiage that Newberry County has. Suggesting that several provisions of the Newberry County procedures be considered:
 - When the Council is called to order, every member and every guest shall take his or her seat and shall, during the session, act with decorum.
 - The Chairperson shall preserve order. If any member violates the rules or order as recognized by the Council, the Chair shall (or other member may) call him or her to order. A member who is called to order shall immediately take his or her seat until the question of order is decided, unless he or she is allowed by the Chair to explain his or her action.
 - The Chair shall decide all questions of order without debate, or with short conversation as he or she may permit; but any member may appeal to the Council to overrule the decision of the Chair which shall require at least 3 votes of the members present and voting.
 - During the periods of public comment, the comments shall be limited to 3 minutes. Allotted time is not transferrable among speakers.
 - If repeated calls do not produce order, the Chair may call by name any member persisting in irregularity. The person may then explain his or her conduct but may be ordered by the Chair to withdraw while Council considers appropriate action.
 - In case of repeated disturbance or disorderly conduct by any persons present, the Chair shall have the power to order the Chamber cleared, and any member may move for the order.
- Pg. 4: Section 8(8). Existing rules state: it is the duty of the Council Member to vote unless excused by a majority of Council. A member who wishes to be excused from voting due to a conflict of interest, shall so inform the Chair, who shall take a vote of the remaining members. A member who fails to vote, having not been excused, shall be recorded as voting in the affirmative. A form will be drafted where the conflict has to be written out; supplied to the Clerk and recorded into the minutes. The recommended enhancement would be there would be no abstention unless in the case of a conflict of interest.
- Pg. 5(20): Council acts as a body. No individual member of Council is authorized to act for Council unless authorized and directed to do so by Council. Council Members receiving information which will ultimately require action by the Council, he/she shall promptly report such matter to the Chairman for further action by the Council.
- Pg. 6: No changes

- Pg. 7: Agenda Structure. Recommending adding an additional public comment section to the agenda and clarify the existing public comment section:
 - First Public Comment section shall only be used to address items listed on the immediate Council agenda.
 - Recommend adding second Public Comment section for general information that is not listed on the immediate Council agenda. This would be made available at the end of the agenda after the business has been taken place, between Clerk to Council's Report and County Council Time.
- Item 6 of existing rules indicate to make a public comment, the speaker must indicate the following information on the Public Comment Sign-in Sheet: their name, address, telephone number and the matter on which he/she desires to comment. Suggestion is that when citizens or anyone comes to the podium that they give their name and address for the public record.
- Suggestion to keep the public comment limitation to three (3) minutes, with a total allocation of 30 minutes for each section.
- Suggestion to switch numbers 5 and 6 on the agenda format.
- Pg. 8(9): Public Comment shall be limited to three (3) minutes for individuals. Suggest deleting latter part of sentence relating to five (5) minutes per group spokesperson.
- Pg. 8(12): Reiterate Council may not respond or engage in dialogue with the speaker.
- Pg. 8(c)(2): Permission to make a public presentation must be made in writing or electronic written communication to the Clerk to Council at least seven (7) business days prior to the requested regular meeting date.
 - Recommending that the requestor explain the topic to be discussed.
 - Recommending that the presentations be limited to ten (10) minutes.
 - Also, recommending that if someone desires to represent a group, need to have who the group is and officers and address of the group.
 - Recommend adding that the public presentations be scheduled on the last scheduled meeting of the month.
 - Recommending instead of being solely the Chairman's decision, that approval be made between the Chairman, Vice Chairman and the district where that request originated.
- Pg. 9(10): Public Hearing shall be limited to three (3) minutes for individuals. Suggest deleting latter part of sentence relating to five (5) minutes per group spokesperson.

Mr. Pope indicated that staff would like to be able to bring the document forward with the necessary strikethroughs so everyone could see the changes prior to Council's vote.

Chairman Ferguson set forth that Mr. Pope and Mrs. Brown are asked to make the recommended changes, have adequate copies available, and at the next Council meeting, Council will review the document with the changes. He added that sometime between, the Council will have a Special Meeting to vote on the items.

Council Member Brown commented that he does not agree with Council doing away with committees, and would like to see Council reinstate that process. Vice Chairman Perry and Council Member Robinson also gave their view concerning the committee process.

- Add, in absence of any rule, Council would depend on Robert's Rule.
- Recommending including language to address parliamentary responsibility.

3. EXECUTIVE SESSION

At 7:00 P.M., it was moved by Council Member Kinley; seconded by Council Member Robinson to go in executive session to discuss a contractual matter. The motion carried unanimously.

At 9:10 P.M., it was moved by Council Member Robinson; seconded by Council Member Marcharia to come out of executive session and return to regular session. The motion carried unanimously.

{In open session, Chairman Ferguson reported that Council received information in executive session and nothing to report out}.

4. ADJOURN

The meeting was adjourned at 9:10 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN