



MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
OCTOBER 8, 2001

Present: David L. Ferguson, Chairman; Robert W. Davis, Vice-Chairman; R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Carnell Murphy, Carolyn B. Robinson, Council Members; J. Clay Killian, 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 twenty-two other individuals.

1. CALL TO ORDER

The Chairman called the meeting to order at 6:00 P.M.

2. After which Council Member Kinley gave the invocation.

3. APPROVAL OF MINUTES

It was moved and properly seconded to approve the minutes of the regular meeting of September 10, 2001. The motion carried. It was moved and properly seconded to postpone the approval of the minutes of the regular meeting of September 24, 2001. The motion carried.

Public Hearings

An Ordinance Authorizing An Agreement For Designation Of Phase XXII (Verizon Wireless) Of The I-77 Corridor Regional Industrial Park By And Between Fairfield County, South Carolina and Richland County, South Carolina, So As To Include Property In The Joint County Industrial Park Geographically Located In Richland County, South Carolina, And Other Matters Related Thereto

An Ordinance Authorizing An Agreement For Designation Of Phase XXIII (SYSCO Food Services Of Columbia, LLC) Of The I-77 Corridor Regional

Industrial Park By And Between Fairfield County, South Carolina and Richland County, South Carolina, So As To Include Property In The Joint County Industrial Park Geographically Located In Richland County, South Carolina, And Other Matters Related Thereto. *The Chairman officially opened public hearing at 6:07 P.M.*

Clerk: "I have some information to offer to Council either during public comment or at Second Reading—whichever you think is more appropriate. This information has come to me this afternoon via a case that deals with Horry County School District versus Horry County and the City of Myrtle Beach. That case law is one that deals with the way the revenue has been distributed; and according to the attorney that drafted the ordinance and the agreement that is on your desk tonight for these two parcels located in the Richland County park, he has given us information that, according to that case law, the revenue allocation has to be redefined and it has to be outlined in the agreement itself. He has also given us information that we need to be in contact with him, or he will be in contact with us actually to see how we have been distributing all of those fee-in-lieu allocations in the past. That information has to be included on page 3 of your agreement in Section 5 before this ordinance can be finalized for third reading."

Hearing no further comments, the Chairman closed public hearing at 6:08 P.M.

4. COMMITTEE REPORTS

A. Justice and Personnel Committee

Mr. Killian expressed that one of the recommendations of the committee was to accept, but have a work session for explanation. Due to the fact that the committee has done extensive work, the Chairman asked that Davis Anderson be allowed to brief Council on the material before Council. Council was asked to determine the earliest possibility to meet with Mr. Killian and Mr. Anderson on these matters.

(1). Reorganization of Finance Department

- Upgrade Staff Accountant to Deputy Finance Director
- Upgrade Administrative Assistant to Accounts Payable Specialist
- Add new Administrative Assistant that was granted in new budget

(2). Combining Maintenance and Purchasing Departments

- Taking the job description for the current Purchasing Director and Maintenance position and combining those two to have one Director.

(3). Salary Increases for Fire Board

- Fire Board made recommendation that the increase of their two employees be changed. The recommendations are included in the package. The committee asked that more work be done and bring back more numbers to ensure the numbers provided earlier were accurate.

(4). Classification and Compensation Plan Update

- Asked DMG, on the same format, to take a look at the pay schedule and update it.

(5). Vacancy In Receptionist Department

- Ask Council to allow breaking the Receptionist position into two part-time positions (to accumulate vacation annual} leave; with no insurance benefits.

Ms. Kinley expressed that the item on the title changes will be discussed in a Personnel Committee meeting tonight after the regular meeting. *The Chairman again asked Council to agree upon a night for a work session.*

Mr. Killian pointed out that there is a scheduling issue that was discussed at the last meeting that will need to be talked about further tonight; and could be tied into the overall calendar over the next couple of weeks. That, and another item, he said, if Council so desires, could be talked about as personnel matters in executive session. *It was moved by Mr. Davis; seconded by Ms. Kinley to include an executive session as Item 12A on the agenda.* Mr. Murphy commented that he hoped the personnel matter was not to the magnitude that Council would have to make a decision tonight, as Council has scheduled around having a work session tonight. He stated he has to leave before seven o'clock and would like to be there when it comes to a personnel matter. *The motion carried.*

5. OLD BUSINESS

A. Second Reading: Ordinance No. 422 - An Ordinance Authorizing An Agreement For Designation Of Phase XXII (Verizon Wireless) Of The I-77 Corridor Regional Industrial Park By And Between Fairfield County, South Carolina and Richland County, South Carolina, So As To Include Property In The Joint County Industrial Park Geographically Located In Richland County, South Carolina, And Other Matters Related Thereto. Chairman

Ferguson stated that in light of the information the Clerk presented, perhaps Council can proceed with Second Reading on the two ordinances, and hold off on Third and Final Reading until further information is received. *It was moved by Mr. Davis; seconded by Mr. Brown to accept Second Reading of Ordinance No. 422. The motion carried.*

B. Second Reading: Ordinance No. 423 - An Ordinance Authorizing An Agreement For Designation Of Phase XXIII (SYSCO Food Services Of Columbia, LLC) Of The I-77 Corridor Regional Industrial Park By And Between Fairfield County, South Carolina and Richland County, South Carolina, So As To Include Property In The Joint County Industrial Park Geographically Located In Richland County, South Carolina, And Other Matters Related Thereto. *It was moved by Mr. Davis; seconded by Mr. Brown to accept Second Reading of Ordinance No. 423. The motion carried.*

6. NEW BUSINESS

None

7. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

The County Administrator reported on the following items:

a. Departmental Reports.

b. Creation of Three-Person Loan Committee for HOME Grant Program. The committee will be comprised of local citizens to review the applications for those applying for assistance under this program. *The recommendation is for one of the persons to be in the mortgage, loan, or banking business. Administrator's recommendation tonight is to defer to committee for appointment and naming those individuals no later than two weeks from tonight. So moved, in principal, by Mr. Murphy; seconded by Mr. Davis. The motion carried.*

c. Vehicle Replacement Program. This actually establishes the schedule for replacement of the different classes of vehicles. Recommending they be broken into five different classes. *Replacement committee will use this as the criteria for making recommendations to the Council for replacement each year. It will be determined which vehicles meet the criteria; make a recommendation to the Council; the Council will render its decision on the schedule; replace the vehicle; declare the old one surplus. The vehicles*

authorized for replacement will go through the bid process; bring the bids back to the Council; Council will award the bids; and the vehicles replaced. Though the vehicle may meet the criteria, it does not necessarily mean it will be recommended for replacement. So moved by Mr. Murphy; seconded by Mrs. Robinson, and unanimously approved by Council.

d. Purchase New Road Tractor. Have 1973 model road tractor that has unknown number of miles. Most recent repair scheduled is the replacement of both rear drive gears for over \$9,000. *State contract for the vehicle plus two additions brings price to \$54,940.75. Recommend Council replace the vehicle with funds set aside this year. This will be first vehicle in replacement schedule. So moved by Mrs. Robinson; second by Ms. Kinley.* Mr. Davis suggested that the County look for a decent used piece of equipment before the actual purchase is made. *Mr. Murphy offered an amendment to the motion to allow the Administrator some latitude in dealing with this situation at his discretion, of whether to purchase a new or old vehicle. Mr. Brown seconded the amendment to the motion. The amendment to the motion carried.*

Mr. Killian expressed that he would feel much better if he would be allowed to quote a used vehicle to determine what is out there and bring it back to Council for review. *Mr. Murphy made a motion to allow the Administrator and the Finance Committee to make final judgement on this in whatever matter they deem necessary {to empower the Finance Committee and the County Administrator to bring this to resolution}.* The Chairman asked that Mr. Killian bring Council back a price of used and new vehicles, and let the Council decide what to do.

The Chairman called for the question of all in favor of the original motion to purchase the new tractor, as amended. Mr. Marcharia asked to hear both motions again. {The motion(s) were not actual restated at this point; instead, members of Council offered scenarios and further explanation}.

Again, the Chairman called for the question. The motion carried in favor of the original motion, as amended.

e. Request from Mr. Hawkins on Wallaceville Road to accept a road he has asked the State to abandon. He is asking that the County accept this road for maintenance, which allows the State to abandon it, and then request the County abandon it as well so that he can close the road; put a gate on it; and keep undesirable activity from happening. Initial acceptance would be only for closure of the road; not for maintenance. Mr. Marcharia added that he is aware that for the last five years there has been a gate or wire fence across that road. *Chairman Ferguson asked if it would be advisable to do some more research on this before Council took any action. He placed this matter in committee for research, and bring back at a more opportune time once Council is more familiar with it.*

f. Dates for worksession with Mr. Vismore. *Council agreed to the following: November 7, 2001 and November 20, 2001.*

8. CLERK TO COUNCIL'S REPORT

a. Consideration of two additional Multi-County Industrial Park Agreements with Richland County for first reading on October 22.

b. SCANA local governments dinner.

c. Resignation letters from commission members (Fire Board and Substance Abuse Commission).

d. Open enrollment schedule.

e. Ordinance Prohibiting Jumping or Diving from Bridges.

f. Series of Events – Midlands Workforce Investment Board and consideration for replacement. *The Chairman asked that this matter be placed in work session.*

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. INFORMATIONAL ITEMS

Provided as information.

11. PUBLIC COMMENT

None

12. COUNTY COUNCIL TIME

Brown: Was under the impression that Council would be giving first reading to a zoning change in Jenkinsville for an expansion. The Clerk explained that the zoning change requires a public hearing first, which is scheduled for the next Council meeting.

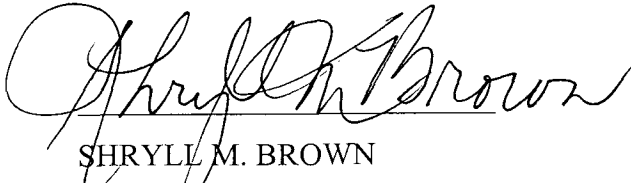
Marcharia: Desire to have conversation with other Council members in reference to various districts, i.e., when other Council Members work in other Council Members' districts without informing them, telling them, or communicating. The question was "how does Council handle situations like that?" Members of Council gave their viewpoint on this matter. Mr. Marcharia expressed that he will speak to his district about what he considers to be inaccurate information that has been circulating in the fourth district about various projects.

It was moved by Ms. Kinley; second by Mr. Marcharia to go in executive session at 7:05 P.M. to discuss personnel issues. The motion carried.

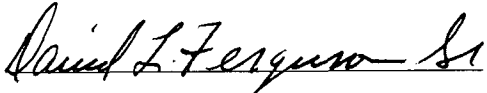
{The Clerk was excused from executive session, and was not present when Council returned to regular session. Therefore, the Clerk cannot attest to any action taken, if any, subsequent to Council's return to regular session}.

13. ADJOURN

The meeting was adjourned, upon the unanimous approval of Council.



SHRYLL M. BROWN
CLERK TO COUNCIL



DAVID L. FERGUSON
CHAIRMAN