



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
NOVEMBER 22, 2010**

**Present:** 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

**Absent:** R. David Brown

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 fifty individuals.

**1. CALL TO ORDER**

In the absence of Chairman Brown, Vice Chairman Trapp called the meeting to order at 6:00 P.M.

**2. INVOCATION**

Council Member Kinley led in the invocation.

**3. APPROVAL OF MINUTES**

*It was moved by Council Member Ferguson; seconded by Council Member Marcharia to approve the minutes of the regular meeting of November 8, 2010 and work session of November 15, 2010. The motion carried unanimously.*

**4. PUBLIC COMMENT**

The following individuals signed to speak on the matter of Dutchman's Creek Substation: Mr. Ned Gwin and Mr. Bill Howell.

**5. COMMITTEE REPORTS**

**A. Justice and Personnel**

Committee Chairman Kinley reported the committee met to discuss the salaries of the elected officials' salary. She asked Mr. Hinely if Mr. Anderson could update the Council on the proposal that was recommended to be forward to full Council, which he did as follows: The positions discussed were Probate Judge, Tax Auditor, County Treasurer, Clerk to Court, County Coroner and Sheriff. These elected officials are elected in terms and they do not accrue vacation and sick time. As it relates to their salaries, when County Council goes through its budgeting process, if County Council allocates a cost of living, based on the economy, the referenced elected officials would receive a cost of living increase. The Probate Judge, Tax Collector, County Treasurer and Clerk to Court historically have been paid the same salary; except the Clerk to Court who receives an additional supplement

based on fees collected in her office (which will not be subject to COLA). As of November 2, 2010, the committee is proposing that any newly elected official would be started at 10% less than the former officials' salary. Additionally, the 10% reduction would be used for the calculation fees for that person filing for office as well as the consideration of lack of longevity. Every four years, County Council would review the salaries of these elected officials, compare it to like-size counties, surrounding counties and the compensation paid to department heads. This proposal eliminates the equalization of the four elected officials. *It was moved by Council Member Kinley; seconded by Council Member Robinson to accept the Elected Officials Compensation Procedure as outlined.* During discussion, Council Member Marcharia inquired what if someone came in who is far more qualified than the person they replaced and bring much more expertise to the process, would they still get less pay. *The motion carried unanimously.*

*{It was moved by Council Member Robinson; seconded by Council Member Kinley to amend the agenda to add a personnel matter to the executive session item. The motion carried unanimously.}*

## 6. OLD BUSINESS

**A. Third And Final Reading: Ordinance No. 572** – An Ordinance To Amend The Fairfield County Zoning Ordinance (No. 498) To Provide For The Zoning Reclassification From B-1 (Limited Business) To B-2 (General Business) Of Eighty Three Hundredths (0.83) Acres Owned By Susan Jordan and Valerie Jordan-Sandifer. Applicant Is Jackie Mincey. Tax Map No. 145-01-36-007. Property Is Located At 985 US Hwy 321 South, Winnsboro, SC, 29180. *It was moved by Council Member Robinson; seconded by Council Member Perry to approve Third and Final Reading of Ordinance No. 572. The motion carried unanimously.*

**B. Third And Final Reading: Ordinance No. 573** – An Ordinance To Amend The Fairfield County Zoning Ordinance (No. 498) To Provide For The Zoning Reclassification From RD (Rural Development) To B-2 (General Business) Of Ten (10.0) Acres Owned By Betty Scott Bell Et. Al., Part Of Tax Map No. 192-00-00-010. Property Is Located At North Side Of St. Hwy 215 S., West Of Jenkinsville Rd., Jenkinsville, SC, 29065. *It was moved by Council Member Marcharia; seconded by Council Member Ferguson to approve Third and Final Reading of Ordinance No. 573. The motion carried unanimously.*

**C. Third And Final Reading: Ordinance No. 574** - An Ordinance To Amend The Fairfield County Zoning Ordinance (No. 498) To Provide For The Zoning Reclassification From RD (Rural Development) To B-2 (General Business) Of Sixteen (16.0) Acres Owned By Betty Scott Bell Et. Al., Consisting Of: (a) Ten (10) Acres, Tax Map No. 192-00-00-012 And (b) Six (6) Acres, Part Of Tax Map No. 192-00-00-010. Property Is Located At South Side Of St. Hwy 215 S., West Of The Intersection Of St. Hwy. 215 S. And Jenkinsville Rd., Jenkinsville, SC, 29065. *It was moved by Council Member Ferguson; seconded by Council Member Marcharia to approve Third and Final Reading of Ordinance No. 574. The motion carried unanimously.*

**D. Second Reading: Ordinance No. 575** – Authorizing The Amendment Of The Agreement For Development For Joint County Industrial Park Executed On October 18, 1995, By And Between Fairfield County, South Carolina, And Newberry County, South Carolina, Providing For The Inclusion Of Additional Property In Newberry County As Part Of The Joint County Industrial And Business Park, And Other Related Matters.

*It was moved by Council Member Ferguson; seconded by Council Member Robinson to approve Second Reading of Ordinance No. 575. During discussion, Council Member Marcharia commented that he is concerned about the fact that Fairfield County can make economic agreements with other counties and take tax dollars and make deals with them, and did not give the same opportunity to some of the small towns here in Fairfield County. The motion carried unanimously.*

**E. Second Reading: Ordinance No 576** – Authorizing Fairfield County, South Carolina, To Sell Approximately 12 Acres Of Real Property With Improvements, To Be Used For Economic Development Projects; To Authorize The Execution And Delivery Of An Amended And Restated Infrastructure Credit Agreement Between The County And Elite Es, Llc; And Other Related Matters. *It was moved by Council Member Ferguson; seconded by Council Member Perry to approve Second Reading of Ordinance No. 576. The motion carried unanimously.*

**F. Second Reading: Ordinance No. 577** – Authorizing Fairfield County, South Carolina, To Sell Real Property Located In The Walter Brown II Industrial Park: And Other Related Matters. *It was moved by Council Member Ferguson; seconded by Council Member Robinson to approve Second Reading of Ordinance No. 577. The motion carried unanimously.*

## 7. NEW BUSINESS

**A. First Reading (By Title Only): Ordinance No. 578** – Authorizing The Conversion Of One Or More Existing Lease-Saleback Fee-In-Lieu Of Tax Arrangements Between Isola Usa Corp., And One Or More Affiliated Or Related Entities, And Fairfield County, South Carolina, Related To Certain Interests In Real Property With Improvements, And Certain Personal Property To One Or More A Simplified Fee-In-Lieu Of Tax Arrangements; And Other Related Matters. *It was moved by Council Member Ferguson; seconded by Council Member Robinson to approve First Reading (By Title Only) of Ordinance No. 578. The motion carried unanimously.*

**B. First Reading (By Title Only): Ordinance No. 579** – Authorizing An Amendment To The Master Agreement Governing The I-77 Corridor Regional Industrial Park By And Between Richland County, South Carolina, And Fairfield County, South Carolina, To Expand The Boundaries Of The Park To Include Certain Real Property Located In Richland County, And Other Related Matters. *It was moved by Council Member Ferguson; seconded by Council Member Robinson to approve First Reading (By Title Only) of Ordinance No. 579. The motion carried unanimously.*

## 8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

No formal report.

## 9. CLERK TO COUNCIL'S REPORT AND CORRESPONDENCE:

a. Will submit to the Council a list of various invitations, events and activities for the month of December.

## 10. BOARD AND COMMISSION MINUTES

Provided as information.

## 11. INFORMATIONAL ITEMS

Provided as information.

**12. COUNTY COUNCIL TIME**

Ferguson: Commented on the November 2 election, setting forth that an election challenge was held on November 15, 2010 in the Administration Building, and now three members of Council are now required to go before the State Election Commission on November 29 to go through the same process that was done on November 2. He opined that this is really troublesome to know that after an election, in the vote spread between the candidates, to continue on and on and on with an election.

**13. EXECUTIVE SESSION**

*At 6:20 P.M., it was moved by Council Member Ferguson; seconded by Council Member Kinley to go in executive session for an economic development and personnel matter. The motion carried unanimously.*

*At 6:38 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.*

*Vice Chairman Trapp reported no votes were taken in executive session.*

*It was moved by Council Member Ferguson; seconded by Council Member Kinley that the county sign a new contract with the same company that handled the 405 acres. The motion carried unanimously.*

**14. ADJOURN**

The meeting was adjourned at 6:39 P.M., upon the unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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RUSSELL DAVID BROWN  
CHAIRMAN