



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
NOVEMBER 24, 2014**

Present: David L. Ferguson, Mary Lynn Kinley, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; J. Milton Pope, County Administrator; Shryll M. Brown, Clerk to Council; Jack James, County Attorney

Absent: R. David Brown, Kamau Marcharia

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

Chairman Ferguson called the meeting to order at 6:03 P.M.

2. APPROVAL OF AGENDA

Mr. Pope brought forth the following for consideration: Item #12 on Council's agenda, which is a vote to oppose or not oppose DHEC's licensing of Winnsboro Crushed Stone, Inc. Mine Application, is to be combined with the County Administrator's Report, #13(B)(8). Council will receive legal advice first and will come back out and report to the public any actions or directions. *It was moved by Council Member Trapp; seconded by Council Member Kinley to approve the agenda, with the consideration of the above-mentioned notation. **The motion carried unanimously.***

3. INVOCATION

Council Member Kinley led in the invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the minutes of the Regular Meeting of November 10, 2014. **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.

The following individuals signed to speak:

- Mr. Don Quick – Ordinance 644
- Mr. Michael Moore – Ordinance 644
- Mr. Randy Bright – Recreation
- Ms. Brantley Bull - Recreation
- Mr. J. W. McKeown – Winnsboro Crushed Stone
- Ms. Pelham Lyles - Quarry

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Second Reading: Ordinance No. 646 – Ordinance Authorizing The Execution And Delivery Of An Amended And Restated Fee In Lieu Of Ad Valorem Taxes And Incentive Agreement To Provide A Fee-In-Lieu Of Ad Valorem Taxes Incentive, Infrastructure Credits And Other Incentives To Enor Corporation And Enor Corporation SC, Llc; The Execution And Delivery Of Documents Necessary To Effect The Intent Of This Ordinance; And Other Related Matters. *It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 646. **The motion carried unanimously.***

B. Second Reading: Ordinance No. 645 – Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately 2.3 Acres Of Real Property Located On Overlook Road In Blackstock (Tax Map Parcel Number 019-00-00-002-000), To Be Used As A Recreational Mini-Park; And Other Related Matters. *It was moved by Council Member Robinson; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 645. **The motion carried unanimously.***

C. Second Reading: Ordinance No. 644 – Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately 3.36 Acres Of Real Property Located At The Intersection Of Shoemaker And Center Creek Roads (Tax Map Parcel Number 210-00-01-084-000), To Be Used As A Recreational Mini-Park; And Other Related Matters. *It was moved by Vice Chairman Perry; seconded by Council Member Kinley, that in light of the feedback Council has been given via the petition, that Council table Ordinance No. 644, which is the purchase of approximately 3.36 acres of land located at Shoemaker and Center Creek, until a later date. {Chairman Ferguson raised the inquiry of whether Council can table it, or with the number of residents (about 62% or 63%) should it be tabled or proceed with voting on it in the negative tonight}. Council Member Kinley withdrew the second to the motion; Vice Chairman Perry withdrew the motion to table Ordinance No. 644. Subsequently, it was moved by Vice Chairman Perry; seconded by Council Member Kinley to **not vote on Ordinance No. 644. The motion carried unanimously.***

D. Second Reading: Ordinance No. 642 – 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 Kinley; seconded by Council Member Trapp to approve Second Reading of Ordinance No. 642. **The motion carried unanimously.***

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

A. Vote To Oppose Or Not Oppose DHEC's Licensing Of Winnsboro Crushed Stone, Inc. Mine Application. *Combined With The County Administrator's Report, #13(B)(8). Council Will Receive Legal Advice First And Will Come Back Out And Report To The Public Any Actions Or Directions.*

13. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE**A. Presentation: Wastewater Master Plan**

- Goals And Expectations
 - Study infrastructure opportunities within strategic areas of Fairfield County to better support sustainable economic development.
 - Identify trunk sewer and major facilities projects within Fairfield County to support growth.
 - Develop and prioritize projects based on short-term and long-term needs.
- County Zoning Map
- Map Showing Existing Utilities (Sewer Lines)
- County-Wide Sewer Concept
- Next Steps
 - Develop Conceptual Sewer System Phasing
 - Develop Conceptual Sewer System Phasing
 - Complete Sewer Alternative Costing
 - Explore the County's Water Distribution Needs (Build off what the Army Corps has done)
 - Develop Water Distribution Concepts and Phasing
 - Complete Water Alternative Costing
 - Finalize Water and Sewer Master Plan Report

B. Administrative Updates

1. Recreation Contract Authorization. At the last County Council meeting, Council voted to move forward with the recreation contract with Ken Simmons and Associates. Council went through an exhaustive process with public meetings, developing a master list, working with the consultants to come back with a plan that the Council publicly voted on, which has been placed on the website. The Plan that was conducted back in 2010 was part of the deliberations that led into the work. Also, rather than putting out separate bids and separate architectural work for the two public safety projects, i.e. fire station in Ridgeway and split fire/EMS station in Jenkinsville, they were combined into one contract to try to get maximum savings for the projects. The cost estimates for the recreational projects did exceed the \$3.5 million dollars; however, at that time, Administration's recommendation to Council was that the final cost would not be known until everything was bid. When the bids were received, it was determined a number of things could be done: if the cost still exceeded the \$3.5 million dollars, certain portions of the project could be deleted or eliminated to get within the budget requirements or based upon successful bidding, things could come in under budget, or Council could direct the staff to make recommendations regarding where additional

funding may come from if deemed appropriate. Consultants have been working to expedite the process on the bidding—primarily with architectural design of all those things that had been approved, so we will move forward with that. Still working with a few Council Members on land acquisition portion of the project. Everything is underway. Before anything is constructed, all of that information has to come back to the Council to vote on who will be the contractor to do the work.

2. Community Enhancement Grant. Disposed of all issues on the Community Enhancement Grant, except for one item, which was a deferral in District 1. Vice Chairman expressed, for the record, that he is opposed to funds being taken out of District 1 and being transferred to another District, and *so moved; seconded by Council Member Trapp, that the last grant left for \$500.00 to be awarded to the Town of Ridgeway.* During discussion, Council Member Robinson inquired what their needs were. ***The motion carried unanimously.***

3. Drawdy Park. The punch list items, i.e. grading on inside of the entire ditch around the retaining wall has been completed. The reinstallation of the fencing, weather permitting, should be completed this week, or late into next week. Will be receiving the final reports from our third party engineer on the retaining wall, as well as the other buildings the Council voted to have the inspector look at.

4. Airport Runway Authorization. At the last meeting, Council approved the grant award of the runway lighting improvements at our general aviation airport. The County has aviation experts, W. K. Dickson, who does all the specific aviation electronics work to make sure everything is installed properly. Requesting County Council to allow W. K. Dickson to move forward as the project manager over these funds. All of their costs come out of the federal and state grants received. *It was moved by Vice Chairman Perry; seconded by Council Member Kinley to approve the Airport Runway Authorization. The motion carried unanimously.*

5. Blackwelder Heating And Air, Inc. Update. Legal matter that needs to be referred to executive session for legal update regarding right-of-way property between Element and Blackwelder property.

6. Economic Development Training. S. C. Department of Commerce sponsors the Economic Development Institute. This was discussed with the three Council Members who are coming on board in an orientation session last week. The Institute will be held in February, May, August and November of 2015. There are scholarships available, and staff would like to forward this information to sitting Council Members as well as Council-Elect to give them an opportunity to participate.

7. National Association of Counties Conference. Another conference that is scheduled for February, 2015 which is very important to be involved in as it relates to laws and legislation that are impacting counties on the State and Federal level.

8. Update On General Assembly House Ad Hoc Roads Committee. Legislation that is pre-filed regarding members of the General Assembly passing legislation that would turn State roads over to County government. The State does not have the funding to take care of the repair and up fit of State-maintained roads; nor would the County have the resources to do that. Certain members of the General Assembly are entertaining this, which is going to be an issue in the upcoming General Assembly Session. *It was moved by Council Member Robinson; seconded by Vice Chairman Perry that this Council vote to oppose anything they are going to do about sending it back, as this is going to be a major item for the Council to fund, given the fact that the County does not have any money to do so; to send a letter opposing any returning the roads to the County to be dealt with and repaved; taken care of; to send it to our Delegation, as well as to each member of the Ad Hoc Committee. The motion carried unanimously.*

9. Legal Update (Intent To Mine Application). Council has combined this with an item on the agenda for an update in Executive Session.

10. Legal Update (Pending Litigation, County Easement Dispute). Executive Session matter.

11. Legal Update (Pending Litigation, Delinquent Tax Protest). Executive Session.

12. Personnel Updates (Detention Center; Administration). Executive Session.

14. CLERK TO COUNCIL'S REPORT

None.

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. Don Quick - Bond
- Mrs. Lisa Brandenburg - Proposed Quarry
- Mr. David Brandenburg - Quarry
- Mr. Clarence Pauling - Quarry
- Mrs. Terry Vickers - Advertising
- Dr. Marie Milam - Thank You For Grant
- Mr. Randy Bright - Miscellaneous
- Mr. Paul Dove - Winnsboro Lions

16. COUNTY COUNCIL TIME

Perry: Commented on the open session and executive session process.

17. EXECUTIVE SESSION

*At 7:12 P.M., it was moved by Council Member Kinley; seconded by Vice Chairman Perry to go in executive session to receive a legal update regarding Blackwelder Heating and Air and the right-of-way issue pending there; also a legal update regarding the pending DHEC Intent to Mine Application; legal update on a pending County litigation regarding Easement Dispute; legal update regarding pending litigation on a Delinquent Tax Protest and two personnel updates: one at the Detention Center and one Administration contractual matter. **The motion carried unanimously.***

*At 8:25 P.M., it was moved by Council Member Robinson; seconded by Vice Chairman Perry to come out of executive session and return to regular session. **The motion carried unanimously.** {Council Member Trapp was not present when Council returned to regular session}.*

*It was moved by Council Member Kinley; seconded by Vice Chairman Perry that because the Council has so many questions as it relates to the Quarry regarding the impact of the wells, the impact of truck safety, the hours of operation and meeting all of the standards and federal requirements, the Council hereby directs the County Administrator to retain legal representation to defend the interest of Fairfield County in regards to the pending Mining Application of Winnsboro Crushed Stone. **The motion carried unanimously.***

18. ADJOURN

The meeting was adjourned at 8:27 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN