



MINUTES
SPECIAL MEETING
FAIRFIELD COUNTY COUNCIL
DECEMBER 17, 2001

Present: David L. Ferguson, Robert W. Davis, Mary Lynn Kinley, Kamau Marcharia, Carolyn B. Robinson, Council Members; Shryll M. Brown, Clerk to Council; Philip L. Hinely, County Administrator

Absent: R. David Brown, Carnell Murphy

Staff: James P. Black

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 five other individuals.

1. CALL TO ORDER

The Chairman called the meeting to order at 6:10 P.M.

2. INVOCATION

Ms. Kinley gave the invocation.

It was moved by Ms. Kinley; seconded by Mr. Davis, to include an executive session matter as Item F on the agenda to discuss a contractual matter. The motion carried.

3. ITEM FOR DISCUSSION

A. Public Hearing: - An Ordinance Authorizing An Agreement For Designation Of Phase XXIV (ALD THERMAL TREATMENT, INC.) 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 opened public hearing at 6:12 P.M. Hearing no comments, the Chairman closed public hearing at 6:13 P.M.*

B. Public Hearing: - An Ordinance Authorizing An Agreement For Designation Of Phase XXV (VIRTUAL GROWTH, INC.) 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 opened public hearing at 6:13 P.M. Hearing no comments, the Chairman closed public hearing at 6:14 P.M.*

C. Third and Final Reading: Ordinance No. 424 - An Ordinance Authorizing An Agreement For Designation Of Phase XXIV (ALD THERMAL TREATMENT, INC.) 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 Mrs. Robinson; seconded by Ms. Kinley, to accept Third and Final Reading of Ordinance No. 424.* Mr. Davis asked if the Administrator would give Council an overview of the recent findings concerning the allocation of expenses. Mr. Hinely voiced that he and Mr. Black met with Mr. Ray Jones, legal counsel for Richland County, and he clarified a big question Fairfield had about expenses. One of the concerns was that Richland County could unilaterally decide to do something, and Fairfield would be responsible for the expenses. The attorney, at that point, suggested language be added that any County that decided to do something in the park without agreement from the other County, that the County would bear 100% of the cost; and the other County would bear zero. If both Counties agree, the cost would be shared 99% - 1%. Mr. Black added that the first paragraph dealing with expenses seemed to take away to make Fairfield responsible for something, and in very broad terms...but not limited to. Further, when it was explained to the attorney that Fairfield would be more comfortable with the language in a much easier readable form, he did not seem to have a problem with perhaps going back and amending all the previous agreements to read no responsible on the part of the outside County. Mr. Hinely stated he will contact Mr. McSwain regarding possible amendments to the previous agreements and ordinances. *The motion carried.*

D. Third and Final Reading: Ordinance No. 425 - An Ordinance Authorizing An Agreement For Designation Of Phase XXV (VIRTUAL GROWTH, INC.) 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 Mrs. Robinson; seconded by Mr. Davis, to accept Third and Final Reading of Ordinance No. 425. The motion carried.*

E. First Reading (By Title Only) - An Ordinance Authorizing The Amendment Of The Agreement For Development Of Joint Industrial Park Between Kershaw County And Fairfield County (The "Agreement") To Adjust The Allocation Of Park Revenues Between Kershaw County And Fairfield County With Respect To Certain Property Located In Kershaw County On Which Facilities Are To Be Constructed And On Which Certain Property Target Corporation Will Operate And Construct A Facility (The "Target Property") So That Kershaw County Receives 98% Of The Revenues From The Target Property And Fairfield County Receives 2% Of The Revenues From The Target Property. *It was moved by Mrs. Robinson; seconded by Ms. Kinley, to accept First Reading (By Title Only) of the above-referenced Ordinance.* The Chairman asked this matter be placed in committee for recommendation.

F. *It was moved by Mrs. Robinson; seconded by Ms. Kinley, to go into executive session at 6:20 P.M. to discuss a contractual matter.*

Council came out of executive session and returned to regular session at 6:45 P.M.

The following matters were discussed in open session:

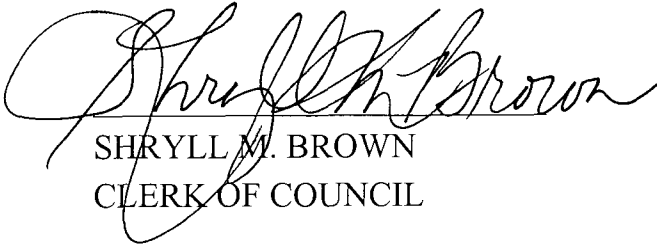
- a. Transit Grant Application. *No action taken.*
- b. The Chairman shared with Council a letter addressed to the citizens pertaining to tax notices. *He asked Council for review and input on the letter.* Council engaged in discussion pertaining to the methodology by which to address the citizens and the possibility of extending invitation to the Auditor to set the record straight on if he feels the County is in compliance with the State law. *Mr. Davis made a motion for Council to pay for the letter to be placed in the local paper, revising the notation pertaining to the "views of the Chairman" to reflect the ' views of Council'.*


Mrs. Robinson asked for an opportunity to read the article before it is voted on. {*Council agreed to send a notice explaining the tax notices the first of January, 2002*}.

c. *It was moved by Mrs. Robinson; seconded by Ms. Kinley to give the Chairman the authority to sign an agreement on an economic development matter tomorrow morning. The motion carried. {Mr. Marcharia voted no}.*

4. ADJOURN

The meeting was adjourned at 7:26 P.M., upon the unanimous approval of Council.


SHRYLL M. BROWN
CLERK OF COUNCIL


DAVID L. FERGUSON
CHAIRMAN