



MINUTES
SPECIAL MEETING
FAIRFIELD COUNTY COUNCIL
DECEMBER 23, 2002

Present: David L. Ferguson, Robert W. Davis, R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Carnell Murphy, Carolyn Robinson, Council Members; Philip L. Hinely, County Administrator

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

Chairman Ferguson passed the gavel to Vice Chairman Davis, who called the meeting to order at 6:10 P.M.

2. INVOCATION

Ms. Kinley gave the invocation.

Chairman Ferguson moved to recess the Council meeting for approximately fifteen minutes. The motion was seconded by Ms. Kinley, and unanimously carried by Council.

Chairman Ferguson called Vice Chairman Davis to the platform. He presented Mr. Davis with a plaque that read: *In Grateful Appreciation To Robert William Davis For 18 Years Of Dedicated And Loyal Service As Council Member To The Citizens Of Fairfield County, Including Two Years Of Service As Chairman And Seven And One-Half Years As Vice Chairman Of County Council. Presented December 23, 2002 By Fairfield County Council.* Mr. Davis introduced members of his family who were present. Members of Council wished Mr. Davis well.

Council came out of recess and returned to regular session at 6:35 P.M. At this time, Vice Chairman Davis returned the gavel to Chairman Ferguson.

3. ITEMS FOR DISCUSSION

A. Approval of Minutes

It was moved by Mr. Murphy; seconded by Ms. Kinley, to approve the minutes of the Budget Worksessions of June 19, 2002; June 24, 2002; and June 26, 2002; and minutes of the Special Meeting/Budget Worksession of June 28, 2002. The motion carried.

B. Economic Development and Land Planning Committee Report

Davis: *The Economic Development and Land Planning Committee met a few moments ago. An item of discussion was naming/recommending to Council the names of members to go on the Planning Commission. Council may be aware this was a five member board, but under the Ordinance several months ago, we increased that number to seven. We have two new vacant positions as well as two replacements. The Economic Development Committee would like to recommend the following names for consideration: Under vacancies, **Individual 1**, we recommend **Applicant A**; **Individual 2**, we recommend **Applicant C**; **Vacant position 3**; we recommend **Applicant D**; **Vacant position 4**; we recommend **Applicant F**. I'll make that in the form of a motion, Mr. Chairman, coming from the Economic Development Committee.*

Kinley: Second.

Further discussion from Council.

Davis: Call for the question, Mr. Chair.

Brown: Mr. Chair, I...the question has been called.

Davis: Point of Order. The question has been called, Mr. Chair.

Robinson: Mr. Chair, you don't have a 2nd on the question.

Brown: So, Mr. Chair, let me ask...(interrupted)

Davis: I'm sorry. We are in discussion. The second was there. The second came from two individuals.

Robinson: Not on your question. You had a second on your motion, but you have not had a second on calling for the question. Therefore, we are still in discussion.

Davis: Call for the question ends it.

Robinson: No sir. You have to have a second on the question before it can be discussed.

Kinley: I'll second that, then.

Murphy: Mr. Chairman, may I. I want to make sure I know what I am voting on. May I?

Ferguson: Yes sir.

Murphy: Mr. Chairman, are we going to vote now on a motion that leaves District 1 out; District 4 out; District 5 out; District 7 out; and put three members out of one district on a seven member board. Is that what we are voting on now?

Ferguson: We are voting on...(interrupted)

Murphy: Is that what we are voting on if you go down the names and put them by district, Mr. Chairman.

Ferguson: Yes it is, Mr. Murphy.

Murphy: Mr. Chairman, do you think that is close to being fair. That is not close to being fair, Mr. Chairman.

Robinson: The other thing that I...I would just like to ask a question also if the committee (and I'll ask this of the chair of the committee) – if they took into consideration that the present commission has been working to queueck the zoning plan and to ask how far they are into this, and then have to start all over again with a new commission, because you only have two people left over?

Ferguson: You have three people left over.

Robinson: You have not re-appointed the other one yet. I would just like an answer – if that was brought in because again....

Davis: With three members on any board – they can add foresight to wherever they are. In either case, no matter who you appoint, they will be at the same odds as any individual – if you were to try to get scattered around.

Robinson: The other thing that we have done in the past is when a board or commission was in the middle of something like this, we have let it continue until they finalized something, so that you don't have to train new people in what is going on.

Davis: At some point in time, it has to come to a head. Mr. Chairman, we have got two vacancies coming up in a seven month period. The 7th month and third year, we have two additional vacancies at that time.

Murphy: Mr. Chairman...

Ferguson: The question has been called for. I call for the vote. All in favor, signify by saying aye...all opposed by nay.

Murphy: Mr. Chairman, I would like for a roll call by hand, please.

Ferguson: All in favor of the motion, please raise your right hand.

Murphy: Carolyn, you're raising your hand?

SHOW OF HANDS:

<i>AYE</i>	<i>NAY</i>
Robinson	
Marcharia	Murphy
Davis	Brown
Kinley	
Ferguson	

Ferguson: The ayes have it, Mrs. Brown.

Kinley: May I please just suggest for those two vacancies coming up that we ask the folks who do not have representation to make sure they have folks there the next time. As a member of that committee, I did not look at it by district—more or less looked at it, as we were saying, about the ability to be on that board. I have no problem with the other two that are coming up in the next week six months to look at that and add representation.

Murphy: Mr. Chairman, I would like to say something. You know a mistake is a mistake when you see it and don't know anything different from what you made the mistake on. It doesn't take long to realize that it was a mistake with this recommendation – leaving four districts out of a seven district panel – to put three of them in one district. I just don't see that. This is a special meeting. Was it called just for this purpose?

Ferguson: The meeting was called, Mr. Murphy, to take care of three items. We have dispensed with two of them.

Brown, D. Mr. Chairman, let me ask one other thing. Number G was highlighted and the recommendation came from the committee tonight. Is that, Mrs. Brown, the way normal procedure going to be whenever a Council member makes a suggestion from now on.

Clerk: I don't understand the question, Mr. Brown. What I did was highlight it because it was a revision to the original package. You all received your package on or about December 13th that had A through F listed. When you called me on the 19th, that was after the original package had already been sent. So, I simply just wanted to highlight that as a revision, the same as I did on the agenda, sir.

C. Consideration Of Approval Of 8-Hour Ozone Early Action Compact (EAC) To Improve Air Quality

It was moved by Mr. Murphy; seconded by Mrs. Robinson to approve the Early Action Compact. Mr. Hinely expressed that Mr. Phillips was present tonight to answer any questions. He added there is some sense of urgency, as forty counties in the State has approved this, and it is highly recommended to the Council. Mr. Phillips answered several questions from members of Council and stated the EAC needs to be signed by his Agency and to EPA for signature by December 31, 2002. Council Member Brown called for the question; seconded by Mrs. Robinson. The motion carried.

D. County Administrator's Report

1. The Council received a letter from the State Budget and Control Board pertaining to the percentage cuts. Fairfield County's share is \$32,813.00 less state funds that the County will be receiving.
2. The amount of fee-in-lieu of taxes owed to Richland County has been calculated over a period a time. The amount owed is \$95,005.59, and a check is being prepared to send to Richland County. Received a letter from

Mr. McSwain stating the final amount owed to Fairfield has not been concluded; however he has instructed the Treasurer's Office to present a check for \$188,206.91, which represents a good faith effort to begin to pay the amount owed. Mr. Hinely assured Council that he has "full court press" on Richland County to receive more money that is owed to Fairfield County.

E. Title To Winnsboro Armory (Airport Road)

Mr. Hinley brought forth his suggestion to relocate the 911 department and and records storage to this site. *It was moved by Mr. Brown; seconded by Mrs. Robinson to request the State Budget and Control Board to send title to the property. The motion carried.*

F. Vacancy In Auditor's Office

Mr. Hinely pointed out that Council received a copy of a memorandum from Mr. Sprott detailing his research on this matter. He has also discussed this with the Association of Counties and with Representative Coleman. Mr. Hinely met with the individual who is in the office and she indicated she would be willing to try this for a while to see if she could handle it. Mr. Hinely pointed out that as long as a person is designated a deputy, which she was, she continues in that role. The State is going to send someone to assist in this endeavor. Mr. Murphy emphasized that Council is discussing help in the Auditor's office; not the Auditor's position. Mr. Sprott gave Council a summary of his findings.

G. Mr. Hinely brought to Council's attention a letter from the Adjutant General's Office pertaining to eligibility for federal assistance from the ice storm of 2002, noting that Fairfield County is not eligible for any disaster relief from said ice storm.

H. Clerk to Council Shryll Brown made the following observations: County is scheduled to elect officers at the January 13, 2003 meeting. Also, those members of Council who were re-elected to office and the newly elected Council Member is scheduled to take the oath of office. At the January 27th meeting, employees who have reached five through 30 years of service will receive service pins. Board and Commission training is scheduled for February 20, 2003. Many County employees have expressed their appreciation for having received incentives from Council.

I. Vice Chairman Davis expressed his thanks to Council, his family, and the voters of Fairfield County for the confidence placed in him over the past several years. He thanked all who supported him, and voiced that many supporters asked him "what happened." He set forth his opinion of what

happened. Mr. Davis commented that he has morals, principles, and values, which were in tact when he came and ventured to say they are still in tact, if not greater, today. Vice Chairman Davis expressed he was not after political clout or financial gain, and he never stole; never cheated, and never offered himself for purchase or extorted. He stated he was concerned about Fairfield County, and the total Fairfield County needs to be concerned about Fairfield County.

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

