



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JANUARY 9, 2012**

Present: David L. Ferguson, Dwayne Perry, Mary Lynn Kinley, Kamau Marcharia, Carolyn B. Robinson, Mikel Trapp, Council Members; Philip L. Hinely, County Administrator; Davis Anderson, Deputy County Administrator; Jack James, County Attorney; 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-eight individuals.

1. CALL TO ORDER

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

2. INVOCATION

Council Member Kinley led in the invocation.

3. APPROVAL OF MINUTES

It was moved by Council Member Robinson; seconded by Council Member Trapp and Vice Chairman Perry to approve the minutes of the regular meeting of December 12, 2011. The motion carried unanimously.

4. PUBLIC COMMENT

Ms. Felicia Trower spoke to Council on the matter of the Porter rezoning request.

5. COMMITTEE REPORTS

None.

6. OLD BUSINESS

A. Second Reading: Ordinance No. 598 - Request For A Zoning Reclassification From RD (Rural Development) To B-2 (General Business) Of One And Fifteen Hundredths (1.15) Acres, Owned By William B. Hendrix. Applicant Is Porter Gas Service. Portion Of Tax Map No. 080-00-00-061, Located At 241 Road 99, Blair, SC, 29015. *It was moved by Council Member Trapp; seconded by Council Member Robinson to approve Second Reading of Ordinance No. 598. {During discussion, Council Member Marcharia inquired "In the event there is a mishap or something out there—when you are so close to the proximity of a church and fire station, if something actually happened out there catastrophic, does this company have the proper insurance to ensure that this community can be restored to its rightful place? How is the community protected in the event something happens out there? The four million dollars certainly would cover your company in the vent of something catastrophic, but how does that cover the community or any damage to homes?}. Chairman Ferguson called Mr. Porter to the podium to answer the specific questions. Having heard the response coming from Mr. Porter, the motion carried unanimously.*

7. NEW BUSINESS:**A. Approval Of 2012 Calendar Year Meeting Dates**

It was moved by Council Member Trapp; seconded by Council Member Kinley to approve the 2012 Calendar Year Meeting Dates as presented. {During discussion, Council Member Robinson set forth that she had requested the Volunteer Firemen Recognition Banquet be held in April this year, as May is such a busy month. She asked that that Council consider moving the banquet from May 7, 2012 to April 16, 2012 and schedule a budget work session for Thursday, April 12, 2012}. The Council agreed to the suggested change and approved the calendar year meeting dates, with the stated revision. The motion carried unanimously.

B. Resolution: To Authorize The County Administrator And Director Of Fairfield County Transit System To File An Application With The South Carolina Department Of Transportation (SCDOT), On Behalf Of The Fairfield County Transit System. *It was moved by Council Member Trapp; seconded by Council Members Kinley to approve the Resolution referenced above. The motion carried unanimously.*

C. Appointments/Reappointment To Boards And Commissions

It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the Appointments and Reappointments to the Midlands Workforce Development Board as presented. The motion carried 5-1. {Council Member Robinson voted nay}.

D. First Reading (By Title Only): Ordinance No. 599 - An Ordinance To Provide For The Proper Administration, Supervision, Setting And Usage, As The Case May Be, Of Riparian Rights For The Bodies Of Public Waters Located Within The Confines Of Fairfield County, And Other Related Matters. *It was moved by Council Member Robinson; seconded by Council Member Trapp to approve First Reading (By Title Only) of Ordinance No. 599. The motion carried unanimously.*

E. First Reading (By Title Only): Ordinance No. 600 - An Ordinance Of Fairfield County, South Carolina Adopting The 2009 Edition Of The International Property Maintenance Code, Regulating And Governing The Conditions And Maintenance Of All Property, Buildings And Structures; By Providing The Standards For Supplied Utilities And Facilities And Other Physical Things And Conditions Essential To Ensure That Structures Are Safe, Sanitary And Fit For Occupation And Use; And The Condemnation Of Buildings And Structures Unfit For Human Occupancy And Use, And The Demolition Of Such Existing Structures In The Unincorporated Area Of Fairfield County; Providing For The Issuance Of Permits And Collection Of Fees Therefore; Repealing All Other Ordinances And Parts Of Ordinances In Conflict Therewith. *It was moved by Council Member Robinson; seconded by Council Member Trapp to approve First Reading (By Title Only) of Ordinance No. 600. The motion carried unanimously.*

F. First Reading (By Title Only): Ordinance No. 601 - An Ordinance Of Fairfield County, South Carolina Adopting The 2006 Edition Of The International Existing Building Code, Regulating And Governing The Repair, Alteration, Change Of Occupancy, Addition And Relocation Of Existing Buildings, Including Historic Buildings, In The Unincorporated Area Of Fairfield County; Providing For The Issuance Of Permits And Collection Of Fees Therefore; Repealing All Other Ordinances And Parts Of Ordinances In Conflict Therewith. *It was moved by Council Member Robinson; seconded by Council Member Kinley to approve First Reading (By Title Only) of Ordinance No. 601. The motion carried unanimously.*

G. First Reading (By Title Only): Ordinance No. 602 - An Ordinance Authorizing A New Simplified Fee In-Lieu Of Property Tax Arrangement Pursuant To A Fee Agreement Between Lang-Mekra North America, Llc ("Company") And Fairfield County, South Carolina ("County"); The Transfer Of Property Subject To An Existing Sale-Leaseback Fee-In-Lieu Of Property Tax Arrangement Between The Company And The County To The New Simplified Fee-In-Lieu Of Property Tax Arrangement Between The Company And The County; The Cancellation Of The Lease Agreement, Memorandum Of Lease Agreement, And Inducement Agreement, As Amended, For The Existing Sale-Leaseback Fee-In-Lieu Of Property Tax Arrangement; The Addition Of Lang-Mekra North America Properties, Llc As A Sponsor Affiliate To The New Simplified Fee In Lieu Of Property Tax Arrangement; Authorizing And Providing The Prior Consent And Approval Of The County To The Transfer Of Economic Development Property From The Company To Lang-Mekra North America Properties, Llc; And Other Matters Relating To The Foregoing. *It was moved by Council Member Robinson; seconded by Council Member Trapp to approve First Reading (By Title Only) of Ordinance No. 602. The motion carried unanimously.*

H. First Reading (By Title Only): Ordinance No. 603 - An Ordinance Authorizing The Addition Of Lang-Mekra North America Properties, Llc As A Sponsor Affiliate To The Existing Fee In Lieu Of Property Tax Arrangement Between Lang-Mekra North America, Llc ("Company") And Fairfield County, South Carolina ("County"); Authorizing And Providing The Prior Consent And Approval Of The County To The Transfer Of Economic Development Property From The Company To Lang-Mekra North America Properties, Llc; And Other Matters Relating To The Foregoing. *It was moved by Council Member Robinson; seconded by Council Member Trapp and Vice Chairman Perry to approve First Reading (By Title Only) of Ordinance No. 603. The motion carried unanimously.*

8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

- a. Mrs. Harrison and Mr. Anderson gave a presentation of the 2011 accomplishments.
- b. Mr. Jake Gaston gave a report on the glass recycling program and wood chipping program.

9. CLERK TO COUNCIL'S REPORT

- a. Ribbon cutting for upgraded recycling centers: January 29 (Lake Wateree); February 5 (Blair).
- b. Asked Council for consensus to conduct Boards and Commissions Training.

10. BOARD AND COMMISSION MINUTES

Provided as information.

11. INFORMATIONAL ITEMS

Provided as information.

12. COUNTY COUNCIL TIME

Trapp: Thanked Mr. Hinely, Mr. Anderson and Public Works department for the improvements at the Blair Recycling Center.

Marcharia: Inquired if he could review documents that were asked of the gentleman who wanted to operate the nursing center or health center on Greenbrier/Mossydale Road.

Mr. Hinely was asked to research State mandates regarding this matter and also to contact DOT regarding caution signs at Greenbrier/Mossydale.

Robinson: Thanked Mr. Hinely, Mr. Anderson and Public Works department for the improvements at the Lake Wateree Recycling Center. Inquired about the status of the new district maps.

13. EXECUTIVE SESSION

At 7:00 P.M., it was moved by Council Member Brown; seconded by Council Member Robinson; seconded by Council Member Marcharia to go in executive session for an economic development matter. The motion carried unanimously.

At 8:40 P.M., it was moved by Council Member Trapp; seconded by Council Member Kinley to come out of executive session and return to regular session. The motion carried unanimously.

Chairman Ferguson reported that Council received information.

14. ADJOURN

The meeting was adjourned at 8:40 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN