



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
FEBRUARY 11, 2013**

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

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 sixty-two individuals.

1. CALL TO ORDER

Chairman Ferguson called the meeting to order at 6:00 P.M.

2. INVOCATION

Just prior to the Invocation being given, Council Member Kinley recognized former Council Member, Robert Davis, who was in the audience, and mentioned that he recently lost his mother.

3. APPROVAL OF MINUTES

It was moved by Council Member Trapp and Vice Chairman Perry to approve the minutes of the regular meeting of January 28, 2013. The motion carried unanimously.

PUBLIC HEARING

An Ordinance To Rescind the Fairfield County Uniform Solid Waste Management Ordinance, No. 410, (Also Known As "Litter Control"), Dated July 8, 2002, As Amended, and Replace It In Its Entirety With The 2012 Fairfield County Solid Waste Management Plan Update Dated April, 2012, Which Has Been Updated To Meet The Current South Carolina Department Of Health And Environmental Control (SCDHEC) Regulations And Current Fairfield County Solid Waste Handling Practices. *Chairman Ferguson opened public hearing at 6:05 P.M. No one signed to speak. Subsequently, the Chairman closed public hearing at 6:06 P.M.*

4. PUBLIC COMMENT

None.

5. COMMITTEE REPORTS

None.

6. OLD BUSINESS

A. Second Reading: Ordinance No. 610 – An Ordinance To Rescind the Fairfield County Uniform Solid Waste Management Ordinance, No. 410, (Also Known As "Litter Control"), Dated July 8, 2002, As Amended, and Replace It In Its Entirety With The 2012 Fairfield County Solid Waste Management Plan Update Dated April, 2012, Which Has Been Updated To Meet The Current South Carolina Department Of Health And Environmental Control (SCDHEC) Regulations And Current Fairfield County Solid Waste Handling Practices. It was moved by Council Member Kinley; seconded by Vice Chairman Perry to adopt Second Reading of Ordinance No. 610. During discussion, Council Member Brown voiced that he has a couple of constituents who would like to have this document put on line so they can review it. {Mr. Hinely was asked to ensure that the document would be on line}. The motion carried unanimously.

7. NEW BUSINESS

A. Adoption Of Fairfield County Council 2013 Bylaws

It was moved by Council Member Trapp; seconded by Council Member Kinley to adopt the Fairfield County Council Bylaws.

Chairman Ferguson reminded Council of the previous discussion about one particular section, and asked that Council vote on that section separately. In the old packet, it was listed on page 3, Section b.

{At this point, members of Council gave their viewpoints over removing the committee system.}

Following discussion, Council Member Robinson inquired if this were a time to make a motion to amend the motion.

Council Member Kinley removed her second to the original motion; Council Member Trapp rescinded his original motion.

Council Member Trapp then made a motion; seconded by Council Member Kinley to adopt Section B of the Fairfield County Council 2013 Bylaws. By show of hands, the vote was as follows: In favor of the motion: Trapp, Kinley, Ferguson, Perry; Opposed to the motion: Marcharia, Brown, Robinson.

It was moved by Council Member Trapp; seconded by Vice Chairman Perry to adopt the remainder of the Ordinance.

Council Member Robinson made an amendment to the motion; seconded by Council Member Brown to take these proposals {we discussed the other night Robert's Rules}-- would like to add to these rules that in the absence of anything else, Robert's Rules would be successive and take over; the second part to that is that the Chair will only serve a {single} two year term, beginning 2015 (not serving four years consecutively).

Chairman Ferguson asked Mr. Hinely if he would have Mr. James come to the podium. Attorney James was asked to respond to the question of who actually controls the meeting of the Council. Subsequently, the Clerk to Council was asked to read a ruling that the Council already has as far as how the Council will be governed.

By show of hands, the vote on the amendment to the motion was as follows: In favor of the motion: Brown, Robinson; Opposed to the motion: Trapp, Marcharia, Ferguson, Perry, Kinley.

By show of hands, the vote on the main motion {to adopt the remainder of the Ordinance} was as follows: In favor of the motion: Trapp, Marcharia, Ferguson, Perry, Kinley; Opposed to the motion: Brown, Robinson.

B. Fairfield County Council 2013-2014 Ex-Officio Board And Commission Appointments

It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the Fairfield County Council 2013-2014 Ex-Officio Board and Commission Appointments. The motion carried unanimously.

8. COUNTY ADMINISTRATOR'S REPORT:

A. Deputy Administrator Davis Anderson distributed information coming from a representative of the Department of Employment and Workforce as it relates to the reorganization of that Department.

9. CLERK TO COUNCIL'S REPORT

A. Special Meeting, Monday, February 18, 2013, 6:00 P.M., for the purpose of public hearing and second reading of three (3) rezoning ordinances.

10. BOARD AND COMMISSION MINUTES

Provided as information.

11. INFORMATIONAL ITEMS

Provided as information.

12. COUNTY COUNCIL TIME

Kinley: Mentioned the ribbon cutting of the new Board of Disabilities and Special Needs' facility was scheduled for Tuesday, February 26, 2013, 11:00 A.M.

Perry: Commented on the Solid Waste Legislative Alert concerning House Bill H3290.

Robinson: Mentioned when she saw this come down, she gave Public Works a call and Mr. Gaston informed her that he was going to the public hearing that was being held.

13. EXECUTIVE SESSION

At 7:05 P.M., it was moved by Council Member Marcharia; seconded by Vice Chairman Perry and Council Member Kinley to go in executive session to receive legal advice. The motion carried unanimously.

At 7:40 P.M., it was moved by Council Member Marcharia; seconded by Council Member Kinley to come out of executive session and return to open session. The motion carried unanimously.

Chairman Ferguson reported that Council received information in executive session. Mr. Hinley received some letters that have been signed by Council that need to be sent out.

14. ADJOURN

The meeting was adjourned at 7:41 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN