



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

Present: David L. Ferguson, Sr., R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; J. Milton Pope, 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 ninety-six other individuals.

1. CALL TO ORDER

Chairman Ferguson called the meeting to order at 6:01 P.M.

2. APPROVAL OF AGENDA

*It was moved by Council Member Trapp; seconded by Council Member Kinley to approve the agenda. **The motion carried unanimously.***

3. INVOCATION

Council Member Kinley led in the Invocation.

At this point, Mr. Pope requested Council's unanimous consent to make the following adjustments to the agenda, under the County Administrator's Report: (1) Legal Settlement Update; (2) Report on a Federal Flood Map Revision Potential Contract.

*It was moved by Council Member Brown; seconded by Council Member Kinley to approve the agenda, with the unanimous consent to add the two items as requested by Mr. Pope. **The motion carried unanimously.***

4. APPROVAL OF MINUTES

*It was moved by Council Member Robinson; seconded by Vice Chairman Perry to approve the minutes of the Regular Meeting of February 10, 2014. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

Mr. John Henderson, SCAC Workers Compensation & Property And Liability Insurance Trusts, was not present.

Ms. Jayne Scarborough, Executive Director, Olde English District Tourism Commission, presented a plaque to Ms. Pelham Lyles, in recognition of her being named 2014 South Carolina Hospitality Employee of the Year.

Ms. Denise Jones, Chairman, Fairfield County Chamber of Commerce, read a letter on behalf of Governor Nikki Haley, recognizing and congratulating Ms. Lyles also.

6. PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED

The following individuals signed to speak:

- Ms. Beth Jenkins – Invocation And Legal Advice
- Mr. William Coleman – County Council Time

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS:

A. First Reading (By Title Only): Ordinance No. 624 – 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 Robinson; seconded by Council Member Trapp to approve First Reading (By Title Only) of Ordinance No. 624.* Mr. Pope was asked to expound on the concept of Multi-County Industrial Park Agreements. ***The motion carried unanimously.***

9. BOARDS AND COMMISSIONS MINUTES

Provided as information.

10. BOARDS AND COMMISSIONS APPOINTMENTS

*It was moved by Council Member Trapp; seconded by Council Member Kinley to approve the Appointment Ratification as presented for the Fairfield County Behavioral Health Services Board. **The motion carried unanimously.***

*It was moved by Vice Chairman Perry; seconded by Council Member Kinley to approve the Appointment Ratification as presented for the Fairfield County Rural Fire Commission. **The motion carried unanimously.***

*It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the Appointment Ratification as presented for the Fairfield County Planning Commission. **The motion carried unanimously.***

*It was moved by Council Member Brown; seconded by Council Member Trapp to approve the Appointment Ratification as presented for the Fairfield County Zoning Board of Appeals. **The motion carried unanimously.***

The Clerk announced the following appointments: Behavioral Health Services Board: Ms. Virginia Schafer (representing District 6); Rural Fire Commission: Mr. Charlie Tillman (Feasterville VFD); Planning Commission: Ms. Lani Horton (representing District 3); Zoning Board of Appeals: Mr. Dwight Cooper (representing District 5; Ms. Polly Phillips representing District 6).

11. OLD BUSINESS

None.

12. NEW BUSINESS**A. Naming Of Industrial Park Road**

Mr. Pope set forth that typically, the naming of roads go to the Planning Commission for a recommendation to County Council; however, since Council has formed and established the Industrial Park, Council is being asked for their consideration to naming the road and that information would be sent to the Planning Commission for review and back to Council to approval. The suggested names of: Pinnacle Point, Summit Parkway, Buena Vista Drive, Meridian Parkway and Commerce Parkway were submitted to Council electronically.

Chairman Ferguson offered that, in order to give Council more time to review this matter and to come up with additional names if desired, it would be more appropriate to bring this matter back on the agenda for March 10, 2014.

B. Highway 34 @ Highway 21 Interchange, Ridgeway, South Carolina

Mr. Pope reported that information was previously distributed to the Council from SCDOT as it relates to a project that had been brought years ago for consideration. He cited the funding for this project was researched through the Central Midlands Council of Governments.

Chairman Ferguson set forth that Council Member Brown is the chairman of the Rural Transportation Committee with the COG, and indicated this matter should be cleared with that committee. *It was moved by Council Member Brown; seconded by Vice Chairman Perry that Council forego the Interchange at this time, allowing it to be brought before the COG Rural Transportation Committee on Thursday to ascertain if an alternative might be available. **The motion carried unanimously.***

13. COUNTY ADMINISTRATOR'S REPORT:

A. County Spotlight: Public Works Department – Mr. Jake Gaston

B. Revision To 2014 Calendar Year Meeting Dates: Change From April 21, 2014 To May 9, 2014 For Firemen Appreciation

Mr. Pope submitted to Council a revision to the printed 2014 Calendar Year Meeting Dates for the Firemen Appreciation to be changed from April 21, 2014 to May 9, 2014.

C. Recommendations From Ad Hoc Committee Regarding Courthouse Temporary Relocation Project

Mr. Pope stated the committee met February 20, 2014. Dollars are budgeted for significant renovations that need to occur at the Courthouse. Staff has information from the engineers; the committee reviewed the information and was informed of the major challenges with the project, and in order to facilitate the remodeling, a moving of the Courthouse staff needs to take place. Committee tasked staff with securing additional information, additional property locations, and then come back to the committee to make a final recommendation on to full Council.

D. Drawdy Park Update

Mr. Pope reported that on Wednesday, the last bit of information will be in. The recommendation made by staff and that which was added by Council, the County will be employing an engineering firm to review information gathered from S² and looking at the construction, reasons for the failure, as well as the remedy for the fix. Through Procurement, companies have been solicited to assist from the County's standpoint. Once that group is brought on board, the review of what was asked by Council will be performed.

E. Budget Update

Mr. Pope set forth that staff has begun budget meetings with departments and outside agencies. Staff is looking at the last several months of this year to ascertain if there are any anomalies with the departments or issues that need to be addressed. Reviewing each department's budget to ascertain where they are percentage-wise; reviewing budget requests to determine what the needs are for each department. Budget work sessions are scheduled accordingly.

F. Detention Center Control Panel Update

Mr. Pope asked that this matter be deferred until the March 10, 2014 Council Meeting. He added that Council had previously approved this item; however, staff needs to discuss some additional information prior to bringing it back to Council.

G. Center Creek Listing Agreement

The Economic Development Department made a recommendation to full Council to offer for public sale the 405 acres of property that the County purchased in 2002. As a part of that motion, Council directed the staff to move forward and publicly market that property. Mr. Pope recommended, in order to expedite that process, to hopefully have some information back by the budget process, is to renew the agreement with the same agent that was procured on the property. *It was moved by Council Member Marcharia; seconded by Council Member Trapp to authorize the Administrator to proceed with renewal of the agreement with the same agent. The motion carried 6-1. {Council Member Brown abstained from voting}.*

H. Approval of Contractor to Install Wastewater Infrastructure to Serve Fairfield Commerce Center and the Walter Brown II Speculative Building

Mr. Pope pointed out that this is one of the items that staff is requesting an executive session on. Council has already approved staff to move forward with the construction of wastewater infrastructure to serve the Fairfield Commerce Center and the Walter Brown II Speculative Building; however, there is an issue with the vendor that needs to be discussed with the Council. This will be reported out in open session following executive session.

I. Legal Update

Mr. Pope stated this is another item that was added to the agenda under his report, and that staff is requesting that it be heard in executive session. This matter is regarding a legal settlement as it relates to assessment of property. This will be reported out in open session following executive session.

J. Federal Flood Insurance Program

Mr. Pope reported Council members made mention several of some constituents regarding insurance premium information after the federal flood maps were readopted in 2011. Based on the adoption of the flood maps, communities are having challenges with the new maps, as some citizens are receiving premiums from their insurance carriers that are having extensive and significant increases on their premiums. Mr. Pope outlined that he met with citizens this past week regarding this information, and that the citizens are very informed about what is going on in their community. This is actually a county-wide issue that needs to be addressed. Suggesting that the infrastructure in the County be looked at, and that the approval process through Planning and Zoning is in place to ensure all the necessary regulations are in place. This is also a National issue, where legislation is going through the federal government. Trying to get our representative from this area to assist with this initiative. Suggesting bringing back an agreement to facilitate that with.

Mr. Pope was asked to prepare some documentation to place in the package being presented to Congressman Mulvaney and to Senator Graham during the Capitol Hill visits, and also to request a proposal from Ms. Lisa Jones, who is a flood plain expert.

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 following individuals signed to speak:

- Ms. Selwyn Turner – Discretionary Fund
- Ms. Beth Jenkins – Hilton Head Policy And Criminal Backgrounds
- Ms. Kerry Matthews – District 3 Concerns
- Mr. John Smalls – Small Business Development Corporation
- Mr. Jeff Schaffer – Problems
- Mr. Bruce Wadsworth – Recreation
- Mr. Randy Bright – Wellness

16. COUNTY COUNCIL TIME

Perry:

> Addressed Ms. Jenkins regarding the comments she made about Hilton Head meetings.

Marcharia:

> Commented on the matter of laying off people at V. C. Summer Nuclear Plant. Inquired if there were anyone, administratively, communicating with the people in their department to ascertain why this is occurring.

> Inquired about the requirements to sell alcohol on Sunday.

> Commented on the reports he has received about dilapidated churches in the County, and inquired if the County's Code Enforcement officers are approaching this issue and if they have any right to enforce anything.

> Commented that he has received information that two bills have been submitted to change the districts lines of the School Board Members of Fairfield County.

> Voiced that he is tired of the "cretin" activity that is going on, and tired of being called names, being insulted, lied upon, and how individuals have made comments about water and giving the impression to people that citizens cannot get fire protection and water.

> Gave definition of hypocrite, and indicated he has been called a hypocrite and told or suggested that he should dare pray to his Lord and Savior Jesus Christ, and if so, it better be done in silence.

Trapp:

> Addressed Ms. Matthews regarding the comments she made about the graduation gifts.

> Addressed Mr. Coleman regarding the comments he (Coleman) made about contribution to his (Trapp) campaign.

> Commented on the race card. Voiced he has been called the "N" word on more than one occasion by members of the group. Stated individuals have called his employment to try to get him terminated.

> Voiced that if anyone is trying to get him to resign, it is not going to happen, and that he feels confident in the people he supports. Stated he is available to his constituents and that he is approachable.

17. EXECUTIVE SESSION

*At 7:59 p.m., it was moved by Council Member Trapp; seconded by Council Member Marcharia and Vice Chairman Perry to go in executive session for a potential real estate contract and an update on a legal settlement. **The motion carried unanimously.***

{At 8:03 p.m., Chairman Ferguson stated that Mr. Pope had inadvertently overlooked one item that he needed Council to consider in executive session, and asked Council to return to regular session to receive that information}

*It was moved by Council Member Marcharia; seconded by Council Member Kinley to return to open session. **The motion carried unanimously.***

In open session, Mr. Pope brought forward Item H under his report, Approval of Contractor to Install Wastewater Infrastructure to Serve Fairfield Commerce Center and the Walter Brown II Speculative Building. Mr. Pope stated Council would need to discuss this potential contract in executive session.

In open session, Council Member Marcharia offered a correction to the statement he made previously about the drawing of the district lines for the School Board.

*At 8:03 p.m., it was moved by Council Member Robinson; seconded by Vice Chairman Perry to go in executive session for the executive session matters stated above. **The motion carried unanimously.***

*At 9:00 p.m., it was moved by Council Member Robinson; seconded by Council Member Marcharia to come out of executive session and return to open session. **The motion carried unanimously.***

*In open session, it was moved by Vice Chairman Perry; seconded by Council Member Robinson that Council consider Upstate Grading and Engineering a non-responsive bidder, and therefore, ineligible to proceed with the project as it relates to the wastewater line to serve Fairfield Commerce Center. **The motion carried unanimously.***

*It was moved by Vice Chairman Perry; seconded by Council Member Kinley that Council award a contract to Richardson Construction in the amount of \$1,084,275.00 for the wastewater line to serve Fairfield Commerce Center. **The motion carried unanimously.***

18. ADJOURN

The meeting was adjourned at 9:03 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN