



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
MARCH 14, 2016**

**Present:** Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia, Marion B. Robinson, Dan W. Ruff, Billy Smith, Walter Larry Stewart, Council Members; J. Milton Pope, County Administrator; Davis Anderson, Deputy County Administrator; Shryll M. Brown, Clerk to Council; Jack James, County Attorney

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 one hundred sixteen other individuals.

**1. CALL TO ORDER**

Chairman Robinson called the meeting to order at 6:02 P.M.

**2. APPROVAL OF AGENDA**

Mr. Pope requested Council's consideration of adding an economic development update, which was referred by the committee that met earlier this afternoon, to the agenda under executive session. *It was moved by Council Member Ruff and Vice Chairman Marcharia; seconded by Council Member Robinson to approve amending the agenda by adding an economic development matter in executive session to the agenda. **The motion carried unanimously.***

*It was moved by Council Member Kinley; seconded by Council Member Ruff to approve the agenda, with the amendment as outlined. **The motion carried unanimously.***

**3. INVOCATION**

Council Member Ruff led in the Invocation.

**4. APPROVAL OF MINUTES**

*It was moved by Council Member Robinson; seconded by Council Member Kinley to approve the minutes of the Regular Meeting of February 15, 2016, Special Meeting of February 17, 2016, Special Meeting of February 25, 2016 and Special Meeting of March 9, 2016. **The motion carried unanimously.***

**5. PUBLIC PRESENTATIONS**

The Richard Winn Academy Girls Basketball Team was recognized as the Regional Champions.

**6. 1<sup>ST</sup> PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.**

Ms. Deborah Rochelle, Mrs. Minge Wiseman, Ms. Kathy Faulk, Ms. Paula Spinale, Ms. Doris Macomsom - Animal Control Ordinance

Mr. Bob Carrison - Ordinance No. 661

## 7. PUBLIC HEARING

- An Ordinance Authorizing The Acceptance Of The Transfer Of Authority For Conducting Municipal Elections In The Town Of Jenkinsville To The Fairfield County Voter Registration And Election Commission; To Define The Powers, Duties, And Responsibilities Assumed By The Fairfield County Voter Registration And Election Commission For The Conduct Of Municipal Elections In The Town Of Jenkinsville; To Provide For Reimbursement Of All Cost And Expenses Incurred By The Fairfield County Voter Registration And Election Commission In The Conduct Of Such Municipal Elections; And To Provide For Other Matters Relating Thereto. *Chairman Robinson opened public hearing at 6:33 P.M. No one signed to speak during public hearing. Chairman Robinson closed public hearing at 6:35 P.M.*
  
- Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately 5.04 Acres Of Real Property Located On Camp Welfare and Wateree Roads (In The Amount Of \$45,000.00), Tax Map Parcel Number 042-00-00-044-000, To Be Used For Recreational Purposes. *Chairman Robinson opened public hearing at 6:35 P.M. No one signed to speak during public hearing. Chairman Robinson closed public hearing at 6:36 P.M.*

## 8. ORDINANCES, RESOLUTIONS AND ORDERS

**A. Third And Final Reading: Ordinance No. 660** - An Ordinance Authorizing The Acceptance Of The Transfer Of Authority For Conducting Municipal Elections In The Town Of Jenkinsville To The Fairfield County Voter Registration And Election Commission; To Define The Powers, Duties, And Responsibilities Assumed By The Fairfield County Voter Registration And Election Commission For The Conduct Of Municipal Elections In The Town Of Jenkinsville; To Provide For Reimbursement Of All Cost And Expenses Incurred By The Fairfield County Voter Registration And Election Commission In The Conduct Of Such Municipal Elections; And To Provide For Other Matters Relating Thereto. *It was moved by Vice Chairman Marcharia; seconded by Council Member Smith to approve Third and Final Reading of Ordinance No. 660. **The motion carried unanimously.***

**B. Second Reading: Ordinance No. 661** - To Establish An Amended Operating And Capital Budget (In The Amount Of \$200,000.00), For The Operation Of The County Government Of Fairfield County For The Fiscal Year Commencing July 1, 2015; To Provide For The Levy Of Taxes For Fairfield County For The Fiscal Year Commencing July 1, 2015; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Provide For Certain Fiscal And Other Matters Relating To County Government. *It was moved by Vice Chairman Marcharia; seconded by Council Member Smith to approve Second Reading of Ordinance No. 661. During discussion, Mr. Pope asked to give a brief explanation of this reading, saying anytime Council decides to consider additional funding outside of its adopted budget, Council has to perform a budget amendment to that out of transparency to the process. He stated this request came about per the request from Fairfield Memorial Hospital to County Council, and is not a request because the County has overspent any line item in its budget. This, he said, is a reflection of the Hospital's request to the Council where, one meeting ago, a reading was held by title only to get the process moving forward, and the number \$200,000.00 was placed in, which is not all of the dollars that the Hospital has requested of the Council. Council is in communication with the Hospital Board to consider funding opportunities for the Hospital, and if it wants to decide to provide funding to the Hospital. This is the process that must be followed if Council wants to amend its adopted budget. **The motion carried unanimously.***

**C. Second Reading: Ordinance No. 662** - Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately 5.04 Acres Of Real Property Located On Camp Welfare and Wateree Roads (In The Amount Of \$45,000.00), Tax Map Parcel Number 042-00-00-044-000, To Be Used For Recreational Purposes. *It was moved by Council Member Smith; seconded by Vice Chairman Marcharia to approve Second Reading of Ordinance No. 662. **The motion carried unanimously.***

**9. BOARD AND COMMISSION MINUTES**

Provided as information.

**10. BOARD AND COMMISSION APPOINTMENTS**

**A. Fairfield County Council on Aging Board.** *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve the Reappointment Ratification as presented for the Fairfield County Council on Aging Board. **The motion carried unanimously.*** The Clerk announced the following reappointment: Mr. Frank McKinney (representing District 5).

**11. OLD BUSINESS**

**A. Animal Control Ordinance.** Mr. Pope set forth that Council has in its packet where Council left off last time in regard to the Ordinance. The specific draft before Council on the restraining and confinement areas, staff was asked to look at the language out of the York County Ordinance, Section 55.19, Restraint Requirements. What was left in the Fairfield County Ordinance from the last discussion was having a length of the tether or restraint. From what Council has heard publicly today, Council can take that into consideration and staff can add that in if Council wants to consider it or revise it. *It was moved by Council Member Kinley; seconded by Vice Chairman Marcharia for discussion.* Council Member Kinley inquired if she could ask Ms. Macomsom a question regarding the State "no-chain" law. Council Member Ruff pointed out that since he made some of the recommended changes and in hearing what has been said, he would suggest that this be tabled and referred back to committee. He also asked if it would be appropriate to ask the Hoof and Paw group to meet with the committee. Chairman Robinson clarified that they can have notice of the meeting and anyone can attend. *Council Member Kinley withdrew the motion on the floor; Vice Chairman Marcharia withdrew the second to the motion.*

*It was moved by Council Member Ruff; seconded by Council Member Smith to refer this matter to committee for further study.* During discussion, Council Member Robinson asked if York County has not changed the law that required them to be on a run--ten feet in any direction. **The motion carried unanimously.**

**B. Noise Ordinance.** Mr. Pope reported that a draft document has been placed at Council's desks, and that this item was deferred until this particular meeting where Council can look at some potential changes, possibly looking at the original Ordinance. Council Member Robinson had sent an email out to Council that goes back to the original Ordinance with the decibel levels in it, based upon what the Sheriff desired. Council Member Smith may have some additional information to provide. *It was moved by Council Member Smith; seconded by Vice Chairman Marcharia for discussion.* During discussion, Council Member Robinson pointed out that his recommendation is, based on what the Sheriff has said, it was nothing wrong with the County's original Ordinance, as long as it had the decibel levels in it and how the noise would be measured and the definitions. He set forth that the committee did an outstanding job trying to write a very detailed

Ordinance, which ended up with a lot of exceptions and exemptions in it. He stated he is recommending that Council go back to the original Ordinance and put all of the definitions and decibel information into the original Ordinance. Council Member Kinley voiced her agreement with Council Member Robinson's recommendation. *It was moved by Council Member Smith; seconded by Council Member Robinson to amend the motion and to request that this matter be placed on the next agenda under the Ordinances section. **The amendment to the motion carried unanimously. The main motion carried unanimously.***

## 12. NEW BUSINESS

None.

## 13. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

**A. Innovative Plastics Recycling, LLC Request To Lease Property.** Mr. Davis Anderson reported on February 2, 2016, Innovative Plastics had a safety issue at 30 Commerce Boulevard where their products and vehicles were parked in the right-of-way and road area. The company does not have enough room for his inventory, and is requesting permission from Administration to work with him on a lease for approximately four (4) acres of property behind the building. *It was moved by Council Member Smith; seconded by Council Member Kinley to allow the Administrator to negotiate terms of a lease agreement with Innovative Plastics Recycling, LLC on the property in question. **The motion carried unanimously.***

**B. Fairfield Memorial Hospital Funding Request.** Addressed at the last meeting publicly what some of the Hospital's requests were regarding their CT machine, pass through amounts and yearly maintenance, and on the MRI machine as well as other items. Have a contractual discussion scheduled for executive session and the Council can decide what, if anything, it decides to report out at that time.

**C. Budget Calendar.** Reminded Council of the first budget worksession that is quickly approaching. Staff has been working diligently on the budget process. Have met with all department directors and outside funding sources and preparing the recommended budget for FY 2016-2017 budget year, based upon Council's directive from the planning session as to what is expected within the recommended budgeted. The first budget work session is scheduled for April 12, 2016 and First Reading (By Title Only) is April 11, 2016. Staff will be providing budget materials and other information to Council.

**D. Strategic Plan Update.** Emailed to Council. Everything is still on schedule. Another group of workshops that are planned near the first part of April. Strategic planning staff is working on a lot of the data. There was a lot of positive information at the public work session meetings; some people were very open and honest to some things as to what Council should look at in the Strategic Plan. All of that information will be coming b back to Council for final determination around the June timeframe. Part of this is the Economic Development Plan itself. Ms. Morphis met with Economic Development committee and the information was sent to full Council. Anticipate within the next 2-3 weeks, that information will be complete as well and will be provided to TY Lin to complete that component of the overall county-wide Strategic Plan.

**E. Local Government Fund Update.** State of South Carolina had a budget surplus and was a major debate regarding how the State was going to be able to fund the repair of roads in the State. The Senate decided to take dollars from the existing State budget to accomplish that. The House appeared to have a different approach. There has not been a single dime appropriated to local governments for the Local Government Fund. The

Association of Counties staff continues to hammer this issue. If the State were to fund that, it helps the County to fund the needs and actually keep taxes lower. The County reached out to the Delegation, and Representative Douglas said she would support the County in all efforts on the House side through the Ways and Means Bill to try to fully fund that based upon the formula.

**F. Recreation And Public Safety Project Update.** The projects that the Council signed off on are underway. Major construction at the Ridgeway Fire Station. The site has been graded; fill dirt brought in and foundation poured. Council approved the replacement of the manufactured unit with a modular unit at Belton Park. Seeking bid information to sign off on that. The Jenkinsville/Monticello/Overlook site is underway. The steel frame is up. Location for the recreational park has been sited. Looking for the finalized plans. Mr. Anderson gave a visual presentation of some of the work going on.

**G. Plantation Pointe (Potential Contractual Matter)**

**H. Molly Creek And Martins Bridge (Contractual Matter)**

**I. Winnsboro Crushed Stone LLC (Legal Update)**

**14. CLERK TO COUNCIL'S REPORT**

None.

**15. 2<sup>ND</sup> 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 TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.**

- Ms. Susie Doscher - Hospital Telemedicine
- Mr. Jeff Schaffer - Recreation Center
- Mrs. Bertha Goins - Truth--Not Attack
- Mr. Virgil Porter - Economic Development/Finance

**16. COUNTY COUNCIL TIME**

Extended condolences to Mrs. Brown and her family and also to the family of Mr. James Vanderhall.

**17. EXECUTIVE SESSION**

*At 7:25 P.M., it was moved by Vice Chairman Marcharia and Council Member Kinley; seconded by Council Member Ruff to go in executive session to discuss two possible litigation matters: solid waste and storm water; contractual matters regarding the Hospital, Plantation Pointe and Molly Creek and Martins Bridge; a legal update regarding Winnsboro Crushed Stone; a personnel matter regarding the County Administrator and a possible economic development matter. **The motion carried unanimously.***

*A motion was made and properly seconded to come out of executive session and return to open session. **The motion carried unanimously.***

{The Clerk was dismissed during Executive Session and was not present when Council returned to regular session. In her absence, Mr. Davis Anderson hand recorded the following motions that were made by Council}:

1. Motion to give Administrator authority to seek legal counsel for economic development matter. **Unanimous approval.**
2. Motion to give Administrator authority to seek legal counsel for a potential legal action. **Unanimous approval.**
3. Motion to release budgeted funds in the amount of \$366,750.54 to Fairfield Memorial Hospital as soon as possible. **Unanimous approval.**

**18. ADJOURN**

The meeting was adjourned, upon the unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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CAROLYN B. ROBINSON  
CHAIRMAN