



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
MARCH 23, 2015**

Present: Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia (arrived 6:20 P.M.), 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 ninety-five other individuals.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

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

{Chairman Robinson announced that Vice Chairman Marcharia had an appointment this afternoon and will arrive shortly}.

3. INVOCATION

Council Member Smith led in the invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Robinson; seconded by Council Member Ruff to approve the minutes of the Regular Meeting of March 9, 2015. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

Mr. Terry Killian introduced the Fairfield County Recreation 12 Year And Under Girls and 10 Year And Under Boys Central District Runner Ups. They each received a trophy for their accomplishments.

6. 1ST 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.

The following individual signed to speak:

- Mr. Randy Bright - Bylaws/Speaking Of Speech
- Mr. Walter Bierer - Plantation Pointe

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

None.

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS**A. Board of Assessment Appeals**

*It was moved by Council Member Ruff; seconded by Council Member Smith to approve the Appointment Ratification as presented for the Board of Assessment Appeals. **The motion carried unanimously.*** The Clerk announced the following appointments: Mr. Kevin S. Thomas (representing District 7); Mr. John Robertson (representing District 1)

11. OLD BUSINESS**A. County Council Bylaws**

Chairman Robinson set forth that the Council has had the County Council bylaws before them. The main discussion tonight was relative to the Inaugural Meeting and the Organizational Meeting. Attorney Jack James was asked to give a summation of how the bylaws are currently delineated during the Inaugural Meeting and the initial meeting where the officers of the Council are elected, and gave his findings of what a temporary presiding officer can do.

Chairman Robinson stated the following information was presented: The "senior" member shall preside. She indicated this could be ambiguous, as it could be the oldest person or it can be the one with the most seniority. She asked Council to consider adopting: *"the Council Member with the most seniority"*, which would solve that issue.

It was moved by Chairman Robinson; seconded by Council Member Smith to adopt the following language for the Council Member to preside at the Inaugural Meeting and at the Organizational Meeting: "The Council Member with the greatest seniority" shall preside..."
The motion carried unanimously.

12. NEW BUSINESS

None

13. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

A. Presentation: Mrs. Tonya Jones, WIA Director, gave a PowerPoint presentation on the WIA Transition.

B. Request Of Action: Approval For Public Works Motor Grader. Staff brought to the Administration and Finance Committee a request for replacement of a 2003 Volvo Motor grader. The equipment is used for maintaining Fairfield County roads and projects. The current Motor Grader has approximately 7200 hours on it. If approved, the existing Motor Grader will be sold at one of the County auctions. The financial impact, which was budgeted, is \$153,799.00. The recommendation from the committee was unanimous on this item. Staff is requesting Council approval to move forward with purchase of this item. *It was moved by Council Member Kinley; seconded by Council Member Robinson to approve the Request of Action for the Public Works Motor Grader.*

{Council Member Smith requested of Mr. Pope, that as he goes through the list of items, to advise Council if they were included in the budget and also how these are set up, i.e., bids, State contract, etc.}. Mr. Pope added that this item was budgeted in the FY 2014-2015 budget, and was under State contract. ***The motion carried unanimously.***

Chairman Robinson set forth that Items B-H were all presently in the budget for FY 2014-2015, and unless the Administrator denotes otherwise, they all are under State contract.

Council Member Stewart inquired about State Contract, asking if every one of those that are sold in the State at that same price.

C. Request Of Action: Purchase Of Solid Waste Roll-Off Containers. These containers are used for trash disposal and recycling. These rust over time; the ones that are repairable are done so. Replacing three (3) 20-yard containers; three (3) forty-yard containers and two (2) ten-yard containers. The financial impact is \$35,000.00. the ones that are no longer usable is used in scrap, and the County receives dollars for those. This item was unanimously recommended for approval by the committee. It was a budgeted item. *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve the Request of Action for the Purchase of Solid Waste Roll-Off Containers. The motion carried unanimously.*

D. Request Of Action: Planning, Building And Zoning Department. Had a change in this particular one at the committee level. The request that is before Council is to replace a 2003 Chevy Blazer 4x4 that currently has over 150,000 miles; a 2008 Jeep Liberty 4x4 that has over 200,000 miles and a 2001 Crown Victoria that has over 200,000 miles as well. Staff is recommending to go to two (2) Chevrolet Colorados with the price of \$21,038.00 plus tax each. The original request was for a 2015 Chevrolet Tahoe; however, at the committee level, staff did additional work and thought that a full size 4x4 pick up would be of better use. The total cost, instead of \$74,000.00, is \$69,238.00. All of these were State contract prices. This was recommended unanimously by the committee. *It was moved by Council Member Kinley; seconded by Council Member Smith to approve the Request of Action for the Vehicles for the Planning, Building and Zoning Department.*

{Council Member Robinson inquired if the local dealer was given this opportunity}.

*{Vice Chairman Marcharia inquired if the Code Enforcement staff will be driving these vehicles}? **The motion carried unanimously.***

E. Request Of Action: Landscaping Maintenance Contract. This has been a privatized service in the past. Currently, the landscaping contract with the particular vendor had been fulfilled on a month-to-month contract. It was budgeted annually for \$56,136.00. The lowest responsive bid was from Asbury Landscaping, which was significantly less than the next bid. Staff recognized that and actually called the vendor in to ask questions and did research with other companies they did work for. Their contract for the locations would come in at an amount of \$35,400.00, which is a considerable savings to the County. There was mention of some concern at the committee level because of the differential in price; however, they are the lowest responsive bidder and the one that the staff is recommending.

{Council Member Ruff inquired if there were about nine or ten bids, and asked about the difference in the next lowest}.

{Council Member Stewart inquired of Mr. Pope if he had any information on why there was such a big difference, and where is the company located}?

{Council Member Smith opined that staff had reached out to those references that were provided and received favorable reviews, and expressed that this is going to be a month-to-month contract that can be re-evaluated}.

{Vice Chairman Marcharia asked for a synopsis or general responsibility of landscaping maintenance}.

*It was moved by Vice Chairman Marcharia; seconded by Council Member Ruff to approve the Request of Action for the Landscaping Maintenance Contract. **The motion carried unanimously.***

F. Request Of Action: Approval Of Solid Waste Zero Turn Mowers. County staff uses this item to cut grass at the County buildings. This is to replace the old ones; the new ones will be purchased locally. Financial impact is \$16,050.00. *It was moved by Vice Chairman Marcharia; seconded by Council Member Robinson to approve the Request of Action for the Solid Waste Zero Turn Mowers. **The motion carried unanimously.***

G. Request Of Action: Approval Of Public Works Dump Trucks. Replacement two used dump trucks. One truck has 285,000 miles on it; the other one has 276,000 miles. It needs a new transmission. The financial impact is \$74,996.00 each, for a total of \$149,992.00, which were budgeted dollars. *It was moved by Vice Chairman Marcharia; seconded by Council Member Robinson to approve the Request of Action for Public Works Dump Trucks.*

*{Council Member Stewart asked how many dump trucks does Public Works have, and if the County is set up to replace them on a cycle}? **The motion carried unanimously.***

H. Request Of Action: Approval Of Solid Waste Track Hoe. For use at the Fairfield County Limb Chipping site, which has been successful with citizens using the double-grinded mulch. Currently using a front-end loader to pile up limbs and move mulch at the site. Also load trucks and trailers with the loader. The track hoe would allow the County to pile up limbs and move mulch much more efficiently, creating a safer work environment at the limb site. The track hoe would also be better for loading the trucks and trailers. This is a very versatile piece that would allow the County to have back up, allowing the County to keep the other one in service. This cost is \$123,000.00, which are budgeted dollars. *It was moved by Council Member Kinley; seconded by Council Member Robinson to approve the Request of Action for the Solid Waste Track Hoe.*

{Council Member Stewart asked if this piece of equipment is replacing another piece of equipment, or is it adding to the fleet? He also asked if the County is adding any additional personnel. Council Member Stewart whether a track hoe is overkill for this--whether a front-end loader with a four-way bucket would accomplish the same thing, and if this is on concrete or dirt out there}?

*{Council Member Smith inquired how many people use that service monthly}? **The motion carried 6-1. {Council Member Stewart voted nay}.***

I. Request Of Action: Detention Center Roof. Was brought to committee--one part in a request; the other part is information. There are major issues with the roof at the Detention Center. The leaks are causing other structural problems with the building; an assessment of the roof needs to be done and then the actual construction for the replacement of the roof would be budgeted. Four solicitations for engineering services have been sent out. The estimated cost is \$35,000.00 for the engineering and oversight. Staff is recommending that the portion of the contract be awarded to Goodwyn Mills Caewood. If this is approved, it needs to be prepared in the capital budget for FY 2015-2016 the actual construction cost of the replacement of roof. Asking at this present time to do the engineering and assessment to come up with the solid cost in the budgeting

process. *It was moved by Council Member Kinley; seconded by Council Member Robinson to approve the Request of Action for the Detention Center Roof.*

{Vice Chairman Marcharia asked if this has been thoroughly examined before the committee}?

{Council Member Stewart asked, as far as replacing the roof, is a metal roof being considered, and is it a flat roof now}? **The motion carried unanimously.**

J. World War II Memorial Update. Council had given approval for the \$10,000.00 for the World War II Memorial. Staff has crafted an agreement with Mr. Haslett, and County has all the necessary documentation. Basically, in the agreement, the \$10,000.00 can only be used for the construction of the monument. If there are remaining funds, they will be returned to the County. That documentation and accountability will be provided to Council as the project moves forward.

K. Town Of Ridgeway Recreation Request. The Mayor of Ridgeway sent an official letter as it relates to this matter. The proposed recreational site on Highway 21, the Town of Ridgeway had approached the County with a possibility of relocating that recreational facility inside the Town limits of Ridgeway. The Town went through a series of meetings; several members of County Council attended. Town Council finally voted 3-2 that they did not want to request that the County relocate that recreational site. That does not change any planning for the County, and the County is moving forward.

L. Motion Period Process

1. Plantation Pointe Road Maintenance Request. This request was forward to Administration in 2014 from Mr. Hartman, who represents the citizens who lives in that area. Staff is requesting that this matter be accepted by the County and reported to a committee of Council in order to do the full vetting and research. This is a private road, and based on information, this road has not been accepted into the County system. CTC has assessed the road and has looked at the costs, and that information will be forthcoming at the committee level. *It was moved by Vice Chairman Marcharia; seconded by Council Member Ruff that the Plantation Pointe Road Maintenance Request be assigned to committee. The motion carried unanimously.* {Chairman Robinson assigned this matter to the Public Services and Development Committee}.

2. County Council Bylaws - Public Comment. Vice Chairman Marcharia expressed that the last time he raised the question of whether or not matters that come before Council have the authority to rule on some of the questions that are raised before Council and some of the statements that were said. He stated he desired this to go before the committee to take a look at this to see whether or not Council is responsible for other elected officials or what the public can say about other people that is not within Council's purview. *It was moved by Council Member Kinley; seconded by Vice Chairman Marcharia to assign the matter to committee of looking at public comment in the County Council Bylaws as to what Council's purview can be.*

{Council Member Smith inquired what exactly is the motion}?

{Council Member Stewart asked what specifically are we asking or changing}?

{Council Member Ruff opined that he did not know whether it needs to be changed, but he has heard things get out of hand at times, and believed that if Council abided by Robert's Rule of Order and the Chairman maintains order in the meetings, he did not really see where there is a problem}.

{Council Member Smith voiced that he understands the motion is to simply send the item to committee and not rule on it tonight; however, he would echo the sentiments of Council Member Ruff and say that the bylaws and Robert's Rule of Order already

preclude certain personal affronts or things of that nature and code of conduct in the bylaws also takes care of that, and did not see a need to change anything; however, he would support it going to committee}.

{Council Member Kinley voiced that Council has issues brought before them that Council has absolutely no control over. She opined that it is not just the comment part, but the topic also}.

{Council Member Stewart stated he wanted to make sure Council does not create all this unmanageable legislation}.

{Council Member Ruff commented that he understood what Vice Chairman Marcharia was saying, and stated it happens on both sides of the fence and people needed to be respectful on both sides, and opined that it would be really up to the Chairman to moderate and keep everything under control on both sides}.

*{Council Member Stewart opined that the Chairman already has this power, and opined that Council should not go too far off the deep end}. **The motion carried unanimously.** {Chairman Robinson assigned this matter to the Administration and Finance Committee}.*

Council Member Stewart called for a point of order to go back to Item K, stating this not pertain to just the Ridgeway Recreational Request, but that he is uneasy with the whole recreational plan for the County. He stated he is not sure where Council stands on this, but it is his gut feeling that says the Council needs more citizen input on the recreational plan.

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 TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.

The following individual signed to speak:

- Mr. Randy Bright - Coaching For Council

16. COUNTY COUNCIL TIME

Stewart: Commented that as problems and issues are brought to the Council, there is a lot of talent and experience out there in the audience; if a problem is identified, there is a solution, and if the solution is known, present it. Also, he requested that, with all the experience, to volunteer service to help solve the problems.

Ruff: Formally congratulated Colonel Stewart on being elected to Council. Echoed what Council Member Stewart and Council Member Smith said about having everybody and anybody come speak.

Smith: Echoed what Council Member Ruff said in congratulating Mr. Stewart. Also echoed what Council Member Stewart said. Appreciated individuals when they come to the microphone.

Marcharia: Commented about the statement made a few weeks ago from one of the citizens about the sidewalks going nowhere; no trail ways and everyone was walking in the grass. He maintained that the sidewalk is there to provide a service for the community.

{Council Member Stewart called for a point of order, saying the Council is here to work together; want to maintain law and order in here and don't want to incite or revisit an old issue. Vice Chairman Marcharia responded that this is County Council time and that he was speaking}.

17. EXECUTIVE SESSION

*At 7:22 P.M., it was moved by Council Member Kinley; seconded by Council Member Ruff to go in executive session to discuss (a) Fairfield Memorial Hospital Confidentiality Agreement; (b) contractual matter and (c) pending economic development projects. **The motion carried unanimously.***

*At 8:37 P.M., it was moved by Council Member Robinson; seconded by Vice Chairman Marcharia to come out of executive session and return to open session. **The motion carried unanimously.***

In open session, Chairman Robinson announced there was nothing to report out of executive session.

Vice Chairman Marcharia made an observation that the CTC should be contacted for assistance with the Plantation Pointe matter.

Council Member Smith stated he was told tonight that the situation paving Rockton Thruway has been resolved.

18. ADJOURN

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

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN