



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
MARCH 9, 2015**

Present: Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia, Marion B. Robinson, Dan W. Ruff, Billy Smith, 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 6:05 P.M. As soon after the Call the Order, Chairman Robinson asked for Council's consideration to amend the agenda to move the Recognition of the Richard Winn Academy Girls Basketball Team next up on the agenda.

PUBLIC PRESENTATIONS

Coach Jason Haltiwanger introduced and recognized each member of the Richard Winn Academy Girls Basketball Team, who were the SCISA Class A State Champions for three consecutive years.

2. APPROVAL OF AGENDA

*It was moved by Vice Chairman Marcharia; seconded by Council Member Smith to approve the remainder of the agenda. **The motion carried unanimously.***

3. INVOCATION

Council Member Robinson led in the invocation.

4. APPROVAL OF MINUTES

*It was moved by Vice Chairman Marcharia; seconded by Council Member Robinson to approve the minutes of the Regular Meeting of February 23, 2015. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

Mr. Michael Briggs, Ms. Melissa Mimms, Ms. Tracy McMillan and Mr. David King of the Central SC Alliance were introduced. Mr. Briggs gave an PowerPoint presentation of the economic status of Fairfield County and the Alliance partnership.

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:

- Mrs. Lisa Brandenburg - Quarry
- Mr. Wayne Mixon - Quarry
- Mr. Clarence Pauling - Quarry
- Mr. Randy Bright - Budgeting For Success

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third And Final Reading: Ordinance No. 648 - 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 (3130 Bluff Rd, Llc.); And Other Related Matters. *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve Third and Final Reading of Ordinance No. 648. **The motion carried unanimously.***

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS

- A.** Aeronautics Commission
- B.** Behavioral Health Services
- C.** Council on Aging
- D.** Disabilities And Special Needs
- E.** Hospital Board
- F.** Library Commission

Chairman Robinson stated there has been some discussion this week as it relates to these various appointments; therefore, she is going to put the consideration of Boards and Commission appointments in the Administration Committee to bring back some recommendations.

Council Member Marion Robinson voiced that when the Council gets to the consideration of appointments to the Disabilities and Special Needs Board, he would be excusing himself from discussion and will leave the room. Chairman Robinson set forth that Council Member Robinson signed a Conflict of Interest Form, which is on file in the Clerk to Council's office.

*It was moved by Council Member Kinley; seconded by Council Member Smith to approve the Appointment Ratification as presented for the Board of Disabilities and Special Needs. **The motion carried unanimously with 5 members voting. {Council Member Marion Robinson had removed himself from the room and did not vote}.***

{At this point, Council Member Robinson returned to the dais}.

*It was moved by Council Member Kinley; seconded by Council Member Ruff to approve the Re-Appointment Ratification as presented for the Aeronautics Commission. **The motion carried unanimously.***

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

*It was moved by Council Member Kinley; seconded by Council Member Robinson to approve the Re-Appointment Ratification as presented for the Council on Aging Board. **The motion carried unanimously.***

*It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve the Re-Appointment Ratification as presented for the Fairfield Memorial Hospital Board. **The motion carried unanimously.***

*It was moved by Council Member Ruff; seconded by Council Member Robinson to approve the Re-Appointment Ratification as presented for the Library Commission. **The motion carried unanimously.***

The Clerk announced the following appointments and re-appointments:

Disabilities And Special Needs

Mrs. Callie S. Bell (representing District 7)
Ms. Phyllis Gutierrez (representing District 1)

Aeronautics Commission

Mr. Tony Price (representing District 3)

Behavioral Health Services

Mr. Eugene Clemens (representing District 2)
Mr. Brian Bonds (At-large)
Mrs. M. Kay Boulware (At-large)

Council on Aging

Mr. George Timms (At-large)
Mrs. Carolyn Clemens (At-large)

Fairfield Memorial Hospital Board

Mrs. Catherine Fantry (At-large)

Library Commission

Mr. James (Bubba) Lyles (representing District 1)

11. OLD BUSINESS

A. County Council Bylaws

Chairman Robinson set forth that the Council received the County Council bylaws with a few minor changes. She asked if there were a motion to accept the changes. Council Member Smith requested that the changes be voted on one-by-one, so that they can be discussed one-by-one.

- Pg. 1 of 20, #2. Change Chairman to County Administrator.

So moved by Vice Chairman Marcharia; seconded by Council Member Ruff. During discussion, Council Member Smith voiced he could not support this, as he is not in favor of any County Administrator or someone who is employed by the Council to run a public meeting of the Council. He said he felt a public official should handle this--whether it be

the previous Chairman, or as done this year, the senior member of the Council. **The motion carried 5-1. {Council Member Smith voted nay}.**

- Pg. 1 of 20, #3. The same situation for the calling of the Inaugural Meeting. Change Chairman to County Administrator.

*So moved by Vice Chairman Marcharia; seconded by Council Member Ruff. **The motion carried 5-1. {Council Member Smith voted nay}.***

- Pg. 4 of 20, #c4, Economic Development Committee. In the past for many years, the Chair has always made the appointments, not only for this committee, but for every committee. That is being stricken as to who would serve on that committee.

*So moved by the Chair; seconded by Council Member Kinley. **The motion carried unanimously.***

- Pg. 5 of 20, #3; #4. Stricken--as they are a complete duplication of 1 and 2.

*So moved by Vice Chairman Marcharia; seconded by Council Member Kinley. **The motion carried unanimously.***

- Pg. 5 of 20, #d. Corrected the names of the two new committees to reflect: (1) Public Affairs and Policy; (2) Public Services and Development.

*So moved by Council Member Smith; seconded by Council Member Kinley. **The motion carried unanimously.***

- Pg. 7 and 8 of 20, #12. If there is a conflict, this is stating you will sign a document, such as Mr. Robinson did tonight so that it is of record.

*So moved by Vice Chairman Marcharia; seconded by Council Member Smith. **The motion carried unanimously.***

- Pg. 17 of 20, #1b2, Election and Appointments to Boards and Commissions. It had been in records and minutes prior that the Council would appoint the delegates to the Central Midlands Council of Governments, the Central SC Alliance, and now, are adding the I-77 Alliance. Those public would mean actually Council Members; basically set up by those boards to be the Chair of the Council. It is unwritten that the Council appoints private members to those Boards. Asking for a motion to indicate the "Chair shall appoint the public (meaning the Council) delegate to those three Boards."

*So moved by the Chair; seconded by Vice Chairman Marcharia. Council Member Smith said he did not hear a second, so he wished to make a motion for the language to say: "The Chairman shall **serve** as the public delegate; not **appoint**." Council Member Smith's motion was seconded by Council Member Kinley.*

*It was moved by Council Member Smith; seconded by Council Member Kinley to strike "shall appoint" and insert the Chairman "shall serve" as the public delegate. **The amendment to the motion carried unanimously, and the full motion, where amended, carried unanimously.***

12. NEW BUSINESS

None

13. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

A. Winnsboro Crushed Stone, LLC. Mr. Pope reported some information has already been heard about this matter. Staff has placed on the website information received from DHEC regarding the responses to the letter that was forwarded to DHEC regarding what the County thought were unanswered questions from the public hearings that DHEC scheduled here. The Air Permit matter will be posted tomorrow. The Intent to Mine Application has not been permitted at this time. There is a timeline or clock in order to appeal which is something, under the executive session portion, am asking to add

potential litigation, for the attorney to provide a legal update to the Council on this matter. Nothing to this point has actually been officially submitted to the County from the Company itself, which they cannot do until they get final authorization from DHEC or through that appeals process.

B. Budget Update. Staff has been meeting with all County principal departments as well as outside agencies regarding their requests. Council directed the Administrator to bring back a responsible budget, and in discussions with the Council, staff's goal was to bring back a no-tax-increase budget, based upon those attempts. Have yet to receive final numbers from the State of South Carolina regarding two major items: CPI growth factor and Local Government Fund revenue.

C. Overview Of Reassessment. Mr. Randy Roberts, County Assessor, gave a PowerPoint update of the Reassessment program.

Mr. Pope reported on the House Bill 3374 (Local Government Fund). Staff has forwarded its position, which are led by the Association of Counties to members of the Delegation, asking for their support with amendments that are favorable to the County's and to the citizens' position. The more money that is received statutorily allows the County to pay for the goods and services needed at the County.

Mr. Pope requested that Council add, under Executive Session, a potential litigation matter. *It was moved by Council Member Smith; seconded by Council Member Robinson to amend the Executive Session matter to add Potential Litigation. **The motion carried unanimously.***

D. Motion Period Process. Mr. Pope reported that several members of Council, as well as the Sheriff's Office, have been contacted regarding questions relating to Noise Ordinance restrictions and regulations. If Council is agreeable, this is an item that the Chairman desires to send to Committee for additional study, where staff can research this further and work with the Sheriff's Department to bring back recommendations.

Chairman Robinson assigned this matter to the Public Affairs and Policy Committee, and stated she would provide to the Committee Chair all information she has received to date. Council Member Smith added that he had done some research on this matter as well and printed some information out for Council to review. *It was moved by Council Member Smith; seconded by Council Member Kinley to support the Chairman's assignment of the Noise Ordinance matter to the Public Affairs and Policy Committee. **The motion carried unanimously.***

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 individuals signed to speak:

- Mr. Val Green - C Fund Paving
- Ms. Faye Sandow - Sidewalk Project In Jenkinsville
- Mr. Randy Bright - Healthy Solutions

16. COUNTY COUNCIL TIME

Smith: Gave a legislative report on H.3374 (Local Government Fund).

Also commented on the Rockton Thruway situation, stating the last time he went to a CTC meeting in relation to the Jenkinsville sidewalk project, he was given a list of the roads to be paved this year, which he said are chosen, selected and defined by the CTC, and Council does not have any say-so in that whatsoever. Council Member Smith cited that the one he received included Rockton Thruway, and asked if anyone has any information other than that to please bring that to his attention, and he would try to contact them to see why there might have been a change or if he received old information.

Asked the Clerk to record in the minutes that he voted nay on those two proposed bylaw changes, because he thinks only public officials should run public meetings, and he thinks there are ways and mechanisms by which the Council could ensure that could be made possible.

Kinley: Asked Mr. Pope to give information on the new 9-1-1 Program.

Marcharia: We have had individuals come before Council getting exposed to the newspaper and the television and attacking other elected officials and implying that they are criminals and crooks and they have stolen money. This is all not within our purview. Public bodies that are duly elected bodies of constituencies--if they have an issue with them, and we have no jurisdiction over these bodies, I think they should take it to their board and people have the right to make a decision about what their complaints are. But, to come here and degrade other elected officials and make accusations that are never substantiated and make all kind of legal accusations, that is something we shouldn't tolerate. That is something that we should direct them to the proper authorities and air their complaints. But to stand here and get public campaigns and get public notice to degrade people, I think is wrong. I think Council really needs to take a step on that, and I don't think the taxpayers sent me here to waste time about other people's personal vendettas about bodies which we have no control over whatsoever. As Mr. Robinson said in his prayer, if it is validated in terms of trust and respect of other people, that would certainly fall within his prayer today--if we respect all people and keep it within the proper protocol. I don't think we should allow people to come in here to come in here and degrade people--particularly, when they can't validate what they are saying. ***I will make a motion that we do that, if I can get a second on it. If not, if the Council agrees that people can come here and do that, then I think this Council will be totally out of control, but I will make that as a motion that we not allow that.***

Kinley: ***I will second that simply to be able to discuss.*** Mr. Marcharia, I had spoken to the Chairman before the meeting a little bit. Last summer or fall, we had on the speaking times that it had to be something that the Council had priority over, and I really would like for us to think about going back to that. I expressed that to the Chairman that if it is not anything, i.e., a lot of requests are complaints about water. We have absolutely nothing to do with water in this County. Those things, I agree with you, should go to the proper meetings for that, but not to Council. Could I maybe, ask you to let's see if the Chairman could put this in a committee for some discussion and bring something back to Council, but not tonight. I think we just need some input from all of us on this. ***I will withdraw my second, if you would withdraw your motion, so that we could put it in committee and bring it forward with a recommendation from the committee.***

Marcharia: I certainly would be willing to withdraw that motion, Mrs. Kinley, and give the committee chance to kind of air it out and see what is practical about that and see if they concur that whether or not we should assume the responsibility to let that kind of activity go on before Council. ***I certainly will withdraw it, and if we could put it on our next agenda perhaps.***

C. Robinson: That will be taken into consideration.

17. EXECUTIVE SESSION

*At 7:50 P.M., it was moved by Council Member Smith; seconded by Council Members Kinley and Robinson to go in executive session to discuss a Fairfield Memorial Hospital Confidentiality Agreement, pending litigation with an update of DHEC, as well as potential litigation and economic development updates. **The motion carried unanimously.***

*At 8:55 P.M., it was moved by Vice Chairman Marcharia; seconded by Council Member Smith to come out of executive session and return to open session. **The motion carried unanimously.***

*It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley that Council give the Chairman and the Administrator the right to execute the Confidentiality Agreement with Fairfield Memorial Hospital. **The motion carried unanimously.***

18. ADJOURN

The meeting was adjourned at 8:56 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN