



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
APRIL 14, 2014**

**Present:** David L. Ferguson, Sr., R. David Brown, 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

**Absent:** Mary Lynn Kinley

**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 6:04 P.M.

**2. APPROVAL OF AGENDA**

*It was moved by Vice Chairman Perry; seconded by Council Member Brown to approve the agenda. **The motion carried unanimously.***

**3. INVOCATION**

Council Member Robinson led in the Invocation.

**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 March 24, 2014. **The motion carried unanimously.***

**5. PUBLIC PRESENTATIONS**

None.

**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:

- Mr. Clyde Wade – Drawdy Park
- Mr. Billy Smith – Committees
- Mr. Bruce Wadsworth – Recreation
- Ms. Pat Williams – Committees
- Ms. Beth Jenkins – Budget; Council Time
- Mr. William Coleman – County Council Time
- Mr. Randy Bright – March of Dimes; Aeronautics

**7. PUBLIC HEARING**

None.

**8. ORDINANCES, RESOLUTIONS AND ORDERS:****A. Resolution: Affirming Fairfield County's Commitment To Fair Housing**

Mr. Steven Gaither, Fairfield County Grants Coordinator gave an overview of fair housing and showed a video to make everyone aware of the activities of Fair Housing month. *It was moved by Council Member Brown; seconded by Vice Chairman Perry to approve the Fair Housing Resolution as posted. **The motion carried unanimously.***

**B. Second Reading: Ordinance No. 627** – An Ordinance To Amend The Fairfield County Land Management Ordinance (Ordinance No. 596) To Correct Zoning Map Deficiencies. The Map Correction Will Apply The Same Zoning As Originally Intended.

Mr. Pope was asked to explain the nature of the Ordinance, which he did citing the County went through a county-wide rezoning a year and a half ago where numerous the designations or the nomenclature changed on some of the parcels. Some of the parcels were identified incorrectly. Staff took this matter through the proper process of to the Planning Commission and back to Council to make sure those parcels were in line with Council's original intent of adoption back a year and a half ago. This process is to correct some of the errors that had been made from the major rewrite. *It was moved by Council Member Robinson and Council Member Brown; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 627. **The motion carried unanimously.***

**C. Second Reading: Ordinance No. 628** - An Ordinance To Amend the Fairfield County Land Management Ordinance (Ordinance No. 596) To Provide For The Zoning Reclassification From B-2 (General Business District) To RD-1 (Rural Residential District), Of 0.4 Acre, Owned By Frank Johnson. Applicant: Frank Johnson. Portion Of Tax Map No. 144-02-02-028-000, Located At 63 Sandy Lane, Winnsboro, SC, 29180. *It was moved by Council Member Marcharia; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 628. **The motion carried unanimously.***

**D. Third And Final Reading: Ordinance No. 626** – An Ordinance To Amend The Fairfield County Land Management Ordinance (Ordinance No. 596), To Provide For The Zoning Reclassification From R-1 (Single-Family Residential District), To B-1 (Limited Business District) Of Two And Thirty-Seven Hundredths (2.37) Acres, Owned By Harry M. Parker, Jr., Applicant Harry M. Parker, Jr., Portion Of Tax Map No.095-02-02-001, Located At 4361 River Road, Winnsboro, SC. *It was moved by Council Member Robinson; seconded by Council Member Trapp to approve Second Reading of Ordinance No. 626. **The motion carried unanimously.***

**9. BOARDS AND COMMISSIONS MINUTES**

Provided as information.

**10. BOARDS AND COMMISSIONS APPOINTMENTS**

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

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

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

The Clerk announced the following appointments/reappointments: Aeronautics Commission: Mr. Harold Ross (representing District 5); Assessment Appeals Board: Mr. Jeffrey Morris (representing District 2); Planning Commission: Mr. Ben Gause (representing District 5).

**11. OLD BUSINESS**

**A. Disposition Of Surplus Vehicles**

Mr. Pope stated the specific question asked from Council was to contact the Career Center about their needs, and that information is in the packet. Also, a Council Member had asked what the County had sold in vehicles in auction over the past 3 or 4 years. That information was documented in the packet. Unless Council decides to change something, what staff would do is to go through the disposition process of County property; however, if the Council chooses to forward vehicles, by request, to the Career Center, or any other agency, then Council would have to vote on that request; otherwise, it has to be disposed of in the manner required by law.

Council Member Robinson commented on the disposition list that Council received, saying in those years, it does not state what was done with some of the vehicles. She stated that the biggest piece of equipment was auctioned in 2013, and the auction netted \$171,636 for five years. She opined it was most important for the County to continue having these auctions, and then inquired what the School District did with their vehicles when they are traded out. *It was moved by Council Member Robinson; seconded by Vice Chairman Perry that for the current budget year, the Career Center receive no more than two (2) vehicles out of the fleet and the remainder be placed in the auction.* Council Member Brown inquired if any of these vehicles could be used in-house, rather than purchasing new vehicles. **The motion carried unanimously.**

**B. Request For Road Name Change: From High Hill Lane To Wylie Lane**

*It was moved by Council Member Marcharia; seconded by Council Member Trapp to approve the request for road name change as above-stated.* Mr. Pope was asked to give the disposition of the verification of the signatures. **The motion carried unanimously.**

**C. County Council Standing Committee Process**

*It was moved by Council Member Brown; seconded by Council Member Robinson for Council to return to the seven (7) committees and to work out different suggestions in a committee meeting or a Council meeting. After a lengthy discussion from Council Members and each giving their pros and cons on the subject matter, **the motion failed, with a tied 3-3 vote as follows:***

<b>Aye</b>	<b>Nay</b>
<b>Perry</b>	<b>Marcharia</b>
<b>Brown</b>	<b>Trapp</b>
<b>Robinson</b>	<b>Ferguson</b>

**D. Naming Of Industrial Park Road**

Mr. Pope set forth that several names were brought forth, including the one that was recommended that Council not go with, because the Commerce Parkway is a duplicate name or close to another road name. The recommendation was one of the other four names, or a new one, be selected by Council. Mr. Pope added that BOMAG is now turning dirt in the Industrial Park and an address location needs to be established there.

Chairman Ferguson asked Council if they would be amenable to waiting for two weeks to come back with more appropriate names than the ones listed. *It was moved by Council Member Brown; seconded by Council Member Robinson that Council be given the opportunity to come back with some additional names within the next two (2) weeks. The motion carried unanimously.*

**12. NEW BUSINESS**

**A. First Reading (By Title Only): Ordinance No. 629** - To Establish Operating And Capital Budgets For The Operation Of The County Government Of Fairfield County For The Fiscal Year Commencing July 1, 2014 To Provide For The Levy Of Taxes For Fairfield County For The Fiscal Year Commencing July 1, 2014; 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; And Other Matters Related Thereto. *It was moved by Vice Chairman Perry; seconded by Council Member Marcharia to approve First Reading (By Title Only) of Ordinance No. 629. The motion carried unanimously.*

Mr. Pope stated the First Reading (By Title Only) was in accordance with State law in ensuring information is provided to the public regarding the County's budget process. He added that this is by title only, and that the budget work sessions dates will be addressed under his report. Mr. Pope also stated that some information has been disseminated to Council for the work sessions. Tomorrow is one of the budget work session dates, and the intent is to split the budget up into two sessions: one dealing solely with the general fund and the other dealing with all other (special revenue, millage agencies, etc.).

**B. Proclamation – Peace Officers Memorial Day**

*It was moved by Council Member Robinson; seconded by Council Member Brown to approve the Peace Officers' Memorial Day Proclamation. The motion carried unanimously.*

**C. Proclamation – 2014 March Of Dimes Month**

*It was moved by Council Member Robinson; seconded by Vice Chairman Perry to approve the 2014 March of Dimes Month Proclamation. The motion carried unanimously.*

**D. I-77 Board Members**

Council was referred to the ratification list of names that were placed at their desks. Chairman Ferguson set forth that the Council is seeking three (3) public business individuals to join the I-77 Board.

*It was moved by Council Member Robinson to place numbers 2, 3 and 4 in nomination. That motion was seconded by Council Member Brown. Those in favor of the motion for numbers 2, 3, and 4: Brown, Robinson; those opposed to numbers 2, 3, and 4: Perry, Trapp, Marcharia, Ferguson*

Vice Chairman Perry made a motion to select numbers 3, 4, and 6. The motion was seconded by Council Member Marcharia. **Those in favor of the motion for numbers 3, 4, and 6: Perry, Marcharia, Trapp, Ferguson; those opposed to numbers 3, 4, and 6: Brown, Robinson**

The Clerk announced the following appointments to the I-77 Alliance Board: Mr. William McMaster, Mr. Doug Payne and Mr. John Smalls, each serving a three-year term.

### 13. COUNTY ADMINISTRATOR'S REPORT:

#### A. Recommendation Of Administration And Finance Committee Regarding Requests Of Actions

Mr. Pope set forth that all of the following Requests of Actions were vetted by the Administration and Finance Committee and recommended unanimously to the Council:

1. Animal Control Request Of Action: Replace Two (2) Vehicles  
2001 Chevy Silverado and Dodge Ram.  
Fiscal impact was a budgeted amount of \$30,000.00 each, for a total of \$60,000.00.  
*It was moved by Vice Chairman Perry; seconded by Council Member Robinson to approve the request. **The motion carried unanimously.***
2. EMS Request Of Action: Replace 10-Year Old Ambulance  
200,000 + miles. 2004 Freightliner MPV.  
\$180,000.00 fiscal impact from EMS capital budget.  
*It was moved by Vice Chairman Perry; seconded by Council Member Robinson to approve the request. **The motion carried unanimously.***
3. EMS Request Of Action: Replace Existing Cardiac Monitors  
\$280,000.00 fiscal impact.  
To allow transmission of 12 Lead EKG's in real time to receiving facilities. Gives latest technology in transporting citizens.  
*It was moved by Vice Chairman Perry; seconded by Council Member Robinson to approve the request. **The motion carried unanimously.***
4. EMS Request Of Action: Study And Bid On Permanent Structure For Southeastern Substation  
Requesting study and bid to be put out to build a new permanent structure for the Southeastern Substation at 5847 Old 21 Road, Ridgeway. Will be brought back to discuss the structure; not the location at this time.  
*It was moved by Vice Chairman Perry; seconded by Council Member Robinson to approve the request. **The motion carried unanimously.***
5. Public Works Request Of Action: Service Truck  
Purpose for hauling operations to job sites.  
Fiscal impact of \$40,000.00 budgeted funds  
*It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***

6. Public Works Request Of Action: 1-Ton Crew Cab Pick-Up Truck  
Purpose for hauling recyclables, pull trailers with lawnmowers to recycling centers.  
Fiscal impact of \$34,000.00  
*It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***
7. Public Works Request Of Action: ¾-Ton Crew Cab Pick-Up Trucks (2)  
2001 Model with 130,000+ miles. Purchased from state auction in 2010.  
*It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***
8. Public Works Request Of Action: Flail Mower  
Purpose to cut grass at various County locations, airport, County roads and other large areas that are maintained by the County.  
Financial impact of \$75,000.00  
*It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***
9. Public Works Request Of Action: Lowboy Trailer  
Replaces current 1985 30-ton trailer. Trailer is worn out and hard to get parts for.  
New trailer would be safer when hauling equipment due to new designs.  
New trailer is closer to the ground.  
Fiscal impact of \$35,000.00  
*It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***
10. Veterans Affairs Request Of Action: Vehicle Request  
To be used to transport veterans to the Veterans Administration Hospital.  
Office service 2,064 veterans.  
County has supplied Crown Vic for past two years.  
Fiscal impact of \$30,000.00  
*It was moved by Council Member Brown; seconded by Council Member Trapp to approve the request. **The motion carried unanimously.***

#### **B. Courthouse Renovations (HON Building)**

Mr. Pope set forth that all the information and specifications were given to Council. Staff was instructed to move forward with ascertaining from the State if the County could acquire use of the State side of the HON Building for relocation of the Courthouse during renovations. Information has been received from the State and a contract is being developed. Another committee meeting would need to be established.

#### **C. Drawdy Park Update**

Mr. Pope set forth that a couple of weeks ago, Mr. Anderson and Mrs. Schaeffer visited every recreation park. He outlined the history of Drawdy Park and outlined that the architectural firm and engineers that were hired have made their findings and reported them to staff. Met with S<sup>2</sup> engineering, who has stood behind the work they are doing and there is an engineered plan of remediation they are reviewing. A full report will be given to Council on that information. The cost of the remedy will not cost the County as there was a warranty on the wall; however, any additional oversight will be a cost.

**D. Flood Plain Insurance Update**

Mr. Pope addressed this item saying he had a meeting last week with officials from Kershaw County specifically regarding the lowering of the BFE (Base Flood Elevation) on Lake Wateree. Also had conversations by conference phone with the Department of Natural Resources. Lake residents on the Kershaw side as well as on the Fairfield side are interested in the possibility of lowering the Base Flood Elevation, which impacts the flood insurance premiums positively for the residents side. There is a contractual matter that needs to be discussed with the Council, and at the appropriate time, would like to add that potential contractual matter on the executive session items.

**E. Budget Work Session Dates**

Information has already been sent to Council, outlining the first budget work session for tomorrow at 6:00 P.M. dealing with the general fund.

**F. Meeting Date For Policy And Development Committee**

Staff is requesting a meeting for the Policy and Development Committee regarding the recommendation for Procurement. Staff is recommending the meeting be held at 5:00 P.M. on April 28, 2014.

**G. County Transportation Committee (CTC) Road Paving Request**

Mr. Pope delineated that Mr. Bill Coleman had presented information regarding the road paving list based upon the approved County criteria. The CTC minutes of April 2, 2014 were included in the Council package for review. Council can take action on this item or send it back to committee. Stoneridge Court was accepted into the County service some years back. That particular road has had some major failure, which has been identified by the CTC, and they are willing to partner 50% of the cost with the County in this effort. Their ask from the County is \$27,697.66. This amount can be addressed through our budgeted public works funds. *It was moved by Council Member Marcharia; seconded by Council Member Trapp to approve the funding of this request in the amount of \$27,697.66. The motion carried unanimously.*

**H. Town Of Ridgeway Request**

Mr. Pope brought forward a request from the Town of Ridgeway, requesting usage of the former side of the Sheriff's Substation on Means Street in Ridgeway for a community garden. Staff is recommending the County support this endeavor, but would like to run this through the County Attorney to make sure that, from a liability standpoint, whatever is going to occur that the County is protected. *It was moved by Vice Chairman Perry; seconded by Council Member Brown that, once the County receives the legal clearance from its Attorney, to give the Town of Ridgeway the authority to utilize the property until such time as the County can move forward with the process of possibly donating that property to the Town. The motion carried unanimously.*

**I. Detention Center Inmate Contract**

Mr. Pope addressed this item being in regard to one of the detention center detainees and the health care system. Staff is asking that this matter be discussed in executive session.

**J. Broker Opinion Of Value – Cook Road & Center Creek Road**

Mr. Pope stated this is regarding the land that Council owns along Cook Road and Center Creek Road. There is some contractual information that staff needs to update Council on in executive session.

**K. Elected Officials' Travel Policy**

Mr. Pope set forth that Council received this information in their packets, where initially Council had asked administration to draft a policy regarding travel for County Council. Mr. Pope is recommending a travel policy for all elected officials. Tried to make the policy

where it is clear and concise. A copy of the training agenda is required to be attached to the travel form and submitted to County Finance. Lodging for conferences, training or professional development shall be approved at the rate of one-bedroom occupancy at the host hotel or overflow accommodations as provided by the host organizer for the length of the conference. Mileage reimbursement shall be reimbursed based on the IRS guidelines. The per diem allowance for County elected officials traveling on official County business shall be at the rate of \$49.00 per day in-state and \$69.00 out-of-state. A provision has been placed in for Council's consideration is the \$69.00 rate is also applicable to tourism destination locations of Charleston, Hilton Head Island and Myrtle Beach. Elected officials will be reimbursed based upon actual receipts or officials can be advanced travel cost if requested in writing. Everything is receipt-based and documented to substantiate those costs. Default responses to any question related to this policy shall be IRS guidelines.

Council Member Robinson inquired about the one-bedroom occupancy rate, citing Council received the brochure over the weekend relating to the SCAC conference in Hilton Head this summer. She stated it was referenced that very few rooms that will be available in the hotel because of the staff, etc. She stated there are some additional one-bedrooms, and unless the Clerk can inquire about those tomorrow, she did not know how many one-bedrooms are going to be available. She inquired if the one-bedrooms are not available, the reimbursement will be for a one-bedroom, even though a two-bedroom may be all that is available.

Mr. Pope stated he attempted to look at the individual who is applying for travel, and based upon the information that came out from SCAC, the host hotel and three other options of overflow that have one bedrooms. The purpose of the policy is to allow or try to compensate for that, and the policy was drafted for a rate that an elected official could be compensated for based upon that.

Vice Chairman Perry added that the policy does two things: it forces the Council to make a decision about whether they want to attend the conference and the earlier the decision is made, the better the rates are; secondly, he opined that it does not take away his discretion of taking his family and having the option of paying the difference.

*It was moved by Vice Chairman Perry; seconded by Council Member Brown to approve the policy as presented. **The motion carried unanimously.***

#### **L. Personnel Matters**

##### **1. County Agency**

##### **2. County Administrator's Contract**

Mr. Pope asked that Council consider the above two matters in executive session, along with an executive session on an urgent potential liability claim.

#### **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 following individuals signed to speak:

- Ms. Billy Smith – Results
- Ms. Beth Jenkins – Travel Policy/Meals/Courtesy
- Mr. William Coleman – Reality Check
- Mrs. Selwyn Turner – Bonds
- Mr. Oliver Johnson – Bonds



- Ms. Betty Scott Bell - Bonds
- Mr. Randy Bright - Stop the War on the Poor

**16. COUNTY COUNCIL TIME**

> A video of the production process at Element Electronics was presented at this time.

Marcharia:

> Commented on the purpose of protocol and safety.

Brown:

> Commented on the need to expound more on the responsibility of the current Council committees by adding a fuller description and definition of each one.

**17. EXECUTIVE SESSION**

*At 8:38 P.M., it was moved by Council Member Brown; seconded by Council Member Marcharia to go in executive session to: receive legal update, personnel contractual matters; economic development matter and contractual matter on the following: flood plain insurance contract, Detention Center detainee medical issue, Cook Road and Center Creek property issue, County Agency personnel, County Administrator's contract and a potential claim. **The motion carried unanimously.***

*At 10:15 P.M., it was moved by Council Member Robinson; seconded by Council Member Trapp to come out of executive session and return to open session. **The motion carried unanimously.***

*In open session, Chairman Ferguson reported that Council received information and Mr. Pope has been instructed to do what he needs to do to carry business forward.*

**18. ADJOURN**

The meeting was adjourned at 10:15 P.M., upon unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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DAVID L. FERGUSON, SR.  
CHAIRMAN