



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
MAY 23, 2016**

Present: Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia, 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

Absent: Marion B. Robinson, Council Member

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 Independent Voice of Blythewood and Fairfield, Winnsboro Cablevision and one hundred fifteen other individuals.

1. CALL TO ORDER

Chairman Robinson called the meeting to order at 6:05 P.M.

2. APPROVAL OF AGENDA

It was moved by Council Member Smith; seconded by Council Member Ruff to approve the agenda.

Council Member Kinley voiced that she had a statement she would like to read, with the agenda in mind. Her statement was as follows:

"I would like to make a statement on behalf of various other members of Council and myself regarding the Executive Session item on tonight's agenda about the County Administrator's contract. This is something that needs to be addressed immediately. We, as a Council, made a couple of errors in the process of hiring a new County Administrator. We have learned that an FOIA request for the names and resumes of the finalists in the candidate pool for our next Administrator was made by *The Voice* newspaper to County staff in early April. We were never served this FOIA request. No members of Council received that, nor were we advised as to what information needed to be released. At our May 9th meeting, we amended our bylaws in accordance with the State Supreme Court ruling that instructed public bodies to add the following language to their agendas when Executive Session items exist: "Subsequent to Executive Session, Council may take action on matters discussed in Executive Session." The May 12th meeting was the first meeting we had after this instruction from the Court, and after we had added the provision to our bylaws, and the language was not on the May 12th agenda. That said, we sincerely apologize for any errors that we can honestly say they were unintentional. On Saturday, one day after this was brought to our attention, we released the names and resumes of the final candidates to *The Voice* newspaper, and after our Executive Session this evening, we will vote to approve acceptance of the contract to Mr. Taylor. It is always our goal to be transparent as possible and to follow the letter of the law in all situations. Again, we apologize for these errors and are now doing what we can to correct them as quickly as possible. Thank you."

The motion to approve the agenda carried unanimously.

3. INVOCATION

Council Member Stewart led in the Invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Smith; seconded by Council Member Ruff to approve the minutes of the Regular Meeting of May 9, 2016. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

- ☐ Fairfield County 2016 Ambassador For Economic Development - Mr. Sean T. O'Connor, President, Breakthru Beverage South Carolina
- ☐ BOMAG Fayat Group - Mr. Robert M. Mueckler, President
- ☐ Central SC Alliance - Mr. Mike Briggs, President

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.

- ☐ Mr. Clyde McFadden - Noise Ordinance
- ☐ Mr. Jeff Morris - Noise Ordinance
- ☐ Mr. Randy Bright - Economic Development

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third And Final Reading: Ordinance No. 663 - An Ordinance To Regulate Excessive Noise In The Unincorporated Areas Of Fairfield County And To Repeal Ordinance Number 520. *It was moved by Council Member Smith; seconded by Council Member Kinley to approve Third and Final Reading of Ordinance No. 663.* During discussion, Council Member Smith pointed out that in the enforcement provision of this new Noise Ordinance, a Sheriff's Deputy will have to consider the intensity of the noise; the general characteristics of the area where the noise is occurring; the time of day or night that the noise is occurring; the reasonable expectation of quiet that could be expected by individuals on public or private property surrounding the area where such noise is occurring, and in the case of motor vehicles, whether or not such vehicles are equipped with mufflers and/or suppression devices. Those, Council Member Smith said, are in addition to the levels that have been set forth for the decimeter reading. He added that he would not imagine a Sheriff's Deputy, under this Ordinance, would write anybody a ticket for cutting their grass, unless maybe it's one o'clock in the morning. **The motion carried 6-1. {Vice Chairman Marcharia voted nay}.**

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS

*It was moved by Council Member Smith; seconded by Council Member Kinley to approve the Re-Appointment Ratification as presented for the Fairfield Memorial Hospital Board. **The motion carried unanimously.*** The Clerk announced the following reappointments: Mr. Randy Bright (representing District 1); Mr. William Turner (representing District 2).

11. OLD BUSINESS

None.

12. NEW BUSINESS**A. Naming Of Fairfield County Library "Sarah D. McMaster Fairfield County Library"**

Mr. Pope set forth that this matter went to committee, where the committee supported unanimously the naming of the County Library after Mrs. McMaster, after her 40+ years of service there. The request before Council is to approve the request of renaming the Fairfield County Library the "Sarah D. McMaster Fairfield County Library." *It was moved by Vice Chairman Marcharia; seconded by Council Member Smith to approve the request to rename the Fairfield County Library the "Sarah D. McMaster Fairfield County Library.* Members of Council expressed their appreciation to Mrs. Master for her dedication to the County and its citizens. **The motion carried unanimously.**

B. Request Of Action: Great North Road Repairs

Mr. Pope stated this matter went to committee this afternoon, where the committee forwarded on a unanimous recommendation for the favorable approval to repair damages on Great North Road. The cost estimate of this request is \$83,000.00, which would be taken from the County's Road Maintenance Fund. In the discussion that came up, the contractors have already been deployed and are working on the surface treatment on the County dirt roads, and if the Council were to see fit to move forward with this, they would not have to redeploy their resources in order to fulfill these requirements of maintenance on the road. *It was moved by Council Member Smith; seconded by Council Member Kinley to approve the Request of Action for Great North Road Repairs.* During discussion, Council Member Smith pointed out that he sat in on the committee's discussion of this, and once in a while Council discusses something that is a safety-sensitive concern and prioritize them over other things. He added that he had visited the road, and it is a safety-sensitive concern, and opined that Council really needs to do this. Vice Chairman Marcharia voiced that he read some statements about the road, and it appears it takes priority over many roads and bridges that have been washed out, and why this takes priority over other roads that are also a safety issue. He also inquired where is the road and what community is it in and stated this is not the only road in that condition. Council Member Ruff commented that Old 21 is in very bad condition, and is on the list to be completely redone. **The motion carried unanimously.**

13. COUNTY ADMINISTRATOR'S REPORT

A. Introduction Of New Economic Development Director, Mr. Ty Davenport. Mr. Pope set forth that per Mr. Briggs' report and other reports, the Council deserves a lot of credit for the things that have been done in the County over the past several years with bringing economic development into a rural County. Mr. Pope then introduced Mr. Charles Tyson (Ty) Davenport as the County's new Economic Development Director, citing he has had over 20 years of economic development experience in his profession. Mr. Davenport started his career with some of the initial recruitments with Isola and Lang Mekra. He is familiar with the Fairfield County community; is married and has one child and will be

assuming his duties on June 6, 2016. He will be meeting with both Alliances, existing industry and will be meeting with the Council to ascertain individually and collectively what some of Council's concerns are.

B. Introduction Of New Clemson Extension 4-H Agent, Ms. Jennifer Stevens. Mr. Pope asked Ms. Deon Leggette to introduce Ms. Stevens, who has much 4-H experience; a former 4-H member; a 4-H Volunteer and has worked with Operation Military Kids in the past. Ms. Stevens is familiar with Fairfield County and has an extensive background in children and families. She has collaborated with the Chameleon Inspirations Learning Center, visited all the schools, has a meeting tomorrow with the Superintendent of Schools and signed up with the back to school bash with the County Library.

C. Request Of Action: EMS - Replacement Of Broken Communications Equipment. This matter went to committee and came out with a unanimous recommendation to the full Council for the purchase of equipment, which are budgeted funds of \$63,521.19. *It was moved by Council Member Smith; seconded by Council Member Ruff to approve the Request of Action for the Replacement of Broken EMS Communications Equipment. **The motion carried unanimously.***

D. Motion Period Process. None

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.

- ☐ Ms. Suzie Doscher - Hospital Charity Care
- ☐ Ms. Carol Turner - Mitford-Wateree Community Center
- ☐ Ms. Wanda Carnes - Mitford-Wateree Community Center
- ☐ Mr. Randy Bright - Seniors' Role

16. COUNTY COUNCIL TIME

Council Member Kinley

- Midlands Tech recognition of community partners; Farm Bureau dinner meeting.

Vice Chairman Marcharia

- Complaints about dogs.

17. EXECUTIVE SESSION (SUBSEQUENT TO EXECUTIVE SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION).

*At 7:10 P.M., it was moved by Council Member Smith; seconded by Council Member Kinley to go in executive session for an economic development matter, which is an update with the State Department of Commerce and a personnel matter regarding the County Administrator's contract. **The motion carried unanimously.***

*At 7:48 P.M., it was moved by Council Member Smith; seconded by Council Member Kinley to come out of executive session and return to regular session. **The motion carried unanimously.***

Chairman Robinson reported no action was taken in executive session.

In regular session, *It was moved by Council Member Kinley; seconded by Council Member Ruff to extend an agreement of retainer to Parker Poe Consulting, LLC for six (6) months, pending approval of terms. **The motion carried unanimously.***

*It was moved by Council Member Smith; seconded by Vice Chairman Marcharia and Council Member Kinley that Fairfield County enter into a contract of employment agreement with Mr. Jason Taylor for the position of County Administrator, beginning June 6, 2016. **The motion carried unanimously.***

18. ADJOURN

The meeting was adjourned at 7:50 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN