



**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. 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.**

- 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.