



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
MAY 9, 2016**

Present: Carolyn B. Robinson, Mary Lynn Kinley, Kamau Marcharia, 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 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 6:02 P.M.

2. APPROVAL OF AGENDA

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

3. INVOCATION

Council Member Ruff led in the Invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Smith; seconded by Council Member Kinley to approve the minutes of the Regular Meeting of April 25, 2016 and Budget Work Session of May 3, 2016. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

None.

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.

- ☐ Mrs. Wanda Carnes - Budget
- ☐ Mr. Walter English - Liaison Department
- ☐ Mr. Leon Smith - Liaison
- ☐ Mrs. Shirley Greene - Liaison Department
- ☐ Mr. John Walker - Liaison Department
- ☐ Mr. Mike Fanning - Budget
- ☐ Mr. Sam Broom - Budget
- ☐ Ms. Melissa Gibson - Budget
- ☐ Ms. Sherri Dickert - Budget
- ☐ Mr. Randy Bright - Budget Ordinance

7. PUBLIC HEARING

An Ordinance To Regulate Excessive Noise In the Unincorporated Areas Of Fairfield County, To Provide For Penalties Thereof, And To Repeal Ordinance No. 520. *Chairman Robinson opened public hearing at 6:22 P.M. Mr. Jerry Nealy signed to speak. After hearing from Mr. Nealy, Chairman Robinson closed public hearing at 6:24 P.M.*

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third And Final Reading: Ordinance No. 664 - To Establish Operating And Capital Budgets For The Operation Of The County Government Of Fairfield County For The Fiscal Year Commencing July 1, 2016 To Provide For The Levy Of Taxes For Fairfield County For The Fiscal Year Commencing July 1, 2016; 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 Council Member Kinley; seconded by Vice Chairman Marcharia that Council amend the FY16/17 budget to include an increase for the Fairfield County Library in the amount of \$8,948.00; this increase will be used to fund Cost of Living Increases for Library employees similar to Cost of Living adjustments for Fairfield County Government employees.

{Chairman Robinson announced that she would have a conflict of interest in discussing the Library budget, and removed herself from the dais. She signed a Statement of Conflict of Interest Form, which is on file in the Clerk to Council's office, and turned this portion of the discussion over to Vice Chairman Marcharia to preside}.

During discussion, Council Member Smith pointed out this was discussed in the last budget work session, and that Mr. Pope had indicated he would go back to the Library to ascertain if it were possible for them to accommodate this within their budget. He asked Mr. Pope if he discussed this with the Library, and inquired of the results of the discussion. Council Member Smith also asked if the Administrator had any authority over the Library staff at all, and if the Council had any way to scrutinize their budget? **By show of hands, the motion failed 4-2.**

<u>In Favor Of The Motion</u>	<u>Not In Favor</u>
Marcharia	Ruff
Kinley	Stewart
	M. Robinson
	Smith

{Chairman Robinson returned to the dais at this point, and reassumed presiding over the remainder of the meeting}.

*It was moved by Council Member Smith; seconded by Council Member Robinson to approve Third and Final Reading of Ordinance No. 664. During discussion, Vice Chairman Marcharia moved to approve the FY 2016-2017 budget with the full funding of the Workforce Liaison Department. Chairman Robinson pointed out to Vice Chairman Marcharia that he was not present when that was done, and therefore, was not on the prevailing side, which results in a motion that he cannot make tonight. Vice Chairman Marcharia asked to make a substitute motion to approve the FY 2016-2017 budget with the full funding of the Workforce Liaison Department of \$57,996.00. **The motion failed for lack of a second.***

The motion carried 6-1 to approve Third and Final Reading of Ordinance No. 664. {Council Member Kinley voted nay}.

Vice Chairman Marcharia expressed that if he voted with the budget, it is done under parliamentary procedure that if he ever wanted to raise this question again or bring it before Council, being on the prevailing side, that he can raise this question again and argue and debate some of the things in the budget. However, if he voted nay and don't go along with it, he can never bring it back or argue anything in the budget.

9. BOARD AND COMMISSION MINUTES

Provided as information.

10. BOARD AND COMMISSION APPOINTMENTS

*It was moved by Council Member Ruff; seconded by Council Member Smith to approve the Appointment Ratification as presented for the Fairfield County Council on Aging Board. **The motion carried unanimously.*** The Clerk announced the following appointment: Mr. Henry L. Dixon (representing District 1).

11. OLD BUSINESS

None.

12. NEW BUSINESS

A. County Council Bylaws (Supreme Court Ruling On Executive Session).

Mr. Pope set forth that this was an issue that was brought to Council's attention at the last Council meeting. A copy of the section of the Bylaws (page 10 of 20) that is proposed for changes was included in the Council's packet. The Clerk has included in the blue font, under Executive Session, "subsequent to executive session, Council may take action on matters discussed in executive session", which is the language being brought to the Council for consideration of approval. What will occur, if Council favorably approves it, is on the Council's agenda, that verbiage will be noted on the agenda to be consistent with how that ruling came out in the Courts. *It was moved by Council Member Smith; seconded by Council Member Robinson to approve the recommended changes. **The motion carried unanimously.***

B. Resolution No. 2016-02: Recognizing Contributions Of Fairfield County Library Director. *It was moved by Council Member Smith; seconded by Council Member Robinson to approve the Resolution as posted above. **The motion carried unanimously.***

13. COUNTY ADMINISTRATOR'S REPORT

A. Request Of Action: Recreation - Repair Drain Line At Drawdy Park. This request is for consideration of approval \$27,000.00 to Martin and Son Contractor to repair a drain line at Drawdy Park. This action came before the Administration and Finance Committee, where it was approved unanimously. This is a further project improvement at Drawdy Park, and was bid twice. The committee recommended unanimously that Council move forward with the lowest responsive bid of \$27,000.00, which were already budgeted in the FY 2015-2016 budget. *It was moved by Council Member Kinley; seconded by Council Member Smith to approve the Request of Action to Repair the Drain Line at Drawdy Park. **The motion carried unanimously.***

B. Request Of Action: Information Technology - Outsourcing Printer/Printing Needs. This item came before the Administration and Finance Committee. This is going to a State Contract price, which will save the County a substantial amount of money (\$5,876.00 per month; over five years, a savings of \$88,147.20). *It was moved by Council Member Smith; seconded by Council Member Robinson to approve the Request of Action for Outsourcing Printer/Printing Needs. **The motion carried unanimously.***

C. FEMA Report. The Finley Bridge item was taken up at the Council retreat this past January. This bridge was one of the bridges that was washed out during the flood. Staff looked at it and initially received information from FEMA, where funding was earmarked for this project; however, the County would have to participate in the amount of \$50,000.00 to be able to draw down the other funds. What was discussed at the retreat, there were other bridges that the Public Works Department felt was more high priority than this particular one. The property owners have access from their property without the bridge, and it was the pleasure of Council at that particular time to not pursue this. From a staffing perspective, one thing that needs to be done in order to close this out from the FEMA side, need a vote from the Council saying the County has no desire to pursue the FEMA funding, and those dollars would go to other communities to use for FEMA funding. *It was moved by Council Member Kinley; seconded by Vice Chairman Marcharia that Council decline the federal funding for the Finley Bridge. **The motion carried unanimously.***

D. Worthless/Bad Check Program. Solicitor Randy Newman was asked to come forward to present the program to Fairfield County, which has already been presented to Chester and Lancaster counties. He set forth that it is a diversion program to divert bad checks from the Magistrate's Court to the Solicitor's Office, which is a benefit to local businesses as well as to the check writer. Council Member Smith inquired if there would be any funding required from County Council. Solicitor Newman responded that no funding is being requested from the County and that his current staff could handle the program. He stated that, statutorily, he is required to get approval from the County to implement the program. Vice Chairman Marcharia inquired what will the funds be used for. *It was moved by Council Member Smith; seconded by Council Member Robinson to approve the Worthless/Bad Check Program.* During discussion, Vice Chairman Marcharia inquired when the funds are received, what will the funds be used for. **The motion carried unanimously.**

E. Local Government Fund Update. Will know the end of this program when the General Assembly finalizes its process. An amendment by the Senate to increase the funding, or include a fourth of it, that was not in the original proposal; however, under that scenario, the Local Government Fund is still not being fully funded based on the State statute that is authorized by law through the General Assembly. If the County receives any additional revenue, the budget can be amended at that particular time.

F. South Carolina Public Interest Foundation et al. versus City of Columbia, et al. Legal matter for Executive Session.

G. Airport FBO Contract. Executive Session matter.

14. CLERK TO COUNCIL'S REPORT

A. 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.

- ☐ Mrs. Wanda Carnes - Resource Center
- ☐ Mrs. Bertha Goins - Freedom Is
- ☐ Mr. Randy Bright - Thank You/Future Budgets

16. COUNTY COUNCIL TIME

Council Member Stewart

- Sustainable Jobs To Fairfield County/Strategic Plan Recommendation To Place Additional Position In Economic Development Department/Built-In Liaison Function And Public Affairs Function

Vice Chairman Marcharia

- Public Needs To Know Why The Workforce Liaison Department Was Eliminated

17. EXECUTIVE SESSION

*At 6:57 P.M., it was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to go in executive session to receive advice regarding the S. C. Public Interest Foundation; discuss a contractual matter regarding the Airport FBO; water and sewer contractual matter with the Town of Winnsboro; personnel matters regarding County Administrator and Economic Development Director and economic development update regarding Department of Commerce projects. **The motion carried unanimously.***

*At 7:34 P.M., it was moved by Council Member Smith; seconded by Council Member Kinley to come out of executive session and return to open session. **The motion carried unanimously.***

Chairman Robinson reported no action was taken in executive session and no motions to come forward.

18. ADJOURN

The meeting was adjourned at 7:34 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN