



MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JUNE 11, 2001

Present: David L. Ferguson, Chairman; R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Carnell Murphy, Carolyn B. Robinson, Council Members; J. Clay Killian, County Administrator; Shryll M. Brown, Clerk to Council.

Absent: Robert W. Davis, Vice-Chairman

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 twenty-two other individuals.

1. CALL TO ORDER

Chairman Ferguson called the meeting to order at 6:10 P.M.

2. After which Council Member Robinson gave the invocation.

Council Member Kinley made a motion to amend the agenda to include an executive session as Item 12A to discuss a contractual matter and administrative briefing. Motion seconded by Council Member Marcharia, and unanimously approved by Council.

3. APPROVAL OF MINUTES

Council Member Robinson made a motion to approve the minutes of the budget work session of May 25, 2001. Motion seconded by Council Member Kinley, and unanimously approved by Council. Council Murphy made a motion to postpone the approval of the minutes of the regular meeting of May 30, 2001. Motion seconded by Council Member Kinley, and unanimously approved by Council.

Presentations And Recognitions

Council Member Robinson presented a certificate to Ms. Mary H. Coleman in recognition of her 100th birthday. Her daughter, Ms. Virginia Coleman Armstrong, accepted the certificate on her behalf.

Mr. Danny Miller made a presentation to Council on the Teen Institute and Teen Pregnancy programs.

4. COMMITTEE REPORTS

A. Economic Development Committee

(1). The committee discussed the Carl Van Harrison request to re-zone on Highway 34E. The committee accepted the recommendation of the Planning Commission, and will delay motion until later on the agenda.

B. Welfare and Community Relations Committee

(1). The committee placed some dates on the calendar for various events that are coming up.

a. Welcoming reception for Administrator, Wednesday, June 27, 2001, 12:00 noon to 2:00 P.M.. *Council Member Brown made a motion to accept that date and to also forego the rules of taking this matter before the finance committee, due to short notice, and move forward with this matter. Motion seconded by Council Member Robinson, and unanimously approved by Council.*

b. Industry Appreciation – Wednesday, September 19, 2001, 5:30 P.M., at Mt. Hope.

c. Veterans' Day Parade – Friday, November 9, 11:00 A.M.

d. Still in process of working through and finding the time to dedicate the Health Services Building when Senator Hollings can be in town.

C. Public Facilities And Transportation Committee

Committee Chairman Marcharia made the following report and recommendations:

(1). International Building Codes. *The committee is proposing second reading of Mechanical, Fuel Gas, Energy, and Fire Codes. So moved by Council Member Marcharia, with a second by Council Member Brown, and unanimous approval of Council. Council Member Brown made a motion to place the Ordinance on the June 28 agenda at 6:00 P.M. for*

Third and Final Reading and Public Hearing. Motion seconded by Council Member Murphy, and unanimously approved by Council.

5. OLD BUSINESS

A. Second Reading: Ordinance No. 398 - Addressed Above In Committee Report.

B. Second Reading: Ordinance No. 406 - An Ordinance To Amend The Fairfield County Zoning Ordinance To Provide For The Zoning Reclassification From RD (Rural Resource District) To B2 (General Business District) Of A Parcel Of Land Owned By Carl Van Harrison Containing Approximately 1.78 Acres, Tax Map No. 219-00-00-008, Located At 16530 State Highway 34E, Ridgeway, South Carolina, 29130. *Council Member Kinley made a motion to approve Second Reading of Ordinance No 406. Motion seconded by Council Member Murphy. During discussion, Council Member Murphy pointed out that at one time, Council was looking at the possibility of having the classification between RD and B2 {to come up with cite specifics for those areas that would limit the openness of B2}. The motion carried.*

6. NEW BUSINESS

None

7. COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following items:

(a). Lease/Purchase arrangement or fire apparatus for Fire Board. Received bids last week. There were questions about extra charges for documentation. Wachovia bid is still most advantageous for the County. Recommend move forward with Wachovia bid. Need to adopt Ordinance that authorizes the lease/purchase agreement. *Council Member Robinson made a motion to accept and give First Reading to the proposed Ordinance. Motion seconded by Council Member Brown, and unanimously approved by Council.*

(b). Bids for Courthouse roof repair. Building has been looked at by a number of contractors. Received two bids in time to be considered. Low bid of \$131,347 from Midwest Maintenance, Inc. of Pigua, Ohio. Funds

are available in the special projects account that have not been spent. In order to minimize impact on next year's budget, recommend awarding the bid to Midwest Maintenance. *Council Member Robinson made a motion to accept the low bid of \$131,347 from Midwest Maintenance to perform the Courthouse roof repairs. Motion seconded by Council Member Kinley, and unanimously approved by Council.*

8. CLERK TO COUNCIL'S REPORT

The Clerk reported on the following items:

(a). Richard Winn Academy retreat.

9. BOARD AND COMMISSION MINUTES

Provided as information.

Council Member Murphy inquired about the reconsideration of the Board of Disabilities and Special Needs. Mr. Killian responded that the agreement is being reviewed to determine what the process will be.

10. INFORMATIONAL ITEMS

None

11. PUBLIC COMMENT

a. Ms. Jessie Williams spoke to Council on the matter of the Horeb-Glenn mini-park.

b. Ms. Ruchelle Gee and Mr. Troy Carpenter spoke in opposition of the grandfathering of the Perryman property.

c. Ms. Naomi Perryman and Ms. Melissa Salo spoke in defense of the grandfathering of the Perryman property.

12. COUNTY COUNCIL TIME

(a). Council Member Kinley inquired of the status of board and commission training.

(b). Council Member Brown voiced that he has been suggested that Mr. Vismore be invited to come to the County to train the Council and Planning and Zoning in an attempt to better understand zoning matters.

(c.) Ferguson: "Two years ago when I came on Council, I did some research on Syrup Mill Road on who owned property because the people on

Syrup Mill Road did not have adequate water or any gas. I had people visit me from Syrup Mill Road whose wells have dried up; had people visit me on Syrup Mill Road who used water every other day out of their well or went across the road and got water from their neighbors. I used every absolute avenue known to me to get water on Syrup Mill Road for the residents on Syrup Mill Road who were going across the road or down the street or where ever to get water. Ms. Perryman was contacted prior to anything going in as far as these ordinances go, and most of the landowners (I won't say all); most landowners knew exactly what Ms. Perryman was going to do because I discussed it with them. The fact of it is that's a fact. We will go back to the grandfather. I would venture to say everybody on Council knew Ms. Perryman's plans before we did anything about zoning because I brought it to them. I tried to use it as a thrust to try to get water on Syrup Mill Road for the people who don't have any. Folks who are without appreciate the fact that folks have done what they tried to do for them. The other thing is a grandfathered in is a grandfathered in. There is a legal precedent set for Ms. Perryman to have a grandfathered piece of property on Syrup Mill Road; therefore, the Council granted that grandfather—not at our insistence because it is illegal for you to go against what somebody already had proof or planned before we made this decision. It is not like the Council made this decision because we were against somebody. We made this decision because of Ms. Perryman. I talked with Ms. Perryman quite a few times on the phone; met her right out here in the audience one night when she came and addressed the Council. I am saying that to say this. Where would you be if we had not put this in place. If there was a hog farm on top of the hill, where would we be; where we, as citizens, on Syrup Mill Road be; if there was a chicken farm that wanted to be there or a chemical plant – where would we be? I want to be what you want me to be as your Council Member. I am talking to most of you because most of you are in district five. The fact of it is we have to live together; we have to coexist; we have to do what we have to do so folks can have the things that they need to live with. That is what I have tried to do. If I have done a bad job in your sight, then I am sorry. If I had it to do all over again, guess what, I will do the exact same thing again, because I am there to serve the citizens in this County and the folks who don't have – the

necessities of life – it is my job to see that they try to get it if at all possible. If you have an apology coming, I apologize to you. What you think has happened on Syrup Mill, but I won't apologize to you what I did on Syrup Mill Road, because I did it with the best intent for the most folk involved.”

Council Member Murphy said “you brought up the thing about the grandfather clause. The only thing I would say is we need to check that thoroughly to make sure it fits there because we want to make sure that we are fair to all citizens of the County. When I say ‘fit’, I am talking about a legal precedent. You said legal, that we are within the legalities of the law.”

Council Member Marcharia asked, in reference to the community, “how any of the community members that have concerns actually met with Ms. Perryman—any of the group here? Have they personally talked with Ms. Perryman before coming here? {Someone from the audience commented “we didn't even know about the rezoning”}. Council Member Marcharia asked “when you found out about the rezoning, did anyone go and talk to Ms. Perryman and ask her?”

Council Member Murphy commented that “the only thing I want to say at this point, and I have said it to everybody, and everyone that comes before me, I always vote for what the established community want. I have said that over and over and over. I say that tonight.”

Council Member Brown made a motion to go into executive session at 7:10 P.M. to discuss a couple of contractual matters. Motion seconded by Council Member Robinson, and unanimously approved by Council.


At 8:30 P.M., Council Member Kinley made a motion to come out of executive session and return to regular session. Motion seconded by Council Member Murphy, and unanimously approved by Council.

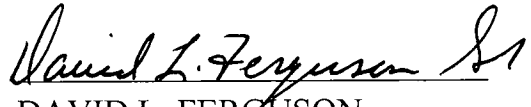
Council Member Murphy asked to bring a motion out of executive session for consideration of Council dealing with the matter that was discussed in

the administrative briefing {to allow the County Administrator to move forward with that matter, and if it can be solved within the parameters discussed in executive session, to move forward with the execution of the deal}. Motion seconded by Council Member Kinley, and unanimously approved by Council.

13. ADJOURN

The meeting was adjourned at 8:31 P.M., upon the unanimous approval of Council.


SHRYLL M. BROWN
CLERK TO COUNCIL


DAVID L. FERGUSON
CHAIRMAN