



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
JUNE 13, 2011**

**Present:** David L. Ferguson, Sr., Dwayne Perry, Mary Lynn Kinley, Kamau Marcharia, Council Members; Philip L. Hinely, County Administrator; Davis Anderson, Deputy County Administrator; Jack James, County Attorney; Shryll M. Brown, Clerk to Council

**Absent:** R. David Brown, Carolyn B. Robinson, Mikel R. Trapp

**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 fifty individuals.**

**1. CALL TO ORDER**

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

**2. INVOCATION**

Council Member Kinley led in the invocation. She noted that Council Member Carolyn Robinson lost her mother, and asked that everyone remember the Robinson/Beam family in their prayers.

**3. APPROVAL OF MINUTES**

*It was moved by Vice Chairman Perry; seconded by Council Member Marcharia, to approve the minutes of the budget worksession of May 16, 2011 and regular meeting of May 23, 2011. The motion carried unanimously.*

**PUBLIC HEARING**

Request For A Zoning Reclassification To The Fairfield County Zoning Map (Rezone) For Two Parcels: (1) Ten (10.0) Acre Property (TMS No. 071-00-00-027) Zoned RD (Rural Development District) To I-1 (Industrial); (2) Five (5.0) Acre Property (TMS No. 071-00-00-028) Zoned RD (Rural Development District) To I-1 (Industrial). Property Is Located At 183 Ibis Lane, Winnsboro, South Carolina, 29180. *Chairman Ferguson opened public hearing at 6:10 P.M.* The following individuals signed to speak during public hearing: Mr. Wilson Beaver and Senator Creighton Coleman.

**Questions and Comments from Council:**

- Were these {13-14 names} presented to the Planning Commission at the hearing on this matter? Did anyone appear?
- Were they notified {before the hearing with the Planning Commission}?
- They are notified, before this hearing, by certified mail?
- I have spoken to Mr. Hinely several times on this process because people have come to me (even some of the Planning Commission members) and said why don't we have the public come before the Planning Commission discusses it and it might open some conversation or dialogue there and not have to wait until it comes to Council. I don't know if it is legal with the State of South Carolina or with our bylaws. I feel this is a good process, instead of waiting until it comes to Council. That way, our citizens have a lot more input at that time. They can ask questions and voice concerns about the property and the protocol, and not wait until they come to Council. This is the first time we have heard it on the Council floor.

- Even if someone is opposed, they may be opposed because they don't know actually what is going on because they have not had a chance to discuss it or get more information. It would be nice to have some dialogue with some of these residents before it actually came before Council so they will know a little bit more about what is going on.
- The procedure that the Council follows is state mandated.
- Concur with the concept of public participation. Think the citizens should have an opportunity to lay out their concerns before it gets to the Council to make a decision.
- Asked Mr. Beaver to remain in the audience so that Council can ask him some questions during County Council Time.

*Hearing no further comments, the Chairman closed public hearing at 6:28 P.M.*

#### **4. PUBLIC COMMENT**

None.

#### **5. COMMITTEE REPORTS**

None.

#### **6. OLD BUSINESS**

None.

#### **7. NEW BUSINESS**

**A.** First Reading (By Title Only): Ordinance No. 589 - Request For A Zoning Reclassification To The Fairfield County Zoning Map (Rezone) For Two Parcels: (1) Ten (10.0) Acre Property (TMS No. 071-00-00-027) Zoned RD (Rural Development District) To I-1 (Industrial); (2) Five (5.0) Acre Property (TMS No. 071-00-00-028) Zoned RD (Rural Development District) To I-1 (Industrial). Property Is Located At 183 Ibis Lane, Winnsboro, South Carolina, 29180. *It was moved by Council Member Kinley; seconded by Council Member Marcharia to approve First Reading (By Title Only) of Ordinance No. 589. The motion carried unanimously.*

**B.** Appointments/Reappointments To Fairfield County Boards And Commissions

*It was moved by Vice Chairman Perry; seconded by Council Member Kinley to approve the letters submitted from the following fire departments, requesting that the current fire board representative remain in their position, due to the fact that no other member would accept the position: Blair, Community, Jenkinsville and Lebanon. The motion carried unanimously.*

**C.** A Resolution: To Approve The Memorandum Of Understanding And Agreement Between The County And The South Carolina Association Of Counties Relating To The South Carolina Association Of Counties Being Authorized And Designated As The Claimant Agent For The County Pursuant To The Setoff Debt Collection Act Of 2003, As Amended, And To Authorize The Delinquent Tax Collector Of Fairfield County To Use The Procedures Provided In Chapter 56, Title 12 As The Initial Step In The Collection Of Delinquent Taxes. *It was moved by Vice Chairman Perry; seconded by Council Member Kinley to approve the above-referenced Resolution. The motion carried unanimously.*

#### **8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE**

**a.** There was a little confusion tonight, because initially there were two public hearings scheduled: the one discussed tonight and another one that was for the county on Peach Road. The advertisement listed the property in Jenkinsville instead of Ridgeway; therefore, since the error was concerning the exact location, it was in the county's best interest to re-advertise the hearing for the next meeting.

**b.** Grinding activity started today. Attorney James is in the process of reviewing it and will be forwarded to Mr. Hinely. The contract has been mobilized to start the facility on Old Airport Road.

**9. CLERK TO COUNCIL'S REPORT**

a. Reminded Council to ensure the public is aware of the procedures that will occur after first reading of an ordinance.

**10. BOARD AND COMMISSION MINUTES**

Provided as information.

**11. INFORMATIONAL ITEMS**

Water meeting re-scheduled for Wednesday, May 25, 2011 @ 6:30 P.M.

**12. COUNTY COUNCIL TIME**

Council Member Kinley inquired of Mr. Beaver why he and the other individuals who signed the petition against the request to rezone the property located at 183 Ibis Lane. She also asked where the exit will be from parcel number 27, and wanted more explanation on the process.

Council Member Marcharia inquired if an Environmental Impact Statement will be necessary for that area? He also asked if there is a list of what items that will be consumed or worked on in that particular property?

Vice Chairman Perry mentioned he met with the homeowners of Cedar Rock Road. One of the things mentioned was that a community was being built off Hood Road and some individuals would be flying planes in and out with private runways. He asked if Mr. Hinely or Mr. Stowers could research this matter and report back to Council.

**13. EXECUTIVE SESSION: Legal Matters**

*At 7:00 P.M., it was moved by Council Member Marcharia; seconded by Council Member Kinley to go in executive session to discuss legal matters. The motion carried unanimously.*

*At 8:45 P.M., it was moved by Council Member Kinley; seconded by Council Member Marcharia to come out of executive session and return to regular session. The motion carried unanimously.*

*Chairman Ferguson reported that no action was taken during executive session and nothing to report out in regular session.*

At this time, Mr. Hinely referenced Item 7C on the agenda, which related to the Setoff Debt Collection Resolution. He pointed out that, the language in the second paragraph of the Resolution which was originally distributed to Council read: "...leave it to the discretion of the Delinquent Tax Collector, or subject to the regulations promulgated by the Delinquent Tax Collector and approved by Council." He asked Council to amend the language to read: "leave it to the discretion of the Administrator, or subject to regulations promulgated by the County Administrator and approved by Council." *It was moved by Vice Chairman Perry; seconded by Council Member Kinley to amend the Resolution to approve the above language as proposed by the Administrator. The motion carried unanimously.*

Council Member Marcharia inquired when the Council will hold meetings for redistricting and what role would the public be able to play in this and what input will they have? Mr. Hinely indicated he would contact Mr. Bowers to secure information on this matter.

**14. ADJOURN**

The meeting was adjourned at 8:55 P.M. upon the unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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DAVID L. FERGUSON, SR.  
CHAIRMAN