



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JUNE 8, 2009**

Present: R. David Brown, Mikel R. Trapp, David L. Ferguson, Sr., Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Council Members; Philip L. Hinely, County Administrator; Shryll M. Brown, Clerk to Council

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-eight other individuals.

1. CALL TO ORDER

Chairman Brown called the meeting to order at 6:00 P.M.

2. INVOCATION

Council Member Kinley led in the invocation.

3. APPROVAL OF MINUTES

It was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to approve the minutes of the regular meeting of May 26, 2009. The motion carried unanimously.

PUBLIC HEARING

An Ordinance To Establish An Identity Theft Prevention Program; To Comply With Federal Regulations Relating To Address Discrepancies; To Comply With Federal Regulations Relating To Red Flags And Identify Theft; To Comply With South Carolina Act 190, The Financial Identity Fraud And Identity Theft Protection Act Of 2008; To Provide For Codification; To Provide For Severability; To Provide For An Adoption Date; To Provide An Effective Date; And For Other Purposes Allowed By Law. *Chairman Brown opened public hearing at 6:10 P.M. Hearing no comments, the Chairman closed public hearing at 6:11 P.M.*

PRESENTATION

Dust Control – Mr. Tim Antley, Dennis Corporation

Questions:

- What is the duration of it?
- I know it said you can put it on a road that has not been compacted, but it works better if it has been compacted?
- If we decide to do this I think we ought to consider adding more roads so each district can have one road done. At that price, \$2,500 is a fourth of a mile. I think that would be fair to everyone for all council to get at least one road out their district.

- I think the CTC wants to have a meeting one day soon and we can do that and we can bring this up at that meeting also. We might want to see if he would agree to use some of that money from some of this; to do this and then come back and pave it at a later time. We'll get Mr. Hinely to schedule that meeting or give us a list of dates that suits everybody.
- Where have you done this mostly--one county that maybe has used it; that you've put it down and how long has it been down? Are there are negatives that you see?
- How long are we planning to look at this process on the three roads we're trying now?
- We're not looking to limit this to roads that are narrower than sixteen feet or narrower. We can expand it out to roads that are eighteen or twenty feet wide? Is there a certain size on the gravels? Can gravels be too large for the product that is on some of our gravel roads?
- Looking at the cost of this, it's really not that cost prohibitive. Have we did any analysis for Mr. Lucas' department of how this compares to what he's doing?
- The question I would have is this is kind of experimental. You haven't been doing roads before?
- Would this have any negative factor on a road we had coming up for resurfacing?

4. PUBLIC COMMENT

None.

5. COMMITTEE REPORTS

A. Health, Education and Recreation Committee

Committee Chairman Perry reported the committee met on Thursday last week and that the committee did not take any actions at the committee meeting and have nothing to bring forward. Committee Chairman Perry did share with the Council that the committee did ask Mr. Wayne Schuler to give some statistics on a 3, 5 and 10 minute radius around potential areas. Included in that information was population data for Richland, Kershaw and Newberry County. Based on that information, Mr. Schuler was asked to go back and recalculate and give us information on Fairfield County only. Once this information is ascertained, he will call Mr. Hinely to reschedule the meeting to look at Fairfield County data only. Further, Committee Chairman Perry pointed out the committee discussed the current building that the county owns, which is on the ground and packed up. The committee asked Mr. Hinely to bring some drawings of what that building would look like as well as possibly what it would cost to take that building and make it into building that we can use for a recreational or community standpoint for the county. Finally, Council Member Perry reported that the committee members have agreed to ride to different areas and look at population density.

Questions:

- How is the selection process--looking at the population density? Is that going to determine where community centers should go? Will the public have a role if it is placed in that community? How is it going to be determined where it is going to be, the needs of that community and what participation would the public have?

6. OLD BUSINESS

A. Third And Final Reading: Ordinance No. 547 - An Ordinance To Establish An Identity Theft Prevention Program; To Comply With Federal Regulations Relating To Address Discrepancies; To Comply With Federal Regulations Relating To Red Flags And Identify Theft; To Comply With South Carolina Act 190, The Financial Identity Fraud And Identity Theft Protection Act Of 2008; To Provide For Codification; To Provide For Severability; To Provide For An Adoption Date; To Provide An Effective Date; And For Other Purposes Allowed By Law.

It was moved by Council Member Robinson; seconded by Vice Chairman Trapp and Council Member Perry to approve Third and Final Reading on Ordinance No. 547. The motion carried unanimously.

7. NEW BUSINESS

A. Resolution: Establishing The Millage For Fairfield County For The Fiscal Year 2009-2010. *It was moved by Vice Chairman Trapp; seconded by Council Member Perry to approve the Millage Resolution for Fiscal Year 2009-2010. The motion carried unanimously.*

8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE**a. Report from Grants Coordinator, Steven Gaither.**

➤ Current Projects

- One of them is the current COPS grant which is roughly about \$500,000.00. Applying four additional deputies. It's a community oriented policing. They are kind of like community liaisons for the community. The current status for that application is it's currently in progress and moving forward with that. There are no required matching grants for the county.
- The next one that is in progress is the 2009 Justice Assistance Grant for \$24,000.00 It is for eleven new computers that were installed in all the vehicles. That currently is in progress and are still working. Doesn't require matching grants.
- The next page is JAG grant for \$107,000.00. This one was to get the AFFIS machine through the Department of Public Safety for finger printing, background checks all kinds of identification as well as international checks. This grant would also include one year of maintenance. After the one year maintenance, the county will be required to pick up the maintenance for that particular machine. There is no required matching grant.
- There is a 2009 Direct JAG Grant for roughly \$101,000.00 That was a continuation from the 2007 grant, which allowed the county to buy twenty-four additional computers to complete all of the vehicles so they all could have computers in there so they could instantly run a background. Each computer ran \$2,100.00, which included investigations and narcotics. A lot more vehicles were added to this. No matching funds were required. Currently in progress and moving forward with that.
- The next one is our Fairfield County Quick Jobs. Had a meeting last week with the COG. This upcoming week they are doing interviews for the architects. Once the architects have been secured and finalized, that will be ending between the end of this month and the beginning of next month to continue the progress of moving forward with the quick jobs.
- The other one is the Energy Grant, which is through the COG, and is roughly \$213,000.00. Focusing on conducting an energy audit. More important to be fiscally responsible with this. The buildings looked at were the county administration building, the

- courthouse, detention center and the judicial center. For clarity, this is a competitive grant. Are competing against many other municipal counties for this application.
- The next project is the Renaissance Village project through the COG. That is over \$3,000,000.00. That is looking at something called community blight Looking at the Mill Village area. Would have to do is get permission from the home owner that they would be allowing us to remove those particular homes and be able to level it, seed it with grass and enhance the community. It had to be a community focus grant. Would have to be going to each home owner and getting them to sign off in a agreement with this. Waiting for the COG to give the federal and state guidelines updates. Another competitive grant.
- Weatherization. A secondary sheet of the weatherization through the Carolina community action was distributed to the Council. They currently are taking applications. They have a funding income basis that they use for guidelines. They advertise through the local newspaper. Their next project is trying to move forward through local churches.
- Buffer Zone Grant Protection for \$139,000.00. That grant has been in progress in case of terrorism. This is to order the kits for night vision, three thermal imaging cameras, eight night vision goggles. In progress and moving forward with this application and there are no required matching funds.

➤ Grant Identification

- Community Innovation for Aging. Roughly \$200,000.00 to \$500,000.00 dollars. Has been passed on to the Council on Aging.
- Funding new construction of building fire stations. The information has been put out but the application has not yet released any information as to when the actual application is going to drop. They are still working through that at FEMA.
- Homeless Prevention and Rapid Rehousing. This grant application looks at those people who are homeless. Some of this money would help them hook up their securities, utilities, and deposits so that this particular family would not be homeless. So, this particular grant and structure would help these people for emergency and transitioning them so they wouldn't be homeless. Will pass this on the Jimmy Burroughs.
- Center for Disease Prevention and Control Healthy Homes. This application was identified for roughly \$75,000.00 to \$100,000.00 dollars. Would focus on lead poisoning through this application for homes throughout Fairfield County.
- Consider all of the aspects of the community, the resources, and the environment around it. The more information that is available, the better the opportunity is for the county to apply for grants and the more likely it is to get funded for these applications and to ensure that the county is successful in the competition.
- Draft of an Infrastructure and Utilization Plan distributed for the Council's review.

Questions:

- On the Village Renaissance, we had inquired about possibly taking down these huge dead trees along Mill Village because that could be really detrimental and have a lot of blight right there. The sidewalks are not able to be used and there are about three to four wires that go through those trees (Verizon, SCE&G, and the Town of Winnsboro). Could you inquire if that could be along the lines of blight?
- These grants that things that are in progress. Any kind of time frame as far as when we can expect to hear back on the status of these grants?
- The Energy Grant for \$213,000.00. It is my understanding that it down to Fairfield and Newberry. Is that still correct?
- When we have selected an architect, the county needs to be totally involved in the building decision.
- You have the COPS grant, the JAG grant and the grant; one of the JAG grants for \$107,000.00 and the other one is for \$101,000.00. When we are asking for four

additional officers and once those grants run out, the money has to come out of the county funds in order to continue to keep these officers on?

- Buffer Zone Protection Grant. I do see some things in here on law enforcements but nothing on the welfare of the community.
- Carolina Community Action. Was there only a \$213,000.00 grant that is going to come to the Community Action? There is no mention in the weatherization project to help fix people's roof.
- Does the COPS grant follow the same guidelines as a percentage after the first year, another percentage after the second year, etc.?

b. Report from Kyle Michel

➤ Federal Earmarks

- Congress is under new rules this year that require all members to post the request that they have made to the subcommittees
- We put in four requests for congressional funding, congressional appropriations, local projects (commonly known as earmarks). \$750,000.00 for the Peach Road Industrial Park, \$395,000.00 for the Fairfield Memorial Hospital Adult Day Care Center, \$1 million for the Winnsboro Water System Expansion Project that is not aligned from Broad River, and \$600,000.00 for the Town Clock Restoration. After these were submitted, we learned that the Town Clock received a grant for \$350,000 in the FY 2009 budget, but requires a 50% match and the Town is having trouble finding the 50% match for the \$350,000 grant. Do not know whether the county is interested in contributing to that or not.
- Congressman Spratt requested all of our projects at the level at which the county requested them. Senator Graham requested the Peach Road Industrial Park and the Winnsboro Water System Expansion Project at the reduced levels of \$250,000.00 and \$500,000.00 respectively.
- So, the first cut is 98 or 99% of what will be there in the end. That we should know, in the House side, by July 4 recess if they meet all of their goals. On the Senate side, we should we should know by the August recess which is the first weekend in August.
- Transportation Reauthorization Bill. Had a grand total of five business days in which to come up with our transportation reauthorization bill requests this year on the House side which is for Congressman Spratt. Worked hand in glove with Mr. Hinely with the briefing of Mr. Brown and also working with state DOT. The Dennis Corporation was extremely helpful. Put together two transportation reauthorization projects. One of them was not a federally eligible road which was why Congressman Spratt didn't request it, but at the time we put it up to him he didn't say that he couldn't request it for that. Will have another chance to submit projects to the senate. Fairfield County has zero projects right now on the State Transportation Improvement Plan for funding. The last one was exit 32, which was fully funded. There are some projects in the COG's Multimodal Long Range Plan that was finished in 2004. The more that we can get in this plan for funding, the more that it will assist us in requesting federal funds because it can be identified as a priority. The amount of projects that can go in this plan are constrained by the amount of transportation funds that are projected to come to the rural COG areas. There are some federally eligible bridges that are identified in this document that are on federally eligible roads that would make more sense to ask someone like the Dennis Corporation to work up some project numbers on so that when the senate office asks for our transportation reauthorization requests, we will have more than two to give them.
- The Broad River Water Line project. Have a meeting scheduled on Wednesday of this week with Cat Hutchinson who we met with in Washington in Congressman Spratt's office to begin the work necessary to pass a congressional resolution to make this a Corps of Engineers project. If we cannot get that done then we will be illegible

- to receive earmark funding from the Corps of Engineers account. We have to do this preliminary work to become a corps project to then go ask for corps funding from the congressional office. Will also be meeting with Senator Graham's staff on Thursday and will brief his local projects person on where we are on the corps work in Congressman Spratt's office.

➤ Stimulus Projects

- Going to be working together to make sure that all stimulus funding, whether it's formula, that we don't miss any of those because we don't know that they are coming if we don't fill out the paper work and we haven't had that problem yet. Or that, number two, if we have a promising competitive grant that we know about and we bring it to Mr. Hinely or council as appropriate to make a decision on whether or not to go further with it.

Questions:

- Is there any word on the WiFi for the rural areas?
- Is Gum Springs Road a State DOT road?
- The state was trying to get us to take over old 21 at one time. We never agreed to that, did we? It's still a state highway?
- How do you make the distinction between a federal road and the DOT road? Is there some kind of criteria? I'm hearing that but I don't know it. That is one question I wanted to ask. Secondly, I wanted to ask about Gum Springs Road. Where is that and what is the significance of them putting a bridge there for the citizens and residents? The third is just a statement. Half the people in the community live in rural areas and I just don't hear a vision or see a need for people in rural areas to get some of this infrastructure.

c. **Jenkinsville Road.** Have done and investigation on Jenkinsville Road and would like to meet with the Public Facilities and Transportation committee.

d. **Auditor's and Treasurer's Pay.** During budget work session, Council passed a motion to equalize their pay. Received notification today from the State Treasurer's office that their supplement will be reinstated as of July 1st. The county will follow the budgetary request; however, it will be reinstated back to the treasurer and the auditor. Council's have been notified via email.

Question: Is that to make up the difference or is that for the upcoming year? So, the county is going to make up the difference for this present year before or by June 30 so that it shows in this current fiscal year?

e. **Report from Planning, Building and Zoning Director, Ron Stowers.**

➤ Goals And Objectives

- Grow a healthier, more financially secure, sounder, and safer communities that nurtures future generations, embraces the cultural and economic diversity by more effectively administering a positive zoning program, providing for effective planning, and ensure safe housing, also to ensure that all building plan reviews are done in a timely manner and complies with the adopted building codes. Provide accurate, timely, and complete information to the County Council, construction industry, developers and the public as regards to Fairfield County Zoning Ordinance, Fairfield County Comprehensive Plan, Fairfield County Land Development Regulations and Building Codes.

- Eight objectives: (1) Ensure all new mandatory building codes and their amendments as required by state in a timely manner and to ensure that all construction industry are aware of any new codes adopted in a matter in such a way to minimize confusion and delays. (2) Make all building inspections in a prompt and efficient manner. (3) Provide training for the planning building zoning department staff on all changes to any new mandatory building codes and their amendments. (4)

Encourage and support residential combination inspector to become certified in commercial inspection. Currently, he is certified by the state to do residential inspections only. To do commercial, he would have to pass four certification tests and we are in line this year to start getting on that as soon as possible. The reason that is so critical is that if anything happened to our chief building inspector, he would not be able to do any commercial inspections until he had passed those. (5) Review the Fairfield County Land Development Regulations with the Fairfield County Planning Commission to define areas of the subdivision to find process that can be more effective in submitting recommendations for change from the Planning Commission to the County Council. (6) Hopefully will be able to proceed with the Fairfield County Comprehensive Plan update this year. (7) Once the Comprehensive Plan update has been completed, to review the Fairfield County Zoning Ordinance for recommended changes to comply with the Comprehensive Plan recommendations. (8) Investigate all complaints in an efficient manner.

- The duties are in three main sections. The first section is the building portion. (1) Review all building plans as far as Zoning Ordinance and Public Nuisance Ordinance. (2) Investigate all complaints on violations of the Zoning Ordinance and Public Nuisance Ordinance. (3) Review all requests for subdivision to ensure compliance with Land Development regulations and Zoning Ordinance including all minor requests and submitting others for recommendation to the Planning Commission for approval. (4) Ensure all subdivisions are developed in accordance with conditions and approval by the Planning Commission if they fully comply with the Land Development regulations. (5) Act as staff for the Planning Commission on the rezoning requests, subdivision submittals and planning issues. (6) Act as staff for the Board of Zoning Appeals on requests for variances and appeals.

- Planning. Identify any possible problem areas and make recommendations to the Planning Commission or proposed changes to the Zoning Ordinance and to act as director on any planning issues County Administrator and/or the County Council wishes to address.

- Staff. The Building, Zoning and Planning Department is composed of five positions: 1. Director, 2. Chief Inspector, who is certified in all areas of inspection, including plan review, 3. Residential Combination Inspector, who is certified to do residential combination inspections only. He is also designated as a part time code enforcement officer following up on all complaints, violations and public nuisance violations, 4. Administrative Assistant and part-time clerical help.

Questions:

- In cleaning up some of these areas that we have around the county, in budget time it was brought to the Council’s attention that we didn’t need to upgrade any employee in your department for cleaning up these nuisance sites around the county. Is that right? I am asking if we are going to be in a more aggressive mode in getting these things cleaned up a lot better than we have in the last twelve months?

9. CLERK TO COUNCIL'S REPORT AND CORRESPONDENCE:

No report.

10. BOARD AND COMMISSION MINUTES

Provided as information.

11. INFORMATIONAL ITEMS

Provided as information.

12. COUNTY COUNCIL TIME

Ferguson: Commented that he asked for a report from all of the commissions that Council is assigned to. Asked Mrs. Brown to give him the Council attendance for the meeting as well as for the first quarter of this year.

Kinley: Inquired about the lady who was going to meet with the residents on the Airport deal has canceled that meeting again. Reported that some of the people are becoming frustrated and opined that the meeting should be carried out.

Marcharia: Inquired if a Council Member is appointed to a board or commission and feel as though they would not be effective serving on that board and feel like that board is politically activated, would that Council Member have the right to refrain from sitting on that committee. Reported that he missed the Palmetto Trail opening; however he wanted to express that that is a really beautiful spot and that the officials have done a remarkable job putting that bridge across Broad River.

Robinson: Reported she was invited, along with the Chair of Lexington County and a member of Richland County, to speak to the Palmetto Girls State hosted at Columbia College. Over 500 girls were in attendance, having an opportunity to fire questions.

13. EXECUTIVE SESSION: Contractual And/Or Pending Litigation

At 7:52 P.M., it was moved by Council Member Ferguson; seconded by Council Member Perry to go in executive session to discuss a contractual and legal matter. The motion carried unanimously.

At 8:56 P.M., it was moved by Council Member Robinson; seconded by Vice Chairman Trapp to come out of executive session and return to regular session. The motion carried unanimously.

Chairman Brown reported that no action was taken in executive session and there is nothing to report out in regular session.

14. ADJOURN

The meeting was adjourned at 8:56 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

RUSSELL DAVID BROWN
CHAIRMAN