



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JUNE 9, 2014**

Present: David L. Ferguson, Sr., R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; J. Milton Pope, County Administrator; Davis Anderson, Deputy County Administrator; Jack James, County Attorney; Shryll 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 ninety-six other individuals.

1. CALL TO ORDER

Chairman Ferguson called the meeting to order at 6:08 P.M.

2. APPROVAL OF AGENDA

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

3. INVOCATION

Council Member Kinley led in the Invocation.

4. APPROVAL OF MINUTES

*It was moved by Council Member Robinson; seconded by Council Member Kinley to approve the minutes of the Regular Meeting of May 27, 2014. **The motion carried unanimously.***

*Chairman Ferguson stated the minutes of the *Special Meeting of June 5, 2015 needed to be deferred. It was moved by Council Member Robinson; seconded by Council Member Brown to defer the approval of the minutes of the Special Meeting of June 5, 2014. **The motion carried unanimously.***

Mr. Pope was asked to guide Council through the reason for deferring the minutes of the Special Meeting of June 5, 2014, which he did by stating the following: The purpose of that meeting was to give Third Reading to the Ordinance that realigned County Council District lines with the School Board District lines. Third Reading was given and that information was sent to the State. A few individuals have inquired about the Third Reading, and have asked that some clarification be added to the language that was passed. Per discussions with the State today, it appeared to them that the Council had accomplished the intended reason for the Third Reading, and also in talking with Voter Registration, eight (8) citizens had been re-established in District Five, as was the legislation that was passed by our local Delegation; however, there were four minor means of clarification where, we are inserting, on page 2, after the first paragraph - the first "Whereas": WHEREAS, map 39-00-14 corresponds with the single-member districts provided for the election of members of Fairfield County Council School District...; the third "Whereas", changing that to "Fairfield County School-Council"; the last sentence in that "Whereas" is clarifying "Fairfield County Council School District"; last one in red "that

the restoration of the aforementioned ~~School District~~ County Council line be effected in order to comply with the School Board plan passed by the General Assembly...

Mr. Bowers' office felt as though those changes sufficed; however, based upon those questions, we wanted to be absolutely certain that there would not be any type of questions about this; and therefore, would be meaningful for the Council to take into consideration to reconsider the Third Reading and readopt those changes for Third and Final Reading.

*It was moved by Council Member Robinson; seconded by Council Member Brown that Council reconsider Third Reading of Ordinance No. 631. **The motion carried unanimously.***

*It was moved by Council Member Marcharia; seconded by Council Member Robinson to approve the Third Reading, with the additional changes made. **The motion carried unanimously.***

*It was moved by Council Member Robinson; seconded by Council Member Marcharia to approve the minutes of the *Special Meeting of June 5, 2014, with the amendment. **The motion carried unanimously.***

5. PUBLIC PRESENTATIONS

None.

6. PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED

The following individuals signed to speak:

- Mr. Randy Bright - Operation Leprechaun
- Mr. Clarence Pauling - Quarry
- Mrs. Lisa Brandenburg - Quarry Concerns
- Mr. Billy Smith - Intent To Mine

7. PUBLIC HEARING

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS:

A. First Reading (By Title Only): Ordinance No. 634 - Authorizing The Execution And Delivery Of A Fee In Lieu Of Ad Valorem Taxes And Incentive Agreement To Provide A Fee-In-Lieu Of Ad Valorem Taxes Incentive, Infrastructure Credits And Other Incentives To [Project Leprechaun]; The Inclusion Of Real Property Located In Fairfield County In The I-77 Corridor Regional Industrial Park; The Execution And Delivery Of Documents Necessary To Effect The Intent Of This Ordinance; And Other Related Matters.

Mr. Pope was asked to explain the difference between advalorem taxes and fee-in-lieu of taxes.

*It was moved by Council member Robinson; seconded by Council Member Trapp and Vice Chairman Perry to approve First Reading (By Title Only) of Ordinance No. 634. **The motion carried unanimously.***

B. Second Reading: Ordinance No. 632 - Authorizing An Amendment To The Master Agreement Governing The I-77 Corridor Regional Industrial Park By And Between Richland County, South Carolina, And Fairfield County, South Carolina, To Expand The Boundaries Of The Park To Include Certain Real Property Located In Richland County (University Residences Columbia, Llc); And Other Related Matters. *It was moved by Council Member Robinson; seconded by Council Member Trapp to approve Second Reading of Ordinance No. 632. The motion carried unanimously.*

C. Second Reading: Ordinance No. 633 - Authorizing An Amendment To The Master Agreement Governing The I-77 Corridor Regional Industrial Park By And Between Richland County, South Carolina, And Fairfield County, South Carolina, To Expand The Boundaries Of The Park To Include Certain Real Property Located In Richland County (PTI Plastic & Rubber, Inc.); And Other Related Matters. *It was moved by Council Member Robinson; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 633. The motion carried unanimously.*

9. BOARDS AND COMMISSIONS MINUTES

Provided as information.

10. BOARDS AND COMMISSIONS APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT:

A. County Spotlight. Fairfield County Museum - Ms. Pelham Lyles

B. Mr. Steven Gaither, Fairfield County Grants Coordinator, gave a brief update about the FY 2014-2015 Justice Assistance Grant (JAG) Application.

C. Fire Truck Purchase. Several months ago, this item was brought through committee to the full Council, and Council unanimously approved the purchase of a replacement fire truck. Procurement bidded that information out. The bids were received, and the lowest responsive bidder came in at \$2,177.00 over the budgeted price. Administration wishes to move forward, with Council's approval, and appropriate reductions will be made in that department in order to fulfill the order for the replacement of the fire truck.

D. Drawdy Park Update. The remediation work on Drawdy Park has begun. The construction company was issued a building permit about a week and a half ago. This location is actually inside the incorporated limits of the Town of Winnsboro, and staff is working on this item to memorialize what the practices and policies have been regarding inspections of City and County property. The Town has agreed to defer the inspections to the third party Inspector that the County has retained independently to review the remediation as it occurs. Weekly inspection updates are being received on everything. Hopefully, will receive a final timeline for the completion. Moving forward with the remediation. The engineered drawings were made available at the last Council meeting to anyone who wanted to review those and are still open for public review.

E. Intent To Mine Application Update. Have tried to articulate the process and who is responsible for what in a situation like this. The application was made available through a link on the County's website. DHEC has actually changed their web page, so the link from the County's website comes up "no available information." To the right of that, there is a link to DHEC to get to that. One of the things the County has tried to do was to make sure that the County receives accurate information from the State because this is a State process. DHEC does not really acknowledge the local zoning in the application process. Was notified this morning, and have provided this to the press, that DHEC has cancelled the hearing that was scheduled for July 24th. The reason behind the cancellation was that due to the fact that the mining application is one part of the process, but also they have to obtain an air permit, the applicant has desired to include both public hearings into one hearing instead of two separate hearings, and DHEC has decided to cancel the July 24th hearing to have both hearings at the same time. Subsequent to that, any information that is received, it would be advantageous to the County that if additional studies or additional information is needed, the County should be able to decide whether it needs to do those things. It needs to be noted that the County does not have all of that information. From the County standpoint, a meeting with the applicant has been requested so they can share with the County what their intentions are. Everyone needs to be respectful of the process and get the information in order to know what questions to ask. It was also mentioned that they possibly want to take a tour to their location near McBee. This may be something to schedule with the Council to allow them to see that; however, there are other mining locations that are very close by in the Midlands region.

Chairman Ferguson commented that typically, meetings of this magnitude are generally two hours, and if all of this information is going to be compiled, a one-meeting/two-hour setting does not seem to suffice. He also mentioned that it may be advantageous to ascertain what information and studies were requested from some of the other counties. Mr. Pope was asked to research this information.

F. Proposed Purchase/Sale Of Property. To give Council a contractual update on two purchases of property for public safety and one sale of County-owned property.

G. Legal Advice On Pending Procurement Matters. Need to update Council regarding a legal matter on procurement regarding pending Request for Proposals.

H. Legal Advice On Industrial Park Easement. Pending litigation.

I. Personnel Matter. Staff personnel matter to be brought to the attention of County Council as information only.

14. CLERK TO COUNCIL'S REPORT

Annual Kids Camp Awards Ceremony Invitation from Fairfield County Sheriff's Office, Friday, June 20, 2014, Geiger Elementary School, 3:30 P.M.

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 following individuals signed to speak:

- Mr. Billy Smith - Planning
- Mr. Randy Bright - Guns, Germs and Steel

16. COUNTY COUNCIL TIME

At this time, Mr. Pope described and showed the video that was run on national news regarding jobs at V.C. Summer and the association with Midlands Technical College.

Brown: Commented on his reason for making the motion to use the COG for future planning purposes, and in the motion, he stated he included all past studies that were done.

Perry: Also commented on study; particularly the water and sewer components and the recommendation from the Corps of Engineers.

Marcharia: Commented on the condition of certain roads in the County.

Kinley: Stated she received several phone calls about the mining issue and commented on the potentially dangerous situation involving explosives and disturbing the water tables. Complimented Ms. Denise Jones for her involvement in honoring the Veterans in Ridgeway.

Ferguson: Commented on the statement made about the County not embracing the retirement communities and also commented on the statement made about housing.

Robinson: Suggested that Council plan a site visit to the Vulcan site in Blair, as opposed to going outside of the County.

17. EXECUTIVE SESSION

*At 7:33 P.M., it was moved by Council Member Brown; seconded by Vice Chairman Perry to go in executive session to discuss two proposed purchases of land for public safety purposes; sale of County property update; legal advice on pending procurement matters; legal advice on pending litigation matter regarding the Industrial Park easement and two personnel matters. **The motion carried unanimously.***

{Council Member Trapp did not attend executive session}.

*At 9:35 P.M., it was moved by Council Member Robinson; seconded by Council Member Kinley to come out of executive session and return to open session. **The motion carried unanimously.***

In open session, Chairman Ferguson reported that Council received information in executive session.

18. ADJOURN

The meeting was adjourned at 9:35 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN