



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JULY 14, 2015**

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 Herald-Independent, The State, and Winnsboro Cablevision, and one hundred one other individuals.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

*It was moved by Council Member Kinley; seconded by Council Member Robinson 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 Stewart and Council Member Kinley to approve the minutes of the Regular Meeting of June 22, 2015. **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.

The following individual signed to speak:

- Ms. Beth Jenkins - Recreation
- Ms. Kerry Matthews - Recreation
- Ms. Betty Gutschlag - Recreation
- Mr. Moses Bell - Recreation
- Mr. Randy Bright - The Plan

7. PUBLIC HEARING

Ordinance To Amend The Fairfield County Land Management Ordinance, Ordinance No. 599, To Provide For The Zoning Reclassification From RD-1 (Rural Residential District) To RC (Rural Community District) Of Seventy Five (.75) Hundredth Of An Acre Owned By Leroy E. Cohen Jr., Applicant Is Leroy E. Cohen Jr., Tax Map No. 165-00-02-007-000.

Property Is Located At 67 Rocky 1 Road, Winnsboro SC 29180. *Chairman Robinson opened Public Hearing at 6:15 P.M. No one signed to speak; therefore, the Chairman closed Public Hearing at 6:16 P.M.*

8. **ORDINANCES, RESOLUTIONS AND ORDERS**

A. First Reading (By Title Only): Ordinance No. 651 - Ordinance To Amend The Fairfield County Land Management Ordinance, Ordinance No. 599, To Provide For The Zoning Reclassification From RD-1 (Rural Residential District) To RC (Rural Community District) Of Seventy Five (.75) Hundredth Of An Acre Owned By Leroy E. Cohen Jr., Applicant Is Leroy E. Cohen Jr., Tax Map No. 165-00-02-007-000. Property Is Located At 67 Rocky 1 Road, Winnsboro SC 29180. *It was moved by Council Member Kinley; seconded by Council Member Robinson to approve First Reading (By Title Only) of Ordinance No. 651. During discussion, Council Member Smith asked if Mr. Roseborough or Mr. Pope could explain, for the benefit of the public, what this matter is about. Mr. Pope gave an explanation of the request to rezone. Council Member Smith inquired about the request to change the zoning in that area to RC, and asked what type of facilities or businesses can operate in an RC District. Chairman Robinson set forth that First Reading is by Title Only, with no discussion at that time. Discussion, Chairman Robinson stated, would occur at Second Reading. **The motion carried unanimously.***

B. First Reading (By Title Only): Ordinance No. 652 - Authorizing The Execution And Delivery Of A Fee Agreement By And Between Fairfield County And Project USA; The Inclusion Of Certain Real Property Located In Fairfield County In The I-77 Corridor Regional Industrial Park; And Other Matters Related Thereto. Mr. Pope set forth that this is a project that Administration and the Office of Economic Development have been working on for a while, readying the County for the Agreements that will be coming forth at a future Council meeting. *It was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to approve First Reading (By Title Only) of Ordinance No. 652. **The motion carried unanimously.***

9. **BOARD AND COMMISSION MINUTES**

Provided as information.

10. **BOARD AND COMMISSION APPOINTMENTS**

None.

11. **OLD BUSINESS**

None.

12. **NEW BUSINESS**

None.

13. **COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE**

Mr. Pope asked Council for indulgence to add an item, as letter B, to give Council an update relating to the animal incident that was reported by the media last week. *It was moved by Council Member Smith; seconded by Council Member Kinley to add the item to agenda as requested by the Administrator. **The motion carried unanimously.***

A. Strategic Plan Contract. Mr. Pope set forth that Council went through a process whereby Council gave Administration authority to negotiate a Memorandum of Agreement with the Central Midlands Council of Governments to structure a process to select a firm so that the County could conduct a strategic planning process for Fairfield County. That document was approved by Council; the County worked with Central Midlands; went through a procurement process and narrowed and recommended the firm that is before Council tonight. Some contractual matters have been discussed; everything has not been totally finalized before Council; however, it was the Council's wish that it be brought forward to be publicly mentioned today. Mr. Pope reported that at a subsequent or future meeting, Council will be asked to approve the timeline and funding to go along with the Economic Development Strategic Plan and mentioned that, in the development of this, the Economic Development piece was separated. Since Fairfield County became a member of the I-77 Alliance, a regional Economic Development Plan has been performed for the four-County area. Fairfield County is in the process of updating its Economic Development piece, which will be added to this component and incorporated into the Plan. Mr. David Gjertson of TY LIN International was called forward to go over the Scope of Work and the framework for the Strategic Plan, which he did in a PowerPoint presentation. Following the presentation, Chairman Robinson challenged the citizens that if they want to be involved to give their name and phone number to their Council Member, so that when this process begins, they can be called and be a part of it.

Council Comments And Questions:

- My concern to you is that you don't produce a product that is going to be in a fancy binder that we are going to put on the shelf--something that is executable; specifically, we don't want something that is going to need a \$100,000.00 consultant to come in and help us execute. We need something that is detailed enough to say in the first block or first step "do A, B, C"; do an IPR, then make adjustments and move forward. We want something that is executable. We need IPR's that are built into it as specific timeframes so we relook at what we have accomplished; where we originally were going or where we need to be.
- Didn't you say that after it is completed, you all would be available (included in the price) for follow up with the project?
- Would you give us a little more information about some of the things Ms. Tanner presented in how she would go about working with the communities?

B. Animal Shelter Incident Update. Mr. Pope gave an update of the series of events relating to the mare and her foal that *The Voice* newspaper reported on last week. At the conclusion of his report, Mr. Pope stated that in any type of situation like this, in looking at the situation, the question has to be asked "what can the County do to improve the process that we have or change the outcome that we have. He offered the following in this situation: (1) educate equine owners in the County. The department can do this as well as our partnership, because we pay Clemson University for programs that we have; there needs to be additional information to owners of horses (and all animals) in our community, because unfortunately, we have too many of these types of incidents with all sorts of animals in our community; (2) retain a large animal veterinarian on retainer. We do not have that as of today, but this is something, not only for horses, but we have a lot of cattle and other types of larger farm animals, but we need to have that type of individual on retainer so we can call upon them when we have incidents like this; (3) secure and identify other large animal rescue groups to make sure that we lessen the time that we have to retain or keep animals in our possession. We need other foster groups to be on our list to be able to assist the County with situations like this; (4) suggest that

County Council consider an Animal Cruelty Ordinance. Having these types of ordinances when they are implemented, is not as easy as one would think. It is important for a community like ours to have a clear policy on the books and train our staffs to identify the types of things that we set as a community standard regarding the appropriate treatment of animals in our community.

Council Comments And Questions:

- Like the idea of animal cruelty law. Animal Services Department may need stronger ruling from Council to be able to handle some of the situations that arise from time to time. Very concerned that no charges were brought against the owner.
- Is the owner liable for those fees incurred? Think we need to change the policy. Understand there has been some tension, maybe indirectly, from the Animal Shelter staff and Hoof and Paw. Think everybody has the same goal. Encourage both parties involved to work toward the common goal, which is to protect and save the animals.
- Need to have an equine vet on call to tend to large animals. Horses are a lot more complicated than dogs and cats. Appreciated the vet who did what he could, but think it should be handled in the future by an equine vet.
- Hate this happened. Think the County needs to look at an Ordinance to address this issue. The County had the horse for about 30 days. Was an equine vet ever contacted? Googled "starving horse sweet feed"; every result that came back said don't give a horse in that condition sweet feed. At the next meeting, if the Council could have something about animal control or animal neglect ordinance on the agenda so that someone could bring up an idea or a motion to have it go in committee. Consider having an equine vet to come in and have a discussion with them on how the County can develop policy and get something on paper to be followed going forward.
- Concur with Animal Cruelty Ordinance. What are the ramifications for the legality of it in terms of making a case; the ordinances have to be enforced; staff will have receive training.
- Would like to see the legality of receiving animals in County care addressed in the Ordinance.

A. & G. Procurement Contract (Recreation); Recreation Plan Update And Chronology. The Chairman provided a chronology from July, 2013 to December, 2014 regarding the entire process that the Council has gone through. After staff received approval from the Council to move forward with the consultants, the goal was to bring back the projects to be bid out to make determinations as to if the County desired to move forward with the plan as it was constructed or if there would be some fiscal reason why the County could not do that. This was advertised in SCBO as well as the County website. There were 4 companies that provided solicitations to the Procurement Department; bids were opened today. The staff and consultants are compiling that information so that information can be brought back to the Council for consideration. Nothing in the Recreation Plan can move forward unless the Council decides to move forward with the Plan in its component pieces of the Plan or decide not to move forward with the Plan. Staff has been able to work with the consultants to get us to the timeline to the point of bringing back information to Council on the cost of these projects. Operational costs have been associated with each of the components that is in the Recreation Plan.

C. & D. Potential Economic Development Project; Multi-County Park Update. Matters for Executive Session.

E. Recreation Signs. New signs have been erected at various parks: Rufus Belton Park; Lake Monticello Park, Willie Lee Robinson Park, Garden Street Park, as well as the sign at Drawdy Park.

F. Emergency Preparedness Agreement. Received a letter from that, in accordance with the provisions of South Carolina Regulations 58-101, the State Emergency Preparedness standards and the annual certification, the Fairfield County Emergency Operations Plan has been accepted. Drills will begin in September.

H. CTC Procurement Solicitation. Recommendation was made from committee. The Administrator pulled the CTC Procurement Solicitation due to the fact that staff made an error in the solicitation; i.e., the advertisement, solicitation, public posting and establishment of the solicitation committee was done appropriately; however, when the evaluation committee performed their evaluations and signed off on the documents, there was a provision in this particular solicitation that required interviews of the top solicitations. The evaluation committee deferred that process and were not performed. There was a requirement in the solicitation, which was not optional to be able to do that, and the County actually rebooted the process. The solicitation was reposted on July 2 through SCBO and other required posting places, and the process was expedited for those to be returned to the County on July 22, 2015. All qualified vendors were notified that they would not have to resubmit their information. That information would be retained and reevaluated and brought back to the Administration and Finance Committee for recommendation. The Evaluation Committee will be reappointed in the next week.

I. Fire Commission Legal Update. Legal matter for Executive Session.

J. Motion Period Process.

*It was moved by Council Member Smith; seconded by Council Member Ruff that Council request the Public Affairs and Policy Committee to research and come up with a way to address animal mistreatment in Fairfield County. During discussion, Council Member Smith opined that, in looking at the standing committee sheet (because he was not sure which area this would best fall under), there really isn't one set up for something like this, but the Public Affairs and Policy Committee is the one that addresses things such as public safety, fire protection, detention and correctional facilities, and I thought maybe this would fit that committee better than any of the other ones. Council Member Stewart voiced that Council should leave that up to the Chairman to decide which committee it goes to. Subsequently, Council Member Smith motioned to amend the motion, with Mr. Ruff's consent: the portion of that motion about the {Public Affairs and Policy Committee}. Council Member Ruff seconded the amendment. **The motion carried unanimously to have a committee look at the cruelty of animals and put together an Ordinance.***

14. CLERK TO COUNCIL'S REPORT

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.

The following individuals signed to speak:

- Mr. Gordon Doty - Animal Shelter
- Ms. Beth Jenkins - Animal Shelter
- Mr. Bob Carrison - Administrative Change
- Mr. Randy Bright - Today

16. COUNTY COUNCIL TIME

Smith: Thanked everyone for coming tonight. Announced a few opportunities for people to serve on boards and commissions from District 7: Behavioral Health Services Board will be open about December this year; Construction Board of Adjustments open now; Library Commission will be coming open October this year. Stated he agrees with what some citizens are saying and that Council should allow them to drive the recreation process and that citizens have requested a public input period for the recreation plan; stated the initial plan is \$4.1 million dollars and will have to have staffing in the facilities year after year; believes that Council should look into the plan again and consider all the facts in it; thinks Council should have a work session on it and have citizen input; might have some adjustments that need to be made; stated he was not in favor of the current plan and would like to change some things in District 7; opined the Council should move forward with the District 4 Plan.

Kinley: Asked that another committee meeting be scheduled to finalize the Noise Ordinance and to bring it to full Council. Inquired about progress of scheduling rabies clinics. Gave an overview of the National Association of Counties Conference "Putting a Health Culture Into Your County" workshop.

Ruff: Agreed with Council Member Smith on some of the recreation discussions; i.e., in District 1, can't decide on a location; stated he is in favor of recreation for Fairfield County, but wan to be sure it is done right for everyone; inquired if it is possible to incorporate recreation in the Strategic Plan that is being done for Fairfield County; agreed with Council Member Smith on moving forward with the District 4 Plan.

Marcharia: Set forth that he has constantly had community meetings in his district, and to say that the public is not involved would be due to their own volition. Opined that if each individual has a problem with their district, they need to try to fix it rather than cut the whole thing out; expressed desire to move ahead with the project for District 4; thanked Council Members Ruff and Smith for their support of the District 4 Plan. Stated that he and Council Members Ruff and Smith need to get back together for another committee meeting regarding Plantation Pointe. Asked that the gentleman who spoke about the horse would give his statements or notes to him for review.

C. Robinson: Set forth that she was the only one who voted no on the \$3.5 million dollars and the only one to ask questions of what it was going to cost to continue running the facilities; study was done in 2008-2009 that recommended the County be divided into quadrants, with a community center in each one and no more than 2 additional mini parks; that study did not take in the upper part of Lake Wateree, Mitford and some of Feasterville; prior to the last census report, District 2 had no recreation facilities in it; she and Council Member Stewart have been discussing a community center in that quadrant, which would be a great opportunity for the Library and the Council on Aging

to go out and provide service to that area of the County; envision a community center in each quadrant; opined it was a bad idea to talk about district recreation, but rather should be looked at the County as a whole; asked for a little more patience on the citizens' part and asked if the citizens have suggestions, to please contact their respective Council Member and give them some ideas.

17. EXECUTIVE SESSION

*At 8:00 P.M., it was moved by Vice Chairman Marcharia; seconded by Council Member Kinley to go in executive session to receive a legal update on the Fire Commission, to discuss an economic and contractual matter for a potential project and a Multi-County update and a procurement contract. **The motion carried unanimously.***

*At 9:07 P.M., it was moved by Council Member Smith; seconded by Council Member Ruff to come out of executive session and return to open session. **The motion carried unanimously.***

Chairman Robinson reported Council received information in executive session and have nothing to report out in regular session.

18. ADJOURN

The meeting was adjourned at 9:07 P.M., upon the unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

CAROLYN B. ROBINSON
CHAIRMAN