



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JULY 9, 2012**

Present: David L. Ferguson, Dwayne Perry, Mary Lynn Kinley, Mikel R. Trapp, 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, Kamau Marcharia, Carolyn B. Robinson

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 sixty-two 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.

3. APPROVAL OF MINUTES

It was moved by Council Member Trapp, seconded by Vice Chairman Perry to approve the minutes of the worksession of June 18, 2012 and regular meeting of June 25, 2012. The motion carried unanimously.

PRESENTATION

Mr. Rudolph Walker, Program Specialist for Midlands Fatherhood Coalition, gave Council an update and progress report of the program.

Questions:

➤ Council Member Kinley mentioned she received notice that the WellVista program is back in business, and asked that Mr. Walker call her for the information, which might be helpful to the clients of the Fatherhood program.

4. PUBLIC COMMENT

None.

5. COMMITTEE REPORTS

None.

6. OLD BUSINESS**A. Planning/Building/Zoning And Code Enforcement**

Mr. Anderson prefaced the discussion by saying he previously emailed the job descriptions for the director and code enforcement officer. Further, he said the director has returned to work; however, there are still some issues that need to be addressed within the department. Administration is requesting that Council approve hiring an assistant to do understudy and when the director leaves, that understudy person would take the director's position. Also asking for one additional code enforcement officer. *It was moved by Council Member Kinley; seconded by Council Member Trapp to allow the Administrator to proceed with hiring an assistant director for the Zoning Department and two (2) code enforcement officers, with the understanding that when the director leaves, the assistant director will move in the director's position; and to include that the job descriptions that were sent to the Council were the recommendation of Mr. Hinely and Mr. Anderson, and within a reasonable length of time the individuals would have to go to Criminal Justice School and successfully receive a Class III certification. The motion carried unanimously.*

7. NEW BUSINESS

A. Resolution: Identifying A Project To Satisfy The Requirements Of South Carolina Code Section 12-44-40, So As To Allow Investment Expenditures Incurred By The Shaw Group Inc. To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Taxes Arrangement With Fairfield County, South Carolina, To Provide For The Inclusion Of The Company In A Multi-County Business Or Industrial Park, And To Commit To Enter In Necessary Agreements With This Company To Effectuate The Intent Of This Resolution; And Other Related Matters.

Counsel Michael Kozlerek was asked to address the Resolution, which he did as follows:

- The resolution and ordinance are related, even though it is by title only, will mention what the ordinance is about. There is the nuclear facility project going on. One of the related entities that is actually helping to put together the reactor is Shaw Group, Inc. SCE&G already has a FILOT agreement with the county; this would be for Shaw, who is the related entity who is helping. Under state law, before a project can actually be granted a FILOT, it has to be identified as an economic development project. This is the Resolution that identifies the project for that purpose. It also sets forth the millage. There is a bracketed portion of the Resolution that needs correction. The current millage rate for this project would be 394.7, which is higher than the millage rate shown. The change will be made prior to execution. The approximate investment is \$10 million dollars. Do not have a job number at this time, as most of what is being installed by Shaw is largely machinery, equipment and construction buildings. The ordinance is first reading by title only. There is some urgency in doing this because they have an odd August 31 year end. Hence; submitting the resolution and first reading of the ordinance tonight; second reading on July 23 and third reading and public hearing on August 27, 2012.

Questions:

➤ Is the estimated \$10 million over the term of the construction project?

It was moved by Council Member Kinley; seconded by Council Member Trapp to approve the Resolution as posted. The motion carried unanimously.

B. First Reading (By Title Only): Ordinance No. 608 - Authorizing, Pursuant To South Carolina Code Annotated Section 12-44-10, *Et Seq.*, The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement, Between Fairfield County, South Carolina, And The Shaw Group, Inc., As Sponsor, To Provide For A Fee-In-Lieu Of *Ad Valorem* Taxes Incentive; And Other Related Matters. *It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve First Reading (By Title Only) of Ordinance No. 608. The motion carried unanimously.*

C. Appointments/Reappointments To Fairfield County Boards And Commissions

It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the appointments listed under Sections A & B, as submitted by the Clerk. The motion carried unanimously. It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the appointment listed under Section C, as submitted by the Clerk. The motion carried 3-1. {Council Member Kinley abstained from voting}.

8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE

a. Representatives from Midlands Technical College, Dr. Ronald Rhames and Dr. Barrie Kirk, gave a report of MTC opportunities; specifically announcing that the college has received \$100,000 in scholarship money for students interested in obtaining a quickjobs certification. Secondly, Dr. Kirk talked about the partnership between MTC and Fairfield Central High School, whereby MTC has been given designated space in the school for the purpose of having a career coach assist them with their career path. Lastly, she gave a recap of the number of students seen at the Fairfield campus over the last year.

b. Mr. Steven Gaither gave a report of the housing needs assessment.

9. CLERK TO COUNCIL'S REPORT

No formal report.

10. BOARD AND COMMISSION MINUTES

Provided as information.

11. INFORMATIONAL ITEMS

Provided as information.

12. COUNTY COUNCIL TIME

a. Chairman Ferguson noted the attendance of the Council tonight was due to the fact that two Council Members opted to attend the water authority meeting and the other Council Member was out due to illness.

b. Council Member Trapp set forth that when sheds were installed in various mini parks, the one at Willie Robinson park was overlooked and inquired if a shed could possibly be installed there.

c. Council Member Kinley asked that anyone who is in need of financial assistance with medication to please call her or the social worker at the hospital.

13. EXECUTIVE SESSION: Receive Legal Advice

At 6:55 P.M., it was moved by Vice Chairman Perry; seconded by Council Member Kinley to go in executive session to receive legal advice and discuss a contractual matter. The motion carried unanimously.

At 8:15 P.M., it was moved by Council Member Trapp; seconded by Council Member Kinley to come out of executive session and return to regular session. The motion carried unanimously.

Chairman Ferguson reported that the Council received contractual and legal advice in executive session and nothing to bring forward from that session.

14. ADJOURN

The meeting was adjourned at 8:15 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN