



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
AUGUST 22, 2011**

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

**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-three individuals.**

**1. CALL TO ORDER**

Chairman Ferguson called the meeting to order at 6:07 P.M.

**2. INVOCATION**

Council Member Robinson led in the invocation.

**3. APPROVAL OF MINUTES**

*It was moved by Council Member Brown; seconded by Council Member Trapp an Vice Chairman Perry to approve the minutes of the regular meeting of July 11, 2011 and regular meeting of July 25, 2011. The motion carried unanimously.*

**4. PUBLIC COMMENT**

Mr. Jeremy Catoe addressed Council on the subject of a job fair to be held on September 15, 2011, 10:00 a.m. - 2:00 p.m.

**5. COMMITTEE REPORTS**

None.

**6. OLD BUSINESS**

**A. Second Reading: 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. Chairman Ferguson asked Mr. Hinely to allow Attorney James to elaborate on why the Council is back at Second Reading of the above-referenced Ordinance, which he did as follows: "The last time we had the Second Reading and we are going to have the Second Reading scheduled for Item #A tonight, Mrs. Robinson was present and voted at that meeting, and it has been determined that since she is an employee of Mr. Creighton Coleman, that it would be best to go back and take that vote again. We have received an opinion from the Ethics Commission and also one from the Attorney General's Office which says that would be the best—that she should not be voting on that particular issue. Mrs. Robinson has graciously agreed to refrain from voting. That is where we stand now."  
*It was moved by Council Member Brown; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 589. By show of hands, the motion carried 5-1-1. {Council Member Trapp voted nay. Council Member Robinson did not vote}.*

**B. Third And Final Reading: Ordinance No. 590** – Ordinance To Amend The Fairfield County Zoning Ordinance (Ordinance No. 498), To Provide For The Zoning Reclassification From RD (Rural Development District) To I-1 (Industrial District) For Three Parcels: (1) Forty (40.0) Acres Property (TMS No. 184-00-00-060) Zoned RD (Rural Development District) To I-1 (Industrial District); (2) Three (3.0) Acre Property (Portion Of TMS No. 184-00-00-091) Zoned RD (Rural Development District) To I-1 (Industrial District); (3) Six Hundred Forty One And Seventy Three Hundredths (641.73) Acres Property (TMS No. 184-00-00-096) Zoned RD (Rural Development District) To I-1 (Industrial District). Owner Is Fairfield County. Property Is Located Near Intersection Of Cook Rd. And Peach Rd., Ridgeway, SC, 29130. *It was moved by Council Member Trapp; seconded by Vice Chairman Perry and Council Member Brown to approve Third and Final Reading of Ordinance No. 590. The motion carried unanimously.*

## 7. NEW BUSINESS:

### **A. Resolution: Adopting The All Natural Hazards Risk Assessment And Mitigation Plan For The Central Midlands Region Of South Carolina Update.**

Mr. Wayne Shuler was asked to give a brief explanation of the Resolution, which he did as follows: "The federal government adopted the Disaster Mitigation Act of 2000, also known as the Stafford Act. One of the items covered under that is that local governments and also special purpose districts are required to adopt the Hazards Mitigation Plan to be eligible for pre- and post-disaster grant funding. This is not the presidential declaration dealing with disasters; this is grant funding available at the pre-disaster level to do improvements for possible hazards, but also post-disaster mitigation in the event there is a hazard or a natural hazard event, we can go back and do some activities after the fact. To be eligible for that funding, jurisdictions have to adopt a Hazard Mitigation Plan. In 2005, the region adopted a plan. The COG prepared it and the region adopted it, but those plans have to be updated every five years. This is the update. If you do the math, obviously, the 2010 one is expired. EMD is aware of that; FEMA is aware of that. So we begin the process of updating the plan. We involved as many jurisdictions as we could in the process, starting with reviewing the existing document, updating the data (whatever census data projections we had available at the time). We have since added some new data as the 2010 census has come out; updated the event data to make it as current as we could, then we also had to look at the property values of the county and show past losses plus estimate future losses in the event that a hazard occurred. Apart from the data that we did, we also had each of the jurisdictions review their goals and objectives to make sure they are in line. You will notice we have taken some out; we have highlighted that so EMD and FEMA are aware of that. That whole process, we did that; presented it to EMD in late 2009. They took a review period; gave comments back to us; we updated it; they reviewed it, and after that, they forwarded it to FEMA. FEMA reviewed it; had comments; we've done that. Ultimately, in April of this year, FEMA gave us an approval letter, pending the adoption of the Resolution by the participating jurisdictions. That is the point we are at now. There is an approved plan that FEMA has approved; that State EMD has approved. Right now, we are just in the adoption process. The municipalities need to do this as well, so I need to make sure the municipalities are doing this as well." *It was moved by Council Member Brown; seconded by Council Member Robinson to approve the Resolution Adopting The All Natural Hazards Risk Assessment And Mitigation Plan For The Central Midlands Region Of South Carolina Update.*

#### Questions:

- When you use the term "natural" hazards risk, that would mean manmade. If something happened over at the nuclear power plant; a gas thing blow up; you are speaking of just earthquakes, nature, etc.?
- The motion carried unanimously.*

### **B. Approval Of Records Retention Schedule (Fairfield County Clerk of Court)**

*It was moved by Council Member Trapp; seconded by Council Member Robinson to approve the Records Retention Schedule for the Fairfield County Clerk of Court.*

#### Questions:

- I know it says Clerk of Court, but is this saying she has to retain all the records, are does this only apply to the Clerk of Court? It clearly says Campaign Disclosure Forms, I know we, as candidates, file and it is electronically filed with the State, so I did not know whether it encompassed those documents or just documents under her care.

- The Clerk talked to me about this because she knows that I understand all the records that are in there. In the past, we have had to file all of these Campaign Disclosure Statements and she has so many. That is the one big thing—it's Campaign Disclosure Statements—how long do you keep those. They have had to actually bring some of the records back to the Clerk's Office, because where they have been stored, they are being destroyed by bugs and different things. She is not talking about deeds and all the things that are in the books that we have to have. She is talking about things that are also stored someplace else.

- This is mandated, per state guidelines.

*The motion carried unanimously.*

### **C. Appointments/Reappointments To Fairfield County Boards And Commissions**

*It was moved by Council Member Robinson; seconded by Council Member Trapp to approve the Appointment/Reappointment listing of August 22, 2011, as presented by the Clerk. The motion carried unanimously.*

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

**a.** Mr. Steven Gaither made Council aware of a link to the Fairfield County grant page which allows citizens to complete the 2011 needs assessment.

**b.** Mrs. Tiffany Harrison presented Council with a video of Elite ES expansion.

**c.** A year ago, had conversations with the Town about the County funding \$100,000.00 for the Corps of Engineers study for a new water supply. The Town, for their own comfort, wants to be assured that the County is still interested in sponsoring this project. If no objection from the Council, will write the Town a letter and confirm this matter, incorporating an end of the year deadline.

**d.** Redistricting. Received sample Resolutions adopted by other counties. Asking Council to schedule a worksession for Monday, August 29, 2011, 6:00 p.m. Will be receiving some preliminary information and maps from Mr. Will Roberts of the Office of Research and Statistics. Council Member Kinley commented on the town hall meeting scheduled with Congressman Mulvaney the night of August 29<sup>th</sup> at 6:00 p.m. In light of this, Chairman Ferguson asked that Council schedule its meeting for 7:00 p.m. Mr. Hinely offered to verify the date and time. Council Member Marcharia commented that he was informed by Mr. Bowers that the public has a right to participate in this process and submit a plan. He asked if there would be any change, in terms of public input, from the Council's customary policy of a three-minute limitation.

Chairman Ferguson noted that, after Council has done due diligence with the redistricting process, he would like to schedule a worksession to continue the work on the Land Development Ordinance and well as revisit the Economic Development Strategic Plan.

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

**a.** Reminded Council of the ribbon cutting and open house of the Voter Registration/Fire Marshal/Coroner building, Sunday, August 28, 2011, 2:00 p.m.

Chairman Ferguson asked Mr. Hinely what was the status of the demolition of the old County Annex Building.

## **10. BOARD AND COMMISSION MINUTES**

Provided as information.

## **11. INFORMATIONAL ITEMS**

Chairman Ferguson pointed out that a copy of the air quality study of the V.C. Summer site is available in Mr. Hinely's office for review.

## **12. COUNTY COUNCIL TIME**

Perry: Commented on the economic development survey that was made available in the local paper. Thanked Mrs. Harrison for her participation in the local crime watch/homeowners association meeting in Ridgeway.

Kinley: Commented on the presence of the Midlands Technical College Center and how important it is to have an educated workforce. Also commented on the one cent sales tax initiative.

Ferguson: Mentioned that some of the people who attended the meeting and some who are in authority with the municipalities desire to meet and have some dialogue about the one cent sales tax. *Asked Mr. Hinely if he would research how much revenue would be generated from the one cent tax.*

Marcharia: Made the Council aware that he attended the meeting and found it very invigorating. Opined that there needs to be some political and economic education around the issue. Also commented on the traffic on Jenkinsville Road. Stressed his concerns about bail that was set for the individual who murdered a friend of his.

Brown: Commented on the hospitality tax.

Robinson: Inquired if the revenue will be divided up the same way the last one cent sales tax was?

**13. ADJOURN**

The meeting was adjourned at 7:04 P.M., upon unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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DAVID L. FERGUSON, SR.  
CHAIRMAN