



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
AUGUST 25, 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 6:04 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 Trapp; seconded by Vice Chairman Perry to approve the minutes of the Regular Meeting of July 28, 2014. **The motion carried unanimously.***

*It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve the minutes of the Work Session of August 18, 2014. **The motion carried 6-1. {Council Member Marcharia voted nay, citing he did not see the statement that Senator Coleman made about the nuclear plant}.** Mr. Pope was asked to follow up with SCE&G representatives as it relates to other provisions that would address issues at the nuclear plant, if they were to occur.*

5. PUBLIC PRESENTATIONS

Mrs. Lori Schaeffer recognized the Fairfield County Recreation Boys Baseball (13-16 Year Olds) team, and presented them with a trophy.

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 - New Strategic Plan
- Ms. Beth Jenkins - Strategic Planning
- Mr. Jeff Schaffer - Old Business
- Mrs. Selwyn Turner - Strategic Planning
- Ms. Betty Gutschlag - Strategic Planning

7. PUBLIC HEARING

❖ Ordinance 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 Enor Corp.; 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. *Chairman Ferguson opened public hearing at 6:35 P.M. No one from the public signed to speak.* Council Member Marcharia expressed that he is grateful that this company is coming to Fairfield County and will provide over 100 jobs; however, he stated he has not seen what the salary range or benefits for the citizens would be. Mr. Pope responded that he would like to read a statement about the investment and the jobs during the Third and Final Reading portion of the Ordinance. *Chairman Ferguson closed public hearing at 6:36 P.M.*

❖ An Ordinance Authorizing The Addition Of Mekra Tool & Mold, Llc As A Sponsor Affiliate To The Existing Fee In Lieu Of Property Tax Arrangement Between Lang-Mekra North America, Llc ("Company"), As Sponsor, Lang Mekra North America Properties, Llc, As Sponsor Affiliate, And Fairfield County, South Carolina ("County"); Authorizing And Providing The Consent And Approval Of The County To The Transfer Of Economic Development Property From The Company To Mekra Tool & Mold, Llc; And Other Related Matters. *Chairman Ferguson opened public hearing at 6:37 P.M. No one signed to speak. Chairman Ferguson closed public hearing at 6:38 P.M.*

8. ORDINANCES, RESOLUTIONS AND ORDERS:

A. Third And Final Reading: Ordinance No. 634 - Ordinance 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 asked to read the following recap of the project into public record. This public hearing is for Enor Corporation, formerly known as Project Leprechaun. As many of you already know from the announcement on August 14, 2014, the Enor Corporation makes plastic toys and is moving its manufacturing into Winnsboro, South Carolina in Fairfield County. The company will purchase and renovate the former Ruff and Tuff building on Highway 321 for its injection, molding and blow-molding operation. Those of you who know the County has invested some time in it, and that is a structure that does not look its best right now, but that is where that location will be for this particular company. The project will create 151 jobs and the company will invest \$3.87 million dollars in building purchase, renovations and equipment. The County will provide a Fee-In-Lieu of tax on the equipment, and since the building is an existing building, it does not qualify for the Fee-In-Lieu, and the County will provide a Special Revenue Credit equal to the difference between advalorem taxes and a fee. The Fee-In-Lieu and Credit are designed to bring the assessment rate down from 10.5 to 6 percent. As by statute, the manufacturers in South Carolina are assessed at a much higher rate than other taxpayers. Additionally, if the company creates 100 jobs in the first year, the County will provide a 25% Special Source Credit for 10 years. There are structured clawbacks, and if the company fails to meet its guaranteed amounts, the tax incentives provided will be adjusted accordingly, or terminated, depending on the situation. *It was moved by Council Member Trapp; seconded by Vice Chairman Perry to approve Third and Final Reading of Ordinance No. 634. The motion carried unanimously.*

B. Second Reading: Ordinance No. 639 - An Ordinance Authorizing The Addition Of Mekra Tool & Mold, Llc As A Sponsor Affiliate To The Existing Fee In Lieu Of Property Tax Arrangement Between Lang-Mekra North America, Llc ("Company"), As Sponsor, Lang Mekra North America Properties, Llc, As Sponsor Affiliate, And Fairfield County, South Carolina ("County"); Authorizing And Providing The Consent And Approval Of The County To The Transfer Of Economic Development Property From The Company To Mekra Tool & Mold, Llc; And Other Related Matters.

Mr. Pope set forth that the public hearing is for the amendment to the Lang Mekra Fee-In-Lieu of Tax Agreement; specifically, the amendment is to add Mekra Tool and Mold as a sponsor affiliate to the Agreement, due to corporate restructuring they have. Up until this year, Mekra Tool and Mold was under the Lang Mekra corporate umbrella; and therefore, included under the Lang Mekra FILOT Agreement. Mekra Tool and Mold is now a separate but affiliated legal entity from Lang Mekra, and in order to continue to receive the FILOT benefit it has since its inception, it must be added as a sponsor affiliate to the Agreement. Mekra Tool and Mold meets all of the requirements to be considered a sponsor affiliate under the Act. This amendment is simply to accommodate the new structure, and is not related to a change in investment or jobs guaranteed in the original FILOT Agreement, nor does it represent an additional commitment or increase incentives from the County. This is just a legal separation of the division, and we still providing the same information under the same FILOT Agreement. *It was moved by Council Member Trapp; seconded by Council Member Kinley to approve Second Reading of Ordinance No. 639. **The motion carried unanimously.***

C. Second Reading: Ordinance No. 640 - An Ordinance To Convey By Quitclaim Deed The Abandoned County Road Known As Road 129, Which Encircles Through Property Formerly Known As The Sewing Room, And Formerly Owned By Fairfield Manufacturing Company And Subsequently Others, To The Current Owner, Blackwelder Heating & Air, Inc.

Mr. Pope explained this matter was an action that came to County Council a couple of years ago regarding a former SCDOT road that was abandoned and turned over to the County. The Council had voted to transfer that property to Mr. Blackwelder. This is actually the Second Reading, as it had come to the Council before. From the County Attorney's office, we have just received the final paperwork from SCDOT in May or June this year. Therefore, the County could not take action on the previous vote until we had all of the documentation to be able to do that. This is to move forward with the original vote to transfer or donate this property to Blackwelder Heating and Air, Inc.

Council Member Robinson inquired does this mean SCDOT will remove the stop sign and the S-20 road number. Mr. Pope responded that staff would need to check with SCDOT on that question; however, this was the legal documentation to turn the road over to the County where the County could dispose of the property. Additionally, Council Member Robinson set forth she has noticed Element has now paved some additional space for their parking, and inquired if the edge of where they paved the edge of the property in question. *It was moved by Council Member Kinley; seconded by Council Member Brown to approve Second Reading of Ordinance No. 640. **The motion carried unanimously.***

D. First Reading (By Title Only): Ordinance No. 641 - An Ordinance To Convey By Quitclaim Deed Property Owned By Fairfield County Located At 205 Means Street In Ridgeway To The Town Of Ridgeway For Its Use And Needs. *It was moved by Council Member Trap; seconded by Vice Chairman Perry to approve First Reading (By Title Only) of Ordinance No. 641. **The motion carried 6-1. {Council Member Robinson voted nay}.***

Mr. Pope set forth that this request came from the Town of Ridgeway to allow them to possibly use the piece of property to have a community garden on it. The County did not necessarily have any use for it, but are providing maintenance and upkeep on it. When it was discussed with Council, someone made the suggestion to donate that property to the Town of Ridgeway for the benefit of their downtown area. The County Attorney was asked to work out the legal provisions to grant this property to the Town of Ridgeway.

9. BOARDS AND COMMISSIONS MINUTES

Provided as information.

10. BOARDS AND COMMISSIONS APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

A. Strategic Planning Agreement

Mr. Pope prefaced the discussion by giving an overview of the role, responsibility and purpose of Central Midlands Council of Governments. After the overview, Mr. Pope set forth that the COG, using the leverage and staffing they have, is going to be the conduit for hiring consultants to assist with the Strategic Plan process. Council is asked to consider to vote on the following:

Purpose: Fairfield County is in the process of developing a countywide, long term strategic plan to identify and prioritize current and future needs and to provide strategic guidance and recommendations. Because this planning effort will be a collaborative and inclusive process that considers a wide range of public and private stakeholder interests, Fairfield County has engaged CMCOG to assist in the administration and management of the planning process. As a regional planning agency, CMCOG supports Fairfield County in their efforts to establish a long term planning framework for determining community needs and allocating county resources. The purpose of this MOU is to set forth an agreed upon scope of services between CMCOG and Fairfield County, and to define the terms and conditions under which these services will be provided.

Mr. Pope stated this is the MOU that will allow the County to finalize the specifics in the planning document. The document has been initiated; however, in order for Council to direct Administration to move forward with the COG, the document would need Council's approval.

Council Member Robinson inquired if this document was given to Council in the agenda package. She voiced that this is the first time that she has had an opportunity to look at it to ascertain if there is an inoperative word in there that would bind the County that would not be good for the County.

Mr. Pope set forth that the document was disseminated at the Intergovernmental Meeting and the document sets up parameters and a framework in order to bring back a final document.

Vice Chairman Perry elaborated more on the role and responsibility of the COG, and outlined a few matters that were discussed at the COG executive committee meetings as well as the full board of the COG. *Subsequently, it was moved by Council Member Trapp; seconded by Council Member Marcharia to approve the Strategic Planning Agreement with the Central Midlands Council of Governments. **The motion carried 6-1. {Council Member Robinson voted nay}.***

13. COUNTY ADMINISTRATOR'S REPORT:**A. Request Of Action: Information Technology - Security Firewall Replacement**

Committee discussed this request and forwarded their unanimous recommendation to full Council. The firewall is outdated and needs to be upgraded to protect the County from cyber threats. Internetwork Engineering is on the State contract bid. The fiscal impact is \$32,431.86, which are budgeted funds. *It was moved by Council Member Robinson; seconded by Vice Chairman Perry to approve the Security Firewall Replacement. **The motion carried unanimously.***

B. Request Of Action: EMS - Laptops For Ambulances

This matter was also discussed in committee and was a unanimous recommendation to forward to full Council. \$50,000.00 is for new laptops; \$30,000.00 for cameras; additional \$10,000.00 are routers. Total fiscal impact to the budget is \$90,000.00 which were budgeted in the no-tax increase budget that was recommended. *It was moved by Vice Chairman Perry; seconded by Council Member Trapp to approve the EMS Request of Action for Laptops and related infrastructure for Ambulances. **The motion carried unanimously.***

C. Administrative Updates

1) Drawdy Park. The surface of the wall has been repaired. Backfill, gravel, coating and ditch work is continuing. They are on schedule to be complete with that in the next few weeks. The third party inspection company that was hired to inspect other buildings that S2 Engineering had constructed has physically inspected all of those structures. No major issues were discovered; however, staff will present the final report to the Council.

2) Recreational Plan for Fairfield County. Staff has been working with the consultants and individually, with Council Members for the past several months. Council adopted publicly, a master list of projects for consideration for the consultants to look at and to come back with cost estimates. Those cost estimates have been shared individually, in draft format.

{Council Member Trapp requested, in view of the fact that it was mentioned about recreation taking us back to the 40's and 50's, research to see if Blacks were allowed in the recreational facilities back in the 40's and 50's}.

Continuing, Mr. Pope cited that staff will bring to the Council publicly, the recommendations for county-wide recreation, which will be on the next Council agenda.

{Council Member Robinson stated she was not able to attend the last session with the consultants, and inquired if she would have an opportunity to sit with them before the September 8th meeting}.

{Council Member Trapp commented that a statement was made that mini parks are used for drug drops. He voiced that the majority of the mini parks in district 3 are in majority Black communities. He asked to receive statistics of whether anyone has been arrested for dropping/delivering drugs, and if so, the race of the individual(s).

3) There will be a bond follow up presentation (refresher) on the contents of that bond and other information, publicly, at the September 22, 2014 meeting.

4) The County's Gamburg tract was purchased for \$3,000.00 per acre, nearly doubling the County's initial investment that was paid for that property. The closing was two weeks ago, and those funds are now deposited with the County.

5) Closed on the Judy Davis property in Ridgeway over a week ago. That property was for the purpose of locating a new fire station.

6) The County also gave final approval for the purchase of land and improvements for the Rufus Belton Park. The property had been previously leased by the County; however, the County now has ownership. Will close and finalize that in the month of September.

7) Based upon purchase of property and approved leases from SCANA, County staff has also begun the site and drawing approval process for the fire station in Ridgeway, and also the split station in Jenkinsville.

8) Community Enhancement Grant Application Process. Deadline has already passed. Received 13 applications submitted throughout. Under the new process adopted by the Council, the Administrator would set up an internal committee to evaluate those and pass those recommendations on to Council for final approval. That process will be expedited and submitted to the Council.

9) Since 2011, Fairfield County has had over \$32-33 million dollars in economic development investments, and over 800 jobs. The unemployment rate is down from to 7%. Mrs. Harrison has done a great job in working on leads and showing a significant amount of potential suitors to that site.

10) Mr. Pope gave an overview of the taxability of Fairfield County and gave facts and figures from the Fairfield County Tax Rate and Service Analysis Report, which was published by the USC Institute for Public Service and Policy Research. That Report will be made available on the County website.

{Council Member Trapp left the meeting at 7:18 P.M.}

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 following individuals signed to speak:

- Ms. Beth Jenkins - (Left The Council Chambers @ 7:23 P.M.)
- Mr. Bruce Wadsworth - Recreation
- Mr. Jeff Schaffer - Recreation
- Mrs. Selwyn Turner - Salaries
- Mr. Billy Smith - Results
- Mr. Randy Bright - What Happened To?

16. COUNTY COUNCIL TIME

Marcharia: Community Meeting; "Zombie" Lies; Chamber of Commerce Article In Newspaper; Town Council Saggy Pants Ordinance; Missouri Riot; Announced Jobs

Perry: Town of Ridgeway growth; Recreation; Rural Areas

Brown: Accusations Of Being Unethical; Real Estate Issues

Robinson: Recreation; Government Process; Private Sector Process

Ferguson: Belton Property; Drug Drops @ Mini Parks

17. EXECUTIVE SESSION

*At 8:11 P.M., it was moved by Council Member Marcharia; seconded by Council Member Kinley to go in executive session to receive legal advice; to discuss an economic development matter and a contractual matter. **The motion carried unanimously.***

*At 9:58 P.M., it was moved by Council Member Marcharia; seconded by Vice Chairman Perry 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 9:58 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN