



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
AUGUST 26, 2013**

Present: David L. Ferguson, R. David Brown, Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Council Members; J. Milton Pope, County Administrator; Davis Anderson, Deputy County Administrator; Jack James, County Attorney; Shryll Brown, Clerk to Council

Absent: Mikel R. Trapp

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 eighty-seven 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 Kinley; seconded by Vice Chairman Perry 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 Vice Chairman Perry to approve the minutes of the Regular Meeting of July 22, 2013; Special Meeting of July 24, 2013; Special Meeting of July 29, 2013; Special Meeting of July 31, 2013; Work Session of August 14, 2013 and Special Meeting of August 20, 2013. **The motion carried unanimously.***

5. PUBLIC COMMENT

The following individuals signed to speak to Council during public comment:

Ms. Beth Jenkins – Annual Allocations; Conflict Of Interest

Ms. Faye Sandow – Medical Reimbursement

Mr. Mike Ward – Invalid Payment

Mr. Vernon Pylant – Spending

Mr. Eugene Holmes – Conflicts Of Interest

Mr. Tim Schroll – Abuse Of Office

Ms. Brenda Miller decided not to speak.

Senator Creighton Coleman – Where We Are Now

Mr. Bob Carrison – County Council

Mr. Thomas Armstrong – New Jobs

Mr. Randy Bright – Broken

Mr. John E. Smalls – Recreation Needs; Support Of Council

Mr. Clifton Hendrix – Thanks For The Job You Do

Mr. Bill Haslett – Taxes Too High

6. PUBLIC PRESENTATIONS

Mr. Josh Rhodes, South Carolina Association of Counties, gave a PowerPoint Presentation on the Flow Control Legislation (H3290).

Mr. Bruce Wadsworth and Mr. Jeff Schaffer, representing the Dawkins Community Association, gave a presentation on recreation.

7. PUBLIC HEARING

Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately One Acre, Of Real Property, To Be Used As A Recreational Mini-Park; And Other Related Matters. *Chairman Ferguson opened public hearing at 7:18 P.M.*

Ms. Beth Jenkins signed to speak during this public hearing matter. Council Member Marcharia, Chairman Ferguson and Vice Chairman Perry commented on the location of the property. Ms. Wanda Carnes stood to inquire how much was the County paying for this property and where in Blair is property worth \$15,000 an acre? Mr. Pope commented that this item is also up for second reading, and if there is public information that is desired to be brought forward, to please forward that information to his office for Council to review and consider. Council Member Robinson commented on the allocations per district and the recreational study. *Hearing no further comments, Chairman Ferguson closed public hearing at 7:26 P.M.*

8. ORDINANCES, RESOLUTIONS AND ORDERS:

A. Third And Final Reading: Ordinance No. 617 – An Ordinance To Amend Ordinance No. 541, Ordinance To Regulate Abandoned Buildings, Mobile Homes And Manufactured Homes, Regulate Public Nuisances, and Regulate Abandoned, Dismantled, Junked, Wrecked Or Inoperative Vehicles In The Unincorporated Areas Of Fairfield County; To Provide For Definitions; And To Provide For Enforcement And Penalties As Follows: Remove Article II (Abandoned/Dangerous Building) In Its Entirety; Amend Article III (Manufactured /Mobile Homes), Section 4.A(6) And Section 4.B(1). *It was moved by Council Member Brown; seconded by Vice Chairman Perry to approve Third and Final Reading of Ordinance No. 617. The motion carried unanimously.*

B. Second Reading: Ordinance No. 619 - Authorizing Fairfield County, South Carolina To Purchase And Develop Approximately One Acre, Of Real Property, To Be Used As A Recreational Mini-Park; And Other Related Matters. *It was moved by Council Member Marcharia; seconded by Vice Chairman Perry to approve Second Reading of Ordinance No. 619. Chairman Ferguson indicated that if there are any modifications that need to be done, there will be time between second and third reading. He asked that if anyone has any information to present on this property, to contact Mr. Pope. The motion carried 5-1. {Council Member Robinson abstained}.*

9. BOARDS AND COMMISSIONS MINUTES

Provided as information.

10. BOARDS AND COMMISSIONS APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

A. Request To Address Council For Thirty (30) Minutes

It was moved by Council Member Brown; seconded by Council Member Robinson to grant the request to address Council for thirty (30) minutes.

Following the motion, Council Members Perry and Robinson expressed their view on this matter.

At this point, Senator Coleman approached the podium and stated he wanted to be able to refute what Mr. Rhodes said about flow control and welcomed the opportunity to come to Council and give the other side of the story.

Following comments from Senator Coleman, Council Members Brown and Kinley voiced their view on this matter.

Senator Coleman commented again, saying when he signed up he did not know Mr. Rhodes was coming in with a presentation; which was why he said "where we are now" to talk about where Mr. Barfield was with the investigation, etc.

After hearing from Senator Coleman, Council Member Brown withdrew his motion; Council Member Robinson withdrew her second to the motion.

*It was then moved by Council Member Brown; seconded by Council Member Robinson to modify his motion to allow Senator Coleman up to thirty (30) minutes to speak to Council on the Flow Control bill. **The motion carried unanimously.***

Council Member Marcharia expressed his view on the comments he heard.

Representative MaryGail Douglas asked for an opportunity to speak. She commented on the time being allowed for the Delegation to come and speak to the Council. She also asked that the governmental group meetings be utilized where all players in the County are involved.

B. Request To Move Regular Council Meetings For Three (3) Months

It was moved by Council Member Brown; seconded by Council Member Robinson to grant the request to move the regular Council meetings for three (3) months to another location.

Following the motion, all members of Council gave their view on this request.

By show of hands:

IN FAVOR OF THE MOTION

Brown

Robinson

OPPOSED TO THE MOTION

Perry

Kinley

Marcharia

Ferguson

Council Member Brown moved; seconded by Council Member Robinson to move the regular Council meetings on a trial basis at a maximum of three (3) months-- (specifically, Council can do it one month and it doesn't work; or two months or three months, and if Council does not agree with it after the first month; if the attendance drops off and Council does not need to be in a larger venue, that Council will move back to the Council Chambers).

{During discussion, Council Member Marcharia and Vice Chairman Perry gave their view of the motion.}

Visible show of hands (Substantiated By The DVD):

IN FAVOR OF THE MOTION **OPPOSED TO THE MOTION**

Robinson

Ferguson

Brown

Perry

Council Member Kinley did not raise her hand either way.

Council Member Marcharia's hand vote was not able to be clearly determined.

{There appeared to be confusion on the motion; as Vice Chairman Perry emphasized that he did not actually make a motion. Council Member Marcharia agreed that Vice Chairman Perry did not actually make a motion; but stated he liked what Vice Chairman Perry had to say about that. Council Member Marcharia recalled that there was already a motion on the floor}.

Subsequently, Vice Chairman Perry made a motion; seconded by Council Member Marcharia that any time Council has to discuss a matter before Council, and Council can anticipate that the Council Chambers will not hold the citizens that would want to come out and be a part of that meeting, that Council move it to a larger venue (not for three (3) months; but as needed).

{During discussion, Council Member Robinson, Council Member Brown and Council Member Marcharia all made further comments and inquiries}.

*Vice Chairman Perry reiterated the motion; seconded by Council Member Marcharia that Council decides at their regular scheduled meeting, and vote upon where the next meeting location is going to be that night, so the people that are here and as the emails go out, they would know far enough in advance where the next meeting location can be; and if this Council sees fit that the meeting should be at a larger venue, then Council will vote on it and inform the public that night for the next meeting. **The motion carried unanimously.***

*It was moved by Council Member Robinson; seconded by Council Member Brown that the next meeting, with the approval of Mr. Green, will be at the Magnet School. **The motion carried unanimously.***

13. COUNTY ADMINISTRATOR'S REPORT:

A. Actions Request Format. Looked at the structure and format of how Council receives information and be able to give Council additional information in order for them to make good policy decisions. The Action Form will state the purpose of what is being discussed and will give a background, history and discussion on that information. There will be a

legislative and/or chronological history on that information and will include any kind of financial or fiscal impact, alternatives or options for the Council to consider and a recommendation. A check off portion is also listed on the form. As a personal privilege, Mr. Pope mentioned that he works for this County, as with other counties, has challenges before it. He stated he was very pleased to be here and that his professional background would speak for itself. As far as any conflicts, he set forth that the Council was made totally aware of who he worked for, which was a consulting company of one.

B. Fairfield County Detention Center Improvements. Council already approved up to \$200,000.00 for a new system. Asking Council to move forward on approval of the professional services fee of \$43,520.00. *It was moved by Council Robinson; seconded by Council Member Brown to approve the professional services of Mead and Hunt for the engineering process. **The motion carried unanimously.***

C. Procurement Protest. Mr. Pope set forth that a vendor challenged one of the awards. Mrs. Shelia Pickett gave an overview of the protest, reporting that after the protest went through all the chains of command, it was the unanimous decision of the review panel that the procurement code was adhered to and that he, as County Administrator saw no deficiencies in the process, and recommend to Council to uphold the decision of the Procurement Director and move forward with the proper notification to all involved. *So moved by Council Member Brown; seconded by Council Member Robinson to uphold the Procurement Director's decision. **The motion carried unanimously.***

D. County Spotlight. Suggest to the Council that a county spotlight be placed on each agenda. The purpose would be to talk about a specific department and how tax dollars are being used in that department. *It was moved by Council Member Brown; seconded by Vice Chairman Perry to add the County Spotlight to the agenda. **The motion carried unanimously.***

E. V. C. Summer Training. Would like for Director of Emergency Management to talk about the drills that are going on in the County.

F. Economic Development Public Training Session. There were several questions asked about economic development and it was mentioned that the County should have a public training session to further train and educate the public regarding economic development in South Carolina. Mentioned the Element Electronics Company.

G. Chinook Road Update. County has prescriptive easement on this road. According to Public Works Director, the County has been providing maintenance on this road for a number of years. The road was approved by the CTC to be on the priority list to be paved under the old paving criteria. There has been some apprehension with some landowners on the road not wanting the road to be paved and some equal interest wanting it to be paved. Spoke with several property owners. One asked for an extension of time to be able to contact one of the property owners to possibly purchase property. Contacted law enforcement regarding some of the comments that have been made. Time has been allowed for further negotiations; however, if those are unsuccessful, the CTC and the County will move forward with the paving of the road.

H. Water & Wastewater Infrastructure To Serve Fairfield Commerce Center And Walter Brown II Industrial Park. Mr. Pope outlined the purpose, which is that Council has been requested to approve the connections and associated infrastructure upgrades to provide the City of Columbia water to the Industrial Corridor up the Rite Aid tank on Highway 34; and approve the Administrator and Economic Development Director to proceed with design and installation of wastewater infrastructure to support Phase I of the FCC and Speculative Building, while the Hazen and Sawyer team reviews the Town's proposed options and continues its due diligence to find the best long-term water and wastewater solution for County-wide services. Mrs. Tiffany Harrison was asked to give a PowerPoint

presentation of the routes of where the lines will be going. It is recommended that Council approve proceeding with:

1) Approving funding to install the water infrastructure required to serve the industrial corridor and Hwy 34 east of the Rite Aid tank to the Town of Ridgeway with City of Columbia water; 2) Reaffirm the funding commitment to install wastewater infrastructure to necessary to serve Fairfield Commerce Center and the Speculative Building at the Walter B. Brown II Industrial Park.

*It was moved by Council Member Brown; seconded by Council Member Robinson and Vice Chairman Perry to accept the above-referenced recommendations. **The motion carried unanimously.***

I. Council Member Brown thanked Mr. Pope for his leadership, adding that in twelve years, this is the first time the Administrator and staff has brought forth actions for the Council to vote on each individual item.

14. CLERK TO COUNCIL'S REPORT

None.

15. COUNTY COUNCIL TIME

Perry: Thanked everyone for coming out last Thursday. Believe in transparency.

Ferguson: Commented on the 2013 U. S. Manufacturing Summit he attended. Commented about the statements made about a one million dollar building being built at Lake Wateree.

Kinley: Introduced Mr. J. R. Green to the audience. Commented on the statements made by Ms. Jenkins as it related to her {Kinley's} tardiness to the meeting at Midlands Tech. Commented on the number of employees the County has. Thanked Mr. Tony Armstrong for his comments.

Marcharia: Thanked citizens for coming out and stepping up to the issues. Thanked Mr. Schaffer and Mr. Smalls. Good presentation by Vice Chairman Perry and the media last Thursday. Talked about the issue with the fire station. Commented that he hoped Council will see fit to approve what has already been approved for recreation in the Dawkins community.

16. EXECUTIVE SESSION:

Not Needed.

17. ADJOURN

The meeting was adjourned at 9:14 P.M., upon unanimous approval of Council.

SHRYLL M. BROWN
CLERK TO COUNCIL

DAVID L. FERGUSON, SR.
CHAIRMAN