



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
AUGUST 27, 2018**

Present: Billy Smith, Doug Pauley, Neil Robinson, Jimmy Ray Douglas, Dan W. Ruff, Bertha Goins, Council Members; Jason Taylor, County Administrator; Davis Anderson, Deputy County Administrator; Tommy Morgan, Attorney; Patti L. Davis, Clerk to Council.

Absent: Mikel 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 Independent Voice of Blythewood and Fairfield, The Country Chronicle, and one hundred thirty five other individuals.

1. CALL TO ORDER

Chairman Smith called the Regular Meeting to order at 6:00 p.m.

2. APPROVAL OF AGENDA

It was moved by Council Member Pauley and seconded by Vice Chair Goins to approve the Agenda. ***The motion carried unanimously 6-0.***

3. INVOCATION

Council Member Robinson led the invocation.

4. APPROVAL OF MINUTES

It was moved by Council Member Pauley and seconded by Council Member Ruff to approve the minutes of the Regular Meeting of August 13, 2018. ***The motion carried unanimously 6-0.***

5. PUBLIC PRESENTATIONS

None.

6. 1ST PUBLIC COMMENT (3 MINUTES): All public comments made during this session must pertain to items on the agenda for which no Public Hearing is scheduled. Each speaker is allocated three (3) minutes for comment. The total time allocated for the public comment portion of the meeting is thirty (30) minutes. Those wishing to make public comment must sign to do so prior to the Council Chair calling the meeting to order. The Clerk to Council will make a public comment sign-up sheet available at least fifteen (15) minutes prior to the scheduled start time of the meeting.

- Lisa Brandenburg - Fairfield County Administration Building
- Pam Smith - Mt. Zion
- Dina Boorda - Mt. Zion
- Thomas Armstrong - Mt. Zion
- Yvette Howard - Mt. Zion

- Betty Gutschlag - Mt. Zion
- Jana Childers - Mt. Zion
- Jeff Schaffer - The New Building
- Marie Rosborough - Mt. Zion
- Randy Bright - 707

7. PUBLIC HEARINGS

- A.** Application and Expenditure for the 2018 JAG (Justice Assistance Grant) Funds. At this Public Hearing, Fairfield County will provide information concerning the proposed use of the funds in an identified program purpose area. Chairman Smith opened the public hearing at 6:27 p.m. Mr. Randy Bright signed to speak. After comments, by motion of Council Member Robinson and second by Vice Chair Goins, Chairman Smith closed the public hearing at 6:28 p.m. ***The motion carried unanimously 6-0.***

8. ORDINANCES, RESOLUTIONS AND ORDERS

- A. Second Reading: Ordinance No. 707** - An Ordinance Authorizing the Development of a New County Administration Building to Better Serve the Citizens of Fairfield County; the Execution and Delivery of a Lease Agreement and Associated Contracts Necessary to Effect the Intent of this Ordinance; and Other Related Matters. This item was deferred until after Executive Session for Council to review terms of the contract.
- B. First Reading (By Title Only): Ordinance No. 709** - An Ordinance Authorizing Fairfield County to Accept the Conveyance of 2.72 Acres, More or Less, Situated on Old Windmill Road, Near Ridgeway, South Carolina, in the County of Fairfield, to be Used for Public Safety or Other Uses Deemed Fit by Fairfield County Council, and Other Related Matters. It was moved by Council Member Robinson and seconded by Council Member Pauley to approve First Reading (By Title Only) of Ordinance No. 709. ***The motion carried unanimously 6-0.***

9. BOARD AND COMMISSION MINUTES

It was moved by Council Member Robinson and seconded by Vice Chair Goins to accept the minutes from the Chamber of Commerce as presented. ***The motion carried unanimously 6-0.***

10. BOARD AND COMMISSION APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

- A.** Consideration of Approval of Application for 2018 JAG Grant Funds. It was moved by Council Member Douglas and seconded by Vice Chair Goins to approve the Application for 2018 JAG Grant Funds. Chairman Smith asked Mr. Taylor to give further information. Per Mr. Taylor, this is an application for \$11,251 to be used to purchase a utility side-by-side task vehicle. Sheriff Montgomery further explained that this piece of equipment is a 4-wheel drive ATV which will hold up to 6 people. It will be used for special events such as Rock Around the Clock and Pig on the Ridge. It will also be used in the event of missing persons and other law enforcement purposes. Sheriff Montgomery feels this will be a great tool for the department. Chairman Smith thanked Sheriff Montgomery for bringing this before Council and stated this would have been a good tool for the fires on the western side of the County this past year. ***The motion carried unanimously 6-0.***

13. COUNTY ADMINISTRATOR'S REPORT

- A.** Sheriff Will Montgomery - Update on Sheriff's Department and Town of Ridgeway. Mr. Taylor invited Sheriff Montgomery to remain at the podium to discuss the police services in Ridgeway. Per Sheriff Montgomery, the Sheriff's Department has assumed the law enforcement services in Ridgeway by utilizing off-duty deputies, which are then paid by the Town of Ridgeway. Council Member Robinson inquired the number of hours this service will be provided. Per Sheriff Montgomery, Ridgeway is providing the Department with a schedule week by week, and this is normally six hours per day at the present time. Mayor Cookendorfer also stated some citizens and store owners have reported being extremely happy with this change. There was an incident which occurred in front of a store, and the officer was immediately available to take the report and move forward. There is an option to increase from the six hours in the future as the need arises as well as number of days needed. Mayor Cookendorfer thanked the County and the Sheriff's Department for working with the Town of Ridgeway on this matter. Council Member Pauley inquired how the use of the vehicle and the gas is paid. Per Sheriff Montgomery, Ridgeway is paying for the gas with the County performing the maintenance. Most of the time the officers are on foot. Vice Chair Goins commented that the City of Ridgeway is a part of Fairfield County, and by doing this, a relationship is formed. Responsibilities must be shared to provide services to the citizens. Mr. Taylor interjected that he also feels this is a good relationship in that the Town of Ridgeway is saving money, and the deputies are benefitting with additional money.
- B.** Palmetto Pride Presentation by Mallory Biering, Keep South Carolina Beautiful Director/Community Outreach Program Manager. Mr. Taylor introduced Ms. Biering. Ms. Biering reported that before her present employment, she was employed by the County of Bamberg, which is a little smaller than Fairfield County. She met with Council Member Robinson at a recent conference concerning the mission of Palmetto Pride. This is the state's anti-litter campaign, and she understands the Fairfield County Sheriff's Department does an outstanding job with litter pickup in the community. The Palmetto Pride organization can assist with this. The organization is a 501(c)(3) working with

the public and private sector. Littering costs the County money along with making an area aesthetically displeasing. Palmetto Pride believes littering is a behavior and is seeking to change this behavior; however, this will not happen overnight. Education must take place in order to protect the environment and make the community stronger. This will be done through education, enforcement, grants, awareness, programs, etc. These things can be accomplished by creating an affiliate which will assist with things such as buying trash cans, help with recycling programs, education in schools about litter, recycling and beautification, etc. Ms. Biering believes we cannot afford not to do this, and she is here to help. Through grants, the community will be shown how to fund a position or have a volunteer to assist. Whatever is needed in the program, there is a grant application available. As a Keep South Carolina Beautiful affiliate, an application can be made for a \$15,000 grant to help with any program that is needed. This affiliate will also bring people together. Ms. Biering thanked the Council for the opportunity to present tonight.

14. CLERK TO COUNCIL'S REPORT

None.

15. 2ND PUBLIC COMMENT (3 MINUTES): All public comments made during this session must pertain to items not on the agenda or under Council's consideration. Each speaker is allocated three (3) minutes for comment. The total time allocated for the public comment portion of the meeting is thirty (30) minutes. Those wishing to make public comment must sign to do so prior to the Council Chair calling the meeting to order. The Clerk to Council will make a public comment sign-up sheet available at least fifteen (15) minutes prior to the scheduled start time of the meeting.

- Yvette Howard - Community Relations
- Irene Mattox - Recycling Center
- Jackie Workman - Monument
- Keith Martin - Monument
- Roberta Martin Gay - Monument
- Gregrey Ginyard, Sr. - Monument
- Virgil Porter - Economic Development and Finance
- Peggy Swearingen - Questions
- Jeff Schaffer - Over Stepping Authority
- Randy Bright - Challenge

16. COUNTY COUNCIL TIME

Ruff: Council Member Ruff abstained on the first reading of the Mt. Zion project because he needs more feedback. He feels the citizens need more feedback and more understanding, and possibly open forums need to be scheduled before third reading. He would also like to see written estimates on repairs to the present building and other options. This is a big deal and Council needs to be sure what they do is right. Also, he did not know much about the Jenkinsville monument situation. He is never in favor of anything this controversial if it can be avoided and would be opposed to this.

Goins: Vice Chair Goins understands the concerns regarding the administration building project. This is a process with the first part being by title only, just the beginning, and this process will be long term. There will be public information as the process proceeds. Nothing is a guarantee and we must move by faith. However, due diligence is done to the best of our ability. We have a company that has already invested in us first, but she does agree that a public forum would be good. As we go through the process, we can keep everybody informed as to what is going on. She understands the concern, but she also understands the need. Hopefully, as we go through this process, the citizens will better understand. Secondly, in reference to the monument in western Fairfield, this began as an idea of simply moving a monument. She knew the school was there because she was raised in the area. However, she did not know about the monument until some citizens inquired about possibly moving it. After some discussions, the idea of having a community memorial on the property that became available was envisioned. Communities are built brick by brick, so the idea of having a memorial where a brick could be placed to honor a family member, or to honor a church, or to honor a business, which would say to those now and those later that this is how we built our community together and how we surpassed all negativity. This was the only thought for the memorial with color not being a factor. We can either live together and prosper or we can remain divisive. When we are one spirit and one thought, more can be accomplished. Vice Chair Goins will not move further on this particular plan for the monument, and she will try to find other options for the citizens who brought this to her attention. Either way, she will continue to love, pray and keep doing what she can, when she can for whomever she can.

Pauley: Council Member Pauley thanked everyone for attending the meeting tonight. There were a lot of questions and concerns brought up about Mt. Zion. He is, therefore, asking the Chairman to schedule a forum so citizens can come to give input. Chairman Smith stated he is not opposed to having a forum on this matter. Guidelines will need to be in place to guarantee beneficial communication for all concerned. According to the By-Laws, Chairman Smith cannot require anyone to attend the meeting as it would not be a regular meeting and no votes could occur, but he would be glad to work with the administration team to arrive at the best option available.

Robinson: Council Member Robinson also thanked everyone for coming out tonight and for the spirited conversation. He did not get elected just for the seat, but election came with a lot of problems in the County. The Council does not have the luxury of focusing on one thing at a time, but instead, must focus on many issues. He feels we owe it to ourselves to think about the administration building project because one of the inherited problems is the current building. It will be very expensive to replace. Council Member Robinson is also in favor of having an open forum, and on September 4, next Tuesday, he will be having a community meeting at the Winnsboro Women's Club building at 6:00 p.m. He would be in favor of using this for the first forum if guidelines are met.

Smith: Chairman Smith thanked everyone for coming out tonight. He has heard things on this side of the bench and also on the other side sometimes agreeing and sometimes disagreeing, and the good thing is we live in a society where we can have diversity of opinion and opinions can be voiced. He respects everyone's

opinion and the passion. Chairman Smith would like to comment on some of the questions he has heard on the new administration building in an effort to be transparent. First, he would like to speak on the monument issue in Jenkinsville. He did not know much about this issue and has not spoken to other Council members concerning this. He was aware that some citizens had asked to possibly move the monument to a different location, and at this time, he had no inclination to oppose or support it because he did not know the facts. It is important for the public to attend the meetings in order to educate the Council in some instances. He understands the concerns, and when you have a situation such as this, maybe it is better to leave it alone. This was not a "plan" of the Council per se because not much discussion had occurred concerning this. He would be opposed to putting the monument on the Blue Moon property. This is the way things are accomplished, by talking with one another in a respectful manner. On the administration building project, Chairman Smith wanted to respond to some of the questions and comments he has heard to date:

1. The goal is not to save the building, the goal is to save money and address a problem in the most economical manner. The previous Council neglected all capital projects/facilities focusing instead on re-election by hiring friends and family members. They thought they could stroke a blank check and solve all of these issues when the money from the V.C. Summer project came through. As we know, this did not happen, and we now find ourselves digging out of that hole. We cannot address this problem, at this time, in any way that is less financially troublesome for the County. If anyone has a better plan, Chairman Smith will support it. That being said, the Town has transferred the ownership to the developer. The developer has a certain period of time and the County has a certain period of time to vote to move the plan forward. The goal is to solve the issue one way or another. If this plan does not go forward, the Chairman's next push will be to demolish the building as this issue needs to be solved one way or another. Again, this is not about saving the building.
2. There was a suggestion tonight that the County would not own the building: This is not true. The County would not own the building for a certain period of time but would own it in the end. This is part of the plan.
3. What would happen to police response time when the train is blocking the tracks near the new administration building? Deputies do not sit in the office waiting on calls. Deputies are on the road patrolling and in a position so they can respond to calls in the most efficient way when calls are received. They may be seen before Council meetings at the office during shift change, but they are not here all the time. Nothing could be accomplished if the deputies stayed in the office, they must be mobile.
4. Where would people park? It was suggested that visitors and employees would begin parking on surrounding property and neighbor's lawns. Chairman Smith said this is not the case and that employees and visitors will park in designated parking areas, and there will be much more parking capacity if the project moves forward at the new location than is available now.
5. The property will attract loiters to the neighborhood: The property in its current form already attracts loiters. There was a couple living on the property just last week, which Chairman Smith discovered, called Deputies and documented. There are children who walk around the track every night after dark. Chairman

Smith believes it would give a comfort level and more security if the building was occupied.

6. Where is the money coming from? The money to pay for the project will come from existing revenues that the County has already, no tax increases, and the sale of tax credits awarded in association with the project. These tax credits will not be available for any alternative proposed solution to the County's administration building problems. The County would be required to front load and pay all costs whereas we could get half of it covered under the current scenario. If third reading were tonight, Chairman Smith would vote no, because there are still items in the contract that need to be considered and some terms to sort out. This is second reading and is part of a process. If by third reading these questions are not answered to satisfaction, he will vote no. He would ask anyone opposed to this plan on this date, where will the money come from for any alternative and are you in favor of raising property taxes to pay for an alternative plan. Within the next two to four years, this is what the County residents would have to do. If this is what you are in favor of, say it, including prospective Council members and current Council members, making this a campaign point and telling people you want to raise their taxes. This is the reality of the situation the County is in, not by our doing, but by former Council members. We have to try to dig out of the hole.
7. Is asbestos in the building? A study was performed, and there is asbestos in the building. The asbestos is primarily confined to the roofing, the insulation, chalkboards and floor tile, all of which will be removed and/or replaced. There is asbestos in the building, but it will all be addressed as part of this plan.
8. Alternative sites such as the Wal-Mart building and the hospital: Neither of these alternatives would be any less expensive, and at the very least, they would cost the same and probably more. There would be no tax credits to assist with payment. The County would have to pay out-of-pocket, which it does not have. If you don't have money, generally it is financed. However, because of the \$24M bond, the County has no financing capability. The building can be allowed to fall in or a referendum can be put on the ballot to increase taxes, both of which Chairman Smith would not be in favor of. With the Wal-Mart property, in particular, an economic development prospect visited this site the day after Element advised they would be doing lay-offs with the potential of 250 jobs. This building has received looks on a regular basis. We would be taking an asset off the market at a time when we don't have many assets. This also is an income producing property for the County. Property taxes are paid on this building even though it does not house a business at the present time. If this building is utilized for the County needs, it would be removed from the tax rolls.
9. Would there ever be the chance of low income housing on the property? There are tax credits that address these type of issues, but none in this project. That said, since Chairman Smith has heard this from a few people, he will support and push putting a deed restriction in place to specify that no housing of any nature would be put on the property.
10. This project would replace the walking trail with parking: Chairman Smith stated the County has no plans to do anything with the walking trail. If anything is done, it would only be to enhance the property in any way we can and help the Town to do this. The Town will retain the property the walking trail is on. The road is the dividing line with the County having everything behind the road and the Town retaining the property in front of it.

11. Discussions concerning the building not being on the National Historic Registry: At this time, this is correct. The application is in the process, and Chairman Smith believes it meets the customary requirements. If it does not get on the National Historic Registry, the project would not go forward. This will be addressed in the contract before third reading.
12. Urgency all of a sudden: There is no sudden sense of urgency as this has been discussed for over a year. It was not planned overnight. Anyone who has been involved with Council proceedings would have known this. If you are just now seeking to become a Council member and did not know this, you have not been paying attention long enough.

Chairman Smith feels this is the only strategy the County can afford. It is not an ideal situation, but being in \$40M+ debt and no capacity to borrow, one cannot get out of this hole by doing everything just as you wish and want to do. You have to dig and work out of the holes. The Council jobs are tough, and members cannot try to make everyone happy or aim to get re-elected. Being a Council member requires that hard decisions be made, which is why it is very important that the citizens elect the right people to occupy the seats. He feels it is a good suggestion to do a forum as long as it is handled appropriately, and he looks forward to doing this.

17. EXECUTIVE SESSION (The following statement is provided in compliance with the South Carolina Freedom of Information Act: Subsequent to Executive Session, Council may take action on matters discussed in Executive Session.)

At 7:35 p.m., it was moved by Council Member Pauley and seconded by Council Member Ruff to go into executive session for (a) Legal Matter - Update on Litigation Against SCANA/SCE&G in Reference to the Abandoned V.C. Summer New Nuclear Project and (b) Proposed Contractual Matter - Discussion Regarding a Proposed Contract on the Potential Development of a New County Administration Building to Better Serve the Citizens of Fairfield County. ***The motion carried unanimously 6-0.***

At 8:53 p.m., it was moved by Council Member Douglas and seconded by Vice Chair Goins to come out of executive session and return to open session. ***The motion carried unanimously 6-0.***

No action was taken in Executive Session.

Second Reading: Ordinance No. 707 (previously deferred until after Executive Session) - An Ordinance Authorizing the Development of a New County Administration Building to Better Serve the Citizens of Fairfield County; the Execution and Delivery of a Lease Agreement and Associated Contracts Necessary to Effect the Intent of this Ordinance; and Other Related Matters. It was moved by Vice Chair Goins and seconded by Council Member Douglas to approve Second Reading of Ordinance No. 707. ***The motion carried 6-0 with Council Members Ruff and Pauley abstaining.***

18. ADJOURN

At 8:54 p.m., it was moved by Council Member Ruff, properly seconded by Vice Chair Goins to adjourn. ***The motion carried unanimously 6-0.***

PATTI L. DAVIS
CLERK TO COUNCIL

WILLIAM B. SMITH, JR.
CHAIRMAN