



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
SEPTEMBER 10, 2018**

Present: Billy Smith, Doug Pauley, Neil Robinson, Jimmy Ray Douglas, Dan W. Ruff, Mikel Trapp, Bertha Goins, Council Members; Jason Taylor, County Administrator; Davis Anderson, Deputy County Administrator; Tommy Morgan, Attorney; Patti L. Davis, 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 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 Trapp and seconded by Vice Chair Goins to approve the Agenda. ***The motion carried unanimously 7-0.***

3. INVOCATION

Council Member Pauley led the invocation.

4. APPROVAL OF MINUTES

It was moved by Council Member Pauley and seconded by Vice Chair Goins to approve the minutes of the Regular Meeting of August 27, 2018. ***The motion carried unanimously 7-0.***

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.

- Randy Bright - Walking for Safety & Prosperity

7. PUBLIC HEARINGS

- A.** 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. Chairman Smith opened the public hearing at 6:04 p.m. The following individuals signed to speak:

- Bill McDonald
- Donnie Laird
- Claudia Cathcart
- Yvette Howard
- Bill Haslett
- Lisa Brandenburg
- Marie Rosborough
- Pamela Smith
- Jana Childers
- Randy Bright

After comments, by motion of Council Member Robinson and second by Council Member Pauley, Chairman Smith closed the public hearing at 6:31 p.m. ***The motion carried unanimously 7-0.***

- B.** An Ordinance Authorizing the Execution and Delivery of a Lease Agreement Between Fairfield County and the Fairfield County Hospital Board a/k/a Fairfield Memorial Hospital; and Other Related Matters. Chairman Smith opened the public hearing at 6:31 p.m. Mr. Randy Bright signed to speak. After comments, by motion of Vice Chair Goins and second by Council Member Pauley, Chairman Smith closed the public hearing at 6:35 p.m. ***The motion carried unanimously 7-0.***

8. ORDINANCES, RESOLUTIONS AND ORDERS

- A. Second Reading: 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 Douglas and seconded by Vice Chair Goins to approve Second Reading of Ordinance No. 709. Council Member Pauley inquired who is giving the land to the County, to which Mr. Taylor responded Lake Wateree Presbyterian Church. Chairman Smith inquired if a draft contract is in place yet with the church. Per Mr. Taylor, there is a draft contract, and the church has asked a comment be made at the Council meeting concerning the revisionary clause in the contract. This land is being given for the purpose of building a fire station, which has been budgeted; however, if a fire station is not built or the land not used for public use, the land will revert back to the church. Chairman Smith asked the time frame on this. Per Mr. Morgan, there is a provision in the contract if construction is not initiated within three years, then the property reverts back to the church, and if the property is not continuously used by the County for public purposes/public safety purposes, then it would revert back to the church. This would include not using the property for a period of one year. Council Member Robinson also inquired the

effect on the ISO rating. Per Mr. Taylor, there will not be a negative effect on anyone's ISO rating. This would only improve the rating for those closest to the station. The County has also looked at this from a staffing perspective. Council Member Douglas stated this is not just for a fire station, but will have four bays, including a tanker bay, a fire truck bay, Sheriff's Department space and EMS. It will also have about 1000 square feet for the community to use. Chairman Smith asked if there is a cost estimate on this project. Per Mr. Taylor, the full cost estimate has not been received yet. Chairman Smith feels it is a good thing that the contract has the language in it to send the property back if for some reason the project cannot be done. This provides protection on both sides, similar to the new administration building project. ***The motion carried unanimously 7-0.***

9. BOARD AND COMMISSION MINUTES

It was moved by Vice Chair Goins, seconded by Council Member Pauley to accept the minutes from the Library Commission, Disabilities and Special Needs Board and Fairfield Memorial Hospital as presented. ***The motion carried unanimously 7-0.***

10. BOARD AND COMMISSION APPOINTMENTS

A. Library Board - Rebecca Dodds, District 3. Motion made by Council Member Trapp, seconded by Council Member Pauley, to reappoint Ms. Rebecca Dodds to the Library Commission representing District 3. ***The motion carried unanimously 7-0.***

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT

A. Winnsboro Pedestrian Plan - Presentation by Ian Sansom, Senior Planner. Mr. Taylor reported this is a project in conjunction with DHEC and the County has been awarded a grant toward "Walkable Winnsboro". The County was asked what could be done to help improve walkability in the community. Some suggestions were given, and the grant money was used to employ ALTA, a firm specializing in putting these types of plans together. Mr. Sansom is here tonight to present this plan. Mr. Sansom's firm is based in Atlanta, and he has been working closely with Council Member Robinson and various stakeholders from the City of Winnsboro and community to implement the pedestrian plan. This has occurred between January to May of this year. Mr. Sansom then summarized the plan as follows:

- The focus of the plan and overall project vision is to create a vision where Winnsboro will be a place of connected network of comfortable pedestrian

facilities provided to people of all abilities, where pedestrian friendly design is prioritized in all future roadway projects, where citizens and businesses collaborate to improve walkability and where all residents can easily access healthy food and recreational areas on foot.

- Some of the specific project goals identified are:
 1. To improve sidewalk connectivity.
 2. Improve pedestrian safety (crossing at major roads in town).
 3. Increase pedestrian activity downtown recognizing the indirect benefits of a lively sidewalk and activated store fronts. While economic development is not a specific goal, it is definitely one of the side goals or intended consequence of the project.
 4. Identify local champions such as college students to work with the stakeholder community on implementation, emphasizing to people who have time and want to get involved in the project to take it to the next level.
 5. Increase the percentage of commute trips that are made by walking, getting more people thinking of walking as a form of transportation.
 6. Create synergy through low cost easy to implement projects that may involve students and local events that are already in place.
- Part of the plan was identification of improvement and need for sidewalks in the Town of Winnsboro. All sidewalks were evaluated, and a map was shown depicting areas currently with no sidewalks, areas with sidewalks on one side of the street only and also areas where there are sidewalks on both sides of the street.
- Recommendations have been developed for improvement focusing on connections between schools, parks and areas for greatest access for food.
- Possible project ideas were discussed:
 1. Intersection of Chalmers and Park Streets, adding sidewalks, adding lane markings to emphasize biking is allowed and some basic signage.
 2. Round-about at Washington and Garden in front of the Library in an effort to slow traffic.
 3. A series of program ideas were developed to compliment the actual projects which would not require funding as these are things the stakeholder group can take charge and volunteers can assist through park programs, safety programs, volunteer pop-up plazas, farmer's market activities, etc.
- Identification of funding strategies. Winnsboro is one of 16 communities around the state to receive funding through DHEC for improving walkability. Of course, everyone wants to know how the projects can be funded; therefore, a list consisting of about 10 pages of various funding opportunities was presented.
- Sustainable project. Once the plan is adopted, the hope is that it will continue and DHEC will assist.

Council Member Robinson thanked Mr. Sansom for putting in the work for this project. Vice Chair Goins commended Council Member Robinson for having the vision and open mind about the County's future and the benefit to the citizens. She is grateful for people who will invest in the County, and she is excited about it.

Council Member Douglas asked if this is in the city limits of Winnsboro and would the presentation need to be made to the Town of Winnsboro. Mr. Taylor believes it would, and the Town has been involved throughout the process. This is a mix of both the Town and the County. Council Member Douglas questioned voting on the plan at this time not knowing what will actually be done. Chairman Smith believes there is no intention for a vote tonight, and this is only a presentation of the plan based on the funding of the grant. Mr. Sansom stated the hope is the plan will be adopted because the projects and programs that are identified within the plan can then be funded later. The plan will assist in obtaining the funding. The 2007 plan was mentioned recently, but a plan that is more than 10 years old could not be used in attempts to obtain grant funds. Chairman Smith stated it helps to have a plan in place which has been recently adopted before going out to try to obtain grant funds. Either way, as Council Member Douglas pointed out, Town of Winnsboro would need to be involved. A presentation and discussion with the Town should be done before adopting by the County.

- B. Request of Action: Revision to Procurement Manual - Local Preference.** Administration and Finance Committee recommends approval. Per Mr. Taylor, the procurement policy would be revised to give a local preference. Currently, the lowest bid is accepted. What is recommended, which is a common practice in other counties, if a local bidder is within 4%, they can be given a preference. He then asked Mrs. Pickett to give further information. Per Mrs. Pickett, if the project is federally funded or state funded, this would prohibit the local preference option. Council Member Douglas asked concerning the bidding process, and per Mrs. Pickett, the bidding process would have to be followed with anything over \$2,500 requiring quotes. During this process, if a local vendor is within the 4%, the project can be awarded to the local vendor. Chairman Smith inquired of the maximum amount. Per Mrs. Pickett, it would be a 4% preference of the amount of the quotation or bid up to a maximum total of \$50,000. The preference would not apply to purchases totaling less than \$50.00 and do not apply to either prime or subcontractors as related to construction, contracts, nor any item that may be purchased on state contracts. Chairman Smith appreciates the work put forth on this matter, and he feels this is a big plus for local vendors, suppliers and workers who pay taxes, live and work here locally.
- C. Future Public Sale of County Surplus Vehicles/Equipment.** Per Mr. Taylor, the County has access to the HON building and uses it for a warehouse. Many things end up at this warehouse, where some are then sent to State Surplus for auction. However, there are some items that will not be accepted. At this point, Council is being asked to allow an open sale and dispose of items that are not sold. Per Mrs. Pickett, these items include mowers, computers, printers, desks, chairs, etc. A public sale will be scheduled to allow the public the opportunity to purchase these items. Mrs. Pickett is also asking Council for permission to dispose of items not sold on that day. Council Member Robinson would like a list of the items, and Mrs. Pickett is working on this along with maintenance. Chairman Smith feels it is a good idea but would like to get more detail with a list, the format of the sale, etc. Mrs. Pickett will get this information together to present at an upcoming Council meeting for a vote.

14. CLERK TO COUNCIL'S REPORT

The Clerk reported on the following new entries to the Council Meeting Dates:

1. Next Monday, September 17, the Intergovernmental Meeting hosted by the School Board, beginning at 6 p.m. at the Fairfield Career & Technology Center.
2. Thursday, September 20, Community Forum/Council Work Session concerning the proposed administration building project, held at Midlands Tech Fairfield Campus from 5 p.m. to 8 p.m.
3. Wednesday through Thursday, October 24-25, Institute of Government and County Council Coalition, held at Embassy Suites in Columbia. Packets were handed out to Council with information on the meeting and classes to be offered.
4. The last Intergovernmental Meeting of the year will be hosted by Town of Winnsboro on Wednesday, December 19, Winnsboro Women's Club Building, time to be announced.

- 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.

- Jackie Workman - Jobs
- Chris Griffith - Future
- Peggy Swearingen - Not Smart
- Randy Bright - Why Not Ask

16. COUNTY COUNCIL TIME

Douglas: Council Member Douglas read from a prepared statement concerning the following: (1) I guess the trip two Council members and others took to Washington was a big secret that the other Council members and tax payers did not need to know about. Hopefully, they secured monetary support from the Federal Government. How much did this trip cost? I have always been against Council and Administration going to Hilton Head for classes that are given at Embassy Suites in Columbia. Was this a Hilton Head trip to Washington? (2) Fairfield County can support and pay for the new office complex at Mt. Zion if we can control the extra money the school system has been taking from the County funds. Since 2012, someone in the school system has secured \$11,198,389.90. (3) The only reason I would vote against the new administration offices would be if the cost is above the set amount we can pay. (4) Who has the animal control ordinance, and why has it not made it to the Council? Chairman Smith wished to speak concerning the questions directly related to him about the Washington D.C. trip attended by him and Council Member Robinson. The trip was this past week and was by invitation only which was nontransferable. He is not sure how attendees were chosen, but once received, he felt that if you get an invitation to the nation's capital and the opportunity to represent the place you are from and work for, you should do this.

The cost to the taxpayers for this was around \$1,000 and should be the same for Council Member Robinson. Chairman Smith did not attend the Hilton Head Conference this year because he was not seeking re-election and did not think it made sense for him to attend. That said, he has attended the conference the previous three years, learned quite a lot and would recommend that everyone take the opportunity to attend. If you make mistakes as a Council member from time to time that seem to be amateurish, maybe attendance to these classes and conferences would help. The trips are very informative and a lot is learned. Some questions in the Chamber tonight were asked concerning "why not Fairfield". He has taken the opportunity during some of these trips to speak concerning this, as one of the biggest assets of these meetings is the networking opportunity and what you can learn from others. He has spoken with a wide variety of people, and we are told that Fairfield doesn't have the water and sewer capacity, doesn't have the quality of life and there is too much blight in the area. These are the types of things learned. Some zoning issues were referenced tonight, and during the Economic Development Institute which was held in Lancaster, a tour was given at the beginning to an industrial site, a beautiful area in the Lancaster/Indian Land area. On returning to the original location, a route was taken through a different area with a lot of blight that looked terrible. This was brought out as the type of things that have to be thought through when people are brought in to see the area. These are some of the reasons to attend these type things, to learn things, and he will defend this. Council Member Robinson stated it is not very often an average person is invited to the White House. He took this as a humbling experience. A lot of networking was done, and he feels that politics on this lower level is nothing compared to even the staffers, who work 7:30 a.m. to 10:30 p.m. at night and are on call all night. It is very humbling to witness this. Secondly, in reference to the classes, sitting in the citizens' seats, you are not privy to some of the information the Council receives, so you have to educate yourself. He has learned so much in the classes, especially concerning economic development. There are a million things, and he's still learning. Continuing education is the key because knowledge is power.

Ruff: Council Member Ruff stated he is trying to make the best decision on the new administration building project, and this is why he has abstained thus far. He would have done this if it were not in a political season, because if he doesn't know or is not sure, he cannot vote either way. There are others who feel they don't have enough information, and he feels this way also. There are also those who are sure on one side or the other. The forum will be helpful in getting questions and answers. He asked again concerning the written estimates on the necessary repairs of the current building. Per Mr. Taylor, he has the full bid package and will provide this to the Council members. The entire process was bid out for this building and temporary space while this building was being renovated. Everyone would have to be moved out for roughly around 18 months.

Goins: In reference to the comment on District 4 and situations in the past and present, when Vice Chair Goins looks at the culture in District 4, it has always been multi-culture. History is not one-sided, and just as some did things to people at one time, others did things to people at other times. As the word says, we have all fallen short, and we are all guilty of things. When pointing fingers, as the word says, you must first remove the beam out of your own eye, then you can see

clearly how to remove the speck out of your brother's eye. This way, we can do better in this problem we have. Secondly, many great things are happening in other areas such as Blythewood, North Main Street in Columbia, etc. and they are revitalizing. This did not happen by chance, but by people investing and sacrificing, people doing the same thing that 1st&Main is doing. They get others to participate to bring a project that this County cannot afford to do alone. They invest in us, and in turn, we must invest in ourselves. This is done with banks, with medical buildings, all the other places including hotels, etc. Thousands of dollars are poured into other states and counties, but when we come back home, we want to be tight and stingy. The grants and other avenues are a use of other people's money, their sacrifice, to help others. This is what we're supposed to do, we are supposed to be funnels and not just receive and hold. We have to not block the blessing, and we have to sacrifice and give. The administration building is being proposed, and there was something there before the school, there was something there before the homes, etc. In the future, all of this will be irrelevant to another generation. We can work together for the good of everybody, although everyone will not get everything they want, but we can do better. When company comes in, we usually do a little sprucing and fixing up, because we want them to enjoy our home and feel welcome. This is the same thing we're doing here. The Walkable Winnsboro Project that Mr. Robinson is involved with is awesome. We must look past the past, look a little past where we are now and invest in ourselves. People are reaching out to us. We can bring jobs, but you can't make people go to work and want to work, but there are others that will and hopefully attitudes can be changed. We all must do our part, and we all have a part to play in this, even though it may be hard and difficult. Vice Chair Goins will not cast a final vote on the administration building project without knowing the final numbers and knowing we are in a position to be able to afford it. She is trusting 1st&Main because they are investing in us and feeling the same way. Together we can come together and make this work and bring other projects forward. We must give it a chance. She also commends Chairman Smith, Council Member Robinson and Sheriff Montgomery for going to Washington to represent us. This type of action and leadership is important. Everyone can't go to everything, so when two or three are invited to something this important, she commends them for representing us.

Trapp: Council Member Trapp would like to address comments made from the District 3 constituent concerning not smart 1 through 4. He would also like to know where all the money went. When he was off Council in March 2015, the previous Council had only spent \$1.1M of the bond money, so if the money is gone, where did it go because Council didn't vote on anything. He would like a detailed account balance on the bond money, copies of invoices, what was voted on so as to know to the penny where all the money went. He stated the vote to take out the loan was based on the attorney's advice at the time, and this was to secure the money for Fairfield County because laws were being introduced concerning the VC Summer revenues. If this were to come up again and the attorney advised this action, he would do it again. He also feels an item was left out of the constituent's list, and he will leave this for her to figure out.

Smith: Chairman Smith requested information, and based on this, the present building was looked at in 2015 and was quoted at \$3.1M to do rewiring, HVAC and roof. That number would be higher today. The HON building or somewhere else

would need to be renovated to move workers, because they would not be able to work in the present building with no roof, no wiring, no HVAC system. This relocation was quoted at \$3.6M bringing the total to \$6.7M just to fix this building. Chairman Smith requested this information be released to the public. Also, and this may not be 100% accurate, but he believes there is around \$5.4M left in the bond tied to the courthouse and administration projects. A lot of the items paid for from the bond were not voted on because it was designed this way so it would have to be spent on what it was listed for and very difficult to make any changes. Most of it went to the Commerce Park on Peach and Cook Roads and some of the regional sites, the recreation site in District 4, the recreation site in District 2 and 3 combined, a little was spent in District 6 on Drawdy Park, the fire stations in Ridgeway and Jenkinsville and this is probably the most of it. Per Mr. Taylor, this was the bulk of it with the Commerce Center being the largest part. There was also some used on the new radio interoperability system. Council Member Trapp inquired if this has all been done since March of 2015. Per Chairman Smith, probably the majority of it has been since then. Council Member Trapp also stated he believes the money could have been returned. The attorneys informed Council the money could have been refunded, but it could not because some had already been spent. He voted on the advice of counsel to secure the loan to keep the state from getting the VC Summer revenues, but other than that, his hands are clean. Chairman Smith would like to place this on the agenda under Executive Session to discuss further, as most of Council was not on Council at the time the bond was secured. If this was at the advice of legal counsel, he would like to discuss further concerning the argument that by doing the bond, this would secure the money from being touched elsewhere in the state. The reason he doesn't buy this argument is because there is a state constitutional provision which states basically that the general assembly cannot pass any laws that would nullify any contracts, cannot do anything to negatively affect any contracts within the state. The idea was if we contract for this money, they would not be able to do anything because the constitutional provision prevents it. However, if this is the case, the fee-in-lieu agreement was a contract to begin with. Council Member Trapp requested that Representative Douglas and former Senator Coleman be invited to the meeting to discuss. Chairman Smith appreciates everyone who came out to ask questions about the new administration building project. He appreciates the same with the school board borrowing \$2M just recently and when the \$1.6M was spent for the hospital property. He appreciates the shared interest/motivation. The forum is scheduled, and we are accepting questions in written form ahead of the meeting, which is September 20 from 5 p.m. to 8 p.m. A reception will begin at 5:00 for everyone to speak openly for an hour and speak with the developers. The Council cannot respond to questions, and the reason for this is until something is voted on, the members do not act as a body. Chairman Smith's thoughts on something will be different from other Council members; therefore, there must be a discussion. Some information on the upcoming forum is on the table in the Chambers, and it has also been on Facebook. In closing, Chairman Smith spoke with Sheriff Montgomery earlier today concerning Hurricane Florence. He advised everyone to be careful and pay attention to the news. The Sheriff and the emergency management team are having a meeting in the morning and are planning to post any updates to Facebook, etc.

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 7:31 p.m., it was moved by Council Member Trapp and seconded by Council Member Robinson 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 7-0.***

At 8:34 p.m., it was moved by Council Member Trapp and seconded by Council Member Ruff to come out of executive session and return to open session. ***The motion carried unanimously 7-0.***

No action was taken in Executive Session.

18. ADJOURN

At 8:34 p.m., it was moved by Council Member Trapp, properly seconded by Vice Chair Goins to adjourn. ***The motion carried unanimously 7-0.***

PATTI L. DAVIS
CLERK TO COUNCIL

WILLIAM B. SMITH, JR.
CHAIRMAN