



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
JUNE 13, 2022**

**Present:** Moses Bell, Shirley Greene, Cornelius Robinson, Mikel Trapp, Timothy Roseborough, Clarence Gilbert, Doug Pauley (Council Members); Malik Whitaker (County Administrator), Kenneth Davis (County Attorney); Dr. Kimberly Roberts, Clerk to Council)

**Absent:** None

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 forty two other individuals.

Due to COVID-19 (Coronavirus), the meeting is being live-streamed through the County's YouTube page in order to keep citizens informed.

**1. CALL TO ORDER**

Chairman Bell called the Regular Meeting to order at 6:00 p.m. Mr. Bell apologized for the temperature in the room and announced that this would be the last meeting in that location. The next Council meeting would be held at the new site (250 N. Walnut Street).

**2. APPROVAL OF AGENDA**

Motion made by Councilman Trapp, seconded by Councilwoman Greene, to approve the agenda. ***The motion carried 7-0.***

**3. INVOCATION**

Councilman Roseborough led the invocation.

**4. APPROVAL OF MINUTES**

Motion made by Councilman Trapp, seconded by Councilwoman Greene to approve the minutes from the Budget Work Session I April 18, 2022 and Regular Meeting of May 23, 2022. ***The motion carried 7-0.***

**5. PUBLIC PRESENTATIONS**

None.

**6. 1<sup>ST</sup> PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.**

Dr. Roberts read the following statement:

Fairfield County Government welcomes public input during appropriate times at County Council meetings. Such input will be allowed in the time, place and manner determined by the Chair of the County Council as the presiding officer. Persons wishing to speak must conduct themselves in the following manner:

Sign up at the appropriate time to speak, refrain from engaging in conduct or speech that seeks to disrupt or disturb the meeting, respect the time limit for the public comment, and refrain from personal attacks or personal statements about any individual(s). Such statements are disruptive because this part of our meeting is not conducive for such exchanges between individuals.

As stated, speakers were expected to express themselves within the time, place and manner previously described. Any violation will result in a warning from the Chair of County Council or the presiding officer. Any failure to heed the warning of the Chair or presiding officer will result in the violating speaker forfeiting their opportunity to finish speaking or to speak during the remainder of the meeting. Council welcomes the comments from members of the public and ask for the cooperation of everyone to allow for the orderly conduct of the people's business.

- Peter Gainey - Rezoning
- Pelham Lyles - Rezoning
- Donita Harris - Rezoning
- Margaret Branham - Rezoning
- Michael Branham - Rezoning
- John Tanner - Rezoning
- Randy Bright - Rezoning

Mr. Bell reminded the audience that due to their passion surrounding the rezoning, clapping was allowed for this meeting, but typically, it was not.

## **7. PUBLIC HEARINGS**

An Ordinance to Establish the Millage Rate for Fairfield County for the Fiscal Year Beginning July 1, 2022. Mr. Bell opened the public hearing at 6:24pm – one person signed up to speak, Randy Bright. Mr. Bell closed the public hearing at 6:28pm.

## **8. ORDINANCES, RESOLUTIONS AND ORDERS**

**A. First Reading (By Title Only) Ordinance No. 795:** An Ordinance to Consider the Request to Amend the Fairfield County Land Management Ordinance No. 599 and the Related Zoning Map, to Provide for the Zoning

Reclassification From RD-1 (Rural Residential District) to I-1 (Industrial District), For 392.49 Acres of Undeveloped Property Indicated as TMS# 165-00-01-016-000, Owned by Gum Springs, LLC. Motion made by Councilman Trapp, seconded by Councilwoman Greene. ***The motion carried 5-2 with Councilmen Pauley and Gilbert voting nay (by show of hands).***

**B.** Third and Final Reading Ordinance No. 794: An Ordinance to Establish the Millage Rate for Fairfield County for the Fiscal Year Beginning July 1, 2022. Motion made by Councilman Trapp, seconded by Councilwoman Greene. Mr. Pauley asked if Mr. Whitaker or Mrs. Bass could go over the millage rate. He thought there was some confusion in the community regarding the Council raising the millage rate. Mrs. Bass said the only change in the millage rate was one-half mil for the operation of the Fairfield County library. She said she did not have the sheet in front of her but they were able to reduce the millage to debt service and put it into general operating. The only change in total millage was the half mil for the library. Mrs. Greene asked if she could translate to the public what that translated into as far as a dollar amount. Mrs. Bass borrowed a sheet from Mr. Whitaker and said previously, the millage for debt service was 10.4. It was reduced to 8.9 and those mils were moved up to the general fund. She said she thought the millage rate for about the last six years had been 181.8 so it was increasing only to 182.3, which was the half a mil for the library. The other change just moved them from one fund to another. Mrs. Greene said she still did not get an estimated dollar amount. Mr. Pauley clarified that she was asking for an estimated dollar amount that it would cost per household by raising the library millage. Mrs. Bass said one mil on an average \$100,000 house equated to about \$4. It varied based on the value of the house but for a \$100,000 house, a half mil would be about a \$2 increase in the tax bill. Mrs. Greene said thank you. ***The motion carried 7-0.***

**C.** Resolution No. 2022-03: A Resolution Approving the Addition of the Town of Ridgeway, South Carolina to the Fairfield Joint Water and Sewer System, South Carolina, and Other Matters Thereto. Motion made by Councilman Trapp, seconded by Councilwoman Greene. Mr. Robinson asked if Ridgeway would bear any of the costs related to the JWTC. Mr. Bell said not yet – this resolution did not talk about that, it was just to add Ridgeway as a part of the joint water system. Mr. Robinson said he should have reworded his question and asked if any preparations were made but they could talk about it later. ***The motion carried 7-0.***

**D.** Resolution No. 2022-04: To Approve the Modification to an Intergovernmental Agreement Fairfield County Detention Center and the United States Marshals Service, Prisoner Operations Division, Intergovernmental Agreements Branch. Motion made by Councilman Trapp, seconded by Councilman Roseborough. ***The motion carried 7-0.***

**E. Resolution No. 2022-05: To Transfer Unexpected Funds From the 2021-2022 Fiscal Year Budget in an Operating Account, Currently in the Amount of \$190,597, to a General Capital Improvements Account, Effective June 30, 2022, Except that the Current Amount may be Reduced by Outstanding Invoices Received and Paid on or Before June 29, 2022.** Motion made by Councilman Trapp, seconded by Councilman Roseborough. Mr. Pauley said of the money they were moving, he was aware that \$11,000 came out for the repaving of a mini park in Midford. He wanted to make sure he understood the total receipts for three picnic tables for Rufus Belton Park for \$700 per table, which would total \$2,100. He said Willie Robinson Park had a survey completed because the third base sign was on someone else's property. He asked the cost of the survey. Mr. Whitaker said he did not know how much the survey cost but he was correct about the other expenses coming from that account. Mr. Pauley said what bothered him was taking this money and giving employee's \$600 bonuses but they were buying \$700 picnic tables. It spoke to how they felt about the employees in Fairfield County. He said the animal shelter had animals in 85-90 degree temperatures. He made a motion that they take some of the money and move it toward the animal shelter to get air services for the animals. They were spending on everything else in Fairfield County but where their priorities needed to be the money was not being spent. He thought they needed to move some of the money to take care of that. Mr. Gilbert seconded the motion. Mr. Bell apologized and said the resolution was to transfer unexpended funds from the 2021-2022 fiscal year budget in the operating account. It did not reference what he was talking about and therefore there could not be an amended motion. Mr. Pauley asked if they had an idea of what the receipts were. He was aware of a musical playground going to Rufus Belton Park and wanted to know the cost. Mr. Whitaker said they would get him the invoices for anything that came from that account. He said one of the purposes of the money was for the lights at Drawdy Park. Mr. Bell said the picnic tables at Rufus Belton Park were rotten - they had pictures. He asked if they wanted to have parks that people could not use. Mr. Pauley asked Mr. Whitaker what the other Council members needed to do if they wanted to spend some of the money and he said make the request. Mr. Bell said the purpose of the resolution was to ensure they had the funding to repair the Drawdy Park lights so that money would be in the operating expenses versus capital. The money could also be used for any other minor repairs for the sake of the County and to keep the parks and other equipment in safe operating condition. As they looked at these parks (he rode to the park in Midford), the kids were playing with holes in the asphalt. He said come on - give him a break. ***The motion carried 7-0.***

## **9. BOARD AND COMMISSION MINUTES**

None.

**10. BOARD AND COMMISSION APPOINTMENTS**

Disabilities & Special Needs – Rebecca Swearingen, District 7. Motion made by Councilman Gilbert, seconded by Councilwoman Greene. ***The motion carried 7-0.***

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

None.

**13. COUNTY ADMINISTRATOR'S REPORT**

**A.** Cooperative Health – Mr. Whitaker introduced Lee Tant, Public Affairs Manager. Mr. Tant introduced Jennifer Glover Hawkins, Director of Public Relations. He said he wanted to provide a brief update about what they were doing in the community. They were a federally qualified health center serving more than 57,000 patients annually across four Midlands counties – Lexington, Richland, Newberry and Fairfield. They operated 31 clinical sites across the Midlands. They took great pride in their mission to provide accessible, compassionate and high quality health care services in the spirit of the Good Samaritan. What made them unique was that they served everyone who walked through their doors regardless of their ability to pay or insurance status. For their uninsured patients, they offered what they called the Good Samaritan Program, which was a sliding fee scale. Those patients would only pay a nominal fee for services. Their pay mix was unique – about 45% of their patients were Medicaid, 23% were uninsured, another 11% were Medicaid and 21% were properly insured. The properly insured patients spoke to the quality level that their service providers delivered to their patients. They offered more than primary care – they provided pediatric services for children, adults and teenagers ages 0-19. They offered adult primary care as well as women's health and OBG-YN services and dental based at their Ridgeway site. For patients in Fairfield County that needed podiatry services they could be referred to their podiatrist in Columbia. They were working with local partners in Fairfield County to bring those services to Fairfield County. One of their biggest pushes was to integrate behavioral health services within their clinical sites. Mental health was a concern on the rise and they wanted to bring those services to the citizens of Fairfield County. They also offered pharmacy services and although they did not have an on-site pharmacy in Fairfield County, they did offer convenient pick-up and delivery options. He said they improved their population's health by reducing the instances of chronic



illnesses, inappropriate ER hospitalizations and long-term hospitalizations. He wanted to talk about their three clinical sites and their school-based site at McCrorey-Liston School of Technology. Their first site in Fairfield County was Lake Monticello Family Practice – a comprehensive practice that covered patients of all ages located at 9017 SC Highway 215 in Jenkinsville and that site served over 11,000 patients last year. Their Ridgeway Pediatrics Family and Dental Practice at 755 US Highway 21 South serviced almost 1,900 patients last year – it serviced ages 1-95. The last clinical site was Winnsboro Pediatric and Family Practice at 1136 Kincaid Bridge Road and serviced nearly 1,800 patients last year. Collectively, Cooperative Health served about 4,800 patients in Fairfield County last year. They were happy to have a presence in the community and to serve the citizens of Fairfield County. He asked for questions and there were none. Mr. Bell thanked them for their work. He referenced the 1,900 Ridgeway patients served and said it was good for their community. The work they had done across the County was substantial and was appreciated. Ms. Hawkins thanked them for the financial support and other support given to them as they provided care to the citizens.

- B. MUSC Health Fairfield Meet & Greet with Fairfield County Administration –**  
Mr. Whitaker said Administration firmly believed that County government had a role to play in supporting better health outcomes in the community. To that effect, on June 8<sup>th</sup>, MUSC Fairfield Emergency & Imaging leadership hosted a tour, meet and greet and planning meeting with Administration, Chair and Vice Chair. Their goal was to understand all services and partnership opportunities and to discuss a possible Health Fair sometime in the future. He believed they left the meeting understanding that MUSC wanted to support the County's goals and wanted to regularly engage with the County leadership to understand and support the healthcare needs of their citizens. It was a great start to a partnership. Mr. Bell said it was a productive meeting and they made some requests and they (MUSC) were willing to meet those requests and he thanked them. Mr. Gilbert said he was a board member of MUSC he was not aware that they met. He asked if that was an oversight. Mr. Whitaker said no he just decided to invite the Chair and Vice Chair – he did not invite the full Council. Mr. Gilbert said he was on the board. Mr. Whitaker said he could arrange a tour for all Council members. He said he did not know that he was a board member at that time – it was really a meeting for him to engage with them and he wanted to bring the Chair and Vice Chair. He said there was no mal intent or disrespect.
- C. South Carolina Infrastructure Investment Program (SCIIP) (Ridgeway) –**  
Mr. Whitaker said the SCIIP was a major one-time initiative to improve water, wastewater and storm water systems throughout the state using

federal funds allocated by the 2021 American Rescue Plan Act (ARPA). SCIIP offered a unique opportunity to make long-term capital improvements that would strengthen critical services to residents and businesses across the State, create more resilient communities and build the capacity to support future opportunities for growth and economic development. In order to achieve maximum impact, the Rural Infrastructure Authority would divide SCIIP funds to help large utilities that served the most people and smaller systems that struggled to raise the capital needed to modernize outdated infrastructure. They were incentivizing regional partnerships where feasible to resolve the viability concerns of smaller systems and encourage other partnerships that create lasting solutions for communities. Funding would include about \$100 million for special economic development projects as designated by the South Carolina Department of Commerce. Fairfield County's response was in partnership with the Towns of Winnsboro and Ridgeway - they were considering a participating in a regionalization project called the "Line Project". He referred to a map to describe the Line Project. He said the Commerce Park Project component (the green line) of the Line Project would consist of sewer transmission lines, pump stations and pump station upgrades and appurtenances as necessary to connect Commerce Park and the surrounding area to the Winnsboro Plant. The Ridgeway Project component of the Line Project would connect the Town of Ridgeway's sewer collection system to the infrastructure comprising the Commerce Park Project, which would ultimately allow Ridgeway's sewer collection system to transmit wastewater to the Joint System's planned wastewater treatment plant. (This was really important), all components of the Line Project would be designed and sized to be incorporated into the new plant project in order to ultimately transmit wastewater from customers in Winnsboro and Ridgeway to the Joint System's new plant project. He said this was all connected to what they were trying to do with their wastewater treatment plant. In regards to the costs, the parties would coordinate and cooperate to submit one or more applications to the Rural Infrastructure Authority or other funding authorities for grants to fund the Line Project through the South Carolina Infrastructure Investment Program. Fairfield County would pay the costs to plan, engineer, and permit the Line Project using settlement funds, all of which would be considered costs of the new plant project. Fairfield County would also pay any matching funds for the Line Project that might be required under the South Carolina Infrastructure Investment Program, which would also be paid from funds received from the Dominion settlement. It was exciting and great news for the County and a lot of work had gone into it. He thanked the attorneys (Walt Carlton with Parker Poe, who worked closely with the Town of Winnsboro,

Ridgeway, and the Joint Water Sewer System), the Economic Development staff and most importantly the Council leaders. He thanked Mrs. Greene for her committee leadership, Mr. Roseborough for his development expertise and engagement with the attorneys, Chairman Bell who provided leadership and guidance during the design and location meetings with the vendor and his critical work to support and encourage the Town of Ridgeway to consider joining the joint system and the line project. Those were critical problem solving conversations that moved them down the road. It was great news and he would keep them abreast of the steps. Mr. Pauley asked if they could request a waiver and not pay the match. Mr. Whitaker said he did not know but they could talk about it. Mr. Pauley asked if it was the line down 321 – was it the wastewater treatment line. Mr. Whitaker said no the wastewater treatment (referring to the map) was the fuchsia colored line. The line he was talking about was the yellow and blue lines. Mr. Pauley said ok and asked him to request a waiver. Mr. Bell said he would not ask her to speak but acknowledged Representative McDaniel and her work in avoiding the match because small and rural areas sometimes did not have the money. It put them in a better position because they had the resources because of the Dominion settlement but Representative McDaniel had worked diligently trying to ensure they did not have to pay the match. He said they were prepared to do both the match and non-match. He thanked everyone for their work.

- D. Comprehensive Plan** – Mr. Whitaker said he would read a statement from Gregory Sprouse (project lead) from the Council of Government and Mr. Stines (Community Development Director). He read – they were currently working on the land use element of the plan and had a work session with the Planning Commission scheduled for June 23<sup>rd</sup> to get input on the future land use map. They were also working on finalizing the other required elements of the plan and hoped to have a working draft ready for review by the Planning Commission's meeting next month. Some of the work they had done included a community survey, which resulted in 320 responses, and three work sessions to date conducted with the Planning Commission. Stakeholders through emails and conversations had engaged the Towns of Winnsboro and Ridgeway. Mr. Harrison with Ridgeway was actively involved and working on a strategic plan for Ridgeway. Mr. Stines intended to engage Jenkinsville, and Mr. Clauson and Mr. Taylor in this work. With regional planning, Mr. Sprouse with the Council of Governments and working with the other alliances (I-77 plans) all of the work was coming together and should be finished in the next few months. If they put in a few extra steps for more community engagement (it had not been as effective as they wanted) it may be September.



**E.** Fairfield County Transportation Committee – Mr. Whitaker said on May 26, 2022, the Fairfield County Transportation Committee approved \$100,000 towards the engineering design work to replace the Maggie Harris Bridge. Fairfield County Public Works Director, Jonathan Burroughs, presented information about the need to replace five damaged bridges on county roads and how funding the engineering work to replace the bridges would allow the County to further pursue grant funding toward bridge construction. Deputy County Administrator Williams also attended the meeting and gave a presentation on Fairfield County infrastructure needs with focus on the wastewater treatment plant, improving access to drinking water, expanding broadband and addressing road and bridge concerns. Mr. Bell thanked him for his report. Mr. Pauley said he had something for Mr. Whitaker. Mr. Bell asked if it concerned any of the items under his report (A, B, C, D, or E). He said yes he could ask Mr. Whitaker a question. He said he would make it short. Mr. Pauley said in his contract he thought it stated that he had to have residence within 180 days. Mr. Bell said he could bring that up during County Council time – it was not related to A, B, C, D, or E. Mr. Whitaker said it was not on the agenda. Mr. Pauley said ok and he had another question about a receipt from the other day. Mr. Bell asked if the receipt was for item A, B, C, D, or E. Mr. Pauley said yes he assumed that was what it was for. He asked if he could tell him the time of the MUSC meet and greet. Mr. Whitaker said it was at 10:30am. Mr. Pauley asked if they felt the need to come back to Fairfield County and send Ms. Roberts to Blythewood to Groucho's to spend \$58 of taxpayer money when you all were already out and could have bought your own meal. Mr. Whitaker said he could or could not respond. It was not an appropriate time but he could. Mr. Bell said if he could to go ahead. Mr. Whitaker said he had a statement and asked if he should read it and Mr. Bell said to go ahead. Mr. Whitaker said he knew what he (Mr. Pauley) was trying to imply and he knew what he had been doing behind the scenes. He said he would read his statement about the behavior and his issue with it. He read - on several occasions, Councilman Pauley informed him that he had individuals on his staff watching and regularly reporting to him on everything he did and every move he made and it obviously continued. He took his comments and this practice as an attempt to make him feel both unsafe, unwelcomed, and unable to build trust with his new team as County Administrator. It appeared that Councilman Pauley was advocating and supporting staff members being paid while monitoring the County Administrator instead of conducting their duties and he disagreed with that practice. He understood the power and role of organizational culture and organizational trust and he was learning more about the organizational culture he inherited daily. He would have hoped that Mr. Pauley, out of respect for his role, would

have encouraged staff not to police their leader but ask questions about things they did not understand. The facts were simple. There were no secret meetings or violations of County policy that Mr. Pauley can or had cited. He simply scheduled a working lunch immediately after the hospital tour that included staff, the Chair and Vice Chair and he was thankful for their leadership, guidance and support. The meeting was scheduled to discuss a debrief of the meeting with the emergency room leadership, capital needs funding and the agenda for their first reception meeting at their new complex. The meeting started at 12pm (the lunch hour) and he provided lunch – the same practice used to purchase meals during the budget workshops. He said he would not work in fear of his own staff reporting his every move. He said if he (Mr. Pauley) could tell him a policy that he violated that would be different. Mr. Pauley said he did not think anyone was policing him but he thought when he was already out he could have stopped and paid for his own meal. Mr. Whitaker said the meeting was already scheduled. Mr. Pauley said they were easy to spend taxpayer's money and he could buy his own meals. Mrs. Greene said when one does the business of this County and look at future needs and analyze those together as a committee, they were doing the work of Fairfield County. She understood that he (Mr. Pauley) had issues with what they did and she thought additional training was necessary so he would understand his role and relationship to the Council. Mr. Pauley said she spent \$4,100 of taxpayer money. If anyone needed additional training, it was her. Mrs. Greene said why don't you drive me to meetings all of the time. She said she lived at Wateree and asked if he wanted to know how many miles that was – could he calculate that. Mr. Pauley said she knew that when she got on Council and she said she was elected just like he was. He said she did not have to run and she stated she was elected. Mr. Bell interjected and said that was it.

**14. CLERK TO COUNCIL'S REPORT**

None.

**15. COUNTY COUNCIL TIME**

None.

**16. 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 7:03pm, motion made by Councilman Trapp, seconded by Councilman Roseborough, to go into executive session concerning the below listed items. ***The motion carried unanimously 7-0.***

- A. Receipt of Legal Advice – Regarding Personnel Claim Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- B. Receipt of Legal Advice – Regarding Pending Lawsuit Regarding County Roadway Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- C. Receipt of Legal Advice – Regarding Potential Disclosure of Exempt Records Pursuant to S.C. Code Ann. §30-4-70(a)(2).

At 7:54pm, motion made by Councilman Trapp, seconded by Councilman Roseborough to come out of executive session and return to regular session. Mr. Bell said there was no action taken in executive session. ***The motion carried unanimously 7-0.***

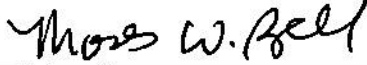
Mr. Bell said prior to any other discussion, there was a matter that could be a conflict of interest with one of the Council members. He said he needed to recuse himself and that was Councilman Cornelius Robinson. The Clerk to Council needed the minutes to reflect such and Mr. Robinson needed to sign the necessary paperwork stating such. Mr. Robinson agreed and left the meeting at 7:55pm.

Councilman Trapp made a motion to award a former employee the amount of \$50,000 to settle a claim, seconded by Vice Chair Greene. ***The motion carried unanimously 6-0.*** Mr. Bell said let the record show 6-0.

#### **ADJOURN**

At 7:56 p.m., motion made by Councilman Trapp, seconded by Councilwoman Greene, to adjourn. ***The motion carried 7-0.***

  
KIM W. ROBERTS, Ed. D.  
CLERK TO COUNCIL

  
MOSES BELL  
CHAIRMAN

June 13, 2022

Re: Recusal

Chairman Bell and Members of Council,

Item 16A on tonight's agenda (receipt of legal advice regarding personnel claim), presents a conflict of interest as it involves my spouse. Therefore, I must recuse myself from executive session, any discussion and any vote that may take place on this matter.

If further information is needed, I can be reached at 803-402-5385.

Sincerely,

A handwritten signature in black ink, appearing to read "Cornelius Robinson", written in a cursive style.

Councilman Cornelius Robinson  
District 6