



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
SEPTEMBER 11, 2023**

Present: Clarence Gilbert, Cornelius Robinson, Dan Ruff, Shirley Greene, Tim Roseborough, Doug Pauley, Peggy Swearingen, (Council Members); Laura Johnson (Interim County Administrator); Synithia Williams (Deputy County Administrator); Tommy Morgan (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 Pauley called the Regular Meeting to order at 6:00pm.

2. PLEDGE OF ALLEGIANCE

Chairman Pauley called for the recitation of the Pledge of Allegiance.

3. APPROVAL OF THE AGENDA

Motion made by Councilman Gilbert, seconded by Councilman Ruff to approve the agenda. ***The motion carried 7-0.***

4. INVOCATION

Rev. Jonathan Bell (Friendship Community Church) led the invocation.

Rev. Bell stated the name of his church was St. Peter Community Church. Mr. Gilbert and Mr. Pauley apologized for the mistake.

5. APPROVAL OF MINUTES

Motion made by Councilman Ruff, seconded by Councilman Robinson to approve the minutes from Regular Meeting August 28, 2023. ***The motion carried 7-0.***

6. PUBLIC PRESENTATIONS

None.

7. 1st PUBLIC COMMENT SESSION: 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.

None.

8. PUBLIC HEARINGS

- A. An Ordinance by Fairfield County Council to Amend and Restate Ordinance No. 674 Roads, Highways, and Bridges; and Other Matters Related Thereto. . Mr. Pauley opened the public hearing at 6:04pm. No one signed up to speak. Mr. Pauley closed the public hearing at 6:04pm.
- B. An Ordinance Establishing the Millage Rate for Fairfield County for the Fiscal Year Beginning July 1, 2023. Mr. Pauley opened the public hearing at 6:04pm. No one signed up to speak. Mr. Pauley closed the public hearing at 6:05pm.
- C. An Ordinance Providing for the Purchase and Acquisition of Security Systems, Motor Vehicles, and Related Equipment to be Used for Public Safety and Public Works and Other Equipment; Authorizing the County Administrator to Prescribe the Form and Details of the Lease Purchase Financing of the Equipment; Providing for the Payment of the Lease Purchase Financing; and Other Related Matters. . Mr. Pauley opened the public hearing at 6:05pm. No one signed up to speak. Mr. Pauley closed the public hearing at 6:05pm.

9. ORDINANCES, RESOLUTIONS AND ORDERS

- A. **Third & Final Reading Ordinance No. 820:** An Ordinance by Fairfield County Council to Amend and Restate Ordinance No. 674 Roads, Highways, and Bridges; and Other Matters Related Thereto. Motion made by Mr. Gilbert, seconded by Mrs. Greene. Mr. Robinson asked for information regarding the purpose of the ordinance. Mr. Morgan said it was an update to the existing ordinance. It changed some of the definitional sections regarding the maintenance of some of the roadways – both private and public. It also addressed trees on private property. It streamlined things from a legal and operational standpoint. He and Administration had input from Director of Public Works, Jonathan Burroughs, and he approved the changes to allow the road crews to better perform their jobs. Mr. Ruff asked if it would eliminate the maintenance of common drives and Mr. Morgan said that was correct. ***The motion carried 6-1 with Mr. Ruff voting in the negative.***
- B. **Third & Final Reading Ordinance No. 821:** An Ordinance by Fairfield County Council Establishing the Millage Rate for Fairfield County for the Fiscal Year Beginning July 1, 2023. Motion made by Councilman Gilbert, seconded by Councilman Ruff. Mr. Gilbert asked for more information. Mrs. Johnson said the ordinance included an eight millage increase. As discussed in the

budget work sessions, they wanted to enter into a lease purchase agreement to buy necessary emergency equipment (four pieces for fire, six for Sheriff, and one for the Detention Center). In the last two years, Council did not budget any type of emergency equipment. The equipment took 6-8 months (sometimes up to a year) for delivery. They were behind in ordering equipment. Also, they had not increased the millage in six years – it was time. Mr. Ruff said he was always against raising taxes but realized it was necessary to provide the citizens what they needed. ***The motion carried 4-3 with Councilwoman Greene and Councilmen Roseborough & Robinson voting in the negative.***

- C. Second Reading Ordinance No. 822:** An Ordinance Providing for the Purchase and Acquisition of Security Systems, Motor Vehicles, and Related Equipment to be Used for Public Safety and Public Works and Other Equipment; Authorizing the County Administrator to Prescribe the Form and Details of the Lease Purchase Financing of the Equipment; Providing for the Payment of the Lease Purchase Financing; and Other Related Matters. Motion made by Councilman Robinson, seconded by Councilman Roseborough. Mr. Robinson asked for a description. Mrs. Johnson restated that the ordinance was to enter into a lease purchase agreement for four pieces of equipment for fire, six for the Sheriff's Office and one for the Detention Center. It totaled approximately \$3.5 million to be paid over seven years and it would average about five of the mills. ***The motion carried 7-0.***
- D. Second Reading Ordinance No. 823:** An Ordinance By Fairfield County Council Approving the Conveyance of Property by Fairfield County to the Fairfield County Forfeited Land Commission, and Other Matters Related Thereto. Motion made by Councilman Robinson, seconded by Councilman Ruff. Mrs. Greene asked for an explanation. Mr. Morgan said the County received property in 2020 from the Forfeited Land Commission (FLC). The FLC was a statutory creation. The opening bid came from the FLC and if no one else bid on the property, then the FLC took the property. In 2020, the County took some of those properties in hopes that they could be used. Since then, it was determined that those properties were not feasible for use by the County. The ordinance conveyed those properties back to the FLC so they could have an online auction process to sell the properties. The County would receive the proceeds and the properties would be back on the tax role and would generate income for the County. ***The motion carried 7-0.***
- E. Second Reading Ordinance No. 824:** An Ordinance of Fairfield County Council Authorizing An Amendment to the Agreement for Development of Joint County Industrial Park By and Between Fairfield County, South Carolina and Kershaw County, South Carolina, Providing for the Inclusion of Additional Property in Kershaw County as Part of the Joint County Industrial Park, and Other Related Matters. Motion made by Councilman Ruff, seconded by

Councilwoman Greene. Mr. Morgan said it was an economic development based ordinance. Fairfield County had a multi-county industrial park with Kershaw County. It was not a physical location – it was a territory established by both County Councils. Kershaw County had an economic development project that they wanted to put into the park and they would get 99% of the revenue from the fee in lieu of tax agreement. Fairfield County would get 1% of the revenue without having to do anything apart from approving the project through the ordinance. In other instances, Fairfield partnered with Richland and Kershaw County's and Fairfield received 99% of the revenue and the partner received 1%. ***The motion carried 7-0.***

F. First Reading (By Title Only) Ordinance No 825: An Ordinance by Fairfield County Council Authorizing the Purchase of Real Property that Meets the Necessary Requirements for Said Property to be Used as a Suitable Location for a Wastewater Treatment Site With Discharge Into the Broad River, and Other Matters Related Thereto. Motion made by Mr. Ruff, seconded by Mr. Robinson. ***The motion carried 7-0.***

G. First Reading (By Title Only) Ordinance No. 826: An Ordinance by Fairfield County Council Authorizing the Execution and Delivery of an Amendment to Special Source Revenue Credit Agreement by and Between Fairfield County, South Carolina and Healthcare SC, LLC Relating To, Without Limitation, the Provision of Special Source Revenue Credits; and Other Matters Relating Thereto. Motion made by Mr. Ruff, seconded by Mrs. Greene. ***The motion carried 7-0.***

10. BOARD AND COMMISSION MINUTES (For information only)

None.

11. BOARD AND COMMISSION APPOINTMENTS

None.

12. OLD BUSINESS

A. Public Service & Development Committee Update – Mrs. Johnson said the committee met on September 7th and the next meeting would be September 12th at 5:15pm. There were a lot of recommendations from the last meeting and they were hoping to narrow things down at the next meeting.

13. NEW BUSINESS

None.

14. COUNTY ADMINISTRATOR'S REPORT

A. Introduction of Community Development Director – Mrs. Johnson introduced the new Director, Carter Thompson. She was a native of Georgia – residing

in both Valdosta and Atlanta. She was a graduate of Georgia State University and Andrew Young School of Policy Studies with focus on urban planning and economic development. She earned a Master's of Business Administration from Brenau University and worked in multiple planning disciplines such as transportation planning, regional planning, and long and short range planning. The scope of her experience spanned over 23 years. They were happy to have her on team Fairfield. Ms. Thompson said she looked forward to working with everyone.

- B. Accommodations/Hospitality Tax Application Reminder** – Mrs. Johnson reminded everyone that the application went live (and was on the website) on September 1st and would close on October 31st. They would select recipients on November 17th to bring to Council and on December 31st they would notify the recipients. She advised all applicants that the application should be completed with all the required information and if not it would not be considered.
- C. EDA Recompete Grant Letter of Support** – Mrs. Williams said this regarded the Economic Development Administration (EDA) Recompete Pilot Program. The Catawba Regional Council of Governments (CCG) and the Central Midlands Council of Governments held an information session on August 29th about the program. The Recompete Pilot Program would invest \$200 million in persistently distressed communities. The program was broken into two phases. Phase 1 funds were for strategy development grants – to plan strategies to address the needs in the area. The Catawba Council of Governments was applying for the Phase 1 grant to develop a strategy to increase prime age workforce participation (age 25-54) in Chester, Fairfield , and Union counties. All three counties had low workforce participation but were in region with industry announcements that totaled over 5,000 in new jobs. The grant would address identified barriers that made people not participate or leave the workforce. If awarded a Phase 1 grant, the region could submit for a Phase 2 grant that would fund up to eight projects from \$20-\$50 million. Phase 2 would focus on land acquisition, construction, opportunity hubs and workforce training. There were no match requirements for either grant – just direct investment into the three counties if awarded. The CCG's main goal was to develop opportunity hubs in each county - locations that could be used for childcare assistance and/or workforce training. They were asking for a letter of support from partners identifying what the partners could provide. Fairfield County identified land within the Fairfield Commerce Center that was previously considered for workforce development and the County had buildings that could possibly be retrofitted. They wanted to send a letter of support for the Phase 1 planning grant. It did not bind them to anything – it just said they had land/buildings available. If they received the planning grant, they would work towards a

more detailed plan about creating the opportunity hubs. If they received the Phase 2 grant, it would be full construction or renovation costs for development. There were no objections from Council.

- D.** Public Meeting re: Land Management Ordinance – Mrs. Williams said the public meeting regarding the Land Management Ordinance was scheduled for September 14th at 6p in their auditorium/gym (250 North Walnut St). The land ordinance outlined development requirements in the County and had not been updated since 2012. They were not doing a full overhaul – they were focusing on strategic and content oriented review and revisions. They wanted to simplify, reorganize and clarify what they had. The meeting would start in the auditorium with a brief presentation and then move to the gym with information stations.
- E.** August 2023 Finance Report – Mrs. Johnson referred to the report in front of them and said if they had questions or needed additional information to let her know.

15. CLERK TO COUNCIL'S REPORT

None.

16. COUNTY COUNCIL TIME

Mr. Robinson said he was questioned at the last meeting concerning retro taxes. Mrs. Johnson said the County did not retro taxes. She believed the question came about due to July 1, 2023 being printed on an agenda but that date referenced the beginning of their fiscal year. Tax calculations were based on the assessed value of one's property. She said she also thought there was a misunderstanding about the millage ordinance not being done at the same time as the budget ordinance. They did not have to be done at the same time and during her total tenure, it was never done at the same time. They tried to get the tax Auditor the millage resolution signed by September so they had enough time to produce the tax statements and their due date was January. They did not retro taxes.

Mr. Ruff asked about the status of the next audit. Mrs. Johnson said they were working with the auditing firm and they were scheduled for November but she requested an earlier date.

Mrs. Swearingen said people were asking what they had accomplished in the last eight months because it did not seem like it was much. She said the following were a few things they had done: they decided on a location for the wastewater treatment plant, received \$10 million from the SKIP grant for the Winnsboro Connection project, the Fire Service Director applied for and received a \$10,000 grant from the Fairfield Electric Co-op to purchase carbon monoxide alarms for the citizens (they were partnering with non-profit organizations to get more alarms), and they received \$250,000 from the state

for the second payment installment for their firefighter air pack replacement. They did not have to pay for the first one (\$250,000) and they would not have to pay for the second one due to the grant. The fire department hired four new firefighters, they approved Veteran's Day as a holiday for employees, they established a Accommodations/Hospitality Tax application process, and they made revisions to the Council reimbursement policy (which reduced the Council budget by 20%). There was no mileage or internet reimbursement and that saved the taxpayers \$76,000. The roads looked better due to the joint effort to pick up litter between Public Works, Building Maintenance, the Detention Center and SCDOT. They approved emergency vehicles in the budget after not doing so for two years, EMS hired two new employees, they hired a Community Development Director with over 25 years of experience, the mega site mass grading was complete, the economic development strategic planning process was underway, construction began on a new speculative building in the Fairfield Commerce Center, and an Industry Appreciation event was planned for later in the year. They were in the process of updating the personnel manual, updating the Land Management Ordinance, the Animal Ordinance, conducting a Class & Compensation Study for employees, and conducting a Housing Study. The Courthouse renovations Phase 3 would start in early 2024, the River Road Fire Station was almost complete, the Blackstock mini park (started by the previous Council and financed with ARPA funds) was almost complete and all emergency departments were focused on retaining and recruiting employees. The Council approved the transfer of an additional \$400,000 from the mass grading project to the Ridgeway Recreation Center. Mrs. Johnson explained that it was not a loan. There was a resolution done by prior Council to transfer \$400,000 from the mass grading project to cover the needs at the Ridgeway Recreation Center. Both sets of monies were Dominion funds and the transfer was from one project to another project. Mrs. Swearingen said the Council wanted to work with the citizens as a team and wanted mutual respect. She said if anyone had a problem or question, he/she could call his/her representative or any of the Council.

Mrs. Greene thanked Mrs. Swearingen for her comments and thought it was a good synopsis of what they had done. She announced that on October 5th, the River Road Fire Station would be dedicated at 11am. The community was invited to attend. It would be a part of the Southeastern Fire Stations. She also said there were new operating hours at the Midford Recreation Center. They had several requests, especially relating to pickle ball and basketball and they were able to increase the hours. She did not have the hours at that moment but would get them to Administration.

Mr. Robinson reminded Administration that they talked (during budget) about doing something in recognition of the coaches. Mrs. Johnson said she talked to

the Director and he was planning something for them and she would remind him.

Mr. Pauley thanked everyone for attending the meeting. He announced that the Intergovernmental meeting would be held in Jenkinsville on September 20th at 6pm. He said at that time, the majority of Council agreed to temporarily remove the 2nd Public Comment Session from the agenda. They would possibly revisit the issue in the near future. Council did value input from citizens (he repeated it) on topics related to improving the County. However, they could not allow public disrespect or disruption of the County Council meeting itself. They asked going forward that all public comments be done in a professional and respectful way.

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.)

- A.** Receipt of legal advice relating to pending legal claims against the County and the proposed settlement of Fairfield County vs. Taylor Logging & Tree Service, LLC, and Kiss Express, LLC, Civil Action No.: 2019-CP-20-00390, pursuant to S.C. Code Ann. § 30-4-70(a)(2). **(ACTION ITEM)**.
- B.** Receipt of legal advice relating to the negotiations incident to the proposed purchase of property that meets the necessary requirements for the property to be used as a suitable location for a wastewater treatment site pursuant to S.C. Code Ann. § 30-4-70(a)(2).

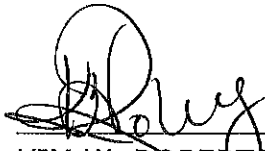
At 6:41pm, Motion made by Councilman Ruff, seconded by Councilman Robinson to go into executive session. ***The motion carried 7-0.***

At 6:55pm, motion made by Councilman Gilbert, seconded by Councilman Roseborough to come out of executive session. ***The motion carried 7-0.***
Mr. Pauley said no action was taken during executive session.

Mr. Ruff made a motion that Fairfield County approve the terms of the mediation agreement in the lawsuit *Fairfield County vs. Taylor Logging & Tree Service, LLC, and Kiss Express, LLC*, Civil Action No.: 2019-CP-20-00390, and accept \$210,000 to end the lawsuit, seconded by Mr. Robinson. ***The motion carried 7-0.***

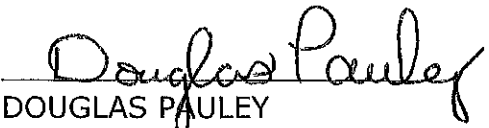
18. ADJOURN

At 6:56pm, motion made by Councilman Robinson, seconded by Councilman Roseborough to adjourn. ***The motion carried 7-0.***



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

Minutes 9/11/2023 RM 633



DOUGLAS PAULEY
CHAIRMAN