



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
FEBRUARY 13, 2023**

**Present:** Shirley Greene, Dan Ruff, Tim Roseborough, Clarence Gilbert, Doug Pauley, Peggy Swearingen, Cornelius Robinson (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. APPROVAL OF THE AGENDA**

Motion made by Councilwoman Greene, seconded by Councilman Ruff. ***The motion carried 7-0.***

**3. INVOCATION**

Pastor Dillon Pullen (Redemption Church) led the invocation.

**4. APPROVAL OF MINUTES**

Motion made by Councilman Gilbert, seconded by Councilman Ruff to approve the minutes from Regular Meeting January 23, 2023. ***The motion carried 7-0.***

**5. PUBLIC PRESENTATIONS**

**A.** Proclamation Recognizing Retirement of Sharon Ford – 911 Dispatcher

**B.** Proclamation Recognizing Retirement of Lee Haney – Sheriff's Office

**C.** Proclamation Recognizing Black History Month

Dr. Roberts read each proclamation after which pictures were taken of Mrs. Ford and Lt. Haney.

**6. 1<sup>st</sup> 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.

- John Jones
- Jeff Schaffer
- Randy Bright

## **7. PUBLIC HEARINGS**

### **A. Ordinance 808:**

An Ordinance to Appropriate Funds Received by Fairfield County from the South Carolina Opioid Recovery Guaranteed Political Subdivision Fund, to be Allocated to Establish a Five Year Agreement with Fairfield Behavioral Health Services for Use in Accordance with the Technical Proposal Submitted to the South Carolina Opioid Recovery Fund Board on November 16, 2022, to Support the Fairfield Opioid Response Team Developed in Partnership with the Fairfield County Sheriff's Department, Winnsboro Public Safety, Fairfield County EMS, 911 Dispatch and the Fairfield County Coroner's Office.

Chairman Pauley opened the public hearing at 6:21pm. Jeff Schaffer and Randy Bright signed up to speak. Chairman Pauley closed the public hearing at 6:27pm.

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

**A. First Reading (By Title Only) Ordinance No. 809:** An Ordinance of Fairfield County Council Developing a Multi-County Park with Richland County; Authorizing the Execution and Delivery of an Agreement Governing the Multi-County Park; Authorizing the Inclusion of Certain Property Located in Richland County in the Multi-County Park; and Other Related Matters. Motion made by Vice Chair Gilbert, seconded by Councilman Roseborough.

***The motion carried 7-0.*** Councilman Ruff asked if it was appropriate to ask for an explanation and Chairman Pauley said no because it was first reading. Councilman Ruff said okay, he forgot about that.

**B. Third & Final Reading Ordinance No. 808:** An Ordinance to Appropriate Funds Received by Fairfield County from the South Carolina Opioid Recovery Guaranteed Political Subdivision Fund, to be Allocated to Establish a Five Year Agreement with Fairfield Behavioral Health Services for Use in Accordance with the Technical Proposal Submitted to the South Carolina Opioid Recovery Fund Board on November 16, 2022, to Support the Fairfield Opioid Response Team Developed in Partnership with the Fairfield County Sheriff's Department, Winnsboro Public Safety, Fairfield County EMS, 911 Dispatch and the Fairfield County Coroner's Office. Vice Chair made a motion to amend ordinance no. 808 and incorporate the edit listed in the amended

ordinance no. 808 contained in their agenda packet to change the name of Fairfield County Sheriff's Department to Fairfield County Sheriff's Office, seconded by Councilwoman Greene. ***The amended motion carried 7-0.*** The Chair asked for approval of the original motion to include the amendment. Motion made by Vice Chair Gilbert, seconded by Councilman Ruff. Councilwoman Swearingen asked the attorney for an explanation of the ordinance and if there would be anyone held accountable for how the money was spent. Mr. Morgan said by way of background, South Carolina participated, and Fairfield County was also involved, in a law suit involving the opioid crisis. There was an establishment of litigation that said opioids were being over prescribed. There was a settlement and funds were received by the state of South Carolina. The general assembly passed a specific law (South Carolina code 11-58-10) that talked about the opioid recovery fund and established certain guidelines and programs by which those funds were given to particular counties (Fairfield) and how they were to be distributed and used. The ordinance authorized Fairfield County to take its allocation of funds and work with the already established Fairfield County Opioid Response Team and use a guaranteed partner (Fairfield Behavioral Health Services). They would work with the team members and submit documentation to the state. The state had to approve the expenditure plan for the funds. The state would also manage and make sure that those funds the Council was authorizing for use was spent properly. There would be oversight through the State Board. Mrs. Swearingen said thank you. ***The motion carried 7-0.***

- C. Resolution No. 2023-02:** A Resolution By Fairfield County Council Authorizing Fairfield County to Use Local Assistance and Tribal Consistency Funds to Replace Medic 1 in the Fairfield County Emergency Services Department; and Other Related Matters. Motion made by Vice Chair Gilbert, seconded by Councilwoman Greene. Mrs. Swearingen said the information given stated there was \$300,000 appropriated towards the cost of Medic 1 and with the replacement it would be \$328,000. Fairfield County received \$50,000 from Local Assistance and Tribal Consistency funds from the government. She said the difference was \$22,000 and asked if the excess could be used for other things like EMS vehicles. Mrs. Johnson said they would be coming to Council with requests or recommendations for how the remaining amount should be used. In the upcoming year, they were supposed to get another \$50,000 but there were stipulations as to how the funds could be used and they would bring that back to Council for discussion. Mrs. Greene said a stricter power load system needed to be attached – it was said that EMS would make that attachment and it would not be included in the cost. She asked if they had already or would they have to purchase one and where would that money come from. Mrs.

Williams said they already had it on one of the current vehicles so because they were able to use it they were able to receive the discount on the new ambulance. Mrs. Swearingen said her document stated that in January the Council requested \$50,000 but that the American Rescue Plan appropriated \$2 billion to be eligible for revenue sharing counties. She wanted to know if they were eligible for any additional funds. Mrs. Williams said no, the Local Assistance and Tribal Consistency funds (from the federal government) had their own allocations as to how much money each County would get based on the amount of federal lands within the county. Fairfield was allocated \$50,000 that fiscal year and \$50,000 in the next fiscal year. It was not something they applied for – it was just their allocated amount. ***The motion carried 7-0.***

**9. BOARD AND COMMISSION MINUTES (For information only)**

Aeronautics Commission – November 15, 2022

Planning Commission – December 8, 2022

Disabilities & Special Needs – November 18, 2022

Motion made by Councilman Roseborough, seconded by Councilman Ruff. ***The motion carried 7-0.***

**10. BOARD AND COMMISSION APPOINTMENTS**

None.

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

**A. Revised 2023 County Council Meeting Dates & Budget Calendar – ACTION ITEM**

Mr. Pauley said there was a date originally scheduled for April 18<sup>th</sup> and unless Council had objection it would be moved to April 19<sup>th</sup> and the date scheduled for May 2<sup>nd</sup> would move to May 3<sup>rd</sup>. Motion made by Mr. Gilbert, seconded by Mr. Ruff. Mr. Gilbert said they could agree to change the dates that time and that time only because if they continued to do that they would always have changes. From that day forward, he thought they should stick with original dates if it was okay with the rest of the group. Mr. Ruff said he agreed. He said he was okay with the change but he thought once the dates/times were set that should be it. There would be occasions where different people could not make meetings (he understood that) but they could not satisfy everybody all the time. Mrs. Swearingen asked if they could (before they set work session dates) see if there were some dates that Council could not meet. Mr. Pauley said yes ma'am – he would try to get

with Dr. Roberts, Mrs. Williams and Mrs. Johnson going forward to go over dates and send it out to Council to see if there were any objections to the dates. ***The motion carried 7-0.***

### **13. COUNTY ADMINISTRATOR'S REPORT**

- A.** Recognition of Public Works Director Jonathan Burroughs & Staff – Mrs. Johnson asked Mr. Burroughs and staff to stand. She read a letter she received from Chief Deputy Brad Douglas regarding Mr. Burroughs and his staff. It read: Captain Jeff Talbot has submitted a commendation form regarding several instances in which you and your staff have provided assistance to the Fairfield County Sheriff's Office over the past few months. Most recently, you and your staff assisted our investigators in recovering a stolen camper that was well off the roadway and that our office did not have the capabilities to recover. Because you offered your staff's services with your professional experience and resource capabilities, your department was able to recover this stolen property. Had you not been able to assist us, we would have had no other option than to contact a professional tow service, which would have proven very costly to the County. I am proud of the professional working relationship with you and your department. It is a collaborative effort such as this that makes government operations more efficient to the ultimate benefit of our tax paying citizens. He asked that they relay their sincere thanks to your staff and to please contact them if they could ever be of assistance to him. She said to Director Burroughs and staff, she would like to sincerely thank them for going above and beyond what was required of them to assist another department and their taxpayers. Again, she thanked Director Burroughs and his staff. (Applause and standing of Council).
- B.** County Council Workshop Overview – Mrs. Williams said Fairfield County Council held a planning workshop at Midlands Technical College Northeast Campus on January 31, 2023. During the workshop, Josh Rhodes with the South Carolina Association of Counties presented information of the Council/Administrator form of government and John DeLoache presented the rules of parliamentary procedures to County Council. Following those presentations, Council received updates from Interim County Administrator, Laura Johnson, the County's Economic Development Director, Ann Broadwater, and the County's Finance Director, Ann Bass. The session wrapped up with Council discussing their priorities for the upcoming budget year. The work session helped Administration set priorities as they went into the next budget session and it gave direction to the departments so they could better plan for the services they wanted to provide for the citizens. Their first budget work session started that week with the departments where they relayed the information that Council listed as priorities. They



wanted to update the citizens about the work session. Mr. Gilbert said he thought the workshop was very beneficial. They were able to discuss a lot of things that he thought were important for the growth and betterment of Fairfield County. They had a tough road ahead – a lot to do to better the County. He felt like they were open and had great discussion. He was looking forward to doing better as far as Fairfield County was concerned.

- C. Revised Council Reimbursement Policy – ACTION ITEM** – Mrs. Johnson said Council received a draft of the expense reimbursement policy. She said it was a Council policy not an Administration policy. She would be happy to make any recommended changes or revisions. Due to the fact that they received Council cell phones and County Surface Pro's, the expense reimbursement policy had to be revised and updated. Motion made by Mr. Gilbert, seconded by Mrs. Swearingen to accept the revised/updated Council reimbursement policy. Mr. Ruff made a motion to amend the policy to add that all reimbursement requests turned in late would be denied – it was seconded by Mr. Gilbert. ***The amendment motion carried 5-2.*** Mr. Pauley referred to the original motion including the amendment. Mrs. Greene said there were a number of inconsistencies in the policy. She said if they were going to revise a policy it should be comprehensive. She wanted to mention a couple of things to the general public. Regarding the County mileage section of the draft, she thought it should read, "in-County mileage will not be reimbursed for ceremonial events, such as ribbon cuttings, dedications or recognition events, constituent visits, meetings or Fairfield County committee and intergovernmental meetings." She thought all of those things needed to be specified so they knew exactly what was and was not covered. Also missing from the policy was all office supplies must be ordered through the Clerk to Council. If that was something they were looking for as a policy or if that was not the case it should say that no supply reimbursements would be allowed. It should be either or. She felt in many instances there were inconsistent statements and they did not follow the same format as was used in the past. They did not include anything that looked at the IRS or PEBA or any other governmental things that should be included when a policy was revised. Looking at the policy, hearing from others and receiving the Surface Pro's that day, internet access was not built into the Surface Pro's but it was built into the County cell phones. If they were going to draft a document, would they send it to their phones or how were they to ensure they crafted a document that they wanted to circulate? They could not do so on the Surface Pro – they would have to do that on their phone. That in and of itself would be a cumbersome process. She thought they needed to look at how the internet was handled in the policy. She felt like they should look at whether they table it and have more discussions to move forward. Mr. Robinson asked if the cell phones were purchased from a new or different

account. Mrs. Williams answered and said they were purchased from the current account that was allocated for internet and phone service. She did not have the exact numbers in front of her but they went over it in the workshop. They currently budgeted close to \$19,000 (\$19,020) for internet and phone but by switching to the County phones it would cost less than \$4,000 per year for all seven cell phones. Mrs. Greene asked how would they handle internet since it was only on their phones. Mrs. Williams said the phones had network connectivity (either four or five G depending on the area) and could connect to WiFi if it was available and with the Surface there had to be a WiFi signal in order to connect to WiFi. They did not have four or five G connectivity like the cell phone so it would take WiFi connectivity. If there was WiFi in the area they were in (building, home, etc.) they could connect. Mr. Pauley asked Mr. Morgan for proper wording or clarification for the Council Reimbursement Policy. Mr. Morgan said a policy determined by Council could include any type of issues they wanted as long as they were legal. There was a long standing law in South Carolina that public funds could not be used for private good or a private individual business, etc. He thought Mrs. Johnson with her financial background could possibly speak to Mrs. Greene's concerns regarding the IRS and what constitutes as being a reimbursable expense for mileage. The IRS changed that mileage rate yearly – sometimes more than once based on the economy. He could personally recall a few years back that the IRS changed the prevailing rate multiple times inside of a year. If there was a specific question, he would be happy to look further into it. Mrs. Johnson said the old policy included taxation but it pertained to commuter mileage. Anyone who had commuter mileage from that building to their home and back was considered commuting – that was not considered business miles. For those who claimed that, it went through payroll and that was how it was taxed. In the past, the mileage rate was included on the old form. She did not include the exact mileage rate because as Mr. Morgan stated the IRS changed it yearly. If they included it in the form then finance would constantly have to update the form. Mrs. Greene asked if the policy stated how their reimbursement accounts were payable. Mrs. Johnson said on the old form it stated that all travel business miles would be reimbursed through accounts payable, which was the finance department. Mrs. Greene said it was stated on the policy so that it was known throughout exactly where everything stood. Mrs. Johnson said the old policy she received did not have a list of the account numbers. Mrs. Greene said it did not have a list of account numbers – it identified the account. In other words, she said when they had something that was nebulous (she wished the public could have seen the draft which was very, very nebulous in terms of its specificity) she thought they could do better in making sure they were comprehensive in what they stated. Mrs. Johnson

said she stated several times before that this was a Council policy and could be changed to include whatever they wanted in it. It was not an Administration policy and they did not have the last say – it was whatever Council desired. ***The motion carried 4-3.*** Mr. Ruff said for clarification that he added the amendment pertaining to late submittals of reimbursements because he did not think it was fair to finance. Mr. Pauley said it was voted on and passed. Mr. Robinson said for clarification it was always 30 days but due to COVID, there was an exception to the rule.

- D. Local Accommodations & Hospitality Reimbursement Policy** – Mrs. Johnson said it was for information only. They wrote remittance procedures for the hospitality tax payments. She thought three recipients were approved thus far. The document they received was a description of the items that they were going to request from each of the entities prior to reimbursement for their projects, including any contracts, invoices or additional information they deemed necessary before a check was cut from finance. It also stated if they over spent the amount allocated, that was the maximum amount they would get and if they underspent they would only pay for the amount of the project. If it was \$75,000 and they only spent \$73,000 they would not get the other \$2,000. Mrs. Swearingen asked how much money was in the hospitality tax fund. Mrs. Johnson said at last count it was a little over \$400,000 and Mrs. Swearingen asked where it came from. Mr. Morgan said the hospitality tax was passed by ordinance 725 in 2019 (he believed). It was the additional up to 3% that could be charged for hospitality, lodging, etc. and those funds had to be spent on particular outlined projects – particularly tourism related. They were driven to try to create additional tourism dollars to come into Fairfield County. Mrs. Swearingen asked if the \$400,000 they currently had was the maximum amount the account could have and Mrs. Johnson said no ma'am the account was still growing.
- E. County Council Monthly Budget Report (January 2023)** – Mrs. Johnson said the report was included in their packet and she decided to continue to do so on a monthly basis. They could review at their leisure and any questions could be sent to her via email.
- F. Audit Update** – Mrs. Johnson said she spoke to the auditors and they were still on schedule to present to Council on March 13<sup>th</sup>.

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

None.

- 15. 2<sup>nd</sup> PUBLIC COMMENT SESSION:** 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.

- Jimmy Ray Douglas
- Kathy Falk
- John Jones
- Jeff Schaffer
- Randy Bright

## **16. COUNTY COUNCIL TIME**

Mr. Ruff said he did not remember from his previous time on Council that first reading by title only ordinances did not provide the opportunity for discussion. Mr. Pauley said that was correct. Mr. Ruff said he forgot and would ask his questions at the second reading. He also said that never during his previous service on Council did he ask for expense reimbursement and he would not do so then. He said regarding the animal shelter, if they had not visited it, it was deplorable. It needed attention and they needed to find a way to assist with that.

Mrs. Swearingen thanked the citizens who gave comments during the public comment section. She thought they were worth listening to. She agreed with Mr. Bright – take your salary and go home and if it was not enough you knew what the salary was when you took the job. They did not need all of the other stuff – just take your salary and be done with it. You do not get paid to go to work – other people didn't. Fire, EMS and police protection should be their top priorities and she said that from the beginning. One gentleman said there was only one fireman at Jenkinsville and he had one more than they had in Feasterville – they did not have one in Feasterville. She would be happy with one in Feasterville. They had a lot of work to do – don't shoot her, she was only a month and a half in. They were going to work together to make things better in the County.

Mr. Roseborough said he would like a monthly report on the Town of Winnsboro's fees for monthly garbage transfer. He also wanted a comparison for the Morgan Law Firm versus the Boykin and Davis Law Firm. He wanted to go on record by saying he was against any tax hikes or millage or budget increases.


Mr. Pauley thanked all who attended the meeting and spoke to Council. They valued their remarks and concerns. They would continue to work hard and do what was best for Fairfield County. He also thanked Mrs. Sharon Ford and Mr. Lee Haney who retired from Fairfield County. Their dedication to and tenure with Fairfield County was what they needed and he appreciated them.

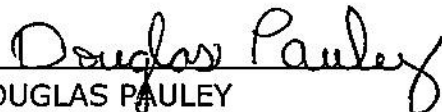
**17. EXECUTIVE SESSION: (The following statement is provided in compliance with the South Carolina Freedom of Information Act: Subsequent to Executive Session, Council may take action on matters discussed in Executive Session.)**

None.

**18. ADJOURN**

At 7:19pm, motion made by Councilman Ruff, seconded by Councilman Roseborough, to adjourn. ***The motion carried 7-0.***

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

  
DOUGLAS PAULEY  
CHAIRMAN