

**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
DECEMBER 13, 2021**

**Present:** Moses Bell, Shirley Greene, Cornelius Robinson, Mikel Trapp, Timothy Roseborough, Clarence Gilbert, Douglas Pauley (Council Members); Brad Caulder, Interim Director, Charles Boykin, County Attorney.

**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.

**2. APPROVAL OF AGENDA**

Motion made by Councilman Trapp, seconded by Councilwoman Greene, to approve the agenda. Mr. Pauley made an amended motion to table the third reading of the redistricting to give citizens and Council members more time to provide input on the redistricting, seconded by Councilman Gilbert. ***The motion failed 5-2.*** Mr. Pauley requested a hand count. Mr. Bell asked for a show of hands for those opposed (hands raised by Greene, Robinson, Roseborough, Trapp and Bell). Mr. Bell asked for the vote for the original motion. ***The motion carried 5-2.***

**3. INVOCATION**

Councilman Pauley led the invocation.

**4. APPROVAL OF MINUTES**

Motion made by Councilman Roseborough, seconded by Councilman Trapp to approve the minutes from the Regular Meeting of November 22, 2021. ***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.**

- John Jones – Ordinance 780
- Debbie Stidham – Coronavirus Relief
- Jackie Beaver – Coronavirus Relief
- Toni Crosby – Coronavirus Relief
- Jeff Schaffer – Ordinance 783
- Randy Bright – Ordinance 781 & 783

**7. PUBLIC HEARINGS**

**A.** An Ordinance to Adopt a Redistricting Plan for Fairfield County, South Carolina Utilizing the 2020 U.S. Census Results. Chairman Bell opened the public hearing at 6:20pm. The following persons signed up to speak:

- Yvette Howard
- Eugene Holmes
- Jeff Schaffer
- Randy Bright

Chairman Bell closed the public hearing at 6:29pm.

**8. ORDINANCES, RESOLUTIONS AND ORDERS**

**A.** Third and Final Reading Ordinance No. 780: An Ordinance to Adopt a Redistricting Plan for Fairfield County, South Carolina Utilizing the 2020 Census Results. Motion made by Councilman Trapp, seconded by Vice Chair Greene to approve. Mr. Gilbert said what was about to happen tonight was a vote from a few on a restricting map and they did not understand it. He was willing to bet, and he was not a betting man, that much of the board did not know what they were voting on. If you asked them individually, they could not explain the changes on the map but if they could explain it would prove that some of them were excluded from the process. The public was not given time or a fair chance to submit their input or recommendations for the changes. Let us remember that all changes will affect the citizens of Fairfield County and they deserve to be a part of the process. It was said that this was a significant improvement over the previous map, which was

easy to say if you drew the map. He honestly could not vote on these changes without further information as to why these changes were the ones that some felt were best for the citizens of Fairfield County. Mr. Pauley stated he had done a lot of research on redistricting in the last month or so. In doing this research, he tried to learn more about the process and also prove to himself that the way Chairman Bell did this was correct. Unfortunately, this was not done correctly and it was another one of Chairman Bell's failures. All of the research he was able to find specifically stated over and over again that public input was very valuable in this process. Chairman Bell had silenced the citizens in two ways. He had refused to give them time to properly voice their opinions. There should have been numerous public hearings and all information relating to redistricting should have been given to the citizens in a timely manner to review. He had silenced Council members, who were elected by their constituents, to be a voice for them also. Chairman Bell had only one thing in mind and that was doing what was best for Chairman Bell. He had drawn a citizen out of District 1 because he believed this citizen might run against him in an election. He heard he was trying to draw one into his (Pauley) district to run against him (Pauley). In other counties, he found there were numerous public hearings, multiple maps proposed and those maps were proposed by all of the Council – not just one person. Mr. Pauley directed attention to the screen which displayed information from Mr. Rainwater's office. It stated who was responsible for redrawing the lines of the various electoral districts. Further down, it stated districts were drawn by the County Council – not drawn by the Chairman of Country Council. All Council members should have input in drawing the lines. Everything that had occurred during redistricting was under the direction of Mr. Bell. He met with them and told them how to draw the maps and how to draw the lines. Mr. Bell stated the three considerations in the development of the draft – the requirement of one person, one vote under the Equal Protection clause of the Fourteenth Amendment – done. The Voter's Rights Act – done. Traditional redistricting principles – completed. The deviation range was reduced from 15.54% in the benchmark report to 5.08% in the drafted map. Traditional redistricting principles – only 15 census blocks of the 1,215 total blocks were shifted between districts and District 4 was not changed. In 2011, the deviation was 7.31 and now the deviation is 5.08. This map that everyone was talking about has been in place for 40 years – 30 to 40 years and you have to look at constituent consistency. Again, the deviation for this proposed map is 5.08%, which was a significant improvement from 2011. Mr. Bell

asked for a show of hands for the vote. Hands raised in favor were Greene, Robinson, Roseborough, Trapp and Bell. Those opposed were Pauley and Gilbert. ***The motion carried 5-2.***

- B.** First Reading (By Title Only) Ordinance No. 781: An Ordinance by Fairfield County Council to Approve an Intergovernmental Agreement between Fairfield County and the Town of Ridgeway Relating to Code Enforcement for Certain Town and County Property Ordinances. Motion made by Councilman Trapp, seconded by Councilman Roseborough. ***The motion carried 5-2.***
- C.** First Reading (By Title Only) Ordinance No. 782: An Ordinance to Amend the Fairfield County Land Management Ordinance (No. 599) to Provide for the Zoning Reclassification from R-1 Single Family Residential District to RD-1 Rural Residential District. Motion made by Councilman Trapp, seconded by Councilwoman Greene. ***The motion carried 7-0.***
- D.** First Reading (By Title Only) No. 783: An Ordinance to Approve a Lease of Real Property Located in the North Monticello and Ladd Road Area by the County from Dominion Energy Company, for the Purposes of Establishing a Public Recreation Area. Motion made by Councilman Trapp, seconded by Councilman Roseborough. ***The motion carried 5-2.***

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

Disabilities & Special Needs Board  
October 22, 2021 & November 19, 2021

## **10. BOARD AND COMMISSION APPOINTMENTS**

Library Commission – Arthur Lathan. Motion made by Councilwoman Greene, seconded by Councilman Gilbert that Arthur Lathan be appointed to the Library Commission. ***The motion carried 7-0.***

## **11. OLD BUSINESS**

None.

## **12. NEW BUSINESS**

None.

**13. COUNTY ADMINISTRATOR'S REPORT**

**A.** Pre-Budget Overview – Mr. Malik Whitaker stated to the Fairfield County government leaders, to the Fairfield County government staff and the Fairfield citizens - good evening. For those whom he had not yet met, his name was Malik Whitaker and he was the new County Administrator. Before he talked about the pre-budget workshop, he wanted to give a few shout outs to folks that he had engaged in the community during his 8 days. He started with the citizens by thanking Ms. Barbara for calling him to spell his wife's name correctly. She was a Stacey with an "ey" not an "i or a y" and she was real sensitive about it so he thanked her for that. He thanked Mr. Randy Bright for his gentlemanly engagement in the public forum with our attorney, Mr. Boykin. He thought it was a great exercise of democracy. He thanked the citizens he engaged at the Scenic Byway function at the County Museum. It was a good opportunity to see some of the rich history of this community. It was a great way to spend his first day. To the wonderful staff – the folks in IT (Marvin Allen and Dewayne). They embraced him on the very first day and the computer was up and running and that was very important. To Mr. Jason Pope and the wonderful volunteer fire fighters – they fed him. He had a good pork chop and green beans and a good time listening to their concerns and engaging with them. To the department heads, who he had the opportunity to engage last week and explain his onboarding process and about him and his history. To our attorney, Mr. Boykin, who he considered wise counsel (a Benedict man – his grandfather was a Benedict man) it was nice to engage and spend time with him. To our community government leaders – Mr. Pauley, who called him on his first day to offer his support, to Mrs. Greene, who stood with him at the Ridgeway Christmas parade, to Mr. Roseborough, who he had the opportunity to engage regarding the Wastewater Treatment Plant project, to Mr. Robinson, Mr. Gilbert and Mr. Trapp who all said they would give him a few days to get himself together and then they would talk. To our board Chair, who engaged him in several different community meetings – a Meet & Greet" before he started here, the opportunity to engage at The Farm (a beautiful facility, Southern hospitality, good food). Then the Molly Creek Park, which was breathtaking. He thought every citizen should be aware and engage in visiting the park. Then of course coming to our first department meeting. He thanked everyone for a wonderful first week and he would use the honeymoon period for as long as could and he would enjoy the hospitality that he has been greeted with from this wonderful community. He had one item of business – staff had requested and received approval to host a Pre-Budget work session on January 10<sup>th</sup>. He asked for an extra hour after this meeting. He read from the bylaws what a work

session was for public information. He read that work sessions are meetings of the entire Council designed to enable the Council to focus on complex matters which would consume excessive time during regular meetings. We want to engage you (the Council) in your priorities and goals before we engage in the budget process. This will be an opportunity – we will create a forum where Council has the opportunity in a work session to tell us what is important to you in the upcoming budget year. We ask that we do that on January 10<sup>th</sup> immediately following the regularly scheduled board meeting. Thank you very much.

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

None.

**15. COUNTY COUNCIL TIME**

Mr. Robinson asked if they could look further into the said laws and get a real breakdown regarding the poll workers. He stated he greatly appreciated them because without them, no one could press buttons. Mr. Bell stated they would get legal advice on this subject during executive session and see what the plan would be going forward. He asked Mr. Robinson if that was sufficient and Mr. Robinson replied yes sir.

Mr. Pauley stated he appreciated the poll workers for being present. He said they did appreciate them and Fairfield County could not do it without them and if there was a way for them to be included in the rescue funds, he would be happy to vote in favor of that, once we receive legal advice. He said Merry Christmas to everyone and he hoped everyone would have a safe and great holiday season. He stated as we end 2021, what did Fairfield County accomplish this year. We got rid of an Administrator, County Attorney, a newspaper, a Deputy Administrator, tried 6 times to hire a County Administrator, received a \$99 million lawsuit that Mr. Bell involved himself in and now a redistricting plan that was a failure. It was amazing how Chairman Bell's leadership had taken Fairfield County backwards in a short amount of time. He asked Mr. Bell to please tell the citizens why he did not want them to be heard and put the second public comment section back on the agenda. He hoped 2022 would be a great year and that all Council members would be working together for the betterment of Fairfield County.

Vice-Chair Greene thanked the poll workers for all of the work they had done for Fairfield County voters. She had been a part of their group for a while and she thought it was very important to say that they will do the best that they could for them. They understood that there were some legal problems and they would look to try to solve them to make sure that at least those who worked in the municipal election were compensated. She stated that she had often said that it was better to show leadership than to show showmanship.

She was aware of a lot of information floating about. She did not see many of the proposed maps shown to the citizens so they could get a clear idea of exactly what was proposed but those maps were here. There had been a lot of discussion and harangue and a lot of anger - the anger was basically about the process not the product. She thought one of the things to look at as we look at the redistricting map and what it proposed, was the product. We have seen the map and she had listened very carefully to what everyone said the last time they made statements - it was drawn crazy the first time and whether that was true or not was left up to the citizens. They wanted to make sure that when their election officials were looking at running elections that everyone was not all over the place in terms of finding and voting in their precincts. When we deviate a lot from those plans, basically people are all over the place, confused and a lot of misinformation happens. So while it might not be the best, she did not see any citizen or group present any map or alternative. She asked that we come together to work to make sure that the proposed map and the things that were happening to benefit the citizens of Fairfield County happened in unison. Thank you.

Mr. Bell congratulated Clerk to Council, Kim W. Roberts, on receiving her Doctorate degree. He stated he and Mrs. Greene attended a workshop sponsored by Fairfield Forward Strive Together and Fairfield County School District, which all were invited on Wednesday of last week. It included academia from the University of Kentucky, the University of South Carolina and others. The data they reviewed was very sobering, along with the comments. It spoke to the needs of our county and if you saw the data from the county, we would understand the plight of our citizens, especially in this last decade. We must improve. He publicly thanked Dr. Green for his initiatives in significantly improving our school systems. We, too, must continue and begin the serious work of improving the quality of life for our citizens. Poverty, health issues and housing have a serious impact in our communities. As a Council, we must take on these initiatives. Our Promise Program will have a large impact going forward. Hopefully, we have all seen the article in The State newspaper concerning the agreement between the University of South Carolina and Midlands Tech. The article read: A newly signed partnership between the University of South Carolina and Midlands Tech pursuing degrees in engineering and science - Leaders from the two institutions announced the program allowing students to earn an Associate's degree from Midlands Tech and move directly into the final two years of their undergraduate studies at a state flagship university in Columbia. More Midlands Tech course credits can transfer to USC for participating students to put them on track for on-time graduation with a Bachelor's degree. The schools are also working together to tweak Midlands Tech's curriculum to better match what USC expects from transferring students. Students studying a dozen associate degree programs -

including biology sciences, public health and exercise science and engineering – will be guaranteed acceptance at USC once admission requirements are met. More courses may be added in the future, school leaders said. The new direct transfer program removes a part of the higher education process that was a barrier for many of our students, Midlands Tech President Ron Rhames said. Rhames said the courses targeted for inclusion in the program were selected because of their high impact economic roles in the Columbia area and the entire state. So our work with Midlands Tech will become more important as we move forward. Mr. Bell stated in January, we would have the groundbreaking of the Martin Luther King, Jr. plaza. We would also be working to provide some major fund balance during our budget process in case of a true County emergency, giving the County the opportunity and resources to respond. We had to contend with the most disastrous decisions the County has ever made in creating an Administration building from the old Mt. Zion campus. While hurting our relationship with our constituents, we honored the County's fool-hearted, selfish, irresponsible contractual agreements. Although it had been a tedious journey, next year as we go into the building, you will see how this Council took lemons, while many of them were rotten, and made lemonade. It was and is bitter to the taste but this Council did it because of our love of this County and to not honor those contractual agreements, regardless of how ill-advised they were, would have caused damage to the County. Going forward, we have a lot of work ahead of us. His hope was that they truly engage and get it done with urgency and purpose. The last decade we lost population – about 3,000. We must commit to lessening the reasons why our citizens choose to leave. As Barack Obama stated, yes we can. Today, we met with home builders from across the state – a very productive meeting in an effort to help with housing and population, which was of the same cup. He believed we had a lot to offer and we must engage the majority of our citizens who want growth, prosperity and an improved quality of life for and from this great County. Chaos, disruption, name calling just for the purpose of doing it, does nothing to attract others to this County. So why was it being done? It was simple, it hindered growth, prosperity and an improved quality of life – so you need to know why people are doing it. These acts of disruption were planned and designed to keep us from moving forward. We have committed that it will no longer work. However, our commitment to you, the citizens, for the next 10 years will be far better than the last 10. As it related to real growth and prosperity and a county that believed and demonstrated her values in the total citizenry, they were up to the challenge. As a matter of fact, they looked forward to it. Theodore Roosevelt said – It is not the critic who counts, not the man who points out how the strong man stumbles or where the doer of his deeds could have done them better. The credit belongs to the man who is actually in the arena – whose face is marred by dust, and



sweat and blood. With that, he thanked Council for their work and their work yet to come as they moved forward. He wished everyone a Merry Christmas and a Happy New Year.

**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 6:54 p.m., motion made by Councilman Roseborough, seconded by Councilwoman Greene, to go into executive session concerning the below listed items. ***The motion carried unanimously 7-0.***

- A.** Legal advice - Regarding Pending Litigation Involving Road Construction Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- B.** Legal advice - Regarding Authorized Expenditures of American Rescue Plan Funds for Personnel and Other Lawful Purposes Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- C.** Legal advice - Regarding Status/Completion of the County Administration Building Project Pursuant to S.C. Code Ann. §30-4-70(a)(2).

At 8:22 p.m., motion made by Councilwoman Greene, seconded by Councilman Roseborough, to come out of executive session and return to regular session. Mr. Bell stated no action was taken in Executive Session. ***The motion carried 7-0.***

**16. ADJOURN**

At 8:23 p.m., it was moved by Councilman Trapp, seconded by Councilman Roseborough, to adjourn. ***The motion carried 7-0.***

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KIM W. ROBERTS  
CLERK TO COUNCIL

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MOSES BELL  
CHAIRMAN