



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
JULY 26, 2021**

**Present:** Moses Bell, Shirley Greene, Mikel Trapp, Timothy Roseborough, Cornelius Robinson, Clarence Gilbert, Douglas Pauley, Council Members; Brad Caulder, Interim County Administrator; Kenneth Davis, County Attorney.

**Absent:** N/A

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 Council Member Trapp, seconded by Vice Chair Greene, to approve the agenda. ***The motion carried 7-0.***

**3. INVOCATION**

Vice Chair Greene led the invocation.

**4. APPROVAL OF MINUTES**

It was moved by Council Member Trapp, seconded by Council Member Roseborough, to approve the minutes from the Regular Meeting of July 12, 2021. ***The motion carried 7-0.***

**5. PUBLIC PRESENTATIONS**

- A.** Proclamation Recognizing August 15-21, 2021, as South Carolina Aviation Week. The proclamation background was given by Interim County Administrator, Brad Caulder. He announced Fairfield County Airport will be participating in the recognition for the second consecutive year. Two high school students, one from Richard Wynn and one from Fairfield Central, will experience a flight from behind the yoke alongside a certified flight instructor. He thanked S&S for donating the aircraft, fuel, and flight instructor's time for the discovery flight operations. Mr. Bell read the

proclamation It was moved by Vice Chair Greene, seconded by Council Member Trapp, to approve the presentation. **The motion carried 7-0.**

**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.**

- Randy Bright - Ordinance 773 (Mini-Park)
- Thomas Armstrong – Budget
- Tangee B. Jacobs – NRC
- Pamela Greenlaw – NRC
- Priscilla Preston – declined
- Jeff Schaffer – Juneteenth

**7. PUBLIC HEARINGS**

A. Application and Expenditure for the 2021 JAG (Justice Assistance Grant) Funds. At this Public Hearing, Fairfield County will provide information concerning the proposed use of the funds in an identified program purpose area. Per Mr. Caulder, the Sheriff's Office is requesting approval to apply for the 2021 Justice Assistance Grant Program. If the grant is approved, the grant amount will be \$11,760 and it will be used to purchase eight automated external defibrillators. Chairman Bell opened the public hearing at 6:23pm. No one signed to speak. Chairman Bell then closed the public hearing at 6:24pm.

**8. ORDINANCES, RESOLUTIONS AND ORDERS**

A. Third and Final Reading of Ordinance No. 772: An Ordinance to Establish and Recognize Juneteenth as a Public Holiday and Special Day for Fairfield County. Motion made by Council Member Roseborough, seconded by Council Member Trapp, to approve Third and Final Reading of Ordinance No. 772. **The motion carried 7-0.**

B. First Reading (By Title Only) Ordinance No. 773: To make \$1,050,000 in Supplemental Appropriations for the 2021-2022 Fiscal Year for Capital Projects, to Include Community Mini-Park on Overlook Road in Blackstock, Upgrades to Willie Lee Robinson Park, and Roof Repairs to the DHHS Building. Motion made by Council Member Trapp, seconded by Vice Chair Greene, to approve First Reading (By Title Only) Ordinance No. 773. **The motion carried 4-3.**

- C.** First Reading (By Title Only) Ordinance No. 774: To make a Supplemental Appropriation of \$75,000 for the 2021-2022 Fiscal Year, So as to Authorize Funding for the Position of Project Manager within the Economic Development Department. Motion made by Council Member Trapp, seconded by Council Member Roseborough, to approve First Reading (By Title Only) Ordinance No. 774. ***The motion carried 6-1.***

**9. BOARD AND COMMISSION MINUTES**

None.

**10. BOARD AND COMMISSION APPOINTMENTS**

None.

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

- A.** Consideration of Approval of Application for 2021 JAG Grant Funds. To be used to purchase eight automated external defibrillators. The total amount of the grant, if approved, would be \$11, 760. If overages occur, this would come out of the Fairfield County Sheriff's Office budget. Motion made by Council Member Trapp, seconded by Council Member Greene, to approve the Application for 2021 JAG Grant Funds. **The motion carried unanimously 7-0.**

**13. COUNTY ADMINISTRATOR'S REPORT**

- A.** Mr. Bryant Brown, GMK Associates, Inc. – Courthouse Update. Mr. Brown stated the project was going well and still in Phase 1. The bathrooms were being updated as well as the infrastructure and roof supports. They were now beginning the electrical, mechanical, plumbing and code upgrades. Progress was slowed slightly this week due to court trials. Phase 2 is scheduled to start around September 6<sup>th</sup> and things are going pretty good. They are finding a lot of hidden treasures – eight feet of concrete. The courthouses were well-built during those times, about 200 years ago. Mr. Brown was then open for questions. Mr. Bell referenced lots of time spent talking with Mr. Brown regarding reducing the costs. He stated the last conversation they had, Mr. Brown stated the costs may be reduced about \$300,000-\$400,000 and Mr. Bell wanted to know if that was still accurate. Mr. Brown stated he still had it on the list at about \$410,000 but it may change due to COVID pricing. He continues to work on it daily along with the tax credits and some of the grants to try to supplement. They are working diligently on it. Mr. Bell expressed gratitude for working on keeping

costs down. Mr. Bell recalled about \$4.2 million dollars in the bond and this project exceeded that and we need to everything we can to bring that down as much as possible. Mr. Brown agreed.

- B.** Ridgeway Community Center Update – Mr. Caulder stated Council previously passed a resolution to provide for an option for purchasing property in Ridgeway with the intent of using the property for the Community Center. Due to various issues, we were not able to make the site work. We are now focused on a 30 acre track that is owned by the County adjacent to the recycling center outside of Ridgeway. We are in the conceptual design plan and have done a little preliminary site work to be sure the site is a good fit and that it can be reached within the projected budgeted amount. Mr. Pauley asked to be enlightened on the various issues with the previous property. Mr. Caulder stated the main problem was the entrance to the site. Per DOT, it did not meet their standards. Mr. Pauley asked if it had anything to do with pricing and that we were going to spend \$100,000 per acre. Mr. Caulder stated pricing was a problem and a deal could not be reached. Mr. Pauley asked if the property being looked at now used to be an old landfill. Mr. Caulder stated that the back portion of it was and that it has a creek that kind of divides it. He stated we have already had site work done in the past and we feel that the part that is usable should be ok for the information we have right now. Mr. Pauley asked if we were still doing environmental studies. Mr. Caulder stated he was right and we were still doing our due diligence.
- C.** Mr. Gregory Suber – NRC (Nuclear Regulatory Commission) Environmental Justice Discussion. Mr. Suber (Director of the Environmental Justice Review Team) thanked the Council for allowing him the opportunity to speak. He introduced 2 colleagues – Dr. Allen Fedder (Lead Project Manager) and Mr. Edwin Lee (Governmental Liaison Officer). Mr. Suber explained that the NRC is an independent agency led by a group of political appointees that form the Commission. He provided an overview of the Environmental Justice (EJ) Review effort, along with a powerpoint presentation that defined Environmental Justice as the federal policy established in 1994 by Executive Order 12898, which directed federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority and low-income populations. He stated the NRC staff systematically reviews how Environmental Justice is addressed in NRC's programs, policies and activities and soliciting feedback was an important part of the review but they would not be discussing specific ongoing licensing actions. He stated the NRC does not own sites, manage nuclear facilities or properties but is missioned to ensure that these facilities are ran safely and efficiently. He stated in 2004, the Commission issued its "Policy Statement on the

Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions" (69 FR 52040) - considers environmental justice in reviews under the National Environmental Policy Act (NEPA) and focuses on disproportionately high and adverse impacts on environmental justice communities. The Commission directed staff to consider if the 2004 policy statement is adequate or needs enhancement, to consider recent Executive Orders, practices of other federal agencies and input from tribal governments and potential former mechanisms to be gathered from other organizations. The Commission also directed staff to engage a broad range of stakeholders, which is the primary reason for their visit. Mr. Fedder presented several questions for consideration: What is your understanding of the meaning of E J at the NRC? How can NRC enhance opportunities for the public to participate in licensing and regulatory activities? What ways could the NRC enhance identification of EJ communities? What has the NRC done historically well or currently does well in regards to EJ, including engagement efforts? What portion of the 2004 policy are effective? Would you recommend the NRC consider any particular organizations' EJ programs in its assessments? Looking at other EJ programs, what action could the NRC take to enhance consideration of EJ? Considering recent Executive Orders on EJ, what actions could the NRC take to enhance consideration of EJ? Are there other opportunities to expand consideration of EJ, considering the agency's mission and if so, what are they? He announced the open comment period that ends on August 23<sup>rd</sup> with submissions available via email ([nrc-ejreview@nrc.gov](mailto:nrc-ejreview@nrc.gov)) or phone (301-415-3875). The results of the review will be submitted to the Commission. Mr. Suber thanked Council for the opportunity to present and encouraged input. Mr. Bell referenced citizen Tangee B. Jacobs had questions and wanted to ensure that he received and addressed those questions. Mr. Suber agreed and offered to meet with her and others on Thursday afternoon, if possible. Vice Chair Greene asked if there were any newspaper announcements or other outlets where this information was distributed. Mr. Suber stated no but would consider as they want to know what mechanisms work. He stated that their protocol is to place it in the Federal Register but realized that most people do not check that notice. He was grateful for any suggestions. Ms. Greene stated that the White Oak Conference Center was closed and we needed to know the newly designated location in the event of an emergency management event. Mr. Bell stated it was moved to the middle school.

- D.** Request of Action: Request Approval for bid award and contract approval Peach Road Water Main Extension project. The proposed qualified bidder is Lake Murray Utility Company, Inc., which submitted the lowest total bid amount. The proposed extension will serve the future industrial site on

Peach Road. Approval and Award is recommended by Thomas and Hutton Engineering and South Carolina Rural Infrastructure Authority. The total of the project will be grant funded and there will be no cost to the County. Mr. Davenport stated the line being installed is 100% covered by grants and will serve the future industrial site that is currently being developed on the 500 acre parcel. Motion made by Council Member Trapp, seconded by Vice Chair Greene, to approve the Request of Action. ***The motion carried 7-0.***

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

None.

#### **15. COUNTY COUNCIL TIME**

Pauley: Council Member Pauley stated in April 2021 this Council started budget workshops trying to save the taxpayers without reducing services. He wanted to refresh everyone's minds on what was done in the budget. He stated on April 13, 2021, Chairman Bell stated we needed to give serious thought going forward because we were in serious financial condition. Mr. Pauley stated that Mr. Bell stated that when you cut out services that people pay taxes for, that is unacceptable. Mr. Pauley stated we were not able to buy any patrol cars, ambulances, fire trucks or any other necessary vehicles. Sheriff Montgomery was also requesting an Evidence Officer that he badly needed but froze the position to help the County meet the budget. Mr. Pauley stated that he thought to request money now for a mini-park and upgrades to a ball field are a slap in the Sheriff's face. Mr. Pauley stated on August 21, 2021, Mr. Trapp stated we could not afford to accept grants for the Farmer's Market because in his words we are scraping the bottom of the barrel. Mr. Pauley stated he hoped the Sheriff sees the meeting tonight and he encouraged him to submit a supplemental request for an officer and some vehicles. Mr. Pauley stated other things reduced in the budget were recycling centers that were closed an extra day, library millage increase was voted down 4-3 and the library really needed the money, we removed the car allowance for the Economic Development Director, we removed the Transit Assistant position, we removed the Tax Assessor Assistant position, we removed Building Maintenance temps, we removed Animal Control temps and we reduced limb site hours. Mr. Pauley stated also we have hired a Consultant that we are paying \$200/hour and he has the authority to hire someone that makes \$40/hour and also claim mileage and reimbursement. Mr. Pauley stated he had been told several employees have received raises or stipends because they did extra work in the last month and he would assume there are a lot of County employees doing extra work because we got rid of positions – so had



those employees been compensated as well. Mr. Pauley stated recently the Department of Commerce stated they wanted to give us \$2.2 million to help with projects. He stated we have someone who is trying to help us but we are going to throw our money away on mini-parks and upgrades to a ball field. Mr. Pauley stated he was recently notified that Chairman Bell on 4-5 different occasions has either called or showed up without an appointment in Columbia to Mr. Rainwater's office, who is responsible for the re-districting process and interfering with that process. Mr. Pauley asked Mr. Bell to tell us exactly what district you are trying to interfere in and what Council member you are trying to get out. Mr. Pauley stated also there is a bi-weekly meeting that occurs to make sure the Dominion settlement is going according to plan. In a recent meeting, Chairman Bell was told that the money allocated for the bonds, once you apply them to the bonds, the debt millage would need to be reduced. Mr. Pauley stated that Chairman Bell stated what the citizens don't know they can't ask about. A blatant disregard for the taxpayers of Fairfield County.

Bell: Chairman Bell stated as we think about the budget work, we voted on the budget 4-3. The County will receive Rescue money and there are specific things that you can spend that money on so we are trying to make sure the items that the Rescue money can be spent on. The roof that we are talking about has been waiting for about 4 years and it's falling in. The question is do we want to make sure we keep people safe or do we want the roof to fall in. We choose not to let it fall in.

Robinson: Mr. Robinson stated he agreed with the statement about the roof but wanted to know if it was possible to re-word the ordinance because he was not in agreement with bundling it all together and asked if it could be individualized.

Bell: Mr. Bell stated we would look at it.

Robinson: Mr. Robinson stated (District 6) two years ago a grant was applied for through the COG with cleaning up houses and so forth. The grant was approved. He met with Mr. Sprouse at the COG on Friday and there are some problems with signatures on paperwork. Out of the 40 houses that were acknowledged only 5 had proper paperwork so they could continue cleaning the area. Mr. Robinson stated that maybe in September another community meeting will be planned to notify citizens of what's happening. He also stated that the Habitat for Humanity had been contacted and the intent is not to tear down but to rebuild the community. He encouraged the citizens of District 6 to be on the lookout for forthcoming information. He thanked the citizens that participated in the clean up on Golf Course Road from Hillcrest down to 34 on July 17th. He named Mary Ann Tolbert, Mary Urias (apology if pronounced

incorrectly), Mason Adams, John Ross and Dori Ross. He stated those citizens collected over 45 bags of trash, tires and furniture. He thanked them for their time and effort.

Pauley: Mr. Pauley stated he would like Mr. Caulder to explain the consultant.

Caulder: Mr. Caulder stated we have 5 vacancies that work very closely together – Administrator, Assistant Administrator, Clerk to Council, Community Development and the Executive Assistant is no longer full time. Those salaries combined total over \$450,000 that are not being paid out. We have Dominion projects, Mt. Zion projects, Courthouse projects and he admitted that he could not do it all. Mr. Caulder stated we were very fortunate to have Mr. Driggers (a retired Administrator with the City of Greer) with lots of project and expansion experience. Based on who we lost, he thought it was critical to have someone to come in and keep these projects moving forward. We do not want to have any penalties and if we do not stay on top of it, we can get ourselves in a hole in a hurry. He stated it is critical to have someone with experience and who can advise and help him.

Pauley: Mr. Pauley asked if that was something that fell under the discretion of the Administrator.

Caulder: Mr. Caulder stated that was correct and it fell under his authority to sign and execute that.

Pauley: Mr. Pauley said thank you.

Caulder: Mr. Caulder said thank you for the opportunity.

Gilbert: Mr. Gilbert asked as far as the Dominion settlement, are we still looking to have a third party to operate that particular project per the suggestion of the Department of Commerce because they said they would fund it.

Caulder: Mr. Caulder stated that was what Council responded to in terms to the priority of spending the funds. He thought some of the money would go towards that and he thought it was still in the works but if the Joint Water and Sewer Commission proceeds forward, they were willing to help us out.

Bell: Mr. Bell stated for clarity the SC Department of Commerce was trying to assist us with the wastewater system. He stated that was the only thing they offered assistance with – not any other projects. We hope to have someone from Dominion with us as we begin these projects – not the SC Department of Commerce.



Gilbert: Mr. Gilbert asked if it was not the mega site also.

Bell: Mr. Bell stated no.

Gilbert: Mr. Gilbert stated he thought it was.

Bell: Mr. Bell stated no.

Caulder: Mr. Caulder stated Ty might be the better person to address the question.

Davenport: Mr. Davenport stated the funds from Dominion and the management of those funds the primary and most technical, difficult project is obviously the wastewater treatment plant. He suggested funds be allocated and maybe call it an "owner's rep" to stand in between us and the designers and the contractor to make sure that the invoices match the work that has been done. He stated there was no one at the County that has the expertise to track that and there was a definite need for that. He stated the expense was about a couple of hundred thousand dollars or less to ensure that at the end of the project we get a wastewater treatment plant that is built correctly. The other dollars, like to grade the property within the Commerce Center and the Mega Site, myself and other Economic Development Specialists do that regularly and it is a big dollar amount – the Mega Site is \$6 million but is still just a grading project, whether it's 10 acres or 100 acres. He stated they will have an engineering firm that will be paid to keep us going in the right direction but the key component that the Commerce is concerned about is the wastewater treatment plant because that's the future of this County – it needs to be done correctly, on time and within budget.

Bell: Mr. Bell thanked Mr. Davenport for the clarification. He stated that some of the things said even from Council members were so far-fetched that it did not warrant time spent to address. He said sometimes he doesn't even know where they get the information from.

**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 7:04 p.m., motion made by Council Member Trapp, seconded by Council Member Roseborough, to go into executive session concerning the below listed items. ***The motion carried unanimously 7-0.***

- A.** Personnel Matter – Discussion Regarding Clerk to Council Vacancy, Introduction and Possible Action Pursuant to S.C. Code Ann. §30-4-70(1).
- B.** Receipt of Legal Advice – Discussion Concerning Possible Sale of Former Hospital Property and Existing Leases Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- C.** Receipt of Legal Advice – In response to South Carolina Opioid Litigation, C.A. No.2018-CP-23-01294 Pursuant to S.C. Code Ann. §30-4-70(a)(2).

At 7:48 p.m., motion made by Council Member Trapp, seconded by Vice Chair Greene, to come out of executive session and return to regular session. Mr. Bell state nothing was approved in Executive Session. ***The motion carried 7-0.***

Council Member Trapp made a motion to hire Ms. Kimberly Roberts as our Clerk to Council contingent upon pre-hire screening, seconded by Vice Chair Greene. Chairman Bell restated the motion, to hire Ms. Kimberly Roberts as the new Clerk to Council for Fairfield County contingent upon pre-hire screening. Mr. Robinson welcomed Ms. Roberts. ***The motion carried 7-0.***

Attorney Davis stated he needed a motion regarding the Opioid Litigation.

Vice Chair Greene made a motion in regards to the Opioid Litigation that we look for the option that is 85% to 15% - 85% to the Municipality County and 15% to the State, seconded by Council Member Trapp. ***The motion carried 7-0.***

## **16. ADJOURN**

At 7:55 p.m., it was moved by Council Member Trapp, seconded by Council Member Roseborough, to adjourn. ***The motion carried 7-0.***



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MOSES BELL  
CHAIRMAN