



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
MARCH 8, 2021**

Present: Moses Bell, Shirley Greene, Timothy Roseborough, Doug Pauley, Cornelius Robinson, Clarence Gilbert, Council Members; Jason Taylor, County Administrator; Laura Johnson, Assistant County Administrator; Charles Boykin, County Attorney; Patti L. Davis, Clerk to Council.

Absent: Mikel Trapp.

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 Vice Chair Greene, seconded by Council Member Roseborough, to approve the agenda. ***The motion carried unanimously 6-0.***

3. INVOCATION

Council Member Gilbert led the invocation.

4. APPROVAL OF MINUTES

It was moved by Vice Chair Greene, seconded by Council Member Robinson, to approve the minutes from the Special Meeting of February 18, 2021, and Regular Meeting of February 22, 2021. ***The motion carried unanimously 6-0.*** Chairman Bell informed everyone that Council Member Trapp would not be present for the meeting tonight.

5. PUBLIC PRESENTATIONS

None.

6. PUBLIC HEARINGS

None.

7. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Second Reading Ordinance No. 765: Authorizing the First Amendment to the Master Agreement Governing the Forest Acres Business Park Between Fairfield County and Richland County, and Other Related Matters. Motion made by Vice Chair Greene, seconded by Council Member Robinson, to approve Second Reading of Ordinance No. 765. Chairman Bell asked for Mr. Taylor to comment on this item. Per Mr. Taylor, this is in relation to an arrangement the County has with Richland County. In order to give a company or developer certain incentives, the company or developer must be in a multi-county park. To do this, one county has to have an arrangement with a fellow county to have a multi-county park. It appears Richland County is expanding their multi-county park to add more properties into it. This will be to the benefit of Fairfield County in that whatever development occurs in that newly added territory to the multi-county park agreement, Fairfield County will receive 1% of the tax revenue from it. ***The motion carried unanimously 6-0.***
- B.** Emergency Ordinance No. 766: An Emergency Ordinance to Declare a Local State of Emergency in Fairfield County and Providing for Conducting Electronic Meetings for Fairfield County Council and All Fairfield County Boards and Commissions. Motion made by Council Member Roseborough, seconded by Vice Chair Greene, to approve Emergency Ordinance No. 766. Chairman Bell inquired if there was any discussion. With no discussion, the vote was then taken. ***The motion failed 3-3 with Council Members Pauley, Robinson and Gilbert voting nay.*** Chairman Bell stated this item requires a 2/3 vote, although the By-Laws page 14 (g) state the vote is a majority vote; however, this is in error. Therefore, the Emergency Ordinance did not pass.

8. BOARD AND COMMISSION MINUTES - Received as Information

A. Chamber of Commerce

9. BOARD AND COMMISSION APPOINTMENTS

None.

10. OLD BUSINESS

None.

11. NEW BUSINESS

None.

12. COUNTY ADMINISTRATOR'S REPORT

- A.** Charles (Rowdy) Harris, Lake Wateree Park Manager: Recipient of S.C. Parks Director's Award. Per Mr. Taylor, tonight Mr. Charles (Rowdy) Harris, who is the Lake Wateree Park Manager, is being recognized. He is the recipient of this year's S.C. Parks Director's Award. This award is given each year to a park employee who has gone above and beyond. Mr. Harris has managed a new campground project and the many challenges associated with the new campground, as well as always being ready to assist with training and being willing and ready to help his region chief. Mr. Taylor further stated Lake Wateree is a wonderful asset along with the park. He again thanked Mr. Harris. Mr. Harris then went to the dais for a picture with Council.
- B.** Request of Action: Public Works Department request to purchase 2021 Caterpillar 120 motor grader – Budgeted. Per Mr. Taylor, this next item is one of three requests coming from the Public Works Department. All three of the Requests of Action have been before the Finance Committee and were all recommended for approval by Council. This item was budgeted at \$239,400 and is coming in under State contract at \$169,913. Motion made by Council Member Robinson to approve this Request of Action, seconded by Council Member Gilbert. ***The motion carried unanimously 6-0.***
- C.** Request of Action: Public Works Department request to purchase 2021 Western Star CC-9D roll-off truck – Budgeted. Per Mr. Taylor, this item was also budgeted. It went before the Finance Committee and was recommended for approval by Council. This was budgeted in the amount of \$180,000, and it has come in under State contract at \$170,304. Motion made by Council Member Robinson to approve this Request of Action, seconded by Council Member Pauley. ***The motion carried unanimously 6-0.***
- D.** Request of Action: Public Works Department request to purchase New Holland TS6.110 tractor and side mower (Diamond DSR072) – Unbudgeted. Per Mr. Taylor, this final item for the Public Works Department is an unbudgeted item. It did go before the Finance Committee, and they recommended approval. Mr. Burroughs and his department have \$86,174 in savings. The cost of this particular piece of equipment is \$90,572. The remaining balance of \$4,397.90 would come out of the department's operating budget. Motion made by Council Member Gilbert, seconded by Council Member Robinson, to approve this Request of Action. Council Member Pauley inquired if Mr. Taylor or the County Attorney know if the County Procurement Manual provides any direction on the process for purchasing unbudgeted items. Per Mr. Taylor,

these items are brought back to Council. They have to meet certain thresholds above \$25,000. Council Member Robinson inquired where the savings came from. Per Mrs. Johnson, the \$86,000 worth of savings came from other capital purchases that came in under budget. Mr. Burroughs was under budget in his other purchases by \$86,000, and this purchase is a little over \$90,000. ***The motion carried unanimously 6-0.***

- E. Request of Action: Sheriff's Department request to replace 4 totaled vehicles less amount received from insurance – Unbudgeted. Per Mr. Taylor, this request is to replace four vehicles that were wrecked with an insurance settlement received of \$96,911.36. However, the total cost is \$148,200.54 which will leave an out-of-pocket of \$51,289.18. This has again been before the Finance Committee with a recommendation to approve. The \$51,000 would come out of the vehicle replacement fund, which does currently have a balance. Council Member Robinson made a motion to approve this Request of Action, seconded by Council Member Pauley. ***The motion carried unanimously 6-0.***

13. CLERK TO COUNCIL'S REPORT

None.

14. COUNTY COUNCIL TIME

Discussion with Delegation. Chairman Bell stated Representative McDaniel and Senator Fanning were asked to attend the meeting tonight to talk with Council about some things happening at the State level, but also just to have a conversation around the things Council is doing. Sometime in February when the General Assembly was in session, Mr. Taylor and Chairman Bell were talking to a business and needed Representative McDaniel. He then contacted Representative McDaniel, who was in session, but she was told how important the call was. Because of this, she came out of session and was able to speak with Mr. Taylor and Chairman Bell. On another occasion, a meeting was being held that needed Senator Fanning. The meeting was scheduled, and Senator Fanning came that evening to be sure to speak with this business leader with concerns. Chairman Bell thanked Senator Fanning and Representative McDaniel for their commitment to this County and the work that is being done to try to recruit industry. Chairman Bell hopes in the future that as the County reaches out to the Delegation for things it needs their help with, that they will do the same when they come across issues the County needs help with. He made this commitment on behalf of the County and requested Senator Fanning and Representative McDaniel to also commit to this.

Senator Fanning and Representative McDaniel then gave an overview of current happenings in the State House. Some items discussed included the following:

Representative McDaniel

- Earmark funds
- S.C. Legislature app
- Appointments to Midlands Tech Board, Veteran's Affairs Director, approval of PARD funding on the local level
- Appointments to College Boards, appointment of Judges, appointment to Public Service Commission, etc.
- Heartbeat bill, scholarship bill
- Lethal injection
- Adding members to the Election Commission
- Save Women's Sports Act

Senator Fanning

- Education Reform Bill
- School testing
- Economics course
- School Boards from underperforming school districts
- Private companies running schools
- Economic Development and the ports
- COVID liability bill
- Farm bills
- Budget – COVID recession. Most states hit a 15% slump, and South Carolina has only hit a 7% slump. Economy should strongly rebound. Tourism is 35% down. Next year, should be \$1.8B in one-time money and only \$200M in recurring dollars.
- Santee Cooper.
- Redistricting.
- Megasite.

Following this, Council Members were then invited to ask questions.

Mr. Taylor stated open communication between the County and the Delegation will benefit all concerned. The County will try its best to communicate any information the Delegation needs to know, and would likewise appreciate this in return. He will also contact the Delegation concerning the potential one-time funding. Council Member Robinson inquired concerning filling the position of Veterans Director. Senator Fanning stated they are committed to filling this position as he recognizes the needs of the veterans. Council Member Robinson

also inquired concerning the marijuana bill, and per Senator Fanning, this bill should be coming up shortly. This would also be the most conservative bill with monitoring in place. Also, Senator Fanning stated the good news about the local government fund is that last year it was fully funded. The bad news is COVID hit, and all the money went away. However, at least there was an acknowledgment that the State owes it to the counties to follow the law. Council Member Robinson also inquired concerning Highway 321. Per Senator Fanning, elected officials used to be able to control road maintenance. There was an effort to take the politics out of this and move it to the governor's office. Now, the Governor is the only one who can tell the Director of DOT to change something. Representative McDaniel has made numerous calls concerning this road, and she will be reaching out again tomorrow. Council Member Gilbert inquired concerning the trash on I-77. Senator Fanning agreed there is more litter than usual, and one of the best examples is I-77. This is tied to a legal interpretation of COVID social distancing and prisoners. He has suggested multiple vans because the problem is the prisoners traveling in the vans. Representative McDaniel stated Fairfield County is doing a great job in this regard; however, we need to come up with a culture change. It is all of our responsibility to stop throwing trash on the roadsides. She also requested the County's help in handing out literature or whatever can be done to help this problem. Vice Chair Greene stated, as we know, Fairfield County is a food desert with portions of the County's citizens not getting enough food. She inquired of possible ways the \$1.8B of one-time funding could be used to address this issue. Senator Fanning stated if something can be thought of, he would be glad to look at it. This is the reason he introduced the retail sales bill of farm baked or home baked goods. Vice Chair Greene also inquired concerning broadband. Senator Fanning stated a bill was put forth last year that allows electric coops to either (a) provide internet themselves within certain cost frames or (b) subcontract this out with ability to use right-of-ways, poles and other infrastructure to accomplish this. However, the bill only allows expansion after the coop territory is done. Representative McDaniel also stated when companies are looking at potential areas, they look to see if the County Council, City Council, School Board and other governing bodies in the region can work together. She asked that we send a message to these companies that we can all work together.

Mr. Taylor took this time to introduce the new County Attorney, Charles Boykin, from Boykin and Davis Law. Chairman Bell stated we feel very fortunate to have Mr. Boykin as our attorney, and he is rated preeminent.

Chairman Bell thanked the Senator and Representative for coming to the meeting tonight and also thanked them for their work. Chairman Bell then

inquired if any other Council Member had any comments to be included under County Council Time.

Greene: Vice Chair Greene stated tonight we have done another disservice to the citizens of Fairfield County. In looking at not doing the Emergency ordinance, Council is putting a number of people at risk. Health and safety is very important, and many have lost relatives and friends to COVID. Vice Chair Greene has not seen her grandchildren or spent time with them in the last year. She then requested everyone who has had the vaccination to raise their hands. Those who have had the shot might have some idea that they may be safe. The science says the vaccines are 95% infected. That means that 5% of us might have some problem. When we talk about protect and serve, we must talk about looking out for our community in ways that would benefit the community and not personal gain and personal ideas. We must look at some decisions that might not necessarily go with your group, and we have to make sure that we are looking at the safety of the people. Mr. Taylor's hands will also be tied with this ordinance not being in effect in that he will not be able to make decisions with regard to this pandemic. Voting remotely is also not able to be accomplished, which effects the business of the County. If you want to play politics, play politics with your own group or organization, do not play politics with Fairfield County citizens. There may be repercussions with people coming into the meetings and spreading COVID or a variant of COVID. We need to be sure we are thinking about this when we are making decisions. It pains her today that this ordinance did not pass. Sometimes we have to take the high road, and sometimes this may be different and difficult. Essentially, if we are talking about those with rubber stamps, we need to rubber stamp this again so that essentially it goes on both feet. She is disappointed and feels the people of Fairfield County deserve better.

Bell: Chairman Bell stated recently Fairfield County was the target of several racist acts throughout the community. The Council is working with local law enforcement and other State and Federal officials to ensure the continued safety of all the residents. Every citizen of Fairfield County should view this kind of activity as threatening to the tremendous strides Fairfield County Council has achieved in the area of economic development, which has the potential of advancing opportunities to ultimately enhance the quality of life for Fairfield residents. Our goal is to continue this growth. We will continue to work tirelessly to ensure current and prospective residents of the County have the benefit of all the many positive aspects within the Fairfield community. As an additional note, Chairman Bell stated he, along with the Clerk, have been working on trying to find a way for the citizens to speak to their government. This is very important to Council. We thought the

emergency ordinance would be passed tonight in order to put this in place. Plans have been developed, and the Clerk has engaged the IT community also. However, in not being able to pass the ordinance, Chairman Bell stated the intent remains having the public to speak, and we will find a way to do this. If not by the next meeting then the one after, we will provide a procedure to do this. We do not want to put the public at risk, but we are working on trying to get this accomplished.

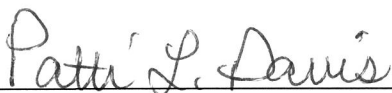
15. EXECUTIVE SESSION (SUBSEQUENT TO EXECUTIVE SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION).

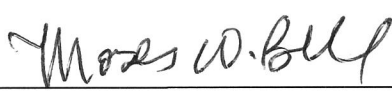
At 7:10 p.m., it was moved by Vice Chair Greene, seconded by Council Member Roseborough, to enter into executive session for (b) receipt of legal advice regarding a pending legal matter. Item A (Economic Development) was not needed as Mr. Hitt could not be present for the meeting tonight. Council Member Pauley inquired if the agenda needed to be amended. Mr. Boykin stated the law does not require what is going to be in executive session be published. It requires that you announce that there will be, and after a successful vote to enter executive session, then you can announce what is to be discussed. What is listed on executive session would not have been discussed with the public anyway, thus, it is not necessary to amend it. ***The motion carried unanimously 6-0.*** At 7:21 p.m., it was moved by Council Member Pauley, seconded by Vice Chair Greene, to return to open session. ***The motion carried unanimously 6-0.***

No action was taken in executive session.

16. ADJOURN

At 7:22 p.m., it was moved by Council Member Roseborough, seconded by Council Member Pauley, to adjourn. ***The motion carried unanimously 6-0.***


PATTI L. DAVIS
CLERK TO COUNCIL


MOSES BELL
CHAIRMAN