



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
DECEMBER 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 to approve the agenda, seconded by Councilman Robinson. ***The motion carried 7-0.***

4. INVOCATION

Councilman Dan Ruff led the invocation.

5. APPROVAL OF MINUTES

Motion made by Councilwoman Greene, seconded by Councilman Ruff to approve minutes from Regular Meeting 11/13/23. ***The motion carried 7-0.***

6. PUBLIC PRESENTATIONS

- A.** A Proclamation Recognizing the Retirement of Judy George (Emergency Management) – Dr. Roberts read the proclamation in its entirety and pictures were taken.
- B.** Recognition of All-Star Football Teams – Lucas Vance (Parks & Recreation Director) – Mr. Vance introduced the 2023 SCRPA Central District 10U Champions. They represented the central district during the state tournament on December 2nd in Rock Hill. During the tournament, they

defeated the City of York 20-0 and the City of Chester 20-14. The title of Central District 10U Champions had not been held since his tenure that began in 2014. He thanked staff, volunteer coaches, parents and community members who gave their time and support. He also thanked Council for their support. He recognized each player individually and pictures were taken with Council.

C. Project Bedrock/Capital Concrete Presentation – John W. Shealy, Jr.

Mr. Shealy introduced Jim Ryder (Vice President of Operations) and said they were a family owned business but their management team had over 125 years of experience in construction materials. They were a concrete company, not a cement company. They wanted to be good corporate citizens and create good paying jobs in Fairfield County. They ran four concrete plants with the most recent being in Batesburg (about one month ago). The steps they took were far above those mandated by federal, state or DHEC standards, including a commitment to utilizing a central dust collection system that was 99.4% retentive of fugitive dust particles that would leave the property. The system was about \$100,000 and about \$25,000 worth of installation but they would commit to it if they were approved as a corporate citizen of Fairfield County. Their storm water runoff was minimized through the presence of an existing storm water pond but they would also build concrete wear pits where all of the storm water and processed water would be captured. Over 90% of that would be retained and used as gray water in the batching process for the manufacturing of concrete. They believed in the plan they submitted to the Department of Commerce and the Fairfield Economic Development department to avoid charges of pollution – typically dust or storm water. Mrs. Greene thanked him for addressing some of the concerns of the citizens. Mrs. Swearingen asked how close they would be to a neighborhood. Mr. Shealy said they were proposing to move into the Walter Brown commercial park. He said their plant in Lexington County, built 17 years ago, was next to a subdivision of about 400 homes in the \$300-\$500,000 range. They intentionally left a stand of pine trees as a buffer and also installed the same type of central dust collection equipment. They never had a complaint from neighbors regarding fugitive dust leaving their property. Mrs. Swearingen asked on a scale of 1-10, what was the dust level with the new equipment. He said the central dust collection equipment was 10 times more than what was requested by DHEC and under the Clean Air Act. It was 99.4% efficient and less than .06% left the facility/loading station. Mr. Ruff asked how close were the homes to their Lexington facility and Mr. Shealy said 50-60 yards. Mr. Ryder said their office was located at that facility and they were involved with the residents daily. They would complain if there were issues. Mr. Pauley asked if he could explain the normal operations of the plant. Mr. Shealy said cement, sand, stone, water and some

chemicals were weighed in a finite commercial weighing scale system - then they were fed into a truck where the mixing actually occurred. That was how the concrete was created. The trucks went to the job sites typically multiple times per day. Their trucks carried a perishable product with about a 90-minute life cycle, which was why they needed to be in areas where growth would occur and they believed Fairfield County would see growth in the near future. Mrs. Swearingen thanked them for their time.

D. OPIOID Update – Vernon Kennedy (Behavioral Health Services Director)

Mr. Kennedy said the Opioid Response Team was formed about three years ago to address overdoses and deaths in the County. Regarding the funding they received, they had overwhelming success with six of the eight objectives they submitted to the South Carolina Opioid Recovery Fund. They had improved successes with two despite issues that were out of their control. One of them involved the Community Outreach & Paramedicine Education (COPE) runs. It was a program started by EMS, which consisted of EMS, Behavioral Health and law enforcement staff with the purpose of providing emergency care/referrals to opioid overdose survivors. They conducted five prescription drug takeback events throughout the County. They also purchased and distributed over 198 prescription drug lock boxes. They designed and distributed over 4,000 pieces of literature on opioid and stimulants throughout the County. They published several articles and had advertisements on the digital billboard at the old Fairfield Memorial Hospital and sent out mailings to residential homes, businesses and P.O. boxes all to inform the community about the dangers of opioids/stimulants and where they could get help. They sent some of their staff and First Responders to local and national trainings. They designed and distributed referral cards so when First Responders came in contact with someone in need they could fill out the card and refer them to Behavioral Health. They purchased a Narcan vending machine that was installed at the Fairfield County Detention Center. He said as a distributor, his office was designated by the Department of Alcohol & Other Drug Abuse Services. He also hired a full-time person to manage all of the things he mentioned. They identified three "hotspots" – Winnsboro, Ridgeway and Great Falls but as of November, Great Falls fell off the list and was replaced by Blackstock. They were going to apply for a discretionary grant with the South Carolina Opioid Recovery Fund to get more work done. Mrs. Greene asked how many deaths were in Fairfield County and how many were in recovery. He said they had about 200 new admissions yearly and the main reason was alcohol related. Currently, opioid use made up about 10%-12% of their population. Prior to that, it was only about 2% of their population. In the last three years, they saw improvements with opioid overdoses and arrests. In 2022, they had about 114 overdoses. As of November 2023, they had about 89 overdoses. In 2022, they had five deaths

and as of November 2023, they had six deaths. He recognized some of their partners – Fairfield Sheriff's Office, Public Safety, EMS, Emergency Management, Detention Center, Fire Department and County Council.

E. Teacher Village Update – Dr. J. R. Green (Superintendent Fairfield County School District)

Dr. Green acknowledged, in her absence, Dr. Tracie Swilley who was named the 2024 Secondary Principal of the Year in South Carolina. He remembered the Council recognizing Shonda Jefferson in 2020 when she was named the South Carolina Teacher of the Year and he encouraged the Council to recognize Dr. Swilley as well. He said the teaching housing initiative started in 2018. By the spring of the upcoming year, there would be houses to accommodate teachers in the community. It could be one of the most impactful recruitment and retention efforts as well as spur economic development in the community. Districts were struggling when it came to recruiting qualified education professionals. He heard from individuals from all over the country (Michigan, Illinois, California) asking about the project. He felt they had developed a model that schools across the country would be able to replicate. He introduced Dr. Sue Rex who gave details about the project. She said it was the first concrete initiative to address teacher housing in rural America. She said the Fairfield County School District established its first education foundation, a 501-C3, in 2018 with the primary mission of addressing retention and recruitment of teachers in Fairfield County. Dr. Green envisioned a residential community for teachers and other Fairfield educators, which led to a building plan planning process. Their foundation received a gift of 22 acres of land from the School District Board of Trustees three years prior. It sat between the district office and the high school. Civil Engineering of Columbia was hired and had been supportive with surveys, permits and lots of advice. Upland Construction of Sumter, began site preparation the past summer. After completion, they would have 26 pads ready for vertical construction. They hoped the infrastructure would be completed within the next six weeks and then the city would complete the electrical work and Truvista would complete the internet services. Home building should be underway by the end of January by Wade McGuinn Builders of West Columbia. In phase one, they would build the first 16 homes. Their hope was that teachers would be able to move in by the summer. All homes were three bedrooms and two and a half baths with all appliances provided. Educators would rent on a yearly contract and must be employed by the District in order to continue to live in the Village. Currently, the foundation was interviewing property management finalists and once a decision was made, they would proceed with communication with interested educators. Certified classroom teachers would receive first priority with years of service being a first consideration. The foundation would continue to seek

additional grants in order to complete the remaining 10 pads. The initial funding came from the Dominion Energy settlement and they received \$600,000 from the United Way of the Midlands. First Community Bank was their lending institution for phase one. To address the need for recruitment, they nurtured interest from several universities to have their senior students do internships in Fairfield County. The University of South Carolina College of Education made a three year commitment to rent one of the homes. As additional homes were added, they hoped to include several other universities. The foundation was busy providing funds for student scholarships and teacher grants. Other school districts and various media outlets were interested in the initiative and they expected it to accelerate at the national level in the coming months. They believed the initiative was an example of economic development for Winnsboro and Fairfield County. The foundation sent their thanks to the Council for their support. Mr. Robinson congratulated them and said he saw the need for housing in the county. He advised them to keep pushing forward. Mrs. Greene thanked them for their work and said she knew it would be a national model.

- 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.

- Don Goldbach
- Jeff Schaffer
- Randy Bright

8. PUBLIC HEARINGS

- A.** An Ordinance by Fairfield County Council Authorizing the Sale of Certain Real Property in Fairfield County, South Carolina; and Other Related Matters. Mr. Pauley opened the public hearing at 6:57pm. Don Goldbach, Jeff Schaffer and Randy Bright signed up to speak. Mr. Pauley closed the public hearing at 7:04pm.
- B.** An Ordinance by Fairfield County Council to Amend Ordinance No. 815 Establishing the Operating and Capital Budgets For the Operation of the County Government of Fairfield County For the Fiscal Year Commencing July 1, 2023, and Other Matters Related Thereto. Mr. Pauley opened the public hearing at 7:04pm. Jeff Schaffer and Randy Bright signed up to speak. Mr. Pauley closed the public hearing at 7:11pm.

9. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third & Final Reading Ordinance No. 827: An Ordinance by Fairfield County Council Authorizing the Sale of Certain Real Property in Fairfield County, South Carolina; and Other Related Matters. Motion made by Councilman Gilbert, seconded by Councilwoman Greene. Mr. Pauley asked for an explanation. Mr. Morgan said the actual name of the company was Capital Concrete. The information provided in their packets had a lot of information pertaining to the sale of the property (355 Commerce Boulevard) located in the Walter Brown Industrial Park. The county was selling the property at approximately \$115,000/acre. There was already a pre-existing storm water basin and runoff facility on the property. They worked closely with the company to ensure that it would be utilized so as not to further impact the environment or community. Mrs. Swearingen asked if he knew what the tax revenue would be from the sale. Mr. Morgan said he did not have that information at that time. Mr. Roseborough said he checked with the Assessor's Office and the lot was six acres. Mr. Morgan said the storm water basin took up the last two acres of the parcel and in order for the county to have full control over the runoff of the entirety of the park, the county would retain ownership. They were entering into negotiated agreements with Capital Concrete and other park users in order to come up with a unified maintenance plan to take the financial burden off of the county. They worked with their corporate partners to ensure everyone was paying their fair share. Mr. Ruff asked if they were going to receive any tax incentives and Mr. Morgan said they would not. Mr. Pauley asked Mr. Shealy the number of employees expected to be hired. Mr. Shealy said within the first five years 17-20 employees at \$26/hour. ***The motion carried 7-0.***

B. Second Reading No. 829: An Ordinance by Fairfield County Council to Amend Ordinance No. 815 Establishing the Operating and Capital Budgets For the Operation of the County Government of Fairfield County For the Fiscal Year Commencing July 1, 2023, and Other Matters Related Thereto. Motion made by Councilman Ruff, seconded by Councilman Gilbert. Mr. Pauley said he thought once they went through the budget process and established a budget, he did not want to amend the budget throughout the year. They needed to stay with the budget once established. He would make exceptions for emergencies. Amending the budget created headaches for Administration, Council and citizens. In that particular case, Mr. Dillon Pullen became the interim president after the budget process and since realized that need and made a request. In the future, amendments would not be made unless it was necessary for the operation of the county. Mrs. Williams said they received a request from the Fairfield County Chamber of

Commerce for \$70,000 from the State Hospitality & Accommodations Tax funds. The Chamber currently received a combined \$89,500 direct allocation from said funds during the budget process. The additional funds were requested to hire a Director of Tourism & Community Relations, develop a Finding Fairfield Tourism promotion, a Fairfield County Visitor's Guide, Fairfield County relocation guide and for the development of a Fairfield County Visitor's Center. The Chamber provided a document that showed the breakdown of how the funds would be used. Mr. Pullen said the Chamber had been a catchall for Small Business Development and a Center for Tourism and they needed to separate the two within the same building. They needed to ramp up their marketing campaign for Ridgeway, Jenkinsville and Winnsboro. They needed to advertise their events, keep up with social media and stay in touch with the newspapers to keep citizens and surrounding communities informed of events. The Tourism Director was a small part and the other was the tourism/visitor center. They were in negotiations to find a new home that was ADA compliant. One of the complaints about being in their current location (town clock) was that most older people could not come up the steps. It was also too small to be a visitor's center and lacked privacy. Mr. Pauley asked him if he would break down the use of the \$70,000. Mr. Pullen said \$20,000 would be for the Tourism Director's salary to carry through half the year, \$5,000 would be their Finding Fairfield promotion - a separate website dedicated for the tourism department - www.findingfairfield.com. They would also have an app to coincide. They would do a lot of filming and producing to highlight some of the local activities. They would use \$5,000 for the visitor's guide (had to be updated yearly) and the relocation guide. They would use \$38,000 for the start up for a Visitor's Center. He contacted the Association of Chamber of Commerce Executives and visited some of their offices/centers in order to get ideas. Mrs. Swearingen said there were no companies/people moving there yet and she did not understand the need to be in a rush. Mr. Pullen said only \$1,500 of the request would go toward the relocation guide. Houses were put on the market and sold quickly and they hoped to have a housing developer come in and expand those incoming. Those funds would go to the local realtors for the sale of homes to those moving into Fairfield County. Mrs. Greene asked why it was not pro-rated - they were already six months into the budget. Mr. Pullen reminded Council that he started in his position in October, which meant he was not a part of the budget process. The request before them was one of the first initiatives he had coming in - to revitalize tourism. The request was from January to July. Mrs. Swearingen said since he was asking for \$70,000 for six months did that mean he would need \$140,000 for a year? He said no because some of the funds would not be recurring - some would be one-

time appropriations. Mr. Pauley thanked him for his work and said he knew him for a long time and anything he was involved with he was dedicated to. He operated a business in Blythewood and the Blythewood Chamber of Commerce seemed to host events every weekend at Doko Manor. He would love to see that many events in Fairfield County – bringing tourism there as they did in Blythewood. People were continually walking in the Blythewood office asking what was next on the event calendar. He wanted to see the same growth in Fairfield County. He knew Mr. Pullen was the person to make that happen. He visited the Chamber office recently and he noticed two things – the small, unattractive space and the ceiling was falling in. He did not feel that was an attraction for the public and thought they needed a better space to work and promote tourism. Scout was coming and he was certain they would see growth and they needed to be ready for it. He asked Mrs. Johnson if she would explain where the funds would come from. She said the funds would come from the state Accommodations Tax fund – it was tourism related. The balance in the account was \$220,000. It did not include any type of revenue because at year-end a calculation was done and they received monies from the state – approximately \$100,000 would go into the account. Mrs. Swearingen clarified that the funds would not come from the general fund and Mrs. Johnson said that was correct – they would come from the state. Tourism related and tourism promotion monies had to be kept in a separate account and there were stipulations as to how those funds could be used. Mr. Robinson said when they initially brought up the idea of the H-tax the idea was for tourism. The idea in 2018 was to bring it towards the interstate. He did a lot of traveling and from his perspective, they were far behind. There were counties that were less fortunate than them financially but they had welcome centers and gateways. Change was coming and they needed to be ready and support Mr. Pullen. Mr. Ruff agreed and said he was a member of the Chamber for a long time. They needed to be aggressive and look for opportunities to bring in tourism and industry. Mr. Robinson said he agreed with the Chair that there was a time and place for finances. Mr. Pauley offered correction if he sounded like the Blythewood Chamber was way ahead of them. He thought the Fairfield Chamber did an outstanding job. He asked how many events did they host per year. Mr. Pullen said they had 18 major events on their calendar and they were working to revamp every event. That year, Rock Around the Clock (their biggest event) would celebrate its 25th year anniversary and they were working to ensure it was the best they had ever seen. Mr. Pauley thanked him and said every event in Blythewood may not be a Chamber event – he may have assumed that it was. He asked if he had a location in mind for the new center. Mr. Pullen said they put out bids and had a location in mind. They were in negotiations but he was not at

liberty to discuss it publicly due to such but would be happy to talk with Council off the record if any were interested. If the negotiations were in their favor, they would rent and could renew. ***The motion carried 7-0.***

- C. First Reading (By Title Only) Ordinance No. 830:** An Ordinance Of The County Council Of Fairfield County Approving An Application To The Central Midlands Council Of Governments For Certain Amendments To The 208 Water Quality Management Plan For The Central Midlands Region, A Supplement To An Intergovernmental Sewer Infrastructure Agreement And Other Matters Related Thereto. Motion made by Councilman Ruff, seconded by Councilwoman Greene. ***The motion carried 7-0.***

- D. Emergency Ordinance No. 831:** An Emergency Ordinance By Fairfield County Council Authorizing The Use Of Emergency Procurement Procedures And The Purchase Of Two Used Ambulances So As To Provide For The Safety Of The Citizens Of Fairfield County And Other Matters Related Thereto. Motion made by Councilwoman Greene, seconded by Councilman Gilbert. Mr. Morgan said SC Code annotated 4-9D-130 (part of the SC Home Rule Act) stated that Council could pass or adopt emergency ordinances" to meet public emergencies affecting life, health and the safety of the people". In the opinion of Administration staff, it justified bringing it before Council to make a finding to that effect and to allow Council to utilize the emergency procurement process. Because it was an emergency ordinance, it could pass with one reading. Likewise, the ordinance authorized administration to utilize the emergency procurement procedures to use best efforts to get the best pricing. Mrs. Johnson said they were asking for two used ambulances. Their EMS vehicles were deteriorating – one vandalized and two were very old. The manufacturer of the vehicles was no longer in business and it would be difficult to repair the vehicles. They also had some in the shop for two weeks or more and they had to be re-inspected before they could go out. They were hoping the two used ambulances would be about \$140,000 each but there was \$999,000 in insurance refund proceed that they would use to offset that amount so they would actually be looking at about \$200,000 or less. Mr. Pauley apologized to the Boulware Family and asked if they could pause and make the presentation of the resolution to the family. All agreed. At the continuation, Tim Martin (EMS Director) said they reached a very bad breaking point in their units. Since his time as Interim/Director, their response time decreased over two minutes -10 minutes and 13 seconds and in July it was over 13 minutes - and they were down to nine openings. Their fleet was averaging over 200,000 miles. They ordered new units but they would not arrive until the end of 2025 first of 2026. They planned to refurbish some of their current units in the upcoming budget years. The cost savings to the taxpayers would be significant with the purchase of the used vehicles. Their

maintenance shop was not designed to work on diesel engines and they were transitioning to gasoline with the three new oncoming units. It would help with maintenance and fuel costs. Mr. Ruff asked if the used units were in good condition and he said yes, one was a 2017 and would be the second oldest unit in their fleet and the other was a 2019. Mr. Ruff asked when they would be put in service and he said they were in West Jefferson, NC. His plan, if approved, was to move that week to procure the units. It would take 1-2 weeks to get the graphic designs put on. He hoped to have them in service by the turn of the calendar year if not shortly after. Mrs. Swearingen asked how many units they would have with those two and he said eight. She asked how many he needed to be fully functional and he said they were designed for 11 units. Medic One was no longer road worthy, Medic Four (last resort unit) had the same manufacturer as Unit One and Unit 11 (Taylor Made). Unit 11 was vandalized and they had not yet received information regarding the insurance reserve coming to look at the unit. The adjuster said since the manufacturer has been out of business for years, it would be very costly to find someone to fix it. She asked if the vandalized unit in Blair would possibly be totaled with an insurance payout and he said yes. They planned to start moving the fleet so the mileage was more evenly spread. She asked how many new units did they approve and he said three but they would not arrive until the end of 2025 or beginning of 2026. Mrs. Greene clarified that they were getting three new units and he confirmed. Mr. Pauley asked the average life span of a unit and he said most units became problematic when they reached 200,000 miles. The patient module box was the most costly item in the unit. They could use the boxes from the two used units to place new chassis on and save the county money in the future. Mr. Pauley thanked him and said a citizen reached out to him recently and wanted to recognize two of his employees – Maggie Fergusson and Aaron Kim. She said they were outstanding and very professional. Mr. Martin asked for more information so he could properly recognize them and Mr. Pauley agreed to get him that information.

The motion carried 7-0.

- E. Resolution No. 2023-06:** A Resolution By Fairfield County Council to Name the Blackstock Mini Park After John Melvin Boulware. Motion made by Councilman Gilbert, seconded by Councilman Ruff. ***The motion carried 7-0.*** The resolution was read, presented to the family and pictures were taken.
- F. Resolution No. 2023-07:** A Resolution by Fairfield County Council to Transfer Up To \$1,517,000 in General Funds Previously Approved by Fairfield County Council for the Purpose of Funding the Construction of the Speculative Building Located on Parcel Nine in the Fairfield Commerce Center and Other Matters Related Thereto. Motion made by Councilwoman

Greene, seconded by Councilman Gilbert. Mr. Robinson asked for an explanation. Mrs. Johnson said the prior Council approved two ordinances (788 in February 2022 & 804 in December 2022) that totaled \$1,517,000. Within the ordinances, it specifically stated the funds would come from fund 406, which was the Walter B. Brown Industrial Park. When she went to fund 406 to transfer the monies, it had a zero fund balance. The purpose of the resolution was to carry out the ordinance previously passed but the funds could not come from 406 because there was no money in that account. The proposed resolution stated the funds would come from the general fund. Mrs. Swearingen asked where the funds went. Mrs. Johnson said she tracked it and found \$751,915 was transferred to a spec development account for parcel 7 in September 2022. Mrs. Swearingen asked what happened to the \$800,000. Mrs. Johnson said she did not know. She specifically looked at fund 406 and what the ordinance stated. It would take a lot of time to try to figure out. She knew how much was transferred from 406, which was where the funds were to be taken from. After the \$751,000 was transferred, there was nothing left in the account. Mrs. Swearingen asked who transferred it and Mrs. Johnson said it was a journal entry done by the former Finance Director. In order for her get more information, it would take time and she would need to talk to the former director. Mrs. Swearingen said she thought it needed discussion - \$800,000 could not just flip up. Mrs. Johnson said it was probably put in another account but she did not know what other account. She was sure it did not evaporate or disappear - it could have been transferred into the general fund. To find out exactly where it went, she would need assistance because the entire journal entry would have to be ran to figure out what went where. Mr. Robinson asked if it needed Council approval. She said yes the resolution would need Council approval. The amount was already approved - it was the source. Mrs. Swearingen said she thought they needed to know where the funds went. Mr. Ruff asked if they should table it and Mrs. Johnson said they were obligated and there were invoices that needed to be paid based on the \$1.5 million. It was already approved by Council to allocate the funds to the project. Mr. Pauley said Mrs. Johnson could research where the money went but they had to approve the resolution to pay for the invoices. Mrs. Johnson said she would research the issue but it would take time. The \$1.5 million was already approved by prior Council and was obligated for that project. *The motion carried 7-0.*

10. BOARD AND COMMISSION MINUTES (For information only)

A. Behavioral Health Services - 7/17/23, 8/21/23, 9/18/23, & 10/16/23

11. BOARD AND COMMISSION APPOINTMENTS

A. Library Board – Lisa Cathcart (District 7)

Motion made by Councilman Gilbert to appoint Lisa Carthcart to the Library Board for District 7, seconded by Councilman Ruff. Mr. Pauley ensured that Ms. Cathcart resided in District 7. *The motion carried 7-0.*

12. OLD BUSINESS

A. Ridgeway Recreation Center Ribbon Cutting Update – Mrs. Williams said the final punch list was completed but they would postpone the ribbon cutting until after the first of the year in order to get the center fully staffed. The Parks & Recreation Director was currently advertising and interviewing. Once staff was in place, the ceremony would be scheduled.

B. Short-Term Rental Update – Mrs. Williams said the short-term rental public meeting was held November 21st. It was well attended with good feedback. They would work with Director Thompson to incorporate the received comments. They had a meeting with a local AirBnB representative who reached out to them because they knew the County was looking to create an ordinance. They learned a lot about the controls they had in place to address some of the same citizen concerns. After the New Year, they would schedule a meeting with the committee to talk about the public meeting and the recommendations so they could finalize the ordinance to bring before Council for a vote.

13. NEW BUSINESS

None.

14. COUNTY ADMINISTRATOR'S REPORT

A. Introduction of New Project Manager – Mrs. Williams introduced Robert Lathrop. She reminded Council that they approved the hiring of a Project Manager for construction and engineering services from the Rural Stabilization funds. Mr. Lathrop grew up in Aiken, SC and graduated from Clemson University in 1983 with a BS in Civil Engineering. He worked in state and municipal government on several engineering projects and private sector business development. He also spent 17 years as a country director in Nicaragua for a mission agency providing construction services. The last four years, he was a construction director for a ministry in Florida providing homes for the homeless. He and his wife, Murray, had three children. He was excited because he bought property in Winnsboro in 2018 and hoped to move there and with the position, he was able to do so.

B. Formation of State Accommodations Tax Committee – Mrs. Johnson said per state law they were required to form an Accommodations Tax Advisory

Committee for the state accommodations fund – not their local. It had to have seven members – two from lodging sector, two from hospitality, one from cultural interest and two at-large. They would put an application on the website in January for those interested in serving on the committee. The intent of the committee was to look at budget requests (made during the budget process) and make recommendations to Council.

- C. FJWSS Update** – Mrs. Johnson said a letter for request of interest for professional engineering services for the plant system design and delivery was posted that day on the website. The letter gave interested parties an opportunity to ask questions before the request for qualifications for the plant went out. The deadline for written questions was December 20th and interviews, if any, would be January 8th. The due date for the letter of interest would be January 17th. It would give them a preview of who may turn in proposals for the RFQ.
- D. Food Box Distribution** – Mrs. Johnson announced a food box distribution on December 19th. The five locations were Geiger Elementary, McCrorey Liston, Fairfield Middle, the Airport and Mitford Fire Station. It would begin at 5p but if the Sheriff Deputy at the sight deemed it necessary to begin earlier due to traffic, they would have to start earlier. The citizen must show an official ID, tax bill, etc. proving Fairfield County residency. They would distribute one box per household, it would be first come first served and you had to be present to receive a box. Mrs. Greene said there were some home bound people and Mrs. Johnson said she was aware but there was no way to prove who a person was picking up a box for without proper identification.
- E. 2024 Point In Time Homeless Count** – Mrs. Williams said Fairfield Forward and United Way of the Midlands would host the 2024 Point In Time Homeless Count. It was a homeless study conducted each year by HUD. The pit counts were used as a primary data source to inform federal funding for programs and services to end homelessness and to track progress against establishments. Fairfield County had not had a pit homeless count done in several years. It was one of the draft recommendations mentioned during the housing study. They were asking for volunteers to conduct the counts and those interested could contact Eric Rosdail at 803-429-5510. They would provide training, which would be conducted one week before the count (January 24th). Mr. Rosdail was also coordinating with EMS, fire and Sheriff's office because he wanted public safety working with the volunteers.
- F. Common Drive Acceptance Policy** – **ACTION ITEM** – Mrs. Williams said it was listed as an action item but they were not asking for a vote that night. She said Council received a draft copy of the policy for acceptance of private dirt and gravel roads. Earlier in the year, they worked on updating the County's road maintenance policy and procedures to remove common driveways. If there were citizens who wanted to turn their road into a county

road, Administration agreed to develop an application procedure to make it a public road. What was before Council was a draft. It could not be a private driveway, there had to be at least five occupied residents on individually owned properties, directly accessible by a public road and the road surface had to be at least 16 feet wide. Every property owner abutting the drive would have to sign the application and after review from the public works department, would come before Council for approval. The citizen(s) would have to dedicate the associated right-of-way to Fairfield County in the event the County had to do any additional maintenance on the road. She encouraged Council to review the draft and relay questions/concerns as they continued to work on the draft.

- G. Recommended Recipients of Local Accommodations & Hospitality Tax Funds – ACTION ITEM** – Mrs. Johnson reminded Council of the applications they received, Administration's recommendations and supporting documentation. She reiterated the importance of following the application guidelines. For those applying, she said please, please include all of the required information and documents in order to be considered for the grant. She said several times that they were there to help and if there were questions or comments they would help with the application. Any incomplete applications would be automatically denied with no follow up call from Administration. They received five applications. Mr. Pauley asked if the recommendations were based on a committee that was formed for that purpose and she said yes, there was a committee of four members. They spent an average of two hour per application and their recommendations were unanimous. They went solely by the guidelines and said although it was a local grant, if it were a state or federal grant and required information was missing, it would automatically be denied. Mr. Pauley said he wanted it on the record that there was no Council involvement in the recommendation process. Mrs. Johnson said Council was not consulted nor did they receive the packets prior to the recommendations. Mr. Gilbert asked if they had to abide by the state rules although it was a local committee and she said yes, they still had to abide by the SC Code of LAWS regarding Accommodations and Hospitality Tax funds and those laws were stated in the application. The committee unanimously approved two of the five applications – they included all of the information requested. They wanted to send a detailed letter to those denied explaining the reasons they were denied – if was ok with Council. They approved the Railroad Museum for \$186,000 and the Town of Ridgeway for \$49,655.53 for a total of \$235,655.53. Mr. Robinson made a motion to approve, seconded by Councilwoman Greene. Mr. Gilbert said he read through the applications and wanted to know if there were other funding sources available during budget to help one of those that was denied and she said yes. Mr. Ruff said he was glad that those entities received funding

but was disappointed that the AG & Art and the Farmer's Market were denied. He would like to find a funding source to help them. He believed in them and what they did to promote tourism. Mrs. Johnson said they would take a recommendation from Council or bring a recommendation back to Council. Mr. Pauley agreed with Councilmen Ruff and Gilbert. He would appreciate any help they could give them. He understood the application process had to be done a certain way and he asked for Administration to come back with a recommendation. Mrs. Johnson agreed to come back with a plan and said the funding would have to come from the general fund. Mr. Ruff said the total for the two awarded was about \$240,000 and the amount for AG & Art and the Farmer's Market was less than \$155,000 and he was hopeful that they could support them. Mr. Gilbert asked if the monies came from the general fund, would it require a budget amendment and she said yes. He said they just heard from the Chair that they would not do any more budget amendments. Mrs. Johnson said she had a contingency account already budgeted and approved by Council that would cover it. ***The motion carried 7-0.***

- H.** November 2023 Finance Report – Mrs. Johnson said the Council received the report and to call/email her if they had questions.
- I.** Audit Update – Mrs. Johnson said the audit was going well. They were providing documents as requested. She reminded them that the audit did not begin until November. They received notification that legislation passed allowance for all counties to request a 90-day extension without having state funds withheld, if needed. They requested the extension because they did not know when the audit would be finalized. They did not anticipate using a three-month extension but they requested it just in case. They received a letter from the state approving the extension. Mr. Ruff asked if some of the issues were with the audit firm. Mrs. Johnson said the reason for them not being scheduled was due to not being prepared for the fiscal year 2022 audit. Because they were not prepared, the audit firm worked with those counties and other entities that were prepared. She said Finance Director Beverly Mozie was ill and could not attend the meeting but was well versed regarding the information she was about to give. She said thus far, they paid the IRS in penalties and interest \$1,184,417.11. She said tax year 2017, IRS forms (1094 and 1095 – healthcare forms) were submitted in a timely manner but they contained errors. Those forms were not successfully submitted to the IRS until February 15, 2023, which resulted in them paying \$386,379.51 for that occurrence. She said for tax year 2019, the quarterly report 941 for the quarter ending 12/31/19 was due January 31, 2020. According to the letter received from the IRS, it was not paid in full and was not received by the deadline – it was received March 2020. The finance department received letters around May/June 2023 and they had to pay

\$378,682.76. It was paid June 2023. If taxes and forms were late, the IRS started to calculate penalties and interest and it continued to accumulate until it was paid. She said tax year 2020, a quarterly report for December 31, 2020 was not filed in a timely manner and as a result, they had to pay \$390,027.18 and that check was cut June 14th. She said tax year 2021, the quarterly report for December 31, 2021 was filed twice. The IRS sent a letter stating they had filed it twice and they combined both returns. They determined the taxes that had not been remitted and added the penalties and interest. That amount was \$29,327.66. She said tax year 2022, the quarterly report for September 30, 2022 was due October 2022 and (with the changing of staff) was never submitted to the IRS. Finance prepared and submitted the report in June 2023 and they had not yet received a bill for that occurrence. Mrs. Mozie has talked to the IRS three or four times to try and figure out the bills and she was told verbally that the bill was \$214,133.96. Mrs. Mozie was also told in her conversations with the IRS that for tax year 2021 the healthcare forms were never submitted. It was left to the current staff to submit the forms. There would be a delay due to new staff needing new user ID's and passwords from the IRS and they had already requested them. According to the standard language from the IRS, it could take up to 45 days. Finance/HR could not submit those forms until they received the credentials. She asked Mrs. Mozie out of respect to call the former Finance Director to get an understanding of the information received from the IRS. The former director sent an email to Council referring to the healthcare forms but no comments were made about the quarterly reports that were discussed with her via phone with Mrs. Mozie. Her email to Council also stated that she was not aware of any letters that may have come after she left her position and she had no knowledge of the other letters. She explained in the emails that she sent some appeals but Mrs. Johnson said they had not been able to find any correspondence regarding the tax years 2019-2022. Mrs. Johnson said her concern was when submitting an appeal one must include what happened and she does not understand why all of those occurrences happened – the untimely filing, not filing at all. The \$1,184,417.11 had already been paid – what was yet to be paid was \$214,133.96, which would be paid once the bill was received. The total of both was \$1,398,551.07, which did not include tax year 2021 healthcare forms that had not yet been submitted due to lack of user ID and password for the new staff. She anticipated additional fees for late filing. She said Mrs. Mozie emailed her regarding the phone conversation she had with Mrs. Bass and Council had that. Mrs. Swearingen asked if the \$1.5 million was taxpayer money and Mrs. Johnson said yes. Mrs. Swearingen said it was absolutely inexcusable. They wanted transparency and needed to know why that happened. Mrs. Johnson agreed and said they went to the source. Mrs.

Swearingen asked as the Finance Director would one not know when the reports were due and she said yes ma'am. Mrs. Swearingen asked Attorney Morgan what could be done and he suggested going into executive session if they wanted more information. Mr. Robinson asked if they were looking at approximately \$1.8 million in fines and Mrs. Johnson said at that point it was \$1,398,551.07 and he asked if they still had to find the \$1.5 and she said yes. She said those amounts were unbudgeted and had to come from the fund balance. The finance department was currently sending the reports via certified mail requesting a receipt because the burden of proof would fall on them. It was helpful because they received a letter stating they did not remit something and they were able to send a copy of the receipt.

15. CLERK TO COUNCIL'S REPORT

None.

16. COUNTY COUNCIL TIME

Mr. Ruff said he hated to receive bad news right before Christmas and he wished everyone a Merry Christmas and a Happy New Year.

Mrs. Greene said ditto.

Mr. Pauley thanked everyone for attending the meeting and wished everyone a safe holiday season.

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 and discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property for use as a suitable wastewater treatment plant site pursuant to S.C. Code Ann. Section 30-4-70(a)(2).
- B.** Receipt of legal advice and discussion of employment of county administrator pursuant to S.C. Code Ann. Section 30-4-70(a)(1).

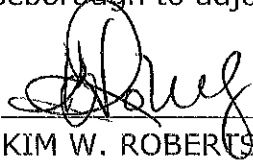
At 8:57pm, motion made by Councilman Ruff, seconded by Councilman Roseborough to go into executive session. ***The motion carried 7-0.***

At 9:29pm, motion made by Councilman Ruff, seconded by Councilman Gilbert to come out of executive session. ***The motion carried 7-0.***

Mr. Pauley said no action was taken during executive session.

18. ADJOURN

At 9:30pm, motion made by Councilman Robinson, seconded by Councilman Roseborough to adjourn. ***The motion carried 7-0.***



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



DOUGLAS PAULEY
CHAIRMAN