



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
FEBRUARY 26, 2024**

Present: Clarence Gilbert, Cornelius Robinson, Dan Ruff, Shirley Greene, Tim Roseborough, Doug Pauley, Peggy Swearingen, (Council Members); Clay Killian (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 Ruff, seconded by Councilman Gilbert to approve the agenda. ***The motion carried 7-0.***

4. INVOCATION

Councilman Timothy Roseborough led the invocation.

5. APPROVAL OF MINUTES

Motion made by Councilman Ruff, seconded by Councilwoman Greene to approve the minutes from the Regular Meeting 1/22/24, Regular Meeting 2/12/24, and Special Call Meeting 1/31/24. ***The motion carried 7-0.***

6. PUBLIC PRESENTATION

A. Andrew Bateman – Acting Director of the Office of Regulatory Staff

Mr. Pauley said in response to citizens asking about broadband, he invited Mr. Bateman to give an update. Mr. Bateman could not attend and introduced Jim Stritzinger, the Director of Broadband Office. He presented a PowerPoint presentation – **PLEASE SEE ATTACHED.** He said they tried to update the

state's map every six months. The South Carolina General Assembly allocated \$400 million to their office in May 2022. Instead of using it all at once they decided to issue it in grant programs. They awarded money to internet service providers through grants – they mapped and invested. He noted that the investment happened first and then the construction, which could take up to two years. His office had a \$30 million budget when he started and less than two years later their budget grew to \$1 billion. They had enough money to connect every home in South Carolina. They opened a new grant program on February 12th (ARPA 3.0) to deploy the balance of the \$400 million from the General Assembly, which was about \$40 million. They needed to be fully committed by December 31, 2024 and then another two years for construction. They were also planning for the next major funding of broadband investments of \$551 million coming to South Carolina in the latter part of 2025 – it was called the BEAD program, which was designed to connect every single home in the United States. All fifty states would work to deploy those funds. Mr. Pauley asked if he knew approximately the percentage of coverage Fairfield County had and Mr. Stritzinger said roughly 8,000. Mr. Pauley asked if he had an estimated timeline for full coverage and he said it was difficult for him to predict. They had to open a fair and competitive grant program and they accepted applications from all over the United States. Those applicants and approvals was what got the job done. Mr. Pauley asked if reaching out to the Broadband Office would help beyond what his office was already doing and he said no - they needed applicants to fill in those needed areas. Mrs. Greene asked to him to explain SCadigitaldrive.org and the capabilities it provided for citizens. He said they put all of the broadband maps on the site and they were updated regularly. It also provided the capability for citizens who did not have internet services in their homes to fill out a survey and be matched with an internet provider. There were tools for elected officials to see their service areas and how many constituents were receiving services. Mrs. Swearingen asked if there were children that needed internet in their homes, could their parents log into the website and fill out the survey for help and he said yes – they had a map of the priority areas and they were working to cover those as soon as possible. Their goal was to have investments by June 30th. She said her area was blue on the map but they still did not have coverage. He said it meant there was investment in place but the construction may not have been completed yet.

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.

- John Jones
- Don Goldbach
- Ann Corrao
- Randy Bright

8. PUBLIC HEARINGS

None.

9. ORDINANCES, RESOLUTIONS AND ORDERS

A. First Reading (By Title Only) Ordinance No. 831: An Ordinance of Adopting the Comprehensive Plan for Fairfield County, South Carolina 2024-2034 and Other Matters Related Thereto. Motion made by Councilman Gilbert, seconded by Councilman Ruff to approve. ***The motion carried 7-0.***

B. First Reading (By Title Only) Ordinance No. 832: An Ordinance to Amend the Fairfield County Land Management Ordinance No. 596, to Provide for the Zoning Reclassification from R-1 (Single Family Residential District) to RD-1 (Rural Residential District) for 2.39 Acres Owned by John Kern (Applicant), 5994 State HWY 215S, Jenkinsville, South Carolina 29065, Tax Map No. 139-03-01-023-000. Motion made by Councilman Ruff, seconded by Councilman Gilbert. ***The motion carried 7-0.***

10. BOARD AND COMMISSION MINUTES (For information only)

None.

11. BOARD AND COMMISSION APPOINTMENTS

None

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COUNTY ADMINISTRATOR'S REPORT

A. Council Work Session – February 28, 2024

Mr. Killian reminded Council of the work session to be held at Midlands Technical College (Farrow Road Campus) beginning at 9a.

B. Town of Ridgeway Accommodations Tax Reallocation – ACTION ITEM

Mr. Killian stated they had a briefing document regarding the Town of Ridgeway receipt of Accommodations Tax monies from the County in the amount of about \$50,000 for the museum. The project came in under budget and left a balance of about \$17,000 and the Town was requesting those funds be used to further the museum renovations. Motion made by Councilman Ruff, seconded by Councilwoman Greene. ***The motion carried 7-0.***

C. Private Road Acceptance Policy – ACTION ITEM

Mr. Killian said they were asked if they could work on private driveways and common roads. Mr. Morgan told them on numerous occasions that it was not permissible under state law. They tried to find a way to allow roads to be accepted into the system, which was what the policy was about. They received a draft in December that said the roads needed to be brought up to SCDOT standards at the expense of those who lived on that road. It would be the applicant's responsibility to get all on that road to agree to the application, dedicate the right of way to the county, dedicate drainage easements and remove any utilities, fences, gate posts, etc. The roads would need to be presented to the county in the same condition as any other public road at the homeowner's/those owning property on that road's expense. Once public works inspected the road and agreed that it met the requirements, it would be bought before full Council for a vote. He said there was a bill in the General Assembly that would allow those things to happen but it had not passed yet. As it was currently, they could not work on private roads and that policy was a way for citizens to make their property public so it could be maintained by the County. Mrs. Greene asked how citizens would be notified and he said they would be given instructions/information when they called and they could also send out a press release. Motion made by Councilman Gilbert, seconded by Councilman Roseborough. ***The motion carried 7-0.***

D. IRS Penalties Update

Mr. Pauley said regarding questions asked about the penalties, he asked Mr. Killian to give an update. He said before Mrs. Johnson left, she and Mrs. Williams were doing everything in their power to appeal the penalties.

Mr. Killian said they started looking at the data base of employees because one of the questions from the IRS was who was eligible for insurance. He thought their data base may have caused some confusion and it might be the basis for part of an appeal. After reaching out to Congressman Norman's office, Mrs. Williams provided them with requested information. He did not know if they forwarded that information to the IRS but they said they would not expect a response from the IRS for at least 30 days. He also talked to the auditor's, Mauldin & Jenkins. They had a separate tax division

based in Macon and one of the things they did was IRS appeals. They were going to submit a proposal to look at the county's situation to see if the county had a defensible appeal. He hoped to hear from them in the next few days.

15. CLERK TO COUNCIL'S REPORT

None.

16. COUNTY COUNCIL TIME

Mr. Ruff said he spoke to Mrs. Williams and was told the audit was still scheduled for March. Mr. Killian said March 11th was the target date and they had a draft in hand that they were reviewing. After the audit, Mauldin & Jenkins would look at their closeout processes so they could have their books closed and ready for them to be audited at the end of the year.

Mrs. Swearingen said she asked Fire Chief Jamie Webb for an update on the fire departments. He said they had six full time fire fighters, one part-time firefighter (at the Lebanon fire station) and eight fire stations without staff (that included the sub stations). They had a total of 15 fire stations and sub stations and seven of those had either full time or part-time staff. They had a county wide ISO rating of five, which was calculated based on living within five road miles of a station. She was concerned about the western part of the county. Chief Webb told her that Jenkinsville had a full time fire fighter, Lebanon had a part-time fire fighter and the Jenkinsville staff went between Blair and Feasterville – checking equipment and if there was a fire during that time he would attend to it. They received the used ladder truck and the rescue truck and were getting the decals for them. One of the three fire trucks ordered should be there in October. He said last year they did 241 home safety visits where they installed free smoke alarms and at that point in 2024 they did 83. She encouraged everyone to take advantage of that program by calling the fire department.

Mr. Pauley said he was asked if Council would provide additional funding for the Farmer's Market. He said the budget would be coming up in April and Council would make that decision at that time. He was also asked about the wastewater treatment plant. He asked C.D. Rhodes (Fairfield County, Town of Ridgeway and Winnsboro representative from the Joint Water Authority) to give an update.

Mr. Rhodes said throughout 2023, the Joint System and its members made pretty good progress. They secured a SKIP grant to fund the Winnsboro connector, which would redirect some existing flow from the County's Industrial Parks down a new line on Peach Road up 321 to Winnsboro's treatment plant. It would increase the County's wastewater treatment capacity to continue to grow the existing industrial parks and the Peach Road area in general. Winnsboro currently had about half a million gallons of capacity at its

plant but due to some capacity restrictions that ran within the line which ran along Highway 34, the capacity was not accessible. When the project was completed, they would have access to that half million gallons of capacity. It was a big step in making the new plant feasible. They were going to build a new plant on the Broad River and a new transmission line to run to the plant but the plant would do no one any good if there was no wastewater for it to treat. There was a minimum amount of wastewater needed in order to make those plants run efficiently and cost effectively. The Winnsboro connector would allow the county to continue to grow its industrial parks, the southern area of the county and the wastewater capacity. They needed to ultimately get somewhere between 300,000-400,000 gallons of capacity to run through the transmission line out to the plant on the Broad River. If they did not have anywhere to send it in the interim and to treat the wastewater generated by those customers then there was no way to bridge the gap between where they were currently to where they needed to be when the new plant came on line. In addition to receiving the grant, they negotiated contracts between the County, the Joint System and Winnsboro to fund the portion of the line that was not covered by the grant and for Winnsboro to operate the line until the new plant came on line. They were currently negotiating some amendments to agreements that they previously entered into that dealt with the reallocation of 208 Management areas within the county. He said 208 plans were nebulous documents that were really long-term wastewater planning documents which designated particular entities that were responsible for long-term wastewater planning within individual areas. Currently, Winnsboro was called the Management Agency for most of southern Fairfield County. As the Joint System stepped in to own all of those wastewater assets, those customers would be customers of the Joint System once it was up and running. It made sense that the Joint System would be the Management Agency for that area. As of that day, they were trying to finalize some of those agreements. Once completed, the immediate next step would be to apply to the Central Midlands Council of Governments, specifically their EPAC committee for them to approve their requested amendments to the 208 Plan, which included the reallocation of Management Areas and the general location of the plant on the Broad River. He hoped they would submit the application in the spring and be in front of them late spring or early summer to start the process. It was important because the 208 process was the prerequisite for applying for the construction and discharge permits for the new plant. The lead time was 18-24 months typically. He did not want them to think that they needed to start construction on the new plant the next day. If they had all of their permits, they would not start moving dirt the next day because they needed a certain amount of wastewater capacity to run the plant. They needed to build on the capacity through industrial parks or general development. It would be several years in

process to have manufacturers come into the industrial parks, new residential subdivisions, and new businesses - all of that would generate wastewater. They accomplished more in 2023 than the other years combined and they were continuing to move forward.

Mr. Pauley said sometimes people thought the County, the Town of Winnsboro and the Town of Ridgeway were dragging their feet but he (Mr. Rhodes) assured them that they were working daily. Mr. Rhodes agreed and said joint systems existed so that different local governments could come together to do something that they could not do on their own. This was a prime example. Although Winnsboro might not be writing the big checks like Fairfield County was, they were contributing in their own way by agreeing to treat the waste until the new plant came online and allow them to build the customer base for the joint system. They were all working together to get it done. Mr. Pauley thanked him.

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 regarding the lawsuit Town of Winnsboro vs. Fairfield County, C/A No. 2022-CP-20-00105, and other matters covered by the Attorney-Client privilege pursuant to S.C. Code Ann. § 30-4-70(a)(2).
- B.** Receipt of Legal Advice and Discussion of Negotiations Incident to Proposed Contractual Arrangements with the Fairfield Joint Water and Sewer System Pursuant to S.C. Code Ann. § 30-4-70(a)(2).

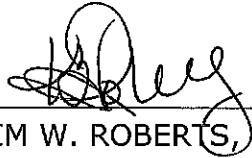
At 7:00pm, motion made by Councilman Ruff, seconded by Councilwoman Greene to go into executive session. ***The motion carried 7-0.***

At 8:05pm, motion made by Councilman Ruff, seconded by Councilwoman Greene to come out of executive session. ***The motion carried 7-0.***

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

18. ADJOURN

At 8:05pm, motion made by Councilman Ruff, seconded by Councilman Gilbert to adjourn. ***The motion carried 7-0.***



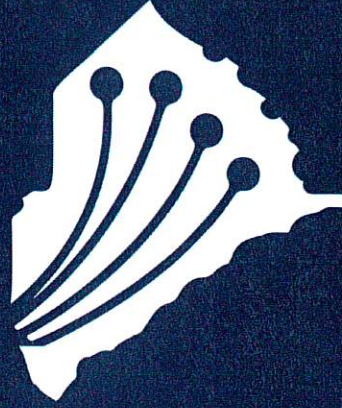
KIM W. ROBERTS, Ed. D.
CLERK TO COUNCIL



DOUGLAS PAULEY
CHAIRMAN



**BROADBAND
OFFICE**



Broadband | The Road Ahead

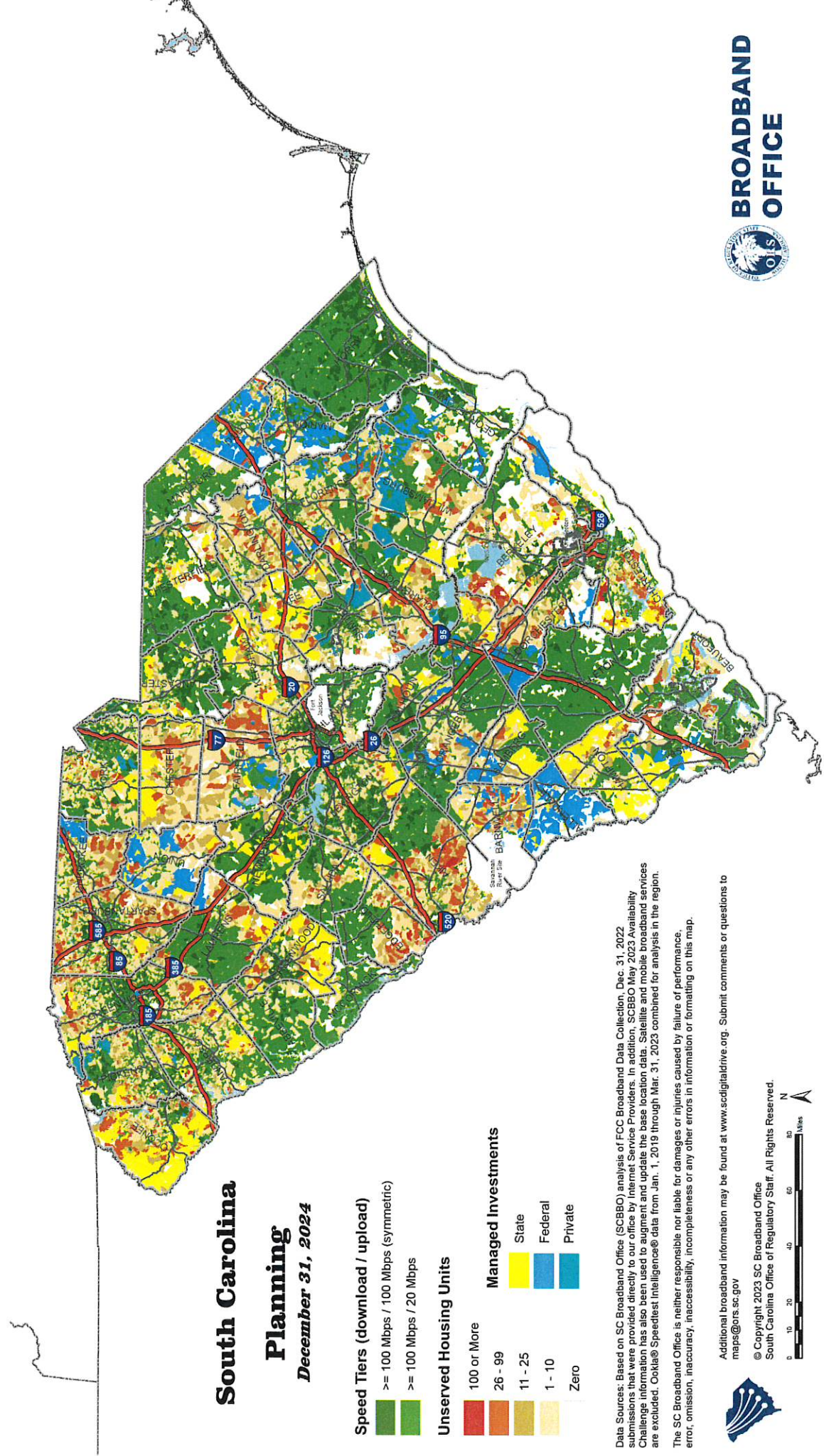
Closing the SC Digital Divide

South Carolina Office of Regulatory Staff | February 26, 2024



2023 Awards

- Esri | Special Achievement in GIS
- SC Information Technology Director's Association | Innovation Award



South Carolina

Planning

December 31, 2024

Speed Tiers (download / upload)

- >= 100 Mbps / 100 Mbps (symmetric)
- >= 100 Mbps / 20 Mbps

Unserved Housing Units

100 or More
26 - 99
11 - 25
1 - 10
Zero

Managed Investments

State
Federal
Private

Data Sources: Based on SC Broadband Office (SCBBO) analysis of FCC Broadband Data Collection, Dec. 31, 2022 submissions that were provided directly to our office by Internet Service Providers. In addition, SCBBO May 2023 Availability Challenge information has also been used to augment and update the base location data. Satellite and mobile broadband services are excluded. Ookla® Speedtest Intelligence® data from Jan. 1, 2019 through Mar. 31, 2023 combined for analysis in the region. The SC Broadband Office is neither responsible nor liable for damages or injuries caused by failure of performance, error, omission, inaccuracy, incompleteness or any other errors in information or formatting on this map.

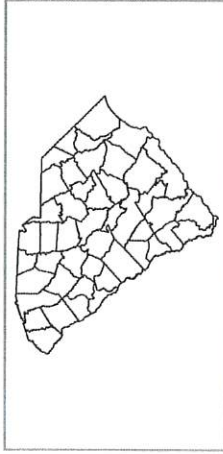
Additional broadband information may be found at www.scdigitaldrive.org. Submit comments or questions to maps@ors.sc.gov
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South Carolina Statewide

Statistics

March 31, 2023



Population

Population estimates are calculated by multiplying Dec. 2022 FCC Broadband Servable Locations (BSL) times an appropriate residents per BSL.

Public K-12

K-12 student data reflects the subset of public school students which have been geocoded as of September 30, 2022. Student data was provided by the SC Department of Education.

Residential BSL Units

A Residential Broadband Servable Location (BSL) is a house, an apartment, a mobile home, a manufactured home, or a group of units in a building which have direct access to the outside of the building or through a common wall. Dec. 2022 FCC BSL data is used in all calculations separately from any other persons in the building and which have direct access from the outside of the building or through a common wall.

Qualified Residential BSL Units

Qualified BSL are located within Difficult Development Areas (Qualified Census Tracts) as determined by the US Census Bureau. Data was provided by the US Census Bureau. Census 2020 translation was done by the SC Broadband Office (SCBBO).

ACP

The Affordable Connectivity Program (ACP) is an FCC benefit program that helps ensure that households can afford the broadband they need for work, school, healthcare and more.

Data Sources: Based on SC Broadband Office (SCBBO) analysis of residential FCC Broadband Data Collection, Dec. 31, 2022 submissions that were provided directly to our office by Internet Service Providers. In addition, SCBBO May 2023 Availability Challenge information has also been used to update the data. The data is current as of May 2023. The data is provided in a format that is consistent with the data provided by the US Census Bureau. The data is provided in a format that is consistent with the data provided by the US Census Bureau.

The SCBBO is neither responsible nor liable for damages or injuries caused by failure of performance, error, omission, inaccuracy, incompleteness or any other errors in information or formatting on this site.

Additional broadband information may be found at www.scbbo.sc.gov. Submit comments or questions to maps@sc.gov.



**BROADBAND
OFFICE**

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US Census	Population	Residential BSL
2010	4,625,364	2,137,683
2020	5,118,425	2,344,963
March 31, 2023	5,282,634	2,488,256

CURRENT	Current Below 100↓ Mbps Download / 20↑ Mbps Upload					
March 31, 2023	Population		Public K-12		Res BSL	Qual BSL
	394,419		31,316		191,548	28,485
	7.7%		4.4%		7.7%	14.9%

ACCESS				
Fiber		Cable		Copper
1,257,047		2,170,076		2,026,228
50.5%		87.2%		81.4%

ADOPTION					
Fiber		Cable		Copper	Fixed Wireless
461,307		1,197,234		241,831	2,428
18.5%		48.1%		9.7%	0.1%

ACP Enrollment				
Subscribers		Service	Device	Devices
324,332	37.1%	\$8,664,711	\$723,012	7,442

INVESTMENTS <i>managed by:</i>		Projected Investment Impact			
Federal	Population	Public K-12	Res BSL	Qual BSL	
	26,581	3,959	13,448	4,169	
State	85,868	12,003	42,687	5,322	
Private	3,607	470	1,782	107	
Total	116,056	16,432	57,917	9,598	

FUTURE		Remaining Below 100↓ Mbps Download / 20↑ Mbps Upload			
December 31, 2024	Population	Public K-12		Res BSL	Qual BSL
	278,363	14,884		133,631	18,887
	5.4%			5.4%	



Broadband Maps

Consumers

Stakeholders

State Broadband Office

Contact



SOUTH CAROLINA DIGITAL DRIVE

Tools and resources to inform consumers and stakeholders

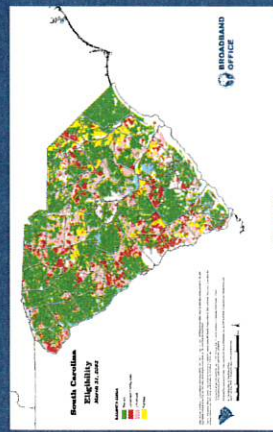
Don't have access to internet? Take the [I Need Internet](#) survey

Search for maps by county and type

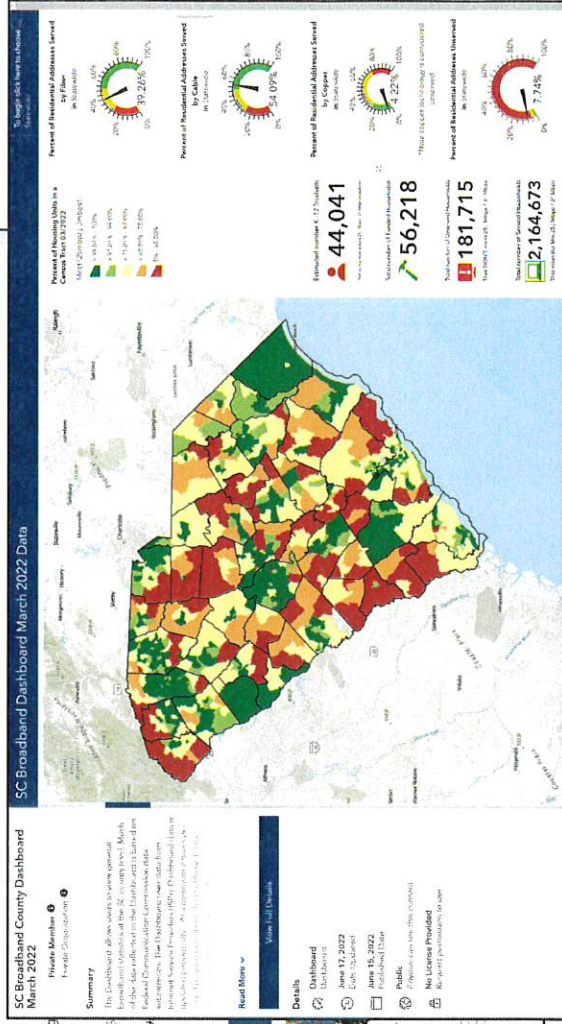
www.SCDigitalDrive.org

Current Total Housing Units
With At Least
25 Mbps / 3 Mbps Service
2,164,673 *

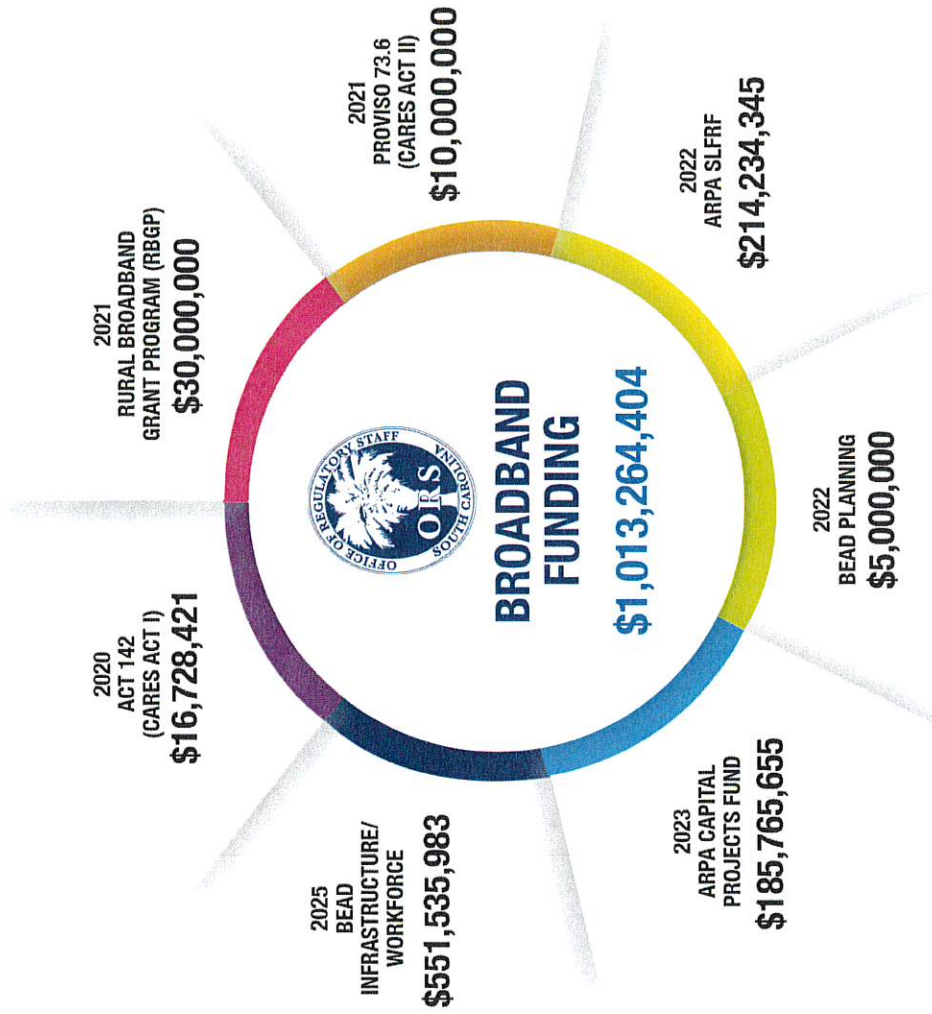
Current Total Housing
Without
25 Mbps / 3 Mbps S
181,715 #



Explore
Maps



ORS.SC.GOV



TOTAL BROADBAND INVESTMENT ACTUAL (OR PROJECTED) FUNDING - FAIRFIELD COUNTY

Company	Proviso 73.6						American Rescue Plan Act (ARPA)			ALL GRANT PROGRAMS	
	CARES Act		RBGP		CARES II		LMGP		ADGP		Total Locations
	Total Actual (or Projected) Funding ⁽¹⁾	Locations ⁽²⁾	Total Actual (or Projected) Funding ⁽¹⁾	Locations ⁽²⁾	Total Actual (or Projected) Funding ⁽¹⁾	Locations ⁽²⁾	Total Actual (or Projected) Funding ⁽¹⁾	Locations ⁽²⁾	Total Actual (or Projected) Funding ⁽¹⁾	Locations ⁽²⁾	
TruVista Communications, Inc.	\$ 127,020	50	\$ 220,201	85	\$ 5,723,075	928	\$ 82,025	7	\$ 1,175,420	162	7,327,741
Grand Total	\$ 127,020	50	\$ 220,201	85	\$ 5,723,075	928	\$ 82,025	7	\$ 1,175,420	162	\$ 7,327,741
											1,232

⁽¹⁾ Assumes funding requested and company match will come in at 100% for 'In Progress' projects

⁽²⁾ Based on the total number of locations as listed in final progress report or GIS data for completed projects, and total number of locations as listed in application/grant award for in-progress projects. Locations include households, businesses, educational institutions, healthcare facilities and community anchor points.

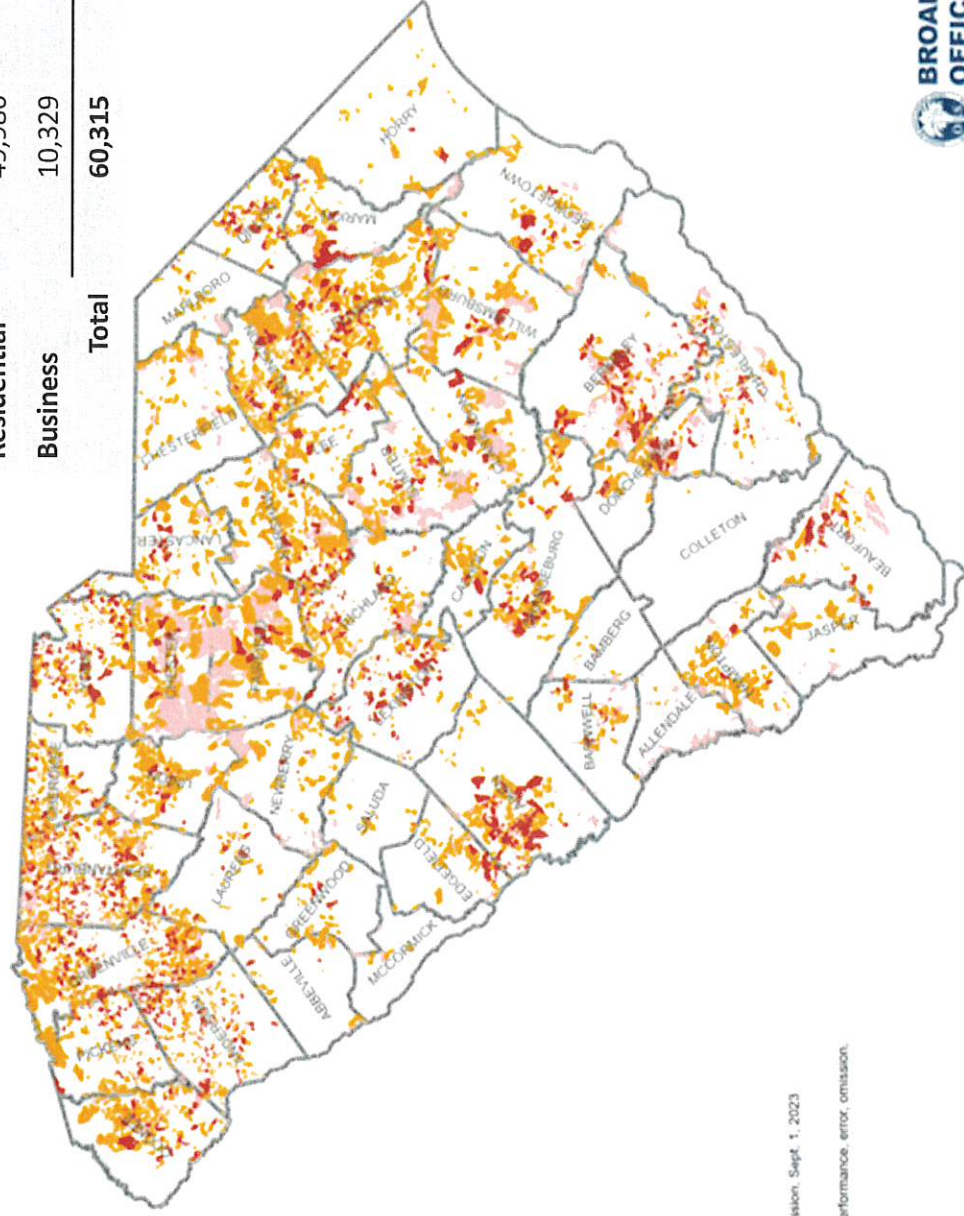
⁽³⁾ ARPA funding is pro-rated by county based on census block structure count data

South Carolina

ARPA SLFRF 3.0 Eligibility

Feb. 12, 2024

ARPA SLFRF 3.0 Eligibility Status



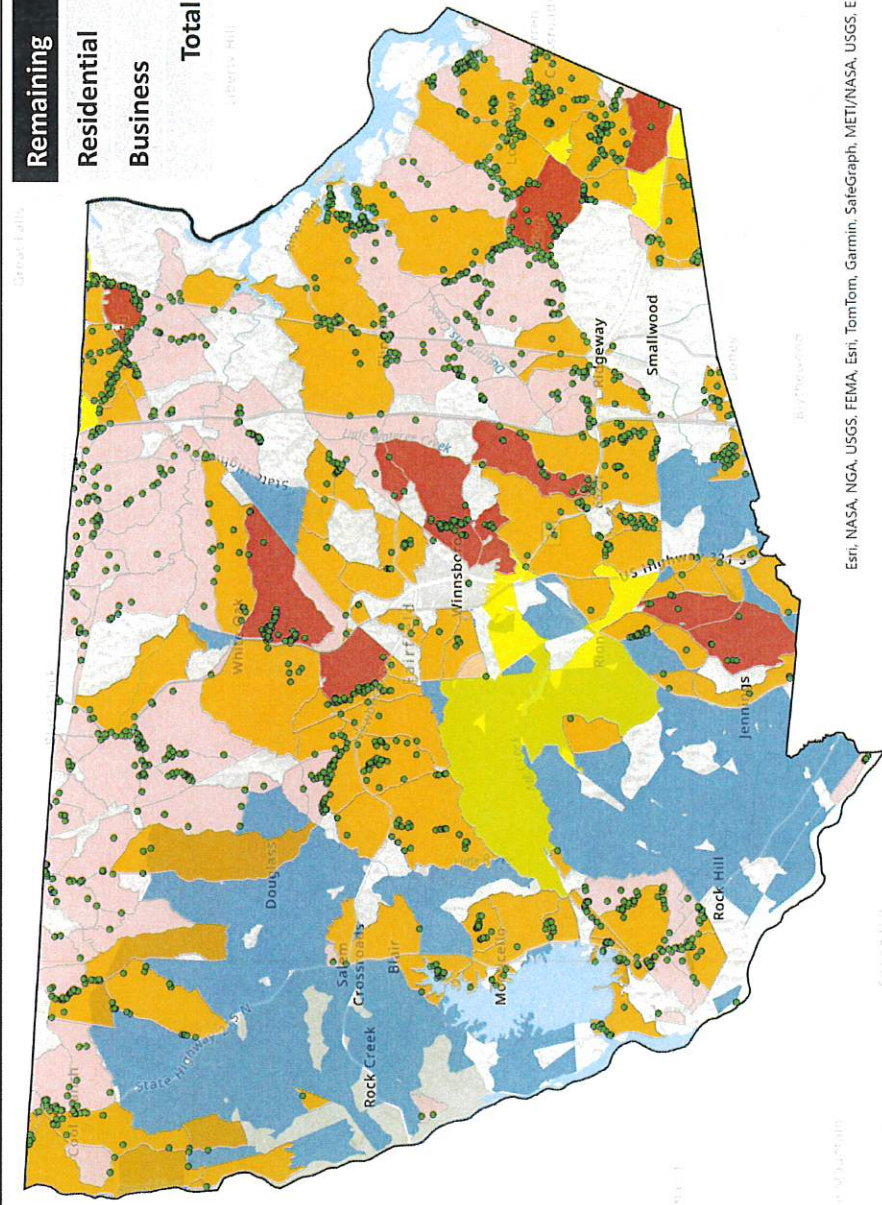
Eligibility	BSL	Units
Residential	49,986	64,633
Business	10,329	10,646
Total	60,315	75,279

Data Source: Based on SC Broadband Office analysis of FCC Broadband Data Collection (BDC) Submission, Sept. 1, 2023. Satellite and mobile broadband services are excluded.
The SC Broadband Office is neither responsible nor liable for damages or injuries caused by failure of performance, error, omission, inaccuracy, inaccessibility, incompleteness or any other errors in information or formatting on this map.

Additional information may be found at:
<https://ors.sc.gov/broadband/office/investments/state/arpa/slfrf3.0>
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Remaining	BSL	Units
Residential	1,651	2,047
Business	290	292
Total	1,941	2,339



Esri, NASA, NGA, USGS, FEMA, Esri, TomTom, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, USFWS

Fairfield County Map

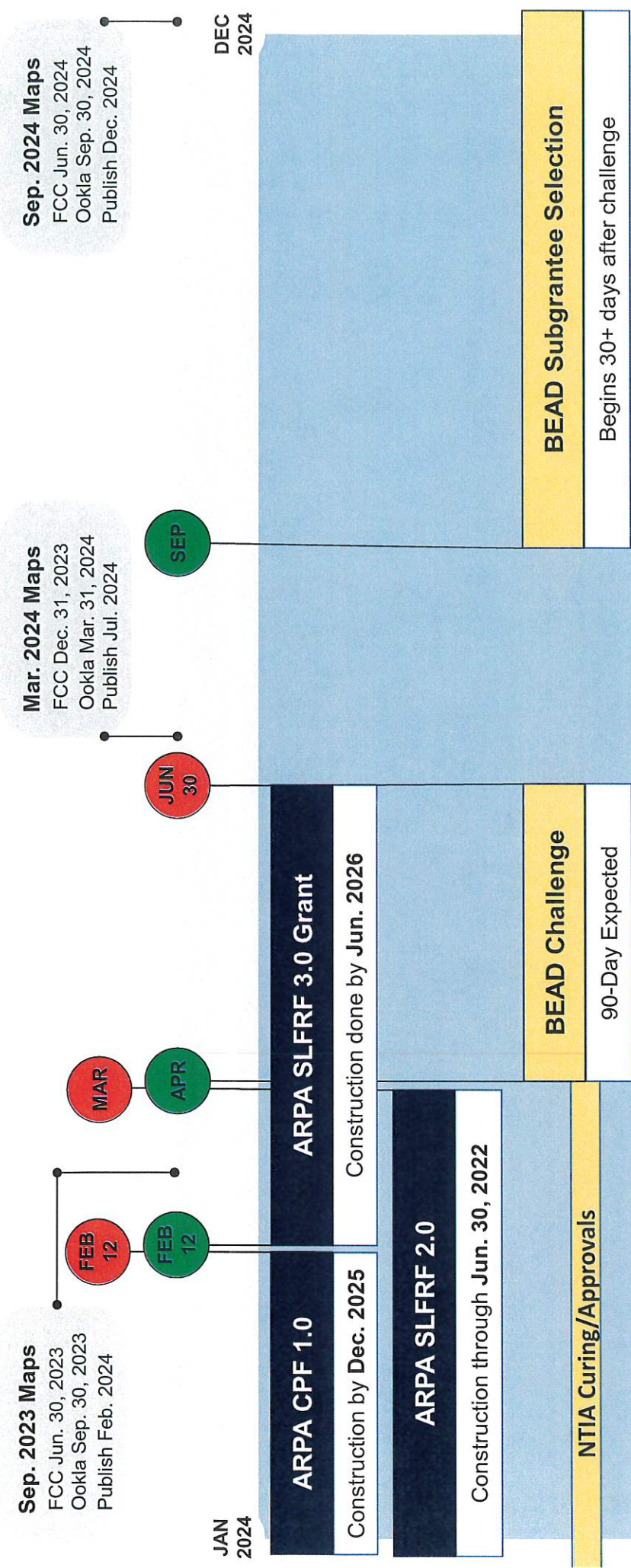
Broadband Outlook as of February 2024



- Legend**
- ARPA 3.0 Eligibility Data**
 - ARPA SLFRF 3.0 Eligible
 - Locations
 - Eligible Census Blocks**
 - Priority Area
 - Unreserved
 - Partially Served
 - State Funding**
 - Capital Projects Fund
 - ARPA SLFRF 1.0
 - Rural Broadband Grant
 - Last Mile Grant
 - CARES II
 - Federal Funding**
 - DOOF
 - USDA RECONNECT



2024 SC BROADBAND GRANT PROGRAMS



* All dates are subject to change without notice, assume timely NTIA approvals.

About BEAD

- **Infrastructure Investment and Jobs Act (IIJA)**

- Digital Equity (DE) – Adoption and Use
- Broadband Equity Access and Deployment (BEAD)

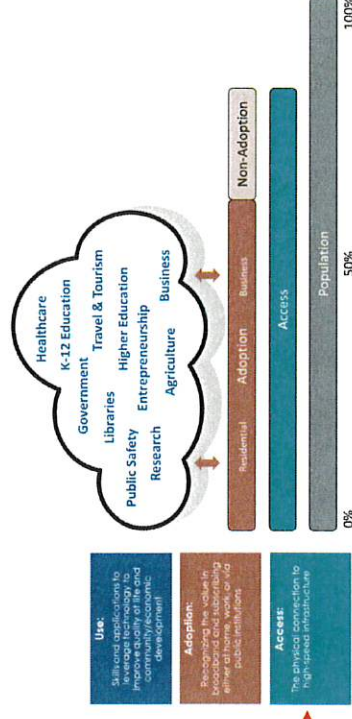
- ✓ **\$551.5 million allocation for SC**

- ✓ **Broadband Deployment**

- Must provide access to all homes and businesses throughout state (first)
 - Next, must connect Community Anchor Institutions (< 1Gbps symmetric)
- ✓ **Non-Deployment**
 - Only occurs after SCBBO confirms enough allocation available to provide access to all homes and businesses throughout state

- ✓ **Initial Proposal**

- Volume 1 – BEAD Challenge Process
- Volume 2 – Establishment of BEAD Grant Program



Thank you!

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BROADBAND OFFICE

