



**MINUTES
SPECIAL CALLED MEETING
DECEMBER 19, 2022
6:00PM**

Present: Moses Bell, Shirley Greene, Mikel Trapp, Timothy Roseborough, Douglas Pauley, Clarence Gilbert (Council Members); Charles Boykin, (Attorney); Malik Whitaker (County Administrator), Synithia Williams (Deputy County Administrator), Dr. Kimberly Roberts (Clerk to Council).

Absent: Cornelius Robinson

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.

1. CALL TO ORDER

Chairman Bell called the Special Meeting to order at 6:00 p.m.

2. APPROVAL OF AGENDA

Motion made by Councilman Trapp, seconded by Vice Chair Greene, to approve the agenda. ***The motion carried 6-0.***

3. INVOCATION

Councilman Pauley led the invocation.

4. APPROVAL OF MINUTES

Motion made by Councilman Trapp, seconded by Vice Chair Greene to approve the minutes from Regular Meeting December 12, 2022. ***The motion carried 6-0.***

5. PUBLIC HEARINGS

Mr. Bell called for recess at 6:02pm. He announced coming out of recess at 6:07pm.

A. An Ordinance to Amend Section 2-291 of the Fairfield County Code of Ordinances, as and if Amended, so to as to Provide for Purchasing and Procurement Authority and to Approve a New Procurement Manual for Fairfield County; and to Repeal Sections 2-292 Through 2-303 of the Fairfield County Code of Ordinances, Relating to Provisions Made Obsolete by the Adoption of the New Procurement Manual. Mr. Bell opened the public hearing at 6:08pm. Randy Bright and Jeff Schaffer

signed up to speak. Mr. Bell closed the public hearing at 6:13pm. Before he read and opened the public hearing for Item B, he said he wanted to read something for the public to understand and he acknowledged that WIS-TV 10 was present. He said when Chris Joseph called him earlier that day, he asked him (Chris) why was it that each time Saving Fairfield or The Voice called him he came with a wrecking ball to hurt the current Council. He noticed that he did not come when they gave \$4,000. One of the points he tried to make to him was that those people were closely connected. He did not know if the network knew how he was playing politics with the County. He read a portion of the minutes adopted 11-18-21 to demonstrate how hypocritical those folks were. It was a travesty to democracy and fair play. Why were they just getting those types of questions? He read (on 11-18-21) "Mr. Bell asked Mr. Pauley to restate the motion. Mr. Pauley stated I make an amendment that we give First Responders and safety sensitive workers an extra \$2,800 for a total of \$4,000. Mr. Gilbert seconded that motion". Mr. Bell said he also wanted to read something else that was very important about what they were going to discuss that night. It was a conflict of interest and he was going to read from the ethics report – the question of whether a public official has an economic interest in the maintenance and repair of a city asset, which was before her government entity, must be answered on a case-by-case basis. In the situation outlined, the public official had an economic interest but she was a member of a large class of property owners and thus may participate in the discussion and votes. The question was – the city of Georgetown Council member questions whether she could vote on matters involving the maintenance and repair of a city asset, such as the municipal boardwalk on the Sampit River and when she was a member of the 56 property owners that joined the boardwalk. He said he would not read all of the document but wanted to read this piece – "whether the Council member may participate in the boardwalk decision and votes to include permitting and financing required a determination of whether her economic interest was distinct from the public and the other members of the class of property owners. A council member would appear to have an economic interest in taking action that would directly impact her property, however, the definition of economic interest provided for the large class exception. The conclusion – "the question of whether a public official had economic interest in the maintenance and repair of a city asset which was before her government entity must be answered on a case-by-case basis. In the situation outlined, the public official had economic interest but she was a member of a large class of property owners and thus she may participate in the discussion and votes". Because the ordinance affected a

large class, he said it was very much legal for all members of that Council to participate.

- B.** An Ordinance to Appropriate Funds from the Local Hospitality Tax Special Revenue Fund Established Pursuant to Ordinance Number 725 of 2019, so as to Provide Funding for Tourism-Related Cultural, Recreational, and Historic Facilities, Including the South Carolina Railroad Museum; the Teacherage Located on the Grounds of the County Administration Building (Formerly the Mt. Zion Institute), and the Cultural Memorial Wall to be Established on the Site of the Historic Martin Blue Moon Property in Jenkinsville and a Proposed Amendment (Section A) to Appropriate General Fund Revenues in the Amount of \$922,022 to Provide a One-Time Retention Incentive Payment As Follows: (1) Full-Time Employees and Volunteer Firefighters With At Least 20 Accrued Points – a One-Time Payment of \$1,500; (2) Part-Time Employees, As Needed Employees and Volunteer Firefighters With Fewer Than 20 Points – a One-Time Payment of \$750. The Funds Appropriated In Subsection A Shall Be Disbursed After December 31, 2022 to County Employees Who Are Actively Employed on the Date of the Third Reading of This Ordinance. For Purposes of This Ordinance, Elected Officials Are Not Considered County Employees. Mr. Bell opened the public hearing at 6:18pm. John Jones, Yvette Howard, Randy Bright and Jeff Schaffer signed up to speak. Mr. Bell asked the audience to notice the remark made by Mr. Schaffer. He said it was beyond terrible and people liked that kind of stuff – it was sad. He closed the public hearing at 6:30pm.

6. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Second Reading Ordinance No. 807: An Ordinance to Adopt the 2021 South Carolina Modified Codes as Follows: the 2021 International Building Code With SC Modifications; the 2021 International Residential Code With SC Modifications; the 2021 International Fire Code With SC Modifications; the 2021 International Plumbing Code With SC Modifications; the 2021 International Mechanical Code With SC Modifications; the 2021 International Fuel Gas Code With SC Modifications; the 2020 National Electric Code (NFPA 70) With SC Modifications; and the 2009 International Energy Conservation Code (Energy Standard Act). Motion made by Councilman Trapp, seconded by Councilman Pauley. ***The motion carried 6-0.***
- B.** Second Reading Ordinance No. 808: An Ordinance to Appropriate Funds Received by Fairfield County from the South Carolina Opioid Recovery Guaranteed Political Subdivision Fund, to be Allocated to Establish a Five Year Agreement with Fairfield Behavioral Health Services for Use in Accordance with the Technical Proposal Submitted to the South Carolina

Opioid Recovery Fund Board on November 16, 2022, to Support the Fairfield Opioid Response Team Developed in Partnership with the Fairfield County Sheriff's Department, Winnsboro Public Safety, Fairfield County EMS, 911 Dispatch and the Fairfield County Coroner's Office. Motion made by Councilman Trapp, seconded by Councilman Pauley. Mr. Bell acknowledged Mr. Kennedy (Director of Behavioral Health Services) in the audience and thanked him for his work. ***The motion carried 6-0.***

- C. Third & Final Reading Ordinance 805: An Ordinance to Amend Section 2-291 of the Fairfield County Code of Ordinances, as and if Amended, so to as to Provide for Purchasing and Procurement Authority and to Approve a New Procurement Manual for Fairfield County; and to Repeal Sections 2-292 Through 2-303 of the Fairfield County Code of Ordinances, Relating to Provisions Made Obsolete by the Adoption of the New Procurement Manual. Motion made by Councilman Trapp, seconded by Vice Chair Greene. Mr. Pauley asked for an explanation of the changes made to the manual. Mr. Whitaker said he would read a portion of the executive summary given to Council and prepared by the County Attorney. He said that County records showed that a Fairfield County procurement manual was approved by the Fairfield County Council on July 14, 2014. There was another version of the manual currently on the County website and in use that appeared to be a staff document amended on August 1, 2019 but there was no record of Council approval. Finally, the Code of Ordinance included provisions adopted in 1983 regarding purchasing, some of which conflicted with the manual. To provide clarity to the purchasing and procurement procedures in the County, Administration proposed the adoption of an ordinance whereas the County Council clearly adopts one definitive procurement manual, repealed all other manuals previously adopted and repealed conflicting ordinance provisions. The new manual itself was a comprehensive 68-page document. As an initial matter, some of the major changes that were made to the manual involved reorganizing and reformatting the manual to make it more user-friendly. In that regard, a table of contents was added – the manual was organized into articles, sections and subsections. Section breaks were added and the headers and footers including the page numbers were revised. Interdepartmental quick reference guides were added to assist department heads in understanding their responsibilities under the manual. Two forms were created – a sole source justification form and an emergency procurement justification form. There was more but he said every Councilperson had a copy of the summary. Mr. Pauley said ok. ***The motion carried 6-0.***

Before reading the ordinance, Mr. Bell said Mr. Pauley asked to recuse himself. Mr. Pauley said due to some controversy and uncertainty voting

on the matter, he would recuse himself because of a conflict being related to someone. He then left the dias. Mr. Bell thanked Mr. Pauley and reminded the Council that the ordinance was in the same application and same format as was the ordinance on 11-18-21 and the Council vote was 7-0. He reminded everyone that it was the same format (same identical application) as was the ordinance 11-18-21.

- D. Third & Final Reading Ordinance No. 806: An Ordinance to Appropriate Funds from the Local Hospitality Tax Special Revenue Fund Established Pursuant to Ordinance Number 725 of 2019, so as to Provide Funding for Tourism-Related Cultural, Recreational, and Historic Facilities, Including the South Carolina Railroad Museum; the Teacherage Located on the Grounds of the County Administration Building (Formerly the Mt. Zion Institute), and the Cultural Memorial Wall to be Established on the Site of the Historic Martin Blue Moon Property in Jenkinsville and to Appropriate General Fund Revenues in the Amount of \$922,022 to Provide a One-Time Retention Incentive Payment As Follows: (1) Full-Time Employees and Volunteer Firefighters With At Least 20 Accrued Points – a One-Time Payment of \$1,500; (2) Part-Time Employees, As Needed Employees and Volunteer Firefighters With Fewer Than 20 Points – a One-Time Payment of \$750. The Funds Appropriated In Subsection A Shall Be Disbursed After December 31, 2022 to County Employees Who Are Actively Employed on the Date of the Third Reading of This Ordinance. For Purposes of This Ordinance, Elected Officials Are Not Considered County Employees. Motion made by Councilman Trapp, seconded by Vice Chair Greene. Mr. Gilbert said he had been a strong supporter of the great employees of the County for a long time. While he thought the ordinance was made in haste and not well thought out, it was also his understanding that the employees were notified that they would be receiving the bonus. With that being said and because of his support of the employees of the County, he would vote in favor but he hoped that all employees were included. Vice Chair Greene said she had a number of calls with the same questions and basically the question she wanted to ask for the sake of the public was how did they have money in the fund balance to provide the salaries when they did not have money in the fund balance before. Mr. Whitaker said they had funds in the unrestricted fund balance to cover the salaries. They could get them the exact numbers. To answer the question, they did have unrestricted fund balance and they were using those funds to provide the retention bonus to the employees. Mr. Bell said when the audit results became available it would show that the fund balance from June 30th, instead of taking money out of the fund balance they were able to put money in it. They were able to use grants and other means of government funding to help as they tried to do the work of the County. It**

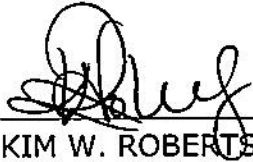
enabled them to spend that money versus the money from revenues from the County. Mr. Bell continued by saying he received calls about being a volunteer firefighter. He said he had been a volunteer fire fighter since 1978. He received fire fighter of the year, served at Southeastern in every office – from Fire Chief to Safety Officer. He received the Citizen of the Year award from the State Firemen’s Association – one year by himself and several years later, he and his wife received the award. He enjoyed the work and the County needed all the volunteers they could get. They worked very hard to recruit volunteers and were trying to do everything they could to incentivize volunteers to come and share with them. The work was important. In the current year, they lost 10 volunteers. This was just an incentive to help them – an effort to stop the bleeding. They started talking about raises in July or August so the plan was not just fly by night. ***The motion carried 5-0 with Mr. Pauley abstaining.*** Mr. Bell asked that Mr. Pauley be invited to return to the meeting and he did so via Mrs. Williams notifying him the vote was over.

7. COUNTY COUNCIL TIME

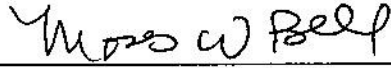
Mr. Bell said in regards to trying to answer some of the comments, sometimes people say it was a bittersweet thing. But, for him it was not – it was really sort of sweet without the bitter. It would give him, maybe, an opportunity to be a better advocate for those things he believed in in a more aggressive way. As he said, they were able to accomplish those things they said they would but there was a whole lot more. He was very proud of that record. He believed the work they did would be a catalyst for sustainable growth into the future. 2016-2020 based on the data proved that the direction of Fairfield County was imperfect at best and led to the exodus of population without any upward mobility of prosperity within the average family. Please do not allow to allow the County to be taxed or spend themselves away from the Fairfield County citizenry. A group said he was arrogant and placed signs in his district and other places to that effect. It was not arrogance but confidence. Why as an individual would he need to apologize for hard work, studying and the capability to comprehend? That expectation was unreal in 2022 but it was just a dog whistle as communicated. Another thing was they did not say anything about others that demonstrated the same attributes. He also wondered if that group would continue to bring toilet tissue to insult Council – just wondering. After time relaxing and getting more involved in some additional interests along with those former interests, he planned to work with others in certain political objectives – developing partnerships with all communities and continuing to speak out and work for infrastructure in the poor and rural communities. He said Merry Christmas to all and to all a Happy New Year.

8. ADJOURN

At 6:46p.m., it was motioned by Councilman Trapp, seconded by Councilman Roseborough to adjourn. ***The motion carried unanimously 6-0.***



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



MOSES BELL
CHAIRMAN