



**MINUTES
INAUGURATION AND ORGANIZATION MEETING
FAIRFIELD COUNTY COUNCIL
JANUARY 11, 2021**

Present: Moses Bell, Shirley Greene, Mikel Trapp, Tim Roseborough, Doug Pauley, Cornelius Robinson, Clarence Gilbert, Council Members; Jason Taylor, County Administrator; Laura Johnson, Assistant County Administrator, Tommy Morgan, County Attorney; Patti L. Davis, Clerk to Council.

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, The Fairfield Times and one hundred forty two other individuals.

CALL TO ORDER

At 5:03 p.m. Senior Council Member Trapp called the Inaugural Meeting to order.

INVOCATION

Council Member Pauley led the invocation.

I. OATH OF OFFICE

The Honorable Judy Bonds, Fairfield County Clerk of Court, administered the oath of office to the following newly-elected and re-elected members of Council:

Council Member Shirley Greene	District #2
Council Member Timothy Roseborough	District #4
Council Member Neil Robinson	District #6

II. ADJOURN

At 5:10 p.m., the Inaugural portion of the meeting was adjourned by motion of Council Member Bell and seconded by Council Member Robinson. ***The motion carried unanimously 7-0.*** Refreshments were served in the Conference Room.

Meeting reconvened in the Council Chambers.

CALL TO ORDER

At 5:40 p.m. Senior Council Member Trapp called the Organizational Meeting to order. Council Member Pauley made a motion to record the votes for the election of Chair and Vice Chair, seconded by Council Member Gilbert. Senior

Council Member Trapp opened the floor for discussion. Council Member Bell stated, in preparation for this meeting, he called Mr. Taylor to inquire concerning this procedure. He understood that the By-Laws state this is handled by secret ballot. He suggested Council should follow the By-Laws. Senior Council Member Trapp referred the matter to Mr. Morgan. Per Mr. Morgan, Mr. Bell is correct in that Resolution 2018-04, which is the Council By-Laws, states that the Organizational Meeting, including the election of the Chair and Vice Chair, is conducted by secret ballot by majority vote. The case law in the State of South Carolina states that if a member asks that the vote be recorded, then it becomes a public vote. This would not require a motion. Mr. Morgan is referring to an Attorney General Opinion dated March 14, 1989, to Mr. Thomas Babb, who was the Laurens County Attorney. The pertinent sections are as follows: "You have asked whether it is permissible to elect a Chairman and Vice Chairman of Laurens County Council by secret ballot. Enclosed are previous opinions issued by this office which answer the question. In Opinion Number 84-4 issued on January 17, 1984, this office concluded that if a member of Council asks that a vote be recorded, then a secret ballot could not be used in that instance." The opinion relied upon Section 30-4-90 (a) (3) of the Code of Laws. Per Mr. Morgan, this is the S.C. Freedom of Information Act section, stating "all public bodies shall keep written minutes of all their meetings. Such meetings shall include but need not be limited to . . . Subsection 3, the substance of all matters proposed, discussed or decided and at the request of any member, a record by an individual member of any votes taken." In essence, if a member of the body requests that the votes be recorded, then it takes it out of a secret ballot possibility and moves it into a vote going forward. Council Member Bell understands this, but he does not understand the fact that he had asked this question previously, and this information was not given to Council until now. Council Member Bell requested that this information be documented in the minutes. Senior Council Member Trapp inquired if a vote is needed. Per Mr. Morgan, he would say that since the Council Member has asked that the vote be recorded, it does not have to go forward with a motion and a second. Going forward, the vote for the Chair and Vice Chair would, like any other matter of business, come forward pursuant to a motion with a second followed by the vote. Council Member Greene made a motion to nominate Moses Bell as Chairman, seconded by Senior Council Member Trapp.

Aye

Senior Council Member Trapp
Council Member Greene
Council Member Bell
Council Member Roseborough

Nay

Council Member Pauley
Council Member Gilbert
Council Member Robinson

Motion carried 4-3.

Council Member Bell then nominated Shirley Greene as Vice-Chair, seconded by Senior Council Member Trapp.

Aye

Senior Council Member Trapp
Council Member Greene
Council Member Bell
Council Member Roseborough

Nay

Council Member Pauley
Council Member Gilbert
Council Member Robinson

Motion carried 4-3.

ADJOURN:

At 5:45 p.m., Chairman Bell adjourned the Organizational portion of the meeting by motion of Senior Council Member Trapp and seconded by Council Member Robinson. ***The motion carried unanimously 7-0.***

**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JANUARY 11, 2021**

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

Council Member Trapp made a motion to amend the agenda by tabling Items 12-A and 15-A due to the fact that he was unable to open the Audit Report until last night because of internet problems, and he cannot have a fair discussion as this directly correlates with the Executive Session item. Motion seconded by Vice Chair Greene. Council Member Pauley understands tabling 12-A, but he does not understand the reasoning for 15-A being tabled. Council Member Trapp inquired if the Personnel Matter pertains to the Administrator's contract. Mr. Taylor stated this is correct. Council Member Trapp stated the two are tied together, so reviewing and understanding the information from 12-A will give us a better understanding on how to conduct the dialogue for 15-A. ***The motion carried 4-3 with Council Members Pauley, Gilbert and Robinson voting nay.*** Council Member Trapp then made a motion to approve the agenda as amended, seconded by Vice Chair Greene. ***Motion carried 7-0.***

3. INVOCATION

Council Member Gilbert led the invocation.

4. APPROVAL OF MINUTES

None.

5. PUBLIC PRESENTATIONS

None.

6. PUBLIC HEARINGS

None.

7. ORDINANCES, RESOLUTIONS AND ORDERS

None.

8. BOARD AND COMMISSION MINUTES

None.

9. BOARD AND COMMISSION APPOINTMENTS

None.

10. OLD BUSINESS

None.

11. NEW BUSINESS

- A.** Approval of 2021 Calendar Year Meeting Dates. Chairman Bell asked for the Clerk to report on this item. Per the Clerk, this was included in Council's packet and lists all the conferences, regular meetings and holidays that are known as of right now. It was moved by Council Member Trapp and seconded by Vice Chair Greene to accept the 2021 Calendar Year Meeting Dates. ***The motion carried unanimously 7-0.***

12. COUNTY ADMINISTRATOR'S REPORT

- A.** Presentation of FY 2019-2020 Audit – Mr. Tom McNeish, Elliott Davis, LLC. This item was tabled until the next regular scheduled meeting.
- B.** Council Orientation/Work Session, January 23, 2021, Midlands Tech Fairfield Campus, time to be announced. Per Mr. Taylor, this will be held in conjunction with Mrs. Helen McFadden who is a parliamentarian. She will give a review of parliamentary procedures. Vice Chair Greene inquired of the time. Per the Clerk, the last Orientation began at 10:00 a.m. Chairman Bell stated to try to set this up to begin at 10:00 a.m.

13. CLERK TO COUNCIL'S REPORT

None.

14. COUNTY COUNCIL TIME

Greene: Vice Chair Greene stated as a new Council person, she would like to thank Mr. Jimmy Ray Douglas for his service on Council representing Fairfield County District 2, and she would also like to thank everyone in District 2 for their support. She looks forward to working with Council in hopes of having a productive year.

Trapp: Congratulated the newly elected Council members and also congratulated the newly elected Chair and Vice Chair.

Robinson: Agreed with Mr. Trapp in congratulating the newly elected officials and Chair and Vice Chair.

Bell: Thanked the Council for electing him to serve as Chair realizing there will be a learning curve. He does believe in transparency, and he will strive for the County to work together and do the things needed for the communities. He thanked everyone for the work that has been done, but there is a lot of work to be done. He did also go through the audit and saw some things he has serious questions about. Council Member Robinson inquired if Council will transition from County focus to community focus and if this will be the new direction. Per Chairman Bell, he feels this is all inclusive. He feels when you work in individual communities, you do work for the County. Council Member Pauley inquired since the executive session was removed, at the present time is the County Administrator's contract still in effect. Per Mr. Morgan, at this point in time, the Administrator is working on a holdover contract, so this basically will be day to day. There is not an official contract, the reason being is that a prior Council cannot bind a future Council by their actions. There is ample case law coming out of Anderson and Greenville Counties discussing the length of an Administrator's contract. This is why it is two years. Going forward at this point in time, Mr. Taylor is still the County Administrator but is just not operating under a contract per se.

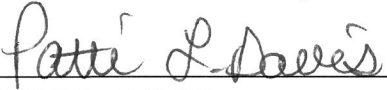
15. EXECUTIVE SESSION (SUBSEQUENT TO EXECUTIVE SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION).

A. Personnel Matter - Discussion and Receipt of Legal Advice Regarding Employee Contractual Matter Pursuant to S.C. Code Ann

§ 30-4-70 (a)(1). See Item 2 above (Approval of Agenda). Executive session item tabled until next regular scheduled meeting.

16. ADJOURN

At 6:12 p.m., the Regular Meeting was adjourned by motion of Council Member Trapp, seconded by Council Member Roseborough. ***The motion carried unanimously 7-0.***



PATTI L. DAVIS
CLERK TO COUNCIL



MOSES BELL
CHAIRMAN