



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
AUGUST 23, 2021**

Present: Moses Bell, Shirley Greene, Mikel Trapp, Timothy Roseborough, Cornelius Robinson, Clarence Gilbert, Douglas Pauley, Council Members; Brad Caulder, Interim County Administrator; Charles Boykin, County Attorney.

Absent: N/A

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80 (e), as amended, the following persons and/or organizations have been notified of the time, date and location of this meeting: The Independent Voice of Blythewood and Fairfield, The Country Chronicle and one hundred forty two other individuals.

Due to COVID-19 (Coronavirus), the meeting is being live-streamed through the County's YouTube page in order to keep citizens informed.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

Motion made by Council Member Trapp, seconded by Council Member Roseborough, to approve the agenda. ***The motion carried 7-0.***

3. INVOCATION

Council Member Roseborough led the invocation.

4. APPROVAL OF MINUTES

Motion made by Councilmember Trapp, seconded by Vice Chair Greene to approve the minutes from the Regular Meetings of July 26, 2021 and August 9, 2021. ***The motion carried 7-0.***

5. PUBLIC PRESENTATIONS

Hoof and Paw Benevolent Society – Kathy Faulk (President) Ms. Faulk addressed several serious concerns regarding animal welfare in our County, including some facts and numbers for the past fiscal year July 1, 2020-June 30, 2021. She stated the shelter had 155 animals at the beginning of the year and there were 1,496 taken in during the year. She said there were 1,007 animals transferred out to non-profit animal rescues, 75 adopted out, 9 that were dead on arrival, 114 that were sick and died at the shelter, 29 escapees, 101 owner reclaim, 144 trap neuter release and 743 spayed or neutered. There were 41 dogs treated for heartworm disease at \$350 each –

totaling \$41,350.00, all paid for by donations and the disease is preventable. Medical donations for the fiscal year totaled \$94,410.42, County shelter fees that go to the County \$32,284.46 and the expenses are paid for by fund raising organizations and individuals. She reported in 2012, the FCAC Report was \$255 in donations and \$8,764 in County fees which totaled \$9,019. She was very proud that the euthanasia percentage fell from 65% to 6% and gave a reminder that these figures were all during the COVID year. Ms. Faulk stated neglect and abuse were huge problems in our County as well as lack of owner responsibility and unvaccinated animals. She said this year Winnsboro had a rabid fox. She offered an idea for enforcement of the issues, which was to budget \$75,000 to hire an officer to enforce the ordinances and investigate abuse and neglect cases. She commended the Council for the recent update of the ordinances but questioned if the laws and ordinances were adequate. Ms. Faulk showed recent pictures of several animals that were abused and one picture of a dog who they rescued and restored. She stated a new facility was needed and currently the FCAC operates out of 4 buildings and they have 3 electric bills and 3 water bills, which is not cost effective. The intake area is depressing – not climate controlled with terrible drainage problems. She said if the new facility was all under one roof, it would be more cost effective and humane. Ms. Faulk also offered the idea of a low cost vet clinic, giving community members affordable vet care. She said we need to provide the community with better choices, which would cut down on overall expenses. A new facility and low cost vet care are the vision of the Director of Animal Control, Bob Innes and supported by Hoof and Paw. She stated they will continue to donate to the County and this year's donation would be over \$25,000. She said a new facility should be funded by the County as it is a County building that is not wanted but a critical need. She ended with 2 requests: form an animal welfare committee to discuss and solve these issues and an invitation to each Council member to visit the animal shelter, including the intake building. Vice Chair Greene thanked Ms. Faulk for coming and stated she visited the animal shelter and saw the situation she spoke of. There is a lot that we need to do and we need to take a look at as a Council and County. She stated she knew the low prospect clinic is very needed but asked about the status of vets in Fairfield County and what was their future. Ms. Faulk stated we have 2 vets and she thought one or both may be retiring soon although not sure when. They offer good care but are not present all the time and cannot offer shelter rates because they are in private business. She said for a lot of Fairfield County residents, these services are not affordable, therefore the animals do not get treatment. It is a vicious circle. Chairman Bell thanked Ms. Faulk. Mr. Pauley asked the annual amount they contributed. Ms. Faulk answered a little in excess of \$25,000 and it was unclear

what the final total would be because they respond to medical emergencies that may go outside of the set amount budgeted. She offered to pass the pictures to Council and Mr. Pauley accepted. She thanked the Council for the opportunity and asked their thoughts on a committee. Vice Chair stated it was something they would need to research and how to move forward on some of the suggestions that she offered.

6. 1ST PUBLIC COMMENT (3 MINUTES): INPUT MUST PERTAIN TO ITEMS ON THE AGENDA, FOR WHICH NO PUBLIC HEARING IS REQUIRED OR HAS BEEN SCHEDULED. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.

- Randy Bright – Ordinance 777 (Bond Re-Finance)

7. PUBLIC HEARINGS

An Ordinance to make \$1,050,000 in Supplemental Appropriations for the 2021-2022 Fiscal Year for Capital Projects, to Include Community Mini-Park on Overlook Road in Blackstock, Upgrades to Willie Lee Robinson Park and Roof Repairs to the DHHS Building. Chairman Bell opened the public hearing at 6:22 pm. The following persons signed to speak:

- Thomas Armstrong
- Randy Bright

Chairman Bell closed the public hearing at 6:28 pm.

8. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Third and Final Reading Ordinance No. 773: To make \$1,050,000 in Supplemental Appropriations for the 2021-2022 Fiscal Year for Capital Projects, to Include Community Mini-Park on Overlook Road in Blackstock, Upgrades to Willie Lee Robinson Park, and Roof Repairs to the DHHS Building. Motion made by Councilman Trapp, seconded by Councilman Roseborough, to approve Second Reading Ordinance No. 773. Mr. Pauley stated he felt this was a total waste of money for the taxpayers of Fairfield County. We have so many other needs in the County that should be a bigger priority than a mini-park. The roof on the DHHS building was only added to this ordinance so asking for the mini-park and upgrades wouldn't look so bad to the taxpayers. ***The motion carried 4-3.***

- B.** First Reading (By Title Only) Ordinance No. 775: To Approve the Sale of Certain Parcels of Land Known as the Hospital Property and Other Related Matters. Motion made by Council Member Trapp, seconded by Councilman Gilbert, to approve First Reading (By Title Only) Ordinance No. 775. ***The motion carried 7-0.***

Chairman Bell stated that Item C would be discussed after Executive Session and Item D would be discussed after the County Administrator's Report.

9. BOARD AND COMMISSION MINUTES

None.

10. BOARD AND COMMISSION APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT

- A.** Scenic By-Pass Letter of Support – Action Item. Mr. Caulder stated Mr. Cal Harrison from the Piedmont Gateway State Scenic Byway Committee requested endorsement from Council for the project to preserve and protect the Anvil Rock and the historic Woodard Cemetery on S.C. Highway 34. He stated he thought everyone received a copy of the letter drafted on behalf of Council and we needed Council to approve the letter to be sent out. Motion made by Vice Chair Greene, seconded by Councilman Trapp to approve the Scenic By-Pass letter of support. ***The motion carried 7-0.***

- B.** WIOA Job Fair – Mr. Caulder introduced Ms. Diana Robinson (WIOA Program Director). Ms. Robinson stated she also served as an Adult Dislocated and Youth Case Manager and she had 3 Case Managers. She gave an update on the WIOA Program – as of August 23rd they had 81 active clients and 86 clients in follow-up. She explained the difference as a client in follow-up in one who has gone thru the program and is actively employed. Out of the 81 active clients, 32 are adults and 6 are dislocated workers. Out of those 39, 22 are currently in training and 20 are working. She stated they have 42 youth and 16 have successfully completed a Youth Work Experience, where an employer has a youth come in and complete a

6 or 10 week experience. Their resumes are updated and some go to college and some into the workforce. They currently have 8 in training, 25 are employed and 7 have gone to college. Out of the 81 clients, 68 have obtained occupational skills training with a 97% successful completion rate. Their performance measures are based by the percentage of people who have successfully completed the program requirements and are able to maintain employment. Ms. Robinson stated she was not interested in quantity – she'd rather not have 400 clients and 399 not make it but instead have 200 and 199 make it. Occupational skills interest include CNA, CDL, patient care technician, welding, pharmacy tech, and dental assistant. The total visitors to J.B. Floyd, excluding the Veteran's Affairs Office, total 832 from May 22nd to date – 62% were unemployment assistance, 41% job search assistance and 77 for WIOA. Before giving information about the upcoming job fair, Ms. Robinson gave background on the first event. She stated it was coordinated in about 3 weeks and it went well with kick-off on September 30th, which was during the pandemic. They had 3 different locations – Midford, Jenkinsville and Winnsboro. There wasn't a lot of attendance in Midford and Jenkinsville so the sole location this year will be Winnsboro. The first planning session was August 16th where they determined the venue and date. They will have a SC Works Career Coach, a Green Mobile Bus (a resource center for persons who need updated resumes, or any other SC Works related assistance). Sponsors for the event include the Midlands Workforce Development Board, Department of Social Services, Department of Employment and Workforce, SC Works, and America's Job Bank. Registration was sent out last Friday, with the deadline being August 31st, to employers and due to capacity and safety concerns, 15 employers were invited and this far 7 have responded favorably. Job flyers are in the making and will be sent out at completion. They will have QRC codes that will include directions and a list of employers. We are working with our transportation department (Diana White) to provide transportation to the event. This will be further discussed at a later date. The second and final planning session will be held September 1st. Mr. Bell thanked Ms. Robinson and announced that she participated in a town hall meeting in District 1. He received a lot of good comments one of which included inviting her to participate in other districts to inform citizens how they can receive help from her agency. He asked if she was looking just in Fairfield County for employers. Ms. Robinson stated a lot of employers have gone to staffing agencies so an invitation has been extended to the staffing agencies because some employers may not have the capability to allow their HR staff to attend. The staffing agencies like Fairion, Integrity Staffing, and Recruiting Solutions have been invited and they hire for several employers across the County and outside of the County as well.

Realistically, not every citizen wants to work in Fairfield County but the goal is have people gainfully employed and off of unemployment and to be productive citizens. Mr. Bell stated Ms. Gee was in the audience and was with a company that was looking for employees and she might be able to provide you with contact information to assist with that. Ms. Robinson stated she had business cards and would be happy to talk with anyone who needed help.

- C. American Rescue Plan Update – Mr. Caulder stated Ann Bass (Finance Director) would provide an update on the Plan and as we have talked about this several times, we do not have a final rule and there are a lot of strings attached in terms of qualifying, reporting and stipulations that we have to meet in order to use these funds. Ms. Bass referred to the handout Council just received and asked that they go the second page. She said it was an Appendix from one of the documents that the U.S. Treasury complied about the reporting of the money. It lists each category and drills down specifics. Internally, they looked at the specifics and think about projects that we might have had to cut out of our budget or things that were on the horizon to see what we can do that fits within these specifics. The first page has the subcategories. Some of the big things include additional money for the Courthouse renovations, the Health Department roof potentially because it does house a clinic that is a direct responder. EMS is working to start a program to have a mobile paramedic to try to minimize non-emergent ambulance trips. They have requested money to help fund the program. Some of the negative economic impacts – these are basically to try to get people back in the County and spending money. A lot of it is an aid to tourism, travel, hospitality – the Alston Trailhead, the Farmer's Market Kitchen, we could improve sales of local produce and the museum are all things in our community that generate tourism and draw people from the outside in. She stated we have been utilizing a resource that the State has been using. Some of these are questions that I have not gotten a response to yet – like the mini park. Also under this is re-hire of public sector staff. We had some positions that were not filled this year at the time of the budget because they were not fully operating. She said she thought they may be able to fill the Economic Development Assistant and the Recreation Director because as the pandemic nears an end, both departments will be back up and fully running. Mr. Pauley asked who typed up the front sheet. Ms. Bass stated she did. Mr. Pauley asked if law enforcement and fire personnel fit into 2.14. Ms. Bass stated she thought it fit under #6. Mr. Pauley said ok. Ms. Bass stated premium pay involves looking back over the actual hours where essential personnel worked (physically at work) we could give an additional amount per hour that they worked. She felt like we would qualify for that. Infrastructure and waste water treatment are

things that they outlined from the start so if we need additional monies for engineering or studies she thought it would qualify. The revenue replacement is to the extent of our lost revenue that we can use for the provision of government services. She quoted from the rules – government services can include, but not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire and other public safety services. This is where she thought we had to cut some bridges out with some pretty heavy needs and our police, fire and EMS vehicles and other equipment that we have not been able to fund. Section 7 is Administrative – there will be increased audit costs and because it's federal money it will be subject to a single audit, which we already have but this may double or triple the level of that audit. The threshold of the \$750,000 of federal revenue will be well above that so she was sure there would be additional costs. If we used a consultant for guidance, it could be used for this. She asked for questions. Vice Chair Greene stated when you look at the revenue replacement, I see governmental services and I know that there are people who worked outside of police, fire and EMS during the entire pandemic. Are they eligible and are you looking at the other departments as well? Ms. Bass asked if she meant for premium pay and Ms. Greene responded yes. Ms. Bass stated yes ma'am, we would be able to do that for any department. She believed the way it was worded was anybody that worked on the job would not qualify if you worked from home – you would have to be physically on site, working with the public or handling items that were transferred from person to person. She believed that would include any staff that were physically on-site working. Her office would determine what they think that dollar amount should be and going back to run hours reports to figure out what that would be for each individual. Ms. Greene asked what was Section 3 - Services to Disproportionately Impacted Communities. Ms. Bass stated a lot of education assistance and things we are not generally in the business of doing. If we were to do any of that, we may need to give it to another entity because she was unsure if we would want to try to administer that. Ms. Greene asked if it was for rental assistance and those kinds of things. Ms. Bass stated rental assistance and things like that fall under #2 and, again, we would need someone to manage that because we are currently not in the business of doing that. Ms. Greene stated she saw that in #2 – basically like the Youth and Family Services and those kind of things. Mr. Pauley asked if there was a timeframe for when we would know for sure what does and does not apply. Ms. Bass stated right now they call it the Interim Final Rule. There had been a weekly call with NACo and she thought

there would be one at the end of the week. Our first report is due August 31st and we should get some guidance on that. She stated she relied heavily on NACo information because it seems to be more credible and that is who the S.C. Association of Counties aligns with. They have said to slow down, not get in a hurry, do it right because you have until 2024 to incur the money. She believed if it's clear, they would be ok but if it ventured into any of the gray areas she thought it would be wise to step slowly. Ms. Bass stated the last slide was from a webinar she participated in and it lists a good planning structure – researching and finding out, utilizing a consultant if you need to, assessing what our needs are. She and Brad believe we should have a mini budget work session. We really need to develop and adopt this, put it in place and move forward. Thank you. Mr. Bell thanked Ms. Bass.

- D. Bond Refinance Proposal** – Mr. Caulder stated as a part of the Dominion settlement, the County will receive \$7.5 million to be utilized as determined most favorable by the County Council to offset, reimburse or reduce payments due on the bonds. After evaluating these options, Administration is strongly recommending to reduce future bond payments by refinancing the current bond debt. As you will see the savings generated over the life of the new refinancing plan will be significant. He introduced Brent Robertson from Stifel, Nicolaus & Company and Ray Jones from Parker Poe to give an overview of this plan. Mr. Robertson greeted the Council and directed them to the chart in front of them, which showed the estimated refinancing and what that looks like in terms of benefit to the County under current market conditions. In 2013, the County entered into a financing agreement with Fairfield Facilities Cooperation and issued installment purchasing revenue bonds and those bonds have been outstanding for the last 8 years. The County has been servicing the debt paying it in full and on time. Since the issuance of that debt and as we progressed throughout the last 8 years, we find ourselves in a very favorable interest rate environment – very low interest rates relative to where they have been historically. He stated where the stars are aligning is the timing of the Dominion settlement of \$7.5 million. He referred to the table on the left where the annual payment dates are laid out and they run from September 2022 thru September 2042 and they are running on average of \$1.66 million dollars per year. That is the existing debt service, so if the County does nothing at this point and kept the bonds as they were, this is what the debt would look like every single year. Now going to the top of the page looking at the Dominion settlement, the \$7,550,000 is the portion of the settlement as it relates to the bonds. What we are looking at is taking the \$7,550,000 and using it to pay off bonds, taking those bonds out of circulation so the County is no longer paying interest costs on them. At the

same time combining that with a refinancing of the existing debt, the remaining debt after cash defusing \$7.5 million. The net impact is what you see (jumping back to the table on the left under column "estimated debt service after refinancing") the combined effect of the cash defusing of that \$7.5 million and refinancing the remaining portion of bonds outstanding brings our debt service down to about \$1,150,000/year – that's an annual savings that runs just about \$500,000/year (in the blue box now) through the final maturity of 2042. It does not extend the existing debt so we are staying within our existing payment term. The total savings over time is \$10,500,000. The way that we got there is we take the \$7.5 million, cash defuse bonds, we take those bonds out of circulation so they are no longer interest cost bearing. The County will not be paying those – that goes away and refinancing for savings on the remaining bonds that did not get cash defused. That's how you get to \$10,500,000 over time. The County's cost of funds is currently 3.81% and under current market conditions would drop to 2.56% so that's a reduction in interest costs of 33%. This is the plan of refinance that we believe is easily executable under current market conditions. It is subject to change – it could get better or it could get worse but we think these market conditions could hold until we get this transaction completed. Mr. Bell acknowledged that Dominion gave the \$7.5 million up front which is how we are able to do this. Mr. Robertson agreed and said it was the combined effect of the \$7.5 million up front from Dominion. Again, cash defusing the existing bonds with that money and then refinancing the amount of bonds that's left over to lower interest cost. Mr. Pauley asked the total balance on the bonds as of today. Mr. Robertson answered the total amount of the bonds that are part of the plan of refinance is \$22,205,000. In terms of this plan of refinance, the savings you are seeing is \$22,205,000 that would be effected by it. Mr. Pauley asked if that was not the total amount that we owe. Mr. Robertson stated the total amount of bonds outstanding presently is \$23,835,000. He referred to the table on the left you can see the savings in the first 2 years is \$404,000 not \$510,000 – those 2 years are non-callable bonds. Those bonds have been taken out of the analysis because typically they don't provide cost savings by doing that so that's why there's a bit of a difference between the amount of bonds that are actually outstanding and the ones that are part of the refinancing. If interest rates are favorable, we might be able to scoop in those 2 non-callable bonds to have it make sense but this was a more conservative approach. To answer your question, the amount of bonds outstanding is \$23,835,000. Mr. Pauley asked once the debt is reduced what how does it effect the debt millage for the tax payers. Mr. Robertson stated that was probably a conversation they would have some time down the road, maybe at the next budget cycle. What we are looking

at is a reduction in cost of debt service and how you use that cost savings is at your discretion. What we are trying to do is set the table for options. How you might use the refinancing or that lower cost per year is subject to your discretion. Mr. Bell asked for any more questions and stated this was a big deal and a savings to the County. To take \$7.5 million and turn it into \$10.5 million is a good deal. He thanked Mr. Robertson for his time.

Chairman Bell returned to Item D: First Reading (By Title Only) Ordinance No. 777: Modifying the Installment Plan of Finance; Authorizing the Execution of Certain Documents with the Fairfield Facilities Cooperation; and Other Related Matters. Motion made by Vice Chair Greene, seconded by Councilman Trapp. ***The motion carried 7-0.***

14. CLERK TO COUNCIL'S REPORT

None.

15. COUNTY COUNCIL TIME

Pauley: Mr. Pauley stated he received several calls and emails from citizens opposing the Luck Stone quarry. In a recent email from a citizen, it was stated that a quarry is totally inconsistent with the County's goals and principals stated in the 2021 Comprehensive Plan. There are several things that concern me with any quarry and one in particular is the health of our citizens. It has been stated that it causes cancer, damage to lungs, kidneys and auto immune systems, severe skin burns and serious eye damage. I think we, as a Council, need to make sure that we are looking out for the best interest of the health of our citizens. I've been told that we could have at least 3 quarries operating at the same time in the near future. Chairman, I would like to see in the future that we change the zoning to reflect that any future quarries would have to come before Council first.

Gilbert: Mr. Gilbert made a recommendation that we should have an official letter from our Chair addressed to DHEC for the board supporting our citizens concerns on Luck.

Bell: Mr. Bell stated that as individuals some of us have written letters to DHEC concerning the Luck Mine.

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.)

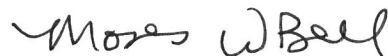
At 7:03 p.m., motion made by Council Member Trapp, seconded by Council Member Roseborough, to go into executive session concerning the below listed items. ***The motion carried unanimously 7-0.***

- A.** Receipt of Legal Advice – Contractual Matter - Discussion of Possible Re-Location of the Sheriff's Department Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- B.** Receipt of Legal Advice – Discussion Concerning Sell of Windy Hill Property Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- C.** Added by Chairman Bell (brought to him just before Council meeting) – Receipt of Legal Advice – Concerning Norfolk Railroad Pursuant to S.C. Code Ann. §30-4-70(a)(2).

At 7:54 p.m., motion made by Council Member Trapp, seconded by Councilman Roseborough, to come out of executive session and return to regular session. Mr. Bell stated no action was taken in Executive Session. ***The motion carried 7-0.***

16. ADJOURN

At 7:54 p.m., it was moved by Council Member Trapp, seconded by Vice Chair Greene, to adjourn. ***The motion carried 7-0.***



MOSES BELL
CHAIRMAN