



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
NOVEMBER 28, 2022**

Present: Moses Bell, Shirley Greene, Tim Roseborough, Clarence Gilbert, Doug Pauley, (Council Members); Malik Whitaker (County Administrator), Kenneth Davis (County Attorney); Dr. Kimberly Roberts (Clerk to Council)

Absent: Cornelius Robinson, Mikel Trapp

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 6:00pm.

2. APPROVAL OF THE AGENDA

Motion made by Councilman Roseborough, seconded by Vice Chair Greene. ***The motion carried 5-0.***

3. INVOCATION

Councilwoman Greene led the invocation.

4. APPROVAL OF MINUTES

Motion made by Vice Chair Greene, seconded by Councilman Roseborough to approve the minutes from the Work Session August 8, 2022 and the Regular Meeting November 14, 2022. ***The motion carried 5-0.***

Mr. Bell announced that Councilman Trapp was late but would try to attend the meeting and Councilman Robinson was not feeling well and would not be attending the meeting.

5. PUBLIC PRESENTATIONS

None

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. EACH SPEAKER IS ALLOTTED (3) MINUTES FOR COMMENTS. THE TOTAL TIME ALLOCATED TO THIS PUBLIC

COMMENT SEGMENT IS 30 MINUTES. THOSE WISHING TO MAKE PUBLIC COMMENTS 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 (15) FIFTEEN MINUTES PRIOR TO THE SCHEDULED START TIME OF THE MEETING.

Dr. Roberts read the following statement:

Fairfield County Government welcomes public input during appropriate times at County Council meetings. Such input will be allowed in the time, place and manner determined by the Chair of the County Council as the presiding officer. Persons wishing to speak must conduct themselves in the following manner:

Sign up at the appropriate time to speak, refrain from engaging in conduct or speech that seeks to disrupt or disturb the meeting, respect the time limit for the public comment, and refrain from personal attacks or personal statements about any individual(s). Such statements are disruptive because this part of our meeting is not conducive for such exchanges between individuals.

As stated, speakers were expected to express themselves within the time, place and manner previously described. Any violation will result in a warning from the Chair of County Council or the presiding officer. Any failure to heed the warning of the Chair or presiding officer will result in the violating speaker forfeiting their opportunity to finish speaking or to speak during the remainder of the meeting. Council welcomes the comments from members of the public and ask for the cooperation of everyone to allow for the orderly conduct of the people's business.

- Randy Bright – Evaluations

7. PUBLIC HEARINGS

None

8. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Second Reading Ordinance No. 804: An Ordinance to Appropriate \$1,027,000 to the Economic Development Department to Use as Additional Funds for the Construction of a Speculative Building on Parcel 9 of the Fairfield Commerce Center (TMS#: 184-00-00-096-000) for Future Economic Development Needs, Derived from a Portion of the Proceeds Received from the Sale of the Fairfield County Property to Oldcastle APG South, Inc. in 2021, Which was Approved by the Fairfield County Council in Ordinance 754 as Part of the Project Windsor Agreement, and from a Portion of the

Proceeds Received from the Sale of Fairfield County Property to Eau Claire Cooperative Health Center in 2022, Which was Approved by the Fairfield County Council in Ordinance 775. Motion made by Councilman Roseborough, seconded by Councilwoman Greene. Zachariah Willoughby (Economic Development) presented information on the purpose of the ordinance. He said while discussing the funding for the new speculative building, he wanted to briefly explain what economic development was and why its success was important to Fairfield County. He said economic development was the process through which wealth was increased in a community by attracting investment and jobs to the area. While that definition was pretty broad, he wanted to talk about what successful economic development looked like. The Powerpoint presentation:

Successful Economic Development is....

- **Improving a community’s quality of life by bringing in new jobs and creating new wealth. New jobs bring increased payrolls, which creates more disposable income to be spent in the community. As more wealth is spread throughout the community, the quality of life increases.**
- **Increasing the tax base of a community - As new companies locate and existing companies expand, capital investment increases the tax base, which helps to pay for essential services such as schools, police, fire and other local government functions. By attracting new businesses, successful economic development also spreads the tax burden, alleviating some of the burden on homeowners.**

Impact of Economic Development

| | | |
|--------------------------|----------|--------------------------|
| \$107K | = | \$750 |
| Median Home Value | | In Yearly Revenue |

(Source : ACS 5-Year Community Profile)

(Not in a municipality)

| | | |
|---|----------|--------------------------|
| \$50M | = | \$900K |
| Median Size of Industrial Investment | | In Yearly Revenue |

Our successes – Over the last five years, economic development has created \$1M in new annual county revenue.

Why do we need a speculative building?

Mr. Willoughby said the County was able to recruit new company’s that had invested in Fairfield County and helped create that \$1M in new revenue because there was an existing building for them to

operate out of – M Lily, C Pro Boats, Pharmacy Packaging Light and Old Castle all located in Fairfield County because they had an existing building available for use. The County currently had no existing buildings available for companies to look at. Speed to market was a critical deciding factor for companies that were looking at new facilities. They wanted to be able to get the product to consumers as fast as possible. By having an existing building for companies to locate in, they would help them meet their operational timeline. He wanted to drive home how important it was for them to have an available industrial building. Weekly, they were having to tell companies that wanted to locate and invest millions of dollars and create hundreds of well-paying jobs in Fairfield County that they could not accommodate them and they must look at other counties in South Carolina or other states in the nation. The County could not continue to be bypassed by industrial investment. The County's budget could not continue without increasing year after year because of new industrial recruitment. That was why they needed a speculative building in the county. The remedy was to build a new speculative building. He referred to the next Power point slide:

What is a speculative building?

A speculative (spec) building is a partially completed building that is constructed to attract a prospect, but leaves many portions incomplete to allow for the buyer/industry to adapt to their specific needs. At a minimum, it has walls and a roof. The advantage of a spec building is that it provides a shorter construction time than a new facility and allows the company to get up and running – and making money faster.

Mr. Willoughby said he wanted to clarify that while "speculative building" was the industry term used to describe these buildings, they knew that the building would sell. Their hope and goal was to have the building sold before construction was completed. There were some counties in South Carolina that started on construction of a second spec building before the first one was completed because it sold quickly. The market was there and they needed to be able to take advantage of it by building a new spec building in the Fairfield Commerce Center for perspective industry to locate. He referred to a slide that showed the funding breakdown for the spec building. The County would only be putting in roughly 25% of the total project cost with the majority of the funding coming from the legal settlement with Dominion Energy and a grant from the South Carolina Department of Commerce. Those two sources of funding did not need to be paid back so the County would get a great return on investment when the building was sold.

Mr. Bell said they received \$2.5 million from the Commerce Department, \$2 million from the Dominion settlement and they only put in \$1.5 million. It was a no-brainer.

Mr. Willoughby said the final slide was an example of what the spec building would look like on Parcel 9 of the Fairfield Commerce Center. It was a spec building built by THS Constructors who were the constructors the County was working with to build their building.

Mr. Pauley congratulated Mr. Willoughby on his recent completion of the Economic Development Institute. He thought it was a great accomplishment. He said at the last Council meeting, a citizen asked how they could build a spec building where there was no infrastructure or wastewater treatment plant in that area. He understood that there was 175,000 gallons left that could accommodate that site. He asked if that was correct. Mr. Willoughby said that was correct. The Commerce Center was fully served by utilities and currently there was 175,000 per day of capacity available. Of the companies they had turned down and of the median investment of \$50 million, they were all companies they could easily accommodate with the wastewater they currently had in the commerce center. Mr. Pauley said ok because Old Castle did not use that much and he asked if that was correct and Mr. Willoughby agreed.

Mr. Gilbert asked if he could disclose some of the companies that they had to turn down. Mr. Willoughby said he could not disclose the names but they were well-paying jobs, large investments and would create hundreds of jobs for residents in the County.

Mr. Roseborough thanked Mr. Willoughby. ***The motion carried 5-0.***

- B.** First Reading (By Title Only) Ordinance No. 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 Vice Chair Greene, seconded by Councilman Roseborough. ***The motion carried 3-2.***
- C.** First Reading (By Title Only) 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 Teaherage 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. Motion made by Councilman Roseborough, seconded by Vice Chair Greene. ***The motion carried 3-2.***

9. BOARD AND COMMISSION MINUTES (For information only)

Aeronautics Commission – October 18, 2022

10. BOARD AND COMMISSION APPOINTMENTS

Disabilities & Special Needs Board – Barbara J. Glenn (District 4)

Motion made by Councilman Roseborough to appoint Ms. Glenn, seconded by Vice Chair Greene. ***The motion carried 5-0.***

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT

- A.** Shooting Range Request – Mr. Whitaker said they met with the Sheriff's Department in October to discuss their request to build a shooting range on available County-owned property. The Sheriff's office visited several properties and worked with their team to establish feasibility. After several site visits, they agreed to support locating the shooting range and industrial track one and two on Highway 200 – just past I-77 heading east towards Midford. Both tracks combined equaled about 15 acres and was about one half mile past the Grand Central truck stop. There were currently no planned activities for the location. Mr. Pauley asked about nearby residents. Mr. Whitaker said he rode by the location and it was half past the truck stop. He could get them a map to show where it was located. He said it was what the Sheriff's office asked for. Mr. Pauley asked if there was a way to notify the residents in that area that there was a shooting range in the area. Mr. Whitaker agreed. Mr. Bell said they should be able to put signage to make sure the residents were aware. Mr. Roseborough said he thought a shooting range had to be conditionally approved through the zoning ordinance. Mr. Whitaker said they would make sure it was permitted. Mr. Bell said they had been working on that for some time.
- B.** New Website Launch/Update – Mr. Whitaker said the Fairfield County website was live and they were excited about the improvements (the website was displayed on the monitors). The new website was a clear expression of their work to live up to their vision – Fairfield County, getting better every day. The updates would improve the user experience

and the sharing of information. The changes included easy-to-use buttons to pay taxes, the use of online forms, the opportunity to access GIS maps and search for job opportunities. The news section allowed citizens to know what was happening with Fairfield County government and get updates directly from the County. Residents could keep up to date on upcoming events happening around the County with an easy to navigate calendar of events. He thanked the website committee: Gwen Ashford, Dr. Kimberly Roberts and Synithia Williams. He also thanked Julie Goguen, Mike Dubose and the incredible team at Dubose Web Group for the service they provided in developing the site and the new County logo. They would have to update their vehicles, shirts, etc. and it was a beautiful logo that he thought the County could be proud of.

14. CLERK TO COUNCIL REPORT

None.

15. 2nd PUBLIC COMMENT SESSION: All public comments made during this session must pertain to items not on the agenda or under Council's consideration. 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.

Dr. Roberts read the same statement that was read at the 1st public comment session.

- Randy Bright – Various

16. COUNTY COUNCIL TIME

Mr. Gilberts said they finally received the long-awaited employee survey. As expected, it was not very favorable. It showed there was a lot of work that had to be done in order to restore the employee's morale. In reviewing the survey, he honestly did not know why there was such a delay. Had it been released sooner, they could have been working towards restoring morale. They had their work cut out for them and he looked forward to working with their staff.

Mr. Pauley said for the record he knew 8B and 8C were first reading items and the reason for his "nay" was due to him needing more information on them.

- Mr. Bell said he had planned to say nothing going forward except thank you for the opportunity to serve but because of the things he continued to read and hear, he thought he must because so much of

it had the absence of fact and truth. He thanked his family, especially his wife for her faith, her endurance and her ability not to be shaken or at any time to throw in the towel because of the attacks to her husband. He thanked the citizens of District 1 for their support and the Council for their support and efforts to move the County forward. "Fairfield County – getting better every day". The accomplishments were many and could not be denied even as others write misleading, false, biased and out of context reports with their negative slant onto it. Their regional and state leaders stated they made more progress in the last two years than previously. He believed it. He could go back in history but there was no need. At least 23 months of continuous articles concerning mostly him but also the Council. Why? He would explain as he talked more about how to move the County forward. Congresswoman Omar asked Speaker Pelosi on their ride to Ghana what it felt like always being used in the Republican attack ads constantly. She said it was a badge of honor. You had to be feared to be vilified. They knew they mattered and it was absolutely the reason they, too, were vilified, which in its self, led him to be proud of the accomplishments and to be able to stand tall in the midst of all of the attacks. Dr. King said, "You cannot ride a man's back unless it's bent." He realized there was an obsession with him and they quickly realized that he was not a caretaker for their power as others had chosen but they were going to do the things needed to grow and prosper the County for the total citizenry. In talking to an individual from Ridgeway, he said he liked Ridgeway as it was and he did not really want to grow. Another lady told him that she lived on 25 acres of land with her own water and septic system. While he respected both, the masses of their citizens needed the County to grow and prosper for their lively hood to stay in the County. It was so sad but it had been their history to allow the privileged to use some individuals for the success of the already advantaged to the detriment of those who needed it most for some immediate benefit. Citizens of that great County, stop being bamboozled. It was important that they understood the simplicity of what was written and not written, why it was written or not written, and the timing it was written or not written. Be wise and look at the outcome and they would see why it was written or not written. He was asking the citizens who sat idly by to get engaged for the sake of everyone. Let's get to what he believed was good for the County – Fairfield County needed the Council of Government for the Midlands region (the COG). He was told by the former Chair and the former Administrator that they could not get anything out of the COG because of their small number. However, in

his 18 month representation, they received \$7M for the Longtown Road paving, which would begin in the spring of 2023 with guide share funds. Bicycle path studies in the County, water for the Ridgeway area, the mega site work, the new I-77 interchange and the sewage plant (a big deal) indicated that it was the work that was needed in the County. Do not allow the attacks of others on the COG to damage the County's relationship that they built because the County needed the COG for growth, expertise and the future 208 Plan. The article concerning the Dominion settlement contained many false statements but the sad piece involved the signed nondisclosure agreement, which indicated they were not to disclose the negotiations, so why would that be an article? Where did the person who wrote it get the information? That must be a question from the people of goodwill. According to the article, he became heavily involved as Chairman of the Council. Wow. Why would he not? It was his job responsibility and he did it. He led the negotiations with Dominion Energy (DE) to decide how to best move the county forward. The negotiations were tough, tiresome, difficult but purposeful. Those of them, all of them involved believed they got the best deal possible. In the process, DE gained respect for them and they (Fairfield County) assured them they would be a partner for the future. What they received was public knowledge, with only Mr. Pauley voting nay. Before he gave the list, it must be noted that no funding was allocated to Fairfield County for operating expenses or normal budgetary items – it was never the intent before him or after.

- Sewage treatment plant - \$45,690,118
- Grading of the Mega Site - \$6,475,000
- Grading of Commerce Center - \$3,196,000
- Escrow for rate relief - \$1,750,000
- Spec Building Parcel 9 of Commerce Center - \$2,000,000
- Teacher's Village - \$2,200,000
- Bond's payments - \$7,550,920
- Ridgeway Park - \$2,500,000
- MLK Monument - \$1,000,000

The reason for the MLK Monument was simple and was due to the confederate monument at the entrance of the Fairfield County complex. The beauty of it was history. As you walk down what they now called "Monument Row", from the Confederate Monument. It moved from their dark past from this nation and county where the Jim Crow laws existed to a place of light, which was a symbol of equality and fairness to all. They were proud of the MLK Monument.

- Cash/Stock - \$27,112,500
- Total - \$99,474,538

More important than the items listed above, was that Fairfield County continued to have a solid, good relationship with Dominion Energy. It had been recognized as an example of how to do negotiations. Going forward, Dominion Energy had absolutely been a good citizen for the County. They made arrangements in good faith. They made investments in Fairfield County and planned to make more. He and Mr. Whitaker knew of those plans as they met in October 2022. So as the County grew and prospered, and it would, please know that the work of that Council was the reason and it could not be denied. He referenced a letter he wrote to the hardworking core team after the Dominion settlement dated 5/31/21: *"As I said the other night, thank you all for a historic agreement for Fairfield County. I know much is to be worked out but the major work is done. A lot of talk about who gets credit, above all one fundamental truth, Fairfield County won. Mr. Jack McKenzie, I am very appreciative of your work to get us where we are today, especially with the wastewater agreement at the Broad River. To the entire group and those who worked behind the scenes to get Fairfield County here, I am grateful. A comment from a constituent – none of the money was Fairfield County's – this is significant. Former Chair, Billy Smith, called to congratulate me and the County for bringing it across the finish line. This could not have been done without the entire team. I also want to thank you all for putting up with me, for listening and acting on some of my suggestions. With that, from my point of view, it simply made the deal better. Our pastor works from a belief and so do I – when timing, purpose and favor intersect, it brings forward the desired results that happen only because of our God. More could be said, but as Chairman of the Fairfield County Council, I am so appreciative. I was at the helm working with brilliant people to place Fairfield County at an undeniable junction headed towards a successful future. Thank you all again. I enjoyed the experience but am elated over the results. Best regards, Moses W. Bell – Fairfield County Council Chairman"*. As they talked about this very important agreement with Dominion Energy, some folks from Saving Fairfield were saying they should sell the MLK Monument and not build the recreation center for their children and seniors in Ridgeway and take that money and build a state-of-the-art animal shelter. That thinking was sick and beyond repulsive but it also spoke to their values and it was not people. One person wrote on the Voice Facebook page that African-Americans bred children. They as humans birth children and God was the Creator of them all. How was that type of language acceptable to any person of goodwill? Dr. King stated, "A time comes when silence is betrayal". When the fabric of society was being torn asunder by disparities in racial, social criminal justice, income and other areas. Keeping quiet was complicit if not more. To the current Council, Fairfield County would never be the same because they had been there. Games were played to the detriment of the County yet they moved forward. They could see

a wastewater treatment plant and the funding for it – their leadership. Grading at the mega site, funding for a spec building and much more – their leadership. They could imagine real growth and prosperity and have their citizens stay in the County. The Gum Springs property they rezoned would likely have a \$1 billion+ investment within eight months. While others voted no, they voted in favor of the County and her growth. Their state leaders believed they were ready for growth. They were also excited about the agreement with the Town of Winnsboro indicating they could work together for the good of the County – their leadership. Another example of their success was the settlement of \$3.1M for the bridge at the Commerce Center that was done poorly done – too many hands involved, while many holes were in the bridge formation there were no holes with that Council leadership. As information, the Council also placed in the budget a request from Hoof & Paw – funding for the design of the animal shelter. Please do not forget a budget completely out of control going up 30% at \$46.4M and \$5.2M coming from fund balance and it did not include a fire truck. The current year's budget was just over \$41M and the budget ending June 30th would likely show \$3-4M placed in fund balance because of how they were able to have a disciplined approach to financial spending and the use of grants and other resources where they purchased a fire truck, ambulance and sheriff's cars. They were able to solve many problems and issues they faced with significant improvements and he was proud to leave it better than they found it. In an elected office, you do not know whether you will win or lose during an election. So, while you are there, you must make the most difference you can and if you do, then you are the true winner regardless of the outcome. With that, some members left on Council wanted a reduction of Council pay by 1/3, more money for first responders, more sheriff's cars, more ambulances, more fire trucks, more pay raises and do not forget to include the item he was working on to provide more incentives to the volunteer fire fighters, both exterior and interior. They also wanted non-attendance to conventions and workshops because it was perceived as luxury vacations. Mr. Bells said they would have the votes. Please do it and do not raise the taxes in these inflationary times. Do not spend all the monies accumulated in the fund balance in the last couple of years as was done in the past - that money would be needed for industries and emergencies. They too would come because of their work. Please keep the budget within the revenues. Also, the Country Chronicle was less expensive than the Voice tab, he meant the Voice paper and they have not had a complaint concerning the advertisement of the County's ads in two years. He said let him end by saying thanks to the citizens of District 1 and to the County but especially to his family that allowed him to serve. With that, he would be eternally grateful. They were able to accomplish those things they said they would and they did more. He thanked them all. January 1 would begin a new season and he was looking forward to it. At that

time, his season would be over for this work. Yes, he made some mistakes but he learned a heck of a lot. God bless you all.

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.)

At 6:47pm, motion made by Councilman Roseborough, seconded by Councilwoman Greene, to go into executive session concerning the below listed items. ***The motion carried unanimously 5-0.***

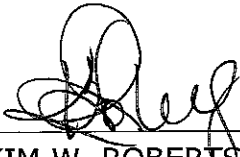
- A.** Personnel Matter – Discussion of Personnel Evaluation of Clerk to Council Pursuant to S.C. Code Ann. §30-4-70(a)(1).
- B.** Personnel Matter – Discussion of Personnel Evaluation of County Administrator Pursuant to S.C. Code Ann. §30-4-70(a)(1).
- C.** Discussion of Development of Security Personnel Relating to the Fairfield County Detention Center Pursuant to S.C. Code Ann. §30-4-70(a)(3).
- D.** Discussion of Contract of County Administrator and Receipt of Legal Advice Thereto Pursuant to S.C. Code Ann. §30-4-70(a)(2).

At 8:04pm, motion made by Councilman Roseborough, seconded by Councilwoman Green to come out of executive session and return to regular session. Chairman Bell said there was no action taken in executive session. ***The motion carried unanimously 5-0.***

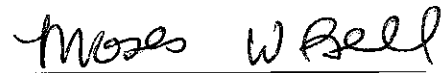
Vice Chair Greene said based on an above standard evaluation, she made a motion to approve an amendment to extend the Administrator's contract until December 31, 2023, motioned seconded by Councilman Roseborough. Mr. Pauley said he was under the understanding that one Council could not bind another, therefore, at the beginning of 2023 the Administrator would be on a day-to-day employment basis regardless of what contract that might be entered into on that day. ***The motion carried 3-2.*** Mr. Bell said to let the record show 3-2 in favor of amending the contract for a one-year extension to 12/31/23.

ADJOURN

At 8:06pm, motion made by Vice Chair Greene, seconded by Councilman Roseborough, to adjourn. ***The motion carried 5-0.***



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



MOSES BELL
CHAIRMAN