



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

Present: Moses Bell, Shirley Greene, Cornelius Robinson, Mikel Trapp, Timothy Roseborough, Clarence Gilbert, Doug Pauley (Council Members); Malik Whitaker, County Administrator, Kenneth Davis, County Attorney.

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

2. APPROVAL OF AGENDA

Motion made by Councilman Trapp, seconded by Councilwoman Greene, to approve the agenda. ***The motion carried 7-0.***

3. INVOCATION

Councilman Trapp led the invocation.

4. APPROVAL OF MINUTES

Motion made by Councilman Trapp, seconded by Councilwoman Greene to approve the minutes from the Regular Meeting of February 14, 2022. ***The motion carried 7-0.***

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. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.

- Jeff Schaffer – Ordinance 783
- Randy Bright – Ordinance 789

7. PUBLIC HEARINGS

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

- A.** Second Reading Ordinance No. 783: An Ordinance to Approve a Lease of Real Property Located in the North Monticello and Ladd Road Area, an 8.12 Acre Tract that is a Portion of Tax Map Number 138-01-00-003-000, by the County from Dominion Energy, Inc., for the Purposes of Establishing a Public Recreation Area. Motion made by Councilman Roseborough, seconded by Councilman Trapp. Mr. Pauley apologized to the public if his comments were lengthy but he had something he needed to say. He said to Chairman Bell and members of Council that he thought they had lost focus on what was important at the moment. They wanted to build another recreation center when they had a lot more pressing needs in Fairfield County. He remembered last year during the budget process, there were so many cuts made to departments that they tied their hands on services provided to the citizens of Fairfield County. Since then, they had received settlements from SCANA and ARP funds and those cuts had not been addressed by this Council. Law enforcement – no police cars were bought and several vehicles had 100,000 (or more) miles on them. Nine vehicles were cut last year and this year they will be asking for ten. What about gas prices for these vehicles that had increased and will likely continue to increase. Complaints of speeders and bad wrecks in the Ridgeway area. Public works was also cut. They had less gravel, asphalt, culvert pipes and other things needed to maintain our County roads. Their daily operating budget was cut by 50% - from \$450,000 to \$225,000 to do daily operations and to try to repair five County bridges that were out. EMS needed three ambulances and did not receive any in last year's budget. They currently had three with over 250,000 miles on them. They also cut paramedics on the road providing life-saving support. The fire service had been asking for tankers for three years. They had two with over 35 years on them. One of them caught fire the other night responding to a call and the other one had a transmission problem. If ISO came tomorrow and there was not a tanker at a station, it would not be considered a station and the citizens' insurance would go up. They also had been asking for a Fire Marshall for two years and will ask for four fire fighters this year. He wanted to make himself clear- he was not against recreation. He was against wasting money. The Mitford Recreation saw one to three people per day. The Jenkinsville Recreation saw maybe three to five people per day in six hours. During the month of November, they did a pilot study on a Saturday for both centers and no one showed up at either center for the whole month. Also, they did not have a full-time Director for the

recreation to manage all of these facilities because they could not afford to pay him. Recently, a basketball team from the recreation center had to go to Airport Road and practice outside because they did not have staff to open the gym. In closing, he asked the Council to open their eyes and see what was needed for Fairfield County and its citizens and not what was wanted by them for political reasons. ***The motion carried 5-2 with Councilmen Pauley and Gilbert voting in the negative.***

- B.** Second Reading Ordinance No. 789: An Ordinance to Appropriate an Amount Not to Exceed \$1,000,000 from the General Fund, to be used to Pay the Expenses Relating to the Relocation of County Government Offices Into the New County Administration Building and Relating to the Relocation of the Sheriff's Department into the New County Administration Building, to Include Furnishings, Fixtures, Equipment and Moving Costs. Motion made by Councilman Trapp, seconded by Councilman Roseborough. Mr. Gilbert said to the Chair that he understood the monies were coming from the General Fund but asked for an explanation as to how the money was coming from the General Fund. Mr. Bell asked Mr. Whitaker if he wanted to respond and he declined but stated he did have some follow up information regarding the subject. Mr. Bell referred to a hand-out given to Council which showed everything itemized – space alterations, furniture and equipment, window treatments and protection, information technology, campus uplift items, art and finishes, and physical relocation service. He stated in the contract, there was not even provision made for toilet paper holders and the County had to buy those things. He said looking at the contract for the Mount Zion complex, it was the most disastrous contract ever seen. Mr. Gilbert said he understood all of that. Mr. Bell said he felt it was important to say because it was a lot of money. Mr. Gilbert said he was not asking how much money it was. In the pre-budget meeting, he (Mr. Bell) mentioned that they were not going to bother the General Fund. They had a conversation and he mentioned that to him. Mr. Bell stated they sold the hospital property and in order to use that money the way the County chooses, it went into the General Fund and that money comes back out of the General Fund. Mr. Gilbert said that was all he asked. Mr. Bell said he was making a point as to the reason why they had to spend all of this money, which was due to the disastrous contract. He said Mr. Whitaker was told that lawyers advised them not to go into this contract. ***The motion carried 7-0.***

9. BOARD AND COMMISSION MINUTES

Fairfield Chamber of Commerce 1/13/22 for information.

10. BOARD AND COMMISSION APPOINTMENTS

- A.** Planning Commission - Motion made by Councilman Pauley to appoint William D. Peake (District 5) to the Planning Commission, seconded by Vice Chair Greene. ***The motion carried 7-0.***
- B.** Planning Commission – Motion made by Vice Chair Greene to appoint Randy Kelley (District 2) to the Planning Commission, seconded by Councilman Roseborough. ***The motion carried 7-0.***

11. OLD BUSINESS

None.

12. NEW BUSINESS

None.

13. COUNTY ADMINISTRATOR'S REPORT

- A.** Broadband Implementation – Mr. Whitaker stated he wanted to read a statement regarding the importance of broadband before he introduced David Owen. He read, according to the FCC, only 65% of rural areas in the U.S. had access to broadband. Without access to broadband, technology it was difficult for rural communities to compete with their big city counterparts in the world of communications. For educational purposes, the internet was a limitless resource that provided access to information from all over the world in a matter of a few key strokes. Broadband access leveled the playing field for students, teachers, patients and healthcare providers in rural communities. In terms of tourism and marketing for our County, high-speed internet was crucial in show casing all that Fairfield County had to offer in real time. Broadband was vital for community support for an ever-growing remote workforce. Connectivity for workers at home could differ dramatically from the access they got in the office. To be able to work from home, employees needed high-speed, secure internet that could handle group video conferencing, large file transfers and online collaboration tools. Requests for telehealth visits was on the rise even before COVID and was crucial to getting care to those who could not travel long distances. Not having access to high-speed internet could put these community members at risk of getting sicker as a result of delayed care and in some cases not receiving care at all. In regards to the broadband infrastructure program, Truvista, one of our local internet providers, received \$900,000 in CARES Act funding to expand broadband infrastructure in select counties in South Carolina. Receiving CARES Act

funding had allowed Truvista to install infrastructure that delivered high-speed fiber broadband to customers. These previously unserved homes and businesses now had access to fiber to their premises delivering download speeds of up to 1GPBS. He introduced David Owen, Director of Business Solutions from Truvista. Mr. Owen stated he served on the business side and not the residential side. He referred to the map on the screen and the one in front of each Councilperson to explain the colors. The reddish brown area to the right of I-77 was the area where they were the telephone/telecom provider. A lot of that area was covered by DSL, a service that provided bandwidth up to 25 megabits download and two to three uploads. Under the various Acts and funding opportunities with the government that had been provided to Truvista, they were considered in the past to be broadband high-speed network. One change, which was good news, was they modified the qualification to mean that broadband services must have a minimum of 100 megabits (4 times the download speed) and up to 20 megabits of upload speed. The pink area was funded thru the CARES Act and they were building out a fiber network in that area that would serve 900 homes - that was the expansion opportunity they were working on now. The blue area was the Town of Winnsboro - that was existing co-axe plant. They provided the bandwidth of 500 megabits in Winnsboro, which was sufficient. The green areas were existing fiber to homes/businesses network, which had very high, high-speed data. The last area (brown) was where they were considering expansion with their own funding. The map in total gave a representation of existing services and the infrastructure in place to support that and an idea of where they were looking to build out under their own funding. Mr. Bell stated the fiber optic cable stopped at the Kershaw County line and went up to the Windmill Restaurant in Ridgeway - about 3.5 miles without high-speed internet. There were a lot of houses in that area and he asked if there were any plans to do something in that area. Mr. Owen said if he could provide an address or specific location (to Lisa Kelly) they could take it back to the office to see what was happening in that specific area. Mr. Bell agreed. Mrs. Greene said when they talk about the monies from the Rescue Plan were there any plans to look at some of the more rural areas. She saw there was some consideration of the western part of the County - 215 Highway and some of the Blair area but not very much of the interior. Mr. Owen said these were existing plans but the next slide would introduce new funding opportunities that would potentially address her concerns. He referenced the next slide - 2022 Funding Opportunities. As good information to know, he said to put in one mile of fiber cost roughly \$60,000. If someone was two miles down the road and there was one house at the end of that road, it would be challenging to build a case to spend \$120,000 to get broadband

to one customer. That was an extreme example but it was what they were dealing with regarding the cost to put the fiber in the ground. This was why it was so important to get government funding to offset the cost. One of the few benefits of COVID was it brought to light the desperate need for broadband and infrastructure into rural communities. There was a lot of attention being given to that – for education and healthcare. There were a number of government funding opportunities available and he wanted to give an update regarding the status of those opportunities. They were already successful in receiving CARES Act funds. They were in the middle of filing applications for the USDA Round 3. The application deadline was next month (March). In the past, when the government looked at funding an area to provide broadband services it included DSL, which was not very fast. They had recently modified the definition as they looked at areas that would qualify for funding to include areas that only had DSL, which was very good news. They were applying for funding via USDA Round 3 for Fairfield County to include areas that were mainly DSL. After they file next month, he offered to come back to let them know the areas for which they hope to receive funding to help build out the network. With USDA funding, it historically took 6 months for the actual award of the funding so they would be looking at the fall of this year for implementation. Mr. Bell said last week, they spoke to a lot of people on the State level regarding getting 98%-99% of the County with broadband and high-speed internet. He asked what they could do to help the process and engage people to be able to take advantage of the monies that would become available for broadband and other things. Mr. Owen said that led him to his next item – American Rescue Plan Act, both Houses at the State legislature were currently considering bills/appropriations to fund broadband in rural areas of South Carolina. They had not determined the allocation amount but he heard \$600 million for the State. The fact that they (Council) had already had conversations with the officials was very beneficial and was one of his bullet points in his presentation. They definitely wanted to partner with Fairfield County once the legislation passed and would be in contact once the application for the funding process opened. This particular ARPA was a partnership between a provider and the county so they would reach out to Fairfield County to partner with them to get what they could from the funding. Mrs. Greene said when looking at the cost to lay the fiber (\$60,000/mile), there would be a lot of infrastructure/construction coming up in the next few years. She asked if there were any plans to partner with that construction so that fiber optic lines could be dropped when the ground was open. Mr. Owen asked if she was referencing construction in business development parks. She said she was talking about wastewater treatment lines where the ground would be open. Mr. Owen said that was a great

question to ask their VP of construction. He did not know their interest in burying their cable with power, sewer or water lines. Mr. Bell said the State was trying to implement a policy called "Dig Once" where all lines were dropped while the ground was open. Mr. Owen said it made sense but he did not know what their policy was in regards to how they would be able to service it or if they would want their line on top of a water line where the water company needed to come in and fix the water line and they dug up theirs by mistake. He knew that they did that if a business park was being built but was unsure if they partnered with a water or sewer company. Mr. Gilbert asked for the timeframe for those areas under construction to have service and how would people know how to connect. Mr. Owen said he did not have a timeline for all the construction but they would notify customers on the residential side as services were made available in their area. Mr. Gilbert asked if there would be a fee associated with the connection. Mr. Owen said there would be no connection fee but there would be a monthly service fee. Mr. Bell thanked him for coming to the meeting and sharing valuable information. Mr. Owen said he would make sure Council had his contact information.

- B. Palmetto Pride Litter Grant** – Mr. Whitaker said he was proud to announce that Fairfield County received a \$25,000 grant for Palmetto Pride to address litter in our County. He introduced Jonathan Burroughs (Director of Public Works) and Carnell Robinson (Director of Solid Waste). He said the Palmetto Pride Litter Crew grant was provided to local governments for litter clean-up programs. The County, through the Department of Public Works, would use the grant to start a litter pick-up program in Fairfield County. Palmetto Pride was South Carolina's anti-litter and beautification organization and was created by the legislature to fight litter and keep our State clean, green and beautiful. Outside of this great opportunity, leadership in the Public Works and Community Development departments were working hard to develop and execute a comprehensive plan for reducing litter in our County. He introduced Sarah Lyles, Director of Palmetto Pride, who came to make a special presentation to Mr. Burroughs. After pictures were taken with Mr. Burroughs, Mr. Robinson and Ms. Lyles, Mr. Burroughs said that litter was a major issue and to the best of his knowledge, they never had a litter crew and certain departments were directed to pick up inmates to pick up the litter. He thought if it were to be done correctly and efficiently, they would contract it out or hire staff. They were willing to take that on in their department but the funding and the options chosen would have to be between Administration and the department. This was a great step to hit the hot spots and frequently traveled areas to address these issues. He had talked to several counties throughout the State and most of them had a code enforcement officer with inmate staffing

and some with litter crews. Some had temp services but that could cause into liability issues. Mr. Pauley said he appreciated what he and Mr. Robinson did. Mr. Burroughs thanked Shelley Fentress (Grants Coordinator) for her role in the getting the grant. Mr. Pauley thanked her as well. He said a couple of Council meetings ago, he brought up litter. He saw on social media last night citizens complaining about Fairfield County. He thought it was the worst it had looked in some time. He asked if this was a grant to get started and not an on-going grant. Mr. Burroughs confirmed. He said they as a Council would need to take the necessary steps to hire someone or contract it out to keep the litter under control. Mr. Burroughs said as long as they had the grant they would continue to apply every year but if it appeared that the best route was allocated funding, then he would agree with that. Mrs. Greene asked if other counties worked with volunteers. She said Lake Wateree Presbyterian Church already had a crew that went out about 2-4 times per year. Mr. Burroughs agreed and said if it was a DOT State maintained road, volunteers could go through them to fill out the correct paperwork for liability issues. There was one scheduled for March 19th that resident Mr. Cathcart was organizing. They would work with them and would pick up the bags so they could track, weigh and count them. Mrs. Greene thought one of the leaders was Pick Up Pickens and they had been recognized for a lot of their volunteer efforts. Mr. Burroughs said he thought if it was going to be done right and consistently, they needed something in place and not rely on the citizens so much to help out. Ms. Lyles said Palmetto Pride was a non-profit. They were State legislated but they did not get tax dollars and they did get a percentage of court fines. At that level, they put everything back out into programs of education, enforcement, awareness and pick up. They worked with communities, counties, and cities to come up with good comprehensive plans based on what could be done right away and what could be done down the line. With this grant, they would love to see it increase and continue. They chose the number (25,000) based on their experience with other counties who had started programs. Starting with a higher number could be intimidating and chances were it would not be done right. They had seen in the last 20 years that the population had increased 23% but infrastructure had not changed from the State down. They were working with State agencies, legislatures and the Governor's office, who were aware of the problem, but needed to find funding. DOT received \$8 million last year to service their roads. One of the biggest complaints was that it was either a city, county or State road and a lot of the secondary State highways did not fall under State maintenance. Thirty years ago, those highways were safe for volunteers but now there were too many people on the roads and it was not safe for volunteers. They like to work with people like Jonathan and different

departments to say these roads just have to be maintained because they were too heavily traveled. After that, they could work with the neighborhoods and get volunteers engaged that way. It had been about 10 years since Fairfield County had a "Keep America Beautiful" program and she encouraged everyone not to be intimidated by cost. It did not have to cost a lot – they just needed to work together and have the conversation to change the culture. It would take time, consistency and support. Palmetto Pride intended to be around for support. They had grants throughout the year in other departments and the "Keep America Beautiful" grant paid for the start-up of the affiliate and that would be \$10,000 to Fairfield County to start the process. They also worked with 'Adopt a Highway' coordinators so there were a lot of free available resources - they only needed someone to say come in and help. She wanted to see how this partnership worked because if it was a success they would do everything on their end to keep the funding available and if it was even more successful, they could look at more funding from the State. Mr. Whitaker said it would be successful and she agreed. Mr. Pauley thanked her for the grant. Mr. Bell thanked her as well and said it would not be another 10 years without their services.

- C. Fairfield/Winnsboro Utilities Work Group Update – Mr. Whitaker read a statement regarding work they were doing. He said Fairfield County needed expanded sewer infrastructure in order to grow and support development. The creation of a strong, reliable sewer system requires coordination between Fairfield County and the Town of Winnsboro. Understanding that, he made it a priority to try to collaborate with the leadership of the Town of Winnsboro. In a South Carolina's Association training, which he attended last week, the trainer stated effective intergovernmental relations come from good communication, common goals and visions, a willingness to work together, good leadership, trust, common sense, hard work over an extended period of time and level heads. The same training identified barriers to effect governmental relations including turf protection, fear of loss of control, lack of trust, history, personalities, conflicts and egos, lack of communication, politics and the inability to look beyond the present term of office, mandates from Federal and State government, competition for economic development, lack of shared vision and goals and money. It was with this knowledge that some of these barriers currently exist and he had taken the following leadership actions in regards to the proposed wastewater treatment plant. He first reviewed the 40-page drafted project participation agreement PPA for the Fairfield County Joint Water Sewer System and focused on the benefits and potential obligations for Fairfield County in signing this agreement. He discovered that Fairfield County was paying 75% of the cost for the Fairfield County Joint Water Sewer system

activities to develop this project, including lawyer fees and engineering fees. He discovered that Fairfield had no engineer/construction risk manager providing professional expertise on Fairfield's long-term interest in participating in a joint system whereas the joint system and the Town of Winnsboro did. After completing this review, he submitted his comments on the PPA to our attorneys, specifically calling out the long, complicated sections that clearly described the responsibilities and benefits of each party and requested a shorter, cleaner draft of a PPA with Fairfield County's interest also identified. On January 14th, he emailed a due diligence material request letter to the Town of Winnsboro's Administrator, Jason Taylor, about the health of the Town of Winnsboro's existing system since Fairfield would have to rely on Winnsboro's expertise to run a new wastewater treatment plant. In the letter, he asked for operating manuals, systems, procedures, operating status reports from regulatory agencies, maintenance and systems reports, debt, finance and operating costs information. The email was followed with a hand delivered letter during a lunch meeting on January 24th with Mr. Taylor and Assistant Administrator, Chris Clauson. He had yet to receive a response on the health of the town system – he was still waiting for that information. After receiving no response from the letter and an attempt to bring all parties to the table on February 16th, he requested a meeting between himself and the administrative staff, our Economic Development Director, town leaders and the Central Midlands Council of Governments to discuss previous efforts to work together on a joint system and develop a path moving forward. From that meeting, the Fairfield County/Town of Winnsboro Utilities Workgroup was formed. The purpose of the workgroup was simple – to provide a safe space for staff from Fairfield County and Winnsboro to think through challenges, build trust and improve intergovernmental relations necessary to work together on large infrastructure projects like the wastewater treatment plant. Before that meeting, there was no structure specifically for staff to hold these crucial conversations. In our first meeting, there were no lawyers, engineers, or elected officials – just staff. After the creation of the working group, he met with Bill Bigman (American Engineering Consulting) the consulting firm hired by the joint system to design the wastewater treatment plant for status updates on the project design and identify the needs to finalize the project. Before the project could move forward, we needed answers on the final plant location, the new service territories between the Town, the County and the system and the updated waste load allocation into Broad River. All of these items were proposed to be worked out by staff and presented to the joint system for final review and recommendations to Fairfield County Council and Winnsboro's Town Council. He paused for questions – there were none. He continued and said

unfortunately after they started the Utilities Work Group, the Chairman received a resolution from the Town of Winnsboro refusing to pay their solid waste fees. They would work through this issue and he stated the County's position. He said Fairfield County charged solid waste service fees for services provided to all commercial users of the County's solid waste transfer station. The fees were service fees with the amounts owed based on the amount of services provided and they were not a tax. Prior to July 1, 2021, the Town of Winnsboro and Fairfield County School district were not paying the service fees based on an alleged informal arrangement. Fairfield County clarified that the solid waste service fees would be applied to the Town of Winnsboro and the Fairfield County School district in a budget ordinance with an effective date of July 1, 2021. From July 1, 2021 to January 31, 2022, the Town of Winnsboro utilized the County's solid waste services and accrued \$61, 881.75 in fees. Despite being invoiced, the Town of Winnsboro had not paid the fees. It was their understanding that the Town of Winnsboro passed a resolution stating they would not pay the fees. Fairfield County would be sending notice to the Town of Winnsboro that if the fees were not paid by the end of March, Fairfield County would not accept the town's solid waste at County facilities. This was the County's current position on the matter and he opened the floor for questions – there were none regarding the subject. Mr. Gilbert asked if any progress was made regarding the anonymous survey he requested at the last meeting. Mr. Whitaker stated it had not. Mr. Gilbert said he asked because the recommendation opened a can of worms. He said some people may have taken that out of context. Since the meeting, he had conversations with some employees (some former employees) and he received a very disturbing letter that day from an employee stating the working conditions were horrible. He said he would really like him (Whitaker) to look into the survey. He did not want anyone to think he was trying to crawl up anybody's back. He had the welfare of the staff in mind and he wanted the best for their staff because they could not afford to lose any more employees. Working in conditions that were not comfortable made it more difficult to perform the job. He felt an anonymous survey would give them insight to how the employees felt and help them to make working conditions better. Mr. Whitaker said he would work on it and Mr. Gilbert asked if he would keep him posted and he agreed. Mr. Pauley said at the last Council meeting, he brought up the re-districting process. Since then, there had been a re-districting meeting and he had not been advised of any updates concerning re-districting and he did not see it on the agenda. He was aware that he (Whitaker) and Mrs. Williams were in that meeting and asked if he would elaborate on the meeting. Mrs. Williams confirmed (from the podium) that a meeting was held to get information as to the delay of

the finalization of the lines for the re-districting. What was discovered was confusion in the Voter's Registration office because on some of the borders of the districts, whether due to the information sent to them or the way they extracted it, but some of the lines split properties. If the line went down the middle of a property, then the Voter's Registration staff had difficulty verifying because they did not get names and addresses from the State. If Joe Smith belonged in District A or District B, they had to get clarification to make sure they assigned the homes that were split by those lines to the right district. The Voter's Registration staff had gone over all of that and the information was sent to the State (today) and they would verify that the right houses were in the correct districts. They would run it and send it back to them and then they would be able to finalize the lines. She did not have a timeline as to how long the State office would take to verify but their part was done. They had sent it over and they would verify that the lines are correct. Mr. Pauley said (to Mrs. Williams) that she was not here during the re-districting but he thought she would agree and a statement may have been made that there should have been more people involved in the process. Mrs. Williams said she was not here to know how the process was put together. She said different counties handled it different ways. If there were challenges with the way it was handled this time, it was definitely something they would take under consideration moving forward the next time re-districting comes up. Mr. Pauley asked if as of last week, the district lines were actually going thru the center of people's homes. Mrs. Williams said there were about seven properties that were finalized that day to make sure they were put in the right place. She had not been able to pinpoint where the disconnect came from with the lines because that should not have been the case but they were getting that cleared up now and they were asking the State to verify that everyone was put in the correct district. Mr. Pauley thanked her. Mr. Bell asked Mr. Whitaker if he had a timeline for the audit. Mr. Whitaker said he expected the subject to be mentioned and he was prepared. He passed out a handout, which included a letter to Council and a timeline, to Council. He read the letter: On January 4, 2022, the Comptroller General notified the County that their office had not yet received the County's 2021 audited financial statement. He immediately put a plan into place to determine reasons for the delay in submitting the audit, ramifications of a late submittal and what steps to implement to ensure a swift submittal to the Comptroller General's office. Until the Comptroller General received the audit, any revenue flows thru the State to the County were stopped. These had not resulted in stopping any County projects as the County was currently operating under the fiscal year 2022 budget and would receive those funds. As of that day, the County had submitted all required

information for the audit to their independent review firm, Elliott Davis. Elliott Davis was performing audit file reviews, reviewing audit procedures and financial statements. Our Finance Director would continue to respond to requests for additional supporting documentation as Elliott Davis completed their review. Finance department staff remained in continuous communication with Elliott Davis to coordinate the submittal of information from other County departments. He referred to the projected slide of the timeline of the audit process from last year, which showed who the County Administrators were. He stated the process began in April - the process began in April. He started December 2, 2022. The slide showed things that happened and did not happen. He said they were on top of it now and had put together a good plan and would bring it before Council within the next couple of weeks. Mr. Bell and Mrs. Greene thanked him. Mrs. Greene said she had a question for the record. She asked Mr. Pauley to share his conversation with the auditor, Elliott Davis. Mr. Pauley said he told him that a letter of engagement was sent to Mr. Taylor, he believed in June, and Mr. Taylor signed the letter of engagement. An employee of Elliott Davis, that originally started the audit process, was no longer there. He believed that employee left in November and this guy took it over in November once the other employee left. He said he did not have any kind of documentation or anything from June until November to tell what happened during that time. He said he was currently working on it and would hopefully have it completed by the end of March. Mrs. Greene asked if that was a proper way for County Council members to act in terms of going to an auditor when we take a look at trying to get an unbiased opinion. Mr. Pauley said yes, he thought they had a right to call the auditor to find out what was going on with it, yes ma'am. Mrs. Greene said she thought they needed to look at some codes as to what their responsibilities were. Mr. Pauley said when they were not getting the honest answer from Council or the Chairman he thought they had due diligence to find out for themselves.

14. CLERK TO COUNCIL'S REPORT

None.

15. COUNTY COUNCIL TIME

Mr. Robinson stated in the past he requested he (Bell) and Mr. Davis research counties naming buildings after individuals. He wanted to know if they had any information on that and if not, he was requesting something by the next meeting. He wanted to request naming the jail after the late, great Herman Young. He would like it to be placed on the agenda for the next meeting. Mr. Bell stated they would be glad to do that and he thought it was an excellent

idea. He was in our Black History proclamation with all of his accomplishments and to be able to name the jail after him would be significant for this County. Mrs. Greene stated to the Chair, Council and the public she thought when they took a look at following policies and procedures it became very important. Everyone would like to have news yesterday about what was going to happen tomorrow. She thought there had been a number of instances where we tend to get ahead of correct information. She thought it behooved all of them, whether Council members or the public, to make a Freedom of Information Act request. It was something that the public should certainly make sure they did. If they felt there was a question that they did not get an answer to, they had the County Administrator, the Deputy County Administrator and FOIA. Serving as an advocate, she had sat on the other side of the table many times to question things. She thought it was their right and duty. She would encourage and expect that they ask questions and get the information that they needed and be persistent in doing so. Misinformation was rampant and it was very important that they get correct information. She implored them to ask questions, use FOIA and get all of the information that they felt they needed and rightly deserved. She also thought in terms of following policies and procedures that they as Council members had a responsibility as well. She thought they should uphold the codes and enforcements that they had. When we look at the administrative kind of government that we have chosen, then the Administrator had a role to play in how this County was governed. They needed to make sure that they stayed in their lane. She was saying it to all of them (public) because they needed to make sure that they were helping them (Council) to do that – that they bring to their attention when things went awry. At no time should any of them (Council) be overstepping their boundaries. She was always available to call so if there was a question to ask of her, that question could be posed.

16. 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 7:13 p.m., motion made by Councilman Trapp, seconded by Councilwoman Greene, to go into executive session concerning the below listed items. ***The motion carried unanimously 7-0.***


- A. Receipt of Legal Advice – Relating to a Pending Claim Regarding Road Closure Pursuant to S.C. Code Ann. §30-4-70(a)(2).**

- B.** Receipt of Legal Advice – Relating to a Matter Covered by Attorney-Client Privilege Regarding County Services Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- C.** Receipt of Legal Advice – Relating to a Matter Covered by Attorney-Client Privilege Regarding Sales of County Real Property Pursuant to S.C. Code Ann. §30-4-70(a)(2).
- D.** Personnel Matter – Relating to a Matter Covered by Attorney-Client Privilege Regarding the Possible Reorganization of a County Department Pursuant to S.C. Code Ann. §30-4-70(a)(1).

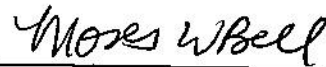
At 7:50 p.m., motion made by Councilman Trapp, seconded by Councilwoman Greene, to come out of executive session and return to regular session. Mr. Bell stated no action was taken in Executive Session. ***The motion carried 7-0.***

ADJOURN

At 7:50 p.m., motion made by Councilman Trapp, seconded by Councilman Roseborough, to adjourn. ***The motion carried 7-0.***



DR. KIM W. ROBERTS
CLERK TO COUNCIL



MOSES BELL
CHAIRMAN