



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
JULY 8, 2019**

**Present:** Moses Bell, Jimmy Ray Douglas, Mikel Trapp, Bertha Goins, Doug Pauley, Cornelius Robinson, Clarence Gilbert, Council Members; Jason Taylor, County Administrator; Tommy Morgan, County Attorney; Patti L. Davis, Clerk to Council.

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

**1. CALL TO ORDER**

Chairman Robinson called the Regular Meeting to order at 6:02 p.m.

**2. APPROVAL OF AGENDA**

It was moved by Council Member Pauley and seconded by Vice Chair Goins to approve the agenda. ***The motion carried unanimously 7-0.***

**3. INVOCATION**

Council Member Douglas led the invocation.

**4. APPROVAL OF MINUTES**

It was moved by Council Member Bell, seconded by Council Member Pauley, to approve the Regular Meeting minutes of June 24, 2019. ***The motion carried unanimously 7-0.***

**5. PUBLIC PRESENTATIONS**

None.

**6. 1<sup>ST</sup> 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.**

- Shirley Seibles - Airport Road
- John Seibles - Airport Road
- Jackie Workman - Airport Road Project
- John Jones - First Reading Ordinance 728
- Randy Bright - Secret Promise?

**7. PUBLIC HEARINGS**

None.

**8. ORDINANCES, RESOLUTIONS AND ORDERS**

**A. Third and Final Reading: Ordinance No. 722** - An Ordinance to Amend the Fairfield County Land Management Ordinance (No. 599) to Provide for the Zoning Reclassification from RD (Rural Resource District) to I-1 (Industrial District) of 11.32 Acres Owned by Fairfield County (Applicant), Tax Map No. 087-02-01-009-000 (Portion). Property is Located at Old Airport Road, Winnsboro, SC 29180. Motion made by Council Member Douglas, seconded by Vice Chair Goins, to approve Third and Final Reading of Ordinance No. 723. Chairman Robinson then deferred to Mr. Taylor. Per Mr. Taylor, Mr. William Ott with Davis and Floyd, the engineering firm handling the DHEC permitting process, has been asked to attend the meeting tonight in anticipation of possible questions. Mr. Ott began by going through an overview of the permitting process. When a source is permitted that has emissions, or in this case, solid waste, it usually requires a DHEC permit. This particular project required a Bureau of Air Quality permit and a Solid Waste permit. The air permit has been submitted but is still under review by the Bureau of Air Quality, and the Solid Waste permit is on hold because of the zoning requirements. Council Member Bell inquired what this means. Per Mr. Ott, the air quality permit has been submitted and is under review. A final decision has not been made yet. If it meets all ambient air quality standards, it cannot be rejected. Mr. Ott also addressed the citizens and stated that a public hearing will be held for the air permit. The citizens will be notified of the public hearing, and there will be an open comment section. Mr. Ott displayed a map of the site with the additional property. There is a 500 foot radius, which will place the burner 500 feet from any of the residents. A table was shown containing criteria pollutants and other pollutants for this burner and the property line, such as particulate matter, sulfur dioxide, nitrogen dioxide and carbon monoxide. There is an ambient air quality standard for each one that a source must pass to be able to be permitted. The standards are created by EPA and enforced by S.C. DHEC. The burner passes each of these categories. These same pollutants are emitted from cars and other sources and also certain industries, and they all must meet these same standards. The source must pass the standards and be deemed to not be a hazard for health concerns to the community or any surroundings. If one of the

standards is elevated, the permit would be turned down immediately. The air burner is designed to reduce emissions, and with the air flow going over the top, the smoke should be encapsulated. Once burned at a high temperature, it does not emit as much smoke as an open pit. However, if the burner is overloaded, the seal will be broken on the top and cause the smoke to release. Terms and conditions will be included with training for the operators in regard to the amount that can be loaded at one time. Overloading would be a violation of the permit. Council Member Pauley inquired how often DHEC will perform checks. Per Mr. Ott, they should be out a pretty good amount in the beginning because sources like this are taken very seriously. Either the local office or Columbia would come routinely at least until it is felt the equipment is being operated correctly. Mr. Ott is not sure if these would be random or scheduled visits. Council Member Douglas stated he feels like the citizens think the County will only be using the 11.32 acres for the incinerator, and this is incorrect. The County owns 40.32 acres in the area, and 25 acres of this will be used for the process. Council Member Douglas offered a copy of the land dimensions for anyone who would like a copy. Council Member Bell inquired of the normal life span of the incinerator. He feels the one that was viewed in Columbia was old and had loud noise and smoke coming from everywhere. Per Mr. Ott, he would have to do research to find this answer; however, when it gets to the point of degradation and leaking, it would probably violate a permit condition. There will be terms in the permit that any malfunctions must be reported to DHEC within 30 days. If the opacity, which is the thickness of the smoke, exceeds a certain percentage, this must also be reported to DHEC. If there are multiple occurrences, it will be shut down. Council Member Bell also inquired concerning the aspect of overloading. Council Member Douglas reiterated that what Council is voting on tonight is to just change the zoning so the new property can be added to the property the County already has in the area, not to open up or use the incinerator. Council Member Gilbert inquired of Mr. Taylor if there is a plan B. He understands the County has spent a lot of money to get to this point, but is there a plan B. Per Mr. Taylor, the concerns are valid. However, at this point, no funds have been expended toward a plan B. It has been very expensive with the hiring of engineers and purchasing additional property to get to this point. Further, Council Member Bell inquired is it true that the County has dispersed carcinogens at the site. Per Mr. Taylor, he is not qualified to answer this question. Obviously particulates do get dispersed in the air when the wood is grinded. We felt this process was a better alternative than

the grinding. Mr. Ott agreed, there is an amount of particulate matter that gets exposed to the air during the grinding process. Council Member Pauley inquired if the 11.23 acres is rezoned to make it a total of 40 acres, could the incinerator be pushed back further than 500 feet. Per Mr. Taylor, there are wetlands issues and the site is driven by DHEC regulations. Mr. Ott agreed, and referencing the site map, the location of the burner cannot be moved any further back with the existing property line. A lot of information is input into the model, including terrain data, weather data, etc. There are points every 50 meters and the concentrations of the pollutants are measured at each point. If it does not pass at each point, it will fail the model and wouldn't get approved by DHEC. The point where the burner is now is the only location that will work because the Solid Waste permit requires the burner to be 100 feet from a wetland, and there is a wetland to the right of where the burner is currently located. Vice Chair Goins inquired if other properties were reviewed at the time the project began. Per Mr. Taylor, since he has been with the County, no other properties have been looked at. This process has been ongoing for about three years. Further, Vice Chair Goins stated she feels the chipper that is now used is a health hazard and questioned if the chipper could be moved to the back part of the lot to make it safer. Also, the unit in Richland County is much larger than what the County has. It is also an older unit. She feels the unit the County has purchased is more environmentally structured with the inside also being different. Much less material will be able to be put into this unit at one time. With all the burners she has seen, she still has more concerns with the chipper process, and this needs to be changed. If this choice is safer, in time there will be something else. Once the burner is in place, the debris should be cleaned up. As she lives not far from the V.C. Summer Nuclear Plant, she understands the concerns from the residents. However, she also understands that we must depend on DHEC and regulations in order to make our life a little bit better. This is one of those cases. Mr. Ott also stated the permit would be a title 5 permit which is one of the most stringent and strict permits. The air curtain is actually the control device. The permit will have a lot of restrictions. If citizens had other concerns that were not addressed, this could be made known at the public comment period. Council Member Douglas suggested buying additional property for the burner to be able to be placed even further back. Mr. Ott cannot speak for certain, but he opined that if it were moved further back, the smoke probably wouldn't reach the houses. Council Member Bell feels more answers are needed before proceeding with this request;

therefore, he is not in favor of the rezone at this point. Chairman Robinson and Council Member Douglas stated there is no reason the rezone request should not be voted on. Mr. Taylor agreed, stating the issue tonight is the rezoning. If this passes and if Council wishes, any further action can be held pending further plans for the site such as purchasing other property or a plan B. Voting tonight does not prohibit us from doing this. Mr. Ott again stated with the air permit, the citizens will have the opportunity for the public hearing, which will be open for 60 days, and this will be directly with DHEC. The rezoning is just for the Solid Waste permit and has nothing to do with the air permit. ***The motion carried 5-2 with Council Member Bell and Council Member Trapp voting nay.***

- B. First Reading (By Title Only): Ordinance No. 728** - An Ordinance Authorizing the Execution and Delivery of a Fee-in-Lieu of Ad Valorem Taxes Agreement by and Between Fairfield County, South Carolina and Project Goldstar to Provide for Payment of a Fee-in-Lieu of Taxes; Authorizing the Inclusion of a Project Site in a Multi-County Business Park; Authorizing Special Source Revenue Credits; and Other Related Matters. Motion made by Council Member Bell, seconded by Council Member Douglas, to approve First Reading (By Title Only) of Ordinance No. 728. ***The motion carried unanimously 7-0.***

**9. BOARD AND COMMISSION MINUTES**

None.

**10. BOARD AND COMMISSION APPOINTMENTS**

None.

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

None.

**Council Member Trapp left the meeting at 6:43 p.m.**

**13. COUNTY ADMINISTRATOR'S REPORT**

- A. Request for Qualification for Auditing Services** - Administration and Finance Committee Recommends Approval. Per Mr. Taylor, this was bid out with three companies who submitted their qualifications,

Faulkner and Thompson, Mauldin and Jenkins and Elliott Davis. Best practice is to change auditing firms every 3-5 years to make sure your books are looked at by a wide variety of eyes with checks and balances. Unfortunately, there were only three responses to the request. Mr. Taylor requested for Mrs. Pickett to come to the podium. A committee was established and they reviewed all the qualification packets that were submitted. The committee chose Elliott Davis to recommend to the Finance Committee. The Finance Committee then recommended this to full Council. Per Mrs. Pickett, the committee had three firms to review. Each committee member reviewed and evaluated each proposal. Council Member Douglas questioned what the main objection was from the committee members. He feels based on the information he received, committee members felt some of the firms gave too much information. Per Mrs. Pickett, this means that this comment was made because the firm had given too much information and was out of order or not requested. Chairman Robinson requested a motion to be made to bring this matter to the floor for discussion. Motion made by Council Member Bell, seconded by Council Member Pauley, to approve the Request for Qualification for Auditing Services. Mrs. Pickett further explained that some of the firms gave information which was not requested and did not pertain to the solicitation request. Vice Chair Goins inquired concerning the committee meetings. Per Mrs. Pickett, the committee met on several occasions, and she attended the meetings as the recorder and to give instructions for the process. Council Member Bell thanked Mrs. Pickett for her work and the committee. Per Mrs. Pickett, there is an elected official on the committee. Chairman Robinson also thanked Mrs. Pickett and stated this is a hard task. Council Member Douglas inquired if this is a one or two year contract, and Mrs. Pickett stated the contract is for two years. Council Member Gilbert read the results and is satisfied with the findings of the committee. ***The motion carried 4-2 with Council Member Douglas and Council Member Pauley voting nay.***

- B.** Promise Program Signing. Per Mr. Taylor, there was a signing ceremony this morning indicating the County has budgeted money for the program. A non-binding MOU was signed and the details of the contract will be worked out in the near future. Vice Chair Goins reiterated that the Council and the public will be informed. Per Mr. Taylor, the agreement will be drawn up by the County attorney and brought before Council, which will be public. Council Member Douglas stated he spoke with a representative from Midlands Tech, and they

stated there is no guarantee there will be classes in Fairfield County. They are also looking to have this money every year. Chairman Robinson reiterated, as was stated during the budget work sessions, that classes in the County will definitely be a plus and this is something the County will continue to work toward. Council Member Gilbert also spoke with a Midlands Tech representative, and he was informed that they are attempting to get classes in the County. They are asking the County to promote students to take classes in the County. They have only had two people who were looking to have classes locally. Chairman Robinson stated Midlands Tech will also be on an upcoming Council agenda to discuss further. Council Member Bell feels this is a huge deal for the citizens. He also pulled information from the Kershaw County website as they have a similar program. Further, he feels that current presidential candidates are campaigning on the fact of no college tuition, and Fairfield County is already doing this. Council Member Douglas is all for educating children and has been trying to get Midlands Tech to add local classes for the last five years.

**14. CLERK TO COUNCIL'S REPORT**

None.

**15. 2<sup>ND</sup> PUBLIC COMMENT (3 MINUTES): INPUT CAN BE TO INTRODUCE AN ITEM NOT CURRENTLY UNDER COUNCIL'S CONSIDERATION OR BRING A CONCERN TO COUNCIL'S ATTENTION. THE TOTAL TIME ALLOCATED TO THIS PUBLIC COMMENT SEGMENT IS 30 MINUTES.**

- Jackie Workman - Visions
- Randy Bright - Haste Makes Waste

**16. COUNTY COUNCIL TIME**

Goins: Vice Chair Goins thanked the team for the effort to listen to the citizens on Airport Road. She does not take this lightly, and she is sure a good resolution can be found that can be beneficial now and in the future. On the 8.1 acres on Ladd's Road, it is her understanding the County does not own this property. It is now the property of Dominion. The previous lease has expired. There is a parcel in the area that can be accessed and improved to a degree for fishing access, etc. She is not trying to make a deal, but this is another option. She feels we need to think bigger to enhance and improve the community so the public can get good use of it.

Douglas: Council Member Douglas responded to the citizen questioning the first reading of the ordinances. When first reading is done, it is just voted on to go forward. At second reading, it will be explained further so people can understand.

Robinson: Chairman Robinson reiterated the signing of the Promise Program took place this morning, and he feels investing in the future of our kids is definitely a worthwhile cause to enable a stronger work force and a better quality of life.

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

At 7:06 p.m., it was moved by Council Member Bell, seconded by Vice Chair Goins, to go into executive session for (a) Contractual Matter - Discussion and Receipt of Legal Advice Regarding Agreement Between Fairfield County, Fairfield County School District and Midlands Technical College as to the Promise Program and (b) Contractual Matter - Discussion Regarding a Proposed Fee-in-Lieu of Tax Agreement and Associated Documents Regarding an Economic Development Project Identified as Project Goldstar. ***The motion carried 6-0.***

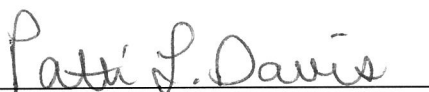
**Council Member Douglas did not return after executive session.**

At 8:10 p.m., it was moved by Council Member Bell, seconded by Council Member Gilbert, to come out of executive session and return to open session. ***The motion carried 5-0.***

No action was taken in Executive Session.

**18. ADJOURN**

At 8:10 p.m., it was moved by Council Member Bell and seconded by Vice Chair Goins to adjourn. ***The motion carried unanimously 5-0.***



PATTI L. DAVIS  
CLERK TO COUNCIL



CORNELIUS ROBINSON  
CHAIRMAN