



**MINUTES  
REGULAR MEETING  
FAIRFIELD COUNTY COUNCIL  
MARCH 9, 2020**

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

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

**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

Motion made by Council Member Gilbert, seconded by Vice Chair Goins, to approve the Agenda. ***The motion carried unanimously 7-0.***

**3. INVOCATION**

Vice Chair Goins led the invocation.

**4. APPROVAL OF MINUTES**

It was moved by Council Member Pauley, seconded by Council Member Gilbert, to approve the Regular Meeting minutes of February 24, 2020. ***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.**

- Jackie Workman - Farmers' Market
- Jeff Schaffer - P.I.C. (Politically Incorrect)
- Randy Bright - Farmers' Market

**7. PUBLIC HEARINGS**

None.

**8. ORDINANCES, RESOLUTIONS AND ORDERS**

- A.** Resolution No. 2020-03: A Resolution Providing for (1) the Creation of a Commission Pursuant to the Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as Amended; (2) the Appointment, Composition, Duties and Responsibilities of Such Commission; and (3) Other Matters Related Thereto. Council Member Douglas made a motion to approve Resolution No. 2020-03, seconded by Vice Chair Goins. Chairman Robinson then requested for Mr. Taylor and Mr. Rhodes to give further information on this item. Per Mr. Taylor, this Resolution is to create a Capital Sales Tax Commission for the purpose of moving forward with a referendum vote by the public as to whether they would support a penny sales tax which is anticipated for the construction of the wastewater treatment facility and infrastructure to support future growth in the County. Mr. Rhodes stated the tools at a County's disposal to fund capital needs are limited. Many counties across the State have found the penny sales tax, which is authorized under the Capital Project Sales Tax Act, to be the only way to fund large capital improvements. The numbers for these types of projects are exceptionally large and far exceed the debt limits of nearly every county in the state. When looking at options, a Capital Project Sales Tax is generally the only viable option at a county's disposal. This would be a 1% sales and use tax for all sales in the County except unprepared foods. Council Member Bell inquired if groceries would not be a part of this sales tax. Mr. Rhodes agreed, unprepared foods would not be a part of this tax. Council Member Bell inquired if medicines would be included, and Mr. Rhodes stated he would check on this and provide a complete list as seen in the statute. Council Member Bell stated the reason he asked this question is because this is a regressive tax, and a lot of people have made the sales tax free of groceries, medicine, pharmaceuticals and sometimes housing. Per Mr. Rhodes, the structure of the tax is outside of our control. The Department of Revenue and state statute dictates what the tax is imposed upon, and it is up to the County to decide if it will be beneficial for its intended purpose. Council Member Bell inquired further if Mr. Rhodes was saying that we would not be able to dictate whether or not the tax would be imposed on medicine and pharmaceuticals. Per Mr. Rhodes, the County would be obligated to allow the Department of Revenue to impose the tax on all of the items that it would normally be imposed upon by statute. The County cannot dictate this. Council

Member Bell stated the Brookings Institute speaks to this being a regressive tax and states it unduly harms the poor, the low income and those persons without insurance. The IRS has a model on their website wherein one can see how it relates to people with low income versus people that are wealthy. Council Member Bell stated it was his thinking that it could be done for groceries, medicine, pharmaceuticals and housing. Council Member Douglas asked the Chair to allow Mr. Rhodes to complete his presentation and then ask questions. Mr. Rhodes stated he can provide Council with a comprehensive list of the items that would be taxed, but the list cannot be changed. It is set by statute and is not something Council can adjust. Per Mr. Rhodes, this is a commission of six citizens within the community who are charged with determining the capital projects that this tax will ultimately pay for. The way the commission is formed is also set by statute. The County Council will appoint three commissioners, which are under consideration tonight. To make sure there is representation from within the municipalities in the County, the Town of Winnsboro will appoint two members of the commission. Those two members will then select one additional member from one of the other municipalities within the County. Those six commissioners will come up with a list of the capital projects to be funded through the tax. The list right now includes funding a portion of the cost of the wastewater treatment plant. There will need to be a second project to round out the use of the funds in case the amount exceeds what is expected, which could be sewer lines throughout the County to connect industry and commercial establishments and other needs in that portion of the County. Up until the commission has come up with their list and bring this back to Council, the process is effectively a planning exercise. The commission will come up with the list of projects, which will be formulated into a question to be placed on the ballot, and they will adopt a resolution to this effect. This will be brought before Council, and at this point in time, Council will make the decision by ordinance whether to move forward. The decision at that point would be to either accept the projects presented in total or to reject in total. There will not be a line item veto. If they are adopted, it then goes forward to a referendum, and the voters vote to decide whether or not they want to impose that one penny sales tax in order to fund those specific projects. The only change that can be made to the ballot is the determination to include a bonding authorization in the referendum, the authorization to issue bonds to use the proceeds in order to finance the listed projects. These are technically general obligation bonds of the County, but they are sized to be paid back from the revenue of the 1% sales tax. Because they are referendum improved, they would not count against the debt limit. Mr. Rhodes has

spoken with the Town of Winnsboro, and they are preparing to make their appointments at their upcoming council meeting. Once appointed, the commission should move pretty quickly and have something back to Council by late spring. The deadline for third reading of the ordinance that approves all of this is August 15. This is the date to provide a form of the ballot to the Election Commission for them to put it on the ballot at the November 2020 general election. Chairman Robinson informed Council Member Bell that he could go to the Department of Revenue website. Chapter 9 gives a list of all exemptions, and medications is on the list. Council Member Douglas had a question about whether a Council member could be on the commission, but he believes Mr. Rhodes has answered this. Mr. Rhodes stated this is correct, and this is a good point. A commissioner on the Capital Projects Sales Tax Commission is an officer under state law and is subject to the constitutional prohibition against dual office holding. Council Member Bell inquired concerning the process of the commissioners making the decision of what will be on the list of projects and then Council either accepting it all or rejecting it all. Per Mr. Rhodes, this is correct. Council Member Bell stated that the listed potential members are Rick Gibson, Randy Bright and Harriett Brown and inquired if they will get paid. Mr. Rhodes stated they do not get paid. Council Member Bell inquired who would provide guidance to the group. Per Mr. Rhodes, there are different ways to decide on the list of projects to be considered. It can be put out to different groups in the community to solicit project ideas, and then it is decided by the commission which ideas will be accepted and which ones will not. In some cases, the ballot includes 150 projects. There is some merit to this, but the criticism would be the tax would not be as impactful. These could be projects that could possibly be funded by other means, and we are talking about funding a significant portion of the cost of the wastewater treatment plant, a project that cannot be funded through any other means. In many respects, this is the only option to come up with up to \$12M to devote toward the cost of this project. The commission undertakes this task with the knowledge that Council gets to make the decision of whether or not this moves forward. An important step in the process is clear information conveyed from Council that there is an expectation the tax will ultimately fund the wastewater treatment plant. Council Member Bell stated the good part of this is you have groceries and medication. The serious problem is that the commission comes up with the list. Per Mr. Rhodes, there is intended to be a grass roots process to decide the capital projects that are most important in the County and to make sure they benefit the County at large, which is why there is a requirement to have significant representation on the commission from within the

municipalities. Ultimately, they do have to take some direction from Council as to the scope of the projects willing to be considered. Vice Chair Goins would think that since the commission is part of Fairfield County, they will know what the needs are, and they would be like minded enough to move forward with the needs of the County first. Mr. Rhodes agrees, and there is something to be said for receiving formal direction from the County. This could be done in the form of a letter from the County Administrator to give some direction as to what County Council is willing to consider. If they go outside of that, the County gets to make the ultimate decision of whether to move forward. ***Motion carried 5-0 with Council Member Bell and Council Member Trapp voting nay.***

**9. BOARD AND COMMISSION MINUTES - Received as Information**

- A. Airport Commission
- B. Disabilities and Special Needs

**10. BOARD AND COMMISSION APPOINTMENTS**

- A. Appointment of Mr. Carl Kennedy to Zoning Board of Appeals - District 7.
- B. Appointment of Mr. James L. Greene to Behavioral Health Services - District 2.
- C. Appointment of Mrs. Ruchelle Gee to Zoning Board of Appeals - District 5.
- D. Reappointment of Mr. Randy Sisk to the Aeronautics Commission - District 7.
- E. Reappointment of Mr. Daniel Heath to the Aeronautics Commission - District 3.

Motion made by Council Member Bell, seconded by Council Member Trapp, to approve the above appointments and reappointments. ***The motion carried 6-1 with Council Member Douglas voting nay.***

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

None.

**13. COUNTY ADMINISTRATOR'S REPORT**

- A. Joseph Bernard, MHA, Market Chief Operating Officer, Providence Hospital. Mr. Taylor introduced Mr. Bernard, who is the County's

representative with Providence Hospital. He is here to give an update on the local facility. Also, as many have read in the news, Prisma is looking to purchase Providence, and the County would like to know if there are any changes. Mr. Bernard thanked Council for the invitation to speak tonight. He attended a Council meeting in June or July of last year when the free-standing emergency room had been open for about six months. Mr. Bernard had agreed to come back in six months for an update. He will also cover what Providence is doing to prepare for the COVID-19 virus and the Prisma Health acquisition of Providence Health. With respect to Fairfield, speaking on the calendar year 2019, a total of just under 9,700 emergency department specific patients were seen. Based on historical trends, 7,500 visits had been budgeted; however, the budget was eclipsed by 2,700 patients. This is great as far as keeping healthcare somewhat local in Winnsboro and Fairfield County. The intention of Providence Health partnering with Fairfield County was to have a healthcare footprint to remain in the County. Along with the 9,700 emergency medicine patients, just under 5,700 outpatients were seen. This would be described as seeking lab services, blood draws and imaging services with CT, x-ray and ultrasound. With respect to leadership, this is looked at as a dyad model with both a physician and a nursing leader. Dr. Duncan Holladay is the physician in charge and has been in this position at the location since June 2019. He is doing a great job as the physician leader. The nurse manager presently at the facility is Arlene Vance. A Joint Commission survey for the lab will be occurring soon. This is an every 2-year survey. The Joint Commission is the national gold standard of accrediting hospitals and healthcare agencies. The lab survey is done separately and then a survey covering everything outside of the lab is done. In 2019, the local emergency room had the comprehensive survey done, and this will happen every three years. Providence Health, including Mr. Bernard, remain engaged with Fairfield Forward in the County, as well as the Upper Midlands Rural Health network, which is a three county collaborative effort between Lancaster, Chester and Fairfield Counties. Mr. Bernard stated a lot of information is received from the parent company, LifePoint Health, in connection with the Coronavirus, in addition to leaning heavily on information put out by the Center for Disease Control coupled with the State of South Carolina, DHEC and the South Carolina Hospital Association. Many of the precautions that are put in place for any virus are what have been implemented, such as proper hand washing and appropriate isolation of patients. If there is a suspicion of the Coronavirus, the patient is placed in isolation with precautionary

measures, and the test is run and sent to DHEC and the CDC. It is taking about 24-48 hours for the test results to come back. Finally, on last Thursday, March 5, at 11 a.m., the public press release was made about Prisma Health moving forward to purchase Providence Health from LifePoint Health. LifePoint purchased Providence back in early February 2016. There is a lot of work that has gone in to get to this point and a number of regulatory matters and legal points still to be finalized and completely addressed before the deal would become final. Mr. Bernard does not have an indication of what this timeline looks like. He is confident this will be an enhancement for the community healthcare.

- B. Request of Action:** To obtain approval for the County to support the Healthy Peoples, Healthy Carolinas evidence-based initiatives and allocate matching funds to complete the kitchen in the Farmers' Market and a fitness room in the Drawdy Parks and Recreation building. Administration and Finance Committee has recommended approval. Per Mr. Taylor, the request is to pull \$130,000 from the Capital Building Projects budget with \$30,000 going toward up fitting the Drawdy Park building and \$100,000 going toward adding a kitchen and a sprinkler system to the Farmers' Market. Mr. Taylor then asked for Mr. Clauson to further elaborate. Motion made by Council Member Gilbert, seconded by Vice Chair Goins, to approve the Request of Action. Per Mr. Clauson, he serves on the Fairfield Forward Board as the Chair, which is a local nonprofit focusing on healthcare in the past and presently trying to expand and look at bringing community stakeholders together to bring about change in the community. There is a grant currently involving evidence-based interventions, and Fairfield Forward reviewed all the statistics, including health studies performed by DHEC. Currently, there are about 10 initiatives the group is trying to pursue. Fairfield County has two of the initiatives the group is wanting to pursue. One will be the fitness area, which was highlighted by DHEC as being a lack of access, especially with females. This is a building the County has available for rehab, and there was a great opportunity to partner with this organization to expand and bring fitness opportunities. Also, Fairfield Forward was not able to do much with the Farmers' Market because of the lack of a kitchen. Therefore, the request tonight is to get the funds to get the kitchen operational. For the recreation building, a total of \$60,000 has been received from PARD, intended originally to be roof and window replacement, and the focus at that time was more on storage. With Fairfield Forward desiring to address this, an additional fitness area

will be added along with restrooms, locker rooms, office space and the athletics area as well. The request is for an additional \$30,000 for the HVAC unit. The building is the old Everett School cafeteria. Mr. Clauson then showed a schematic for the building and explained this is what will be funded by Fairfield Forward. The breakdown of the Farmers' Market additional request includes around \$30,000 for the sprinkler system, \$10,000 for the water line to run a 6-inch line to Liberty Street, \$20,000 for the restroom addition and basic kitchen equipment of \$40,000. Chairman Robinson inquired why the projects are lumped together instead of voting for them separately. Per Mr. Clauson, both are related to the grant. The Fairfield Forward Board also did vote to support the clerks at the Farmers' Market, and they will be funding two positions to be at the market to accept SNAP. They wanted to pursue other evidence-based interventions that would deal with the kitchen, actually preparing foods, teaching families how to prepare foods, etc. In order to pursue that, the kitchen would have to be completed. Council Member Pauley inquired of the total amount for recreation and if the parking lot has been paved yet. Per Mr. Clauson, this amount would be \$30,000. There is \$75,000 from the grant to purchase the equipment and flooring. The parking lot project is still underway, but it is not paved yet. Council Member Bell stated it is a very nice building. He had some early concerns with Mr. Clauson being the Chairman of this committee. He then went to the Fairfield Forward meeting to make sure he understood what was involved. He found out there is a lot of work going on and a lot of people with a lot of expertise. However, he cannot understand why all the focus is in this area and none in the other areas. He voiced this concern at the Fairfield Forward meeting. If you look at the work the committee is doing and the energy level, it is some good work to be done. He believes Mr. Clauson has done a good job in trying to lead this. How you get there is the other question. Council Member Bell has a problem in that money can always be found for items and things in other areas, but when it comes to the outlying communities, the money can never be found or the will to do it. This is disappointing to him. He believes the citizens need to be outraged because the money is always spent in particular places. The citizens should not allow this to happen continuously. With that, Council Member Bell moved to amend the motion to keep the \$130,000 as is but spend \$100,000 in the Ridgeway area to get some things for recreation. He suggests starting with a mini-park, certified volleyball court, a solar lit nature trail and a walking path. Motion to amend seconded by Council Member Trapp. Chairman Robinson stated this can be discussed, but



it cannot be voted on. It would have to go on the next agenda for any action. Council Member Bell stated he is adding this to the other motion. Again, Chairman Robinson stated according to the By-Laws, it would have to be put on the next agenda and requested for Mr. Morgan to elaborate. Per Mr. Morgan, Council has a request for action and a specific item, to obtain approval for the County to support the Healthy People Healthy Carolinas evidence-based initiatives and allocate matching funds to complete the kitchen in the Farmers' Market and a fitness room in the Drawdy Parks and Recreation building. Inasmuch as this was a specific request, an action item that was brought forward, it would require any discussion on any amendments or any votes to change that request of action to take place at the next meeting. Chairman Douglas stated he would like to amend the motion for \$100,000 to be put in downtown Winnsboro. Again, Chairman Robinson stated we need to deal with what is on the floor. Council Member Bell stated if this cannot be voted on, then the amendment has to be withdrawn. Chairman Robinson asked if he was withdrawing the amendment. Council Member Bell inquired if it was illegal to vote. Per Mr. Morgan, it is not illegal to vote, but the request of action was specific as to its terms, and if a change is made, it would have to come forward and a new request of action at a later meeting. The vote can go forward as it relates to this request of action. If it is amended, it would have to come back at a later date and time. Chairman Robinson inquired again if Council Member Bell was withdrawing his amendment. Council Member Bell stated he will withdraw the amendment. Council Member Douglas also withdrew his amendment. Council Member Bell stated one of the things he wants for the County is to make sure our resources are spent in trying to make sure the entire County is treated fairly. We do not want to hinder good work such as people being able to go to the Farmers' Market to purchase items, but at the same time, it is not fair that when it comes to Mr. Trapp's District and District 1, nothing can be done. It is also not fair that this is the only thing coming before Council to vote on. With no further discussion, Chairman Robinson then called for the vote. ***Motion carried 6-1 with Council Member Trapp voting nay.***

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

None.

**15. COUNTY COUNCIL TIME**

Douglas: Council Member Douglas stated there are a couple of Council members who, no matter how good a situation is or what is needed, they will vote nay. Anytime they bring anything up, this makes him want to vote nay just because they vote nay on so many good things the County is trying to do. Council Member Bell asked if he was saying whether it was good or bad. Council Member Douglas stated anything he brings up, he will vote nay, just like he votes nay on everything else.

Goins: Vice Chair Goins shared an article in the spirit of development and projects. The article is dated Wednesday, January 14, 1976. Vice Chair Goins stated Jenkinsville Water Company is a public company funded by the State, funded by the federal government and other entities for the purpose of economic development in a rural area. It was included in this from the beginning as this article is from 46 years ago. When she asked a while back that the County include the company into the regional water system, there was some static. It is already included because actually the County is already vested in it. The citizens have vested in it. This was started by trailblazers 46 years ago. She is asking again that the citizens and everyone come together and bring economic development from the western side. If we want it to thrive, we must get in the game and do what we need to do. Council Member Bell requested for Mr. Taylor to explain Vice Chair Goins' request as far as the County with the water authority. Per Mr. Taylor, his understanding is to reach out to Jenkinsville Water to ask them to be a part of the Joint Service, but there is an open invitation to anyone in the County. Chairman Robinson has also tried to reach out to Jenkinsville. Council Member Bell inquired if the County is looking to take over Jenkinsville Water Company. Per Mr. Taylor, the County is not forcing anyone, and instead, the County is trying to reach out to help them. If there is a way to work together, that is great. Vice Chair Goins stated this is not about a takeover, it is about economic development for the County. It is not a choice of just a few people. She would like to have a meeting and gauge the public present. It took people who cared about the community and others more than themselves to come together with the State and with the County. She is saying to the citizens of Fairfield County, let's work together to use the resources that we have. This is not a decision for one or two people. Everybody is responsible for doing better. No matter what County it is, it took people who cared and who worked together to build it. This is all she is asking, that we come together and finish what someone else started so that God can bring the increase. She will work with Mr. Taylor to have a community meeting to explain why she is making the request and the necessity of it as we talk about infrastructure all the time.

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

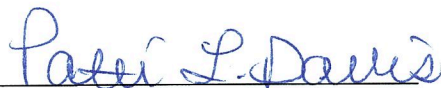
At, 7:11 p.m., it was moved by Council Member Pauley, seconded by Council Member Douglas, to go into executive session to receive legal advice as to the proposed contractual arrangements pertaining to two items: (1) current status of agreement relating to local health care and (2) pending economic development matter – both in accordance with South Carolina Code of Laws Section 30-4-70(a)(2). **Motion carried unanimously 7-0.**

At 8:07 p.m., it was moved by Council Member Douglas, seconded by Council Member Gilbert and Council Member Pauley, to come out of executive session and return to open session. **Motion carried unanimously 7-0.**

Council Member Gilbert made a motion to authorize the Fairfield County Administrator and the County legal team to work with all necessary parties to ensure the citizens of Fairfield County have continued access to quality health care of their choosing here in Fairfield County, and for County Council to issue a press release regarding the announcement of the proposed sale of the Providence Health Fairfield Emergency Room. Motion seconded by Council Member Douglas. **Motion carried unanimously 7-0.**

**17. ADJOURN**

At 8:07 p.m., it was moved by Council Member Douglas and seconded by Council Member Gilbert to adjourn. **The motion carried unanimously 7-0.**



PATTI L. DAVIS  
CLERK TO COUNCIL



CORNELIUS ROBINSON  
CHAIRMAN